

**Town of Carbonear
Regular Council Meeting May 23, 2023**

Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, May 23, 2023 at 5:30pm

Members Present: Mayor Frank Butt
 Deputy Mayor Sam Slade
 Councillor Danielle Doyle
 Chris O'Grady
 Ray Noel
 Malcolm Seymour
 Peter Snow

Also Present: Town Clerk / Director
 of Financial Operations Cathy Somers
 EDTO Kerri Abbott
 Director of Operations
 & Public Works Ian Farrell
 Director of Recreation Rob Button

Absent: Chief Administrative Officer Cynthia Davis (on vacation)

1. Calling of Meeting to Order
 Mayor Butt welcomed everyone to the meeting and called the meeting to order at 5:30pm. The meeting is being broadcasted through YouTube.
2. Approval of the Agenda for May 23, 2023 Regular Meeting
 Motion 23-142 D. Doyle / C. O'Grady
 Resolved to adopt the agenda of the May 23, 2023 Regular Meeting of Council as presented to Council.
 Favour 7; Opposed 0; **Carried**
3. Adoption of the minutes
 - a) Regular Meeting – May 9, 2023
 Motion 23-143 S. Slade / P. Snow
 Resolved to adopt the minutes of the May 9, 2023 Regular Meeting of Council as presented.
 Favour 7; Opposed 0; **Carried**
4. Business Arising from Minutes
 No business arising.
5. Proclamations / Presentations / Delegations

- a) Operation Smile Canada
RE: Longest Day of Smiles – June 18, Proclamation to be signed.
Motion 23-144 C. O’Grady / R. Noel
Whereas Operation Smile Canada is a global medical charity providing free, life-changing surgeries and medical care to children born with cleft conditions around the world; and
Whereas Every 3 minutes, a child is born with a cleft condition, and lack of access to safe, effective surgery means that easily treatable conditions like cleft lip and cleft palate can become fatal; and
Whereas Operation Smile Canada believes every child born with a cleft condition deserves exceptional surgical care; and
Whereas the Longest Day of SMILES® will unite Canadians from coast to coast to coast as they raise awareness and funds; and
Whereas On June 18th, 2023, the citizens of Carbonear, NL are encouraged to learn more about how to support this worthy cause by visiting www.longestdayofsmiles.ca; and
Whereas Our community can help celebrate the Longest Day of SMILES® by posting #longestdayofsmiles on social media;
Therefore the Town of Carbonear do hereby proclaim June 18th, 2023 as “Longest Day of SMILES®” in Carbonear, NL and commend its thoughtful observance to all citizens of our municipality.
Favour 7; Opposed 0; **Carried**

6. Permits and Correspondence

- 6.1 Permit Listing # 10192-10200
Councillor Doyle asked Council to review the list of permits for any conflicts of interest.
Motion 23-145 D. Doyle / P. Snow
Resolved to approve permits # 10192-10200 as per the applications received and conditional up on the work being completed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.
Favour 7; Opposed 0; **Carried**
- 6.2 Correspondence, requiring Council’s decision
None listed.
- 6.3 Correspondence received and action taken
Council reviewed the following correspondence and action taken:
- a) Government of NL
- Department of Justice and Public Safety
RE: Emergency Services Division Training

- Forwarded to the Chief Administrative Officer & Director of Operations and Public Works
- Department of Transportation and Infrastructure
RE: Approval to call public tender – 17-GI-22000-13 Valley Road Water, Sewer and Road Upgrading Final Phase
Forwarded to the Chief Administrative Officer & Director of Operations and Public Works
- Department of Municipal and Provincial Affairs
2023 Tax Exemption for Productive Farm Land, Woodland and Associated Buildings
Copied to the Town Clerk and the Chief Administrative Officer
- Department of Environment and Climate Change
Permit Application Referral - Shed Replacement
Forwarded to the Economic Development, Planning and Land Use Development
- b) Property owner, Sutton's Hill
RE: road condition
Forwarded to Public Works, Waste Management and Community Services committee
- c) Property owner, London Road, installation of new water line
Forwarded to Public Works, Waste Management and Community Services committee
- d) CBDC Trinity Conception – Program Coordinator – Youth Ventures program
Forwarded to Economic Development and Tourism Officer and the Chief Administrative Officer.
- e) 2615 Army Cadets, Invitation for the Mayor or designate to attend ACR on June 4th to bring greetings.
Forwarded to the Mayor and Council.
- f) Municipal Assessment Agency
RE: Valuation Results Tax Year and Assessment Role 2024
Forwarded to the Town Clerk and the Chief Administrative Officer
RE: Update on the Municipal Assessment Agency following board meeting April 2023.
Forwarded to the Town Clerk and the Chief Administrative Officer
- g) Crohn's and Colitis Canada
RE: request for donation
Forwarded to the Administration and Finance committee

7. Committee Reports

- a) Administration and Finance
Councillor O'Grady noted the following from the committee meeting:

- Reviewed correspondence from Municipal Affairs on collaboration and service sharing to address service gaps. The province is working on developing criteria for funding.
- The Strategic Plan will be released within the next couple of weeks.

b) Public Works, Waste Management and Community Services
Deputy Mayor Slade presented the following motions:

Motion 23-146

S. Slade / P. Snow

Whereas the Town of Carbonear called for tenders for a HVAC Service Contract, and

*Whereas Ainsworth Inc's tender is the low bidder and is in good order,
Be it resolved to award a service contract to Ainsworth Inc for an estimated value of \$14,148 plus HST.*

Favour 7; Opposed 0; **Carried**

Motion 23-147

S. Slade / D. Doyle

With respect to Water Street Phase 2, 17-GI-21-00075,

Whereas the Contractor has requested an additional 7.5 working days for the construction schedule related to extra work on the project, and

Whereas the Consultant has reviewed and recommends approval,

Be it resolved to approve Change Order #1 to add 7.5 working days to the contractor schedule.

Favour 7; Opposed 0; **Carried**

Mayor Butt noted for anyone watching the meeting that water has been turned on, and crews are working on restoring water to the various areas throughout town. It may be another few hours before all areas are restored with water.

c) Development

Councillor Doyle noted the following from the committee meeting:

- Crowdy Street development - recommendation to be brought forward at the next meeting.
- Municipal Plan Review survey open until May 26. Now is the time for residents and stake holders to have an input. We should receive the 1st draft in late summer and people can have input on the draft as well.
- Reminder for property owners to apply for a permit if they are doing any work on their property.

Councillor Doyle presented the following motions:

Motion 23-148

D. Doyle / P. Snow

Resolved to approve the following applications in accordance with applications submitted, the Town of Carbonear Municipal Plan and Development Regulations and other conditions as specified:

- *To construct a garage at 24 Highroad North conditional upon the garage being constructed behind the building line of the dwelling on both Highroad North and Hoyles Road;*
- *to remove existing shed and construct a new shed at Lot 44 in the Line Road, conditional upon receipt of applicable approvals from Department of Environment and Climate Change (Water Resources Division), Digital Government and Service NL and other applicable government departments and agencies;*
- *to place rocks at 151C Water Street conditional upon approval from applicable government departments and agencies;*
- *to replace front step at 46 Pikes Lane per section 10 discretionary powers of council.*

Favour 7; Opposed 0; **Carried**

Motion 23-149

D. Doyle / C. O'Grady

Resolved to send an order to cease business operations at 48 Powell Drive operating contrary to the Town of Carbonear Municipal Plan and Development Regulations

Favour 7; Opposed 0; **Carried**

Motion 23-150

D. Doyle / P. Snow

Resolved to refuse the application to place a portable shelter at 8 Hayden Heights placed contrary to the Town of Carbonear Municipal Plan and Development Regulations

Favour 7; Opposed 0; **Carried**

Motion 23-151

D. Doyle / R. Noel

Resolved to contract Yolo Nomads for a single community package at a cost of \$5,434 Canadian (including set up fee).

Question: What does this include. EDTO advised this is a recruitment tool to assist municipalities in attracting business investors and skilled professionals to our town. They offer 4 different areas. We have chosen 2 areas, YOLO will act as the Town's agent.

Favour 7; Opposed 0; **Carried**

Motion 23-152

D. Doyle / C. O'Grady

Resolved to send order to remove the deck at 154 Forest Road contrary to the Town of Carbonear Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

Councillor Snow noted that when we review the Town Plan, that we should review to determine that any existing building and fences be grandfathered in.

Town Clerk advised that with the current Municipal Plan and Development Regulations, any development that existed prior to the Municipal Plan and Development Regulations can continue to exist as a non-conforming use. All new development applications must meet the current Municipal Plan & Development Regulations.

Councillor Seymour noted that he has an issue with the fact that we are dealing with issues/problems with permits a year later after the issue was identified. Councillor Doyle noted that several steps have been taken since this was identified and it has been monitored for approximately a year, with no response. Discussed.

Mayor Butt reminded councillors that discussion on an item should take place after a motion has been moved and seconded, not after it has been voted on.

An inquiry was made as to when the new Town Plan and Development Regulations are expected to be adopted and in place. It is anticipated to be some time in the spring of 2024.

- d) Recreation, Special Events, Culture and Tourism
Councillor Seymour noted the following from the committee meeting:
Pool – staffroom renovations tender being prepared.
Landscaping – Landscaper has started.
Back up pump for pool – Director will be obtaining an additional quote.
Tulip festival – Director to inquire with the person contracted for our weekly maintenance of our planting areas to inquire about options for our tulip area.

8. Reports of Chief Administrative Officer and Department Heads

- a) Director of Operations and Public Works
Director noted the following from his report
 - Valley Road Phase 4
 - Valley Road Phase 4 gone to tender.

The Director noted that he has a couple of purchases that require a motion of council to approve.

Resolutions for purchases:

Motion 23-153

S. Slade / M. Seymour

Be it resolved to purchase a confined space entry system from Grainger Canada via the Canoe Purchasing System for \$5,826.54 plus HST.

Favour 7; Opposed 0; **Carried**

Motion 23-154

S. Slade / R. Noel

Be it resolved to purchase 2 traffic counter units from Construction Signs Limited via the Canoe Procurement System for \$9,350 plus HST.

Favour 7; Opposed 0; **Carried**

Councillor Doyle asked if people on the hills affected by pumphouses will be later having water restored. Director confirmed that is correct.

Mayor Butt inquired about the Bennetts Hill pumphouse.

Deputy Mayor Slade advised that this has been brought to the attention of Works Committee by the Fire Department. Works Committee to review at their next meeting.

b) Director of Recreation

The Director reviewed the following from his report with Council:

Pool & Rec Maintenance

1. Work in Universal change room is complete. New floor drains have been installed and room is now completely operational.
2. Parks have been cleaned up. Some small repairs to rinks have been completed. Tennis and soccer nets have been installed. New inground picnic tables have been installed. Ballfield maintenance/grooming will be completed this week.

Financial & Program Analysis

	<u>2023</u>	<u>2022</u>
1.) Pool Revenue (less HST)	No Update right now	
2.) Lesson Registration	949	393
3.) Pool Visitation	8,400	7,484

The Director noted that lesson registration is increased significantly from last year. Pool visitation has also increased which is good.

Programs & Grants

- 1.) Annual Awards ceremony is scheduled for tomorrow night, 7pm at pool. All invites have been sent out and looking forward to a wonderful evening celebrating volunteers and athletes of our community.
- 2.) Recreation Master Plan. Have been given a date of June 2nd for release of the final draft.
- 3.) A Save the Date advertisement is being created to be released this week. Stay tuned for a brand new event for the Town of Carbonear this Summer.

Purchase of new pool vacuum

Director advised the pool vacuum needs to be replaced. He noted he obtained pricing and the lowest available pricing is \$2,550 + freight + HST from Water & Ice North America Inc.

A motion of council is required to proceed with the purchase.

Motion 23-155

R. Noel / P. Snow

Resolved to purchase a new pool vacuum for the Carbonear Pool from Water & Ice North America Inc. for the price of \$2,550 + freight + HST.

Favour 7; Opposed 0; **Carried**

Councillor Doyle inquired if the playpens could be put back in the family changeroom. The Director advised that this is not an option. Cleanliness was a problem in the past and with the new changeroom, placement of a play pen would leave the child unattended. We can look at other options, however, we do have change stalls with change tables and others with benches. Director to ensure staff are aware of the matter.

Councillor Snow inquired about the west side fence of the tennis courts, Director to review.

Councillor O'Grady asked if the final copy of the Recreation Master Plan will be presented to Council for review before being released to the public. The Director advised yes, it would be reviewed by Council first.

9. **Finances**

- a) Operating Invoices over \$2,000.00 in the amount of..... \$ 87,566.57

Motion 23-156

C. O'Grady / P. Snow

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$87,566.57 as submitted to Council.

Favour 7; Opposed 0; **Carried**

Capital Invoices

Councillor O'Grady declared a conflict of interest on the Adelaide Street Phase 2 invoices as his brother owns property in that area.

Councillor Seymour declared a conflict of interest on the Adelaide Street Phase 2 invoices as his mother-in-law owns property in the area.

Councillor Snow declared a conflict of interest on the Adelaide Street Phase 2 invoices as his sister owns property in the area.

Water Street & Street Upgrading, Phase 2, GI 21-00075

Harris & Associates, Engineering Invoice # 7036.....\$10,147.49

Black Diamond Construction Ltd, Claim # 1.....\$52,317.38

Powell Drive Upgrading, Phase 2

Harbourside Transportation Consultants, Invoice # 2763.....\$1,449.00

Adelaide Street Upgrades Phase 2

Meridian Engineering Inc, Invoice # CC107260.....\$10,962.18

Motion 23-157

C. O'Grady / P. Snow

Water Street & Street Upgrading, Phase 2, GI 21-00075

Harris & Associates, Engineering Invoice # 7036.....\$10,147.49

Black Diamond Construction Ltd, Claim # 1.....\$52,317.38

Powell Drive Upgrading, Phase 2

Harbourside Transportation Consultants, Invoice # 2763.....\$1,449.00

Favour 7; Opposed 0; **Carried**

Councillors O'Grady, Seymour and Snow left the meeting due to conflict of interest on the invoices for the Adelaide Street Upgrades Phase 2.

Motion 23-158

D. Doyle / S. Slade

Resolved to approve for payment the following capital invoice

Adelaide Street Upgrades Phase 2

Meridian Engineering Inc, Invoice # CC107260.....\$10,962.18

Favour 4; Opposed 0; **Carried**

Councillors O'Grady, Seymour and Snow were called back into the meeting.

10. Regulations for Adoption

None listed.

11. Notices of Motion

No notices of motions were filed.

12. New Business

No new business.

13. Adjournment

Motion 23-159

S. Slade / R. Noel

Resolved that the meeting adjourn at 6:22pm and that Council meet again for a Regular Council Meeting on Tuesday, June 13, 2023 at 5:30pm.

Favour 7; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk