

Town of Carbonear
Regular Council Meeting June 11, 2024
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, June 11, 2024 at 5:30pm

Members Present: Mayor Frank Butt
Councillors Danielle Doyle
Chris O'Grady
Ray Noel
Malcolm Seymour
Peter Snow

Members Absent: Deputy Mayor Sam Slade

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

1. Calling of Meeting to Order
Mayor Butt welcomed those present at the meeting and called the meeting to order at 5:31pm. The meeting is being broadcast by Youtube. Mayor Butt noted that Deputy Mayor Slade is absent this evening due to work commitments.

2. Approval of the Agenda for June 11, 2024 Regular Meeting
Motion 24-167 P. Snow / C. O'Grady
Resolved to adopt the agenda for the June 11, 2024 Regular Council meeting as distributed to Council.
Favour 6; Opposed 0; **Carried**

3. Adoption of the minutes
 - a) Regular Meeting – May 28, 2024
Motion 24-168 M. Seymour / C. O'Grady
Resolved to adopt the minutes of the May 28th, 2024 Regular Meeting of Council as presented.
Favour 6; Opposed 0; **Carried**

4. Business Arising from Minutes
No business arising.

5. Proclamations / Presentations / Delegations
None listed.

6. Permits and Correspondence

6.1 Permit Listing # 10537-10554

Councillor Doyle asked Council to review the permit listing for possible conflicts, but that she didn't think there were any conflicts.

Motion 24-169

D. Doyle / M. Seymour

Resolved to approve permits # 10537-10554 as per the applications received and conditional upon the work being completed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 6; 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) Inquiry on land on Highroad North
Forwarded to Development, Planning and Land Use Development committee
- b) Society of Saint Vincent DePaul Foodbank
 - Community meal, Thursday June 13 at the Masonic Lodge
 - Women's Circle, Thursday, at 5:30 pm
- c) Canada History Magazine regarding World Cup of Tiddly
Forwarded to the Director of Recreation and the Chair of the Special Events committee
- d) Government NL
 - Department of Environment and Climate Change regarding permitting requirements associated with work in and near waterbodies.
Forwarded to Economic Development, Planning & Land Use Development Committee.
 - Department of Municipal and Provincial Affairs
Approval of the Carbonear Fire Prevention Regulations. Forwarded to Administration and Finance committee.
- e) Request to review damage claim. Forwarded to the Public Works Waste Management and Community Services committee.

7. Committee Reports

- a) Public Works, Waste Management and Community Services
Councillor Noel brought forward the following motions as recommended by the committee:

Motion 24-170

R. Noel / M. Seymour

Be It Resolved to approve Change Order 6 – Water Street Landscaping, Project Number: 20-105, in the amount of \$7,466.38 including HST for engineering services required in relation to changes to the sidewalk over the cellars to ensure the structural integrity.

Favour 6; Opposed 0; **Carried**

Motion 24-171

R. Noel / P. Snow

Be It Resolved to approve Change Order 7 – Water Street Landscaping, Project Number: 20-105, in the amount of \$17,250.00 plus HST to address shortfall in residential inspection hours by 200 hours.

Favour 6; Opposed 0; **Carried**

Councillor Doyle asked a question of the Director of Operations and Public Works

Sidewalk work in by the Carbonear Swimming Pool is listed in the committee minutes as an ongoing item. Is there a timeline as to when this will be completed . She also noted she received complaints about the landscaping there. Will this work be done in the fall or next spring. The Director of Operations and Public Works advised he will put together an RFP for the project work.

- b) Administration and Finance

Councillor O'Grady noted the committee met on May 30th and noted the following from that meeting:

- Community Grant Policy draft will be distributed to Council for review before the next Council meeting.
- Meeting with the MHA will need to be rescheduled
- Expecting Final copy of the Financial Statements in the near future.
- Accounts Receivable report indicates 2024 tax collection as follows: Property Tax 76% collected, Water/Sewer tax 80% collected and Business Tax 83% collected. Statements will be going out to property owners.
- Committee recommends to send a letter of support as requested by the Mariner Resource Opportunities Network Inc.

- Bethany United Church celebrating their 50th Anniversary. Recommended to place a congratulatory post on the Town's social media.
- The Shriner's Flag was flown in honour of Shriner's Day.

c) Recreation, Special Events, Culture and Tourism

Councillor Seymour noted the following from the committee meeting:

- Jam on the Rock request, deferred for further discussion with Council
- Communities in Bloom visit will take place in Carbonear on July 6-7.

Councillor Seymour presented the following motion as recommended by the committee:

Motion 24-172

M. Seymour / R. Noel

Resolved to approve the purchase of a new pitching machine for the Carbonear Minor Softball Program from Sports Inter at a cost of \$11,384.95 (includes attachments, accessories, freight and HST).

Favour 6; Opposed 0; **Carried**

Mayor Butt asked where these funds are coming from.

Councillor Doyle noted that the Recreation Commission no longer has a separate bank account, but this would be purchased using funds the Recreation Commission previously transferred to the Town a few years ago. At that time, in keeping with PSAB requirements, their accounts were transferred to the Town and the Town was then responsible for the Summer Program which falls under the Town's Recreation Department. At that time, it was agreed that these funds transferred to the Town would be used in future for Recreation purposes. The Recreation Commission is requesting that some of those funds now be used to purchase the new pitching machine for the Carbonear Minor Softball Program.

Councillor Doyle asked one question to the Director of Recreation. Have the downtown businesses been contacted yet to determine who is responsible for maintaining the green spaces in front of their business locations.

CAO noted there is no requirement for the businesses taking care of any of these. The CAO noted that it is her understanding that we are meeting with the contractor to determine what work needs to be done before anything would be relayed.

The Director of Recreation advised he is meeting with the horticulturist next week so that these areas will be taken care of by July.

d) Economic Development, Planning and Land Use Development

Councillor Doyle advised that Council met on Thursday, June 6th.

She noted the following from the committee meeting:

- The committee met with a delegation from Smart Home Solutions Marketing small homes to be developed throughout municipalities in NL. There are legislative requirements for us to be able to proceed with those developments. We will add this item for discussion at our meeting with the MHA.
- Request for rezoning of property. This will require further review with all of Council, and the planner who is doing our Municipal Plan and Development Regulations review. development with Council, and the planner who is doing our MP Review.
- MEO report noted that there are several properties doing work without a permit.
Councillor Doyle reminds property owners to contact the Town regarding required permits before commencing and development on their property.
- There are several applications pending receipt of further information. Councillor Doyle presented the following motions as recommended by the committee:

Motion 24-173

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 open a home-based business (Home Office for Independent Travel Agent) from 167 Forest Road conditional upon no objections or representations being received from the discretionary use advertisement; and the application being referred back to committee and council for further review if objections are received in response to the discretionary notice advertised; and further conditional upon approval from meeting the conditions of the Home-Based Business policy*
- *To construct a fence at 1 Fraize Avenue in accordance with the Fence Regulations and construct a front step in accordance with General Regulations, S.10 Discretionary Powers of Authority;*
- *To vary the total floor area for an accessory building (greenhouse) at 105 Valley Road from 81 m² to 106.3 m² conditional upon no objections to the discretionary notice; and further conditional upon the application being referred back to committee and council for further review if objections are received;*
- *to construct an accessory building at 171-175A Water Street, conditional upon requirements of the Heritage zone;*

Favour 6; Opposed 0; **Carried**

Motion 24-174

D. Doyle / C. O’Grady

Resolved to refuse a permit to construct a fence at 6 Pike’s Lane as the development is not in compliance with the Town of Carbonear Fence Regulations.

Favour 6; Opposed 0; **Carried**

Mayor Butt inquired as to why this is not in compliance. Councilor Doyle noted that the location is within the street reservation and as per provincial legislation, the Town can not approve construction within the street reservation.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

Director reviewed the following from his report with Council.

Pool & Rec Maintenance

- 1.) New Climbing wall has arrived and been installed. Still waiting for delivery of AquaZippin’.
- 2.) Continuing spring work. Been a rainy/wet season. Crews have been busy keeping the regular ground maintenance under control. Lumber for Bleachers has been received and will begin replacing.

3.) Lighting for the ball field is being installed tomorrow.

Financial & Program Analysis

	<u>2024</u>	<u>2023</u>
1.) Pool Revenue (less HST)	\$106,405.92	\$90,875.97
2.) Lesson Registration	872	934
3.) Pool Visitation	10,033	9,226

Programs & Grants

- 1.) June is Recreation/Participation Month. Has been off to a great start!! Individuals have been registering and participating in our programs. Organizations are starting to buy into the process. In the early going we’ve been back and forth with the Town of Paradise for 1st place in the province.
I encourage everyone to get out and participate in the programs being offered in the community. Not only will it help our community win, it will help you win by becoming physically active.
- 2.) Summer Program – Registration going well. Near capacity. All program staff have been identified.
- 3.) We have Partnered with NL Health Services to pilot an older adult program, working with individuals 55+ focusing on strengthening and balance. This program has been a great success. Participants have

already noticed an improvement in their physical well being.
4.) Canada Activities will be happening on July 1st, starting 2pm, at Paddy's Garden. Fireworks are planned as well. More details to follow.

b) Director of Operations and Public Works

The director reviewed the following from his report with Council:

Capital Projects

MYCW Lemarchant Road Extension

- o Survey completed last week.

2023 Paving Program

- o Consultant expected to be on site for prelim investigation this week.

Water Street Phase 3

- o Consultant finalized topo survey last week. Awaiting IFR documents.

The Director of Operations and Public Works provided a draft resolution for Council's consideration for extra work identified and recommend by the Prime Consultant for the Water Street Phase 2 (Part B) Project.

Motion 24-175

R. Noel / M. Seymour

Whereas the Consultant has identified and recommended extra work to be completed by the contractor for the Water Street Phase 2 (Part B) Project including the following:

1. *Reinstating driveway access for the property at 177 Water Street in the amount of \$9,875 plus HST.*
2. *Additional pavers at Bankers Pub in the amount of \$2,602.94 plus HST.*
3. *The addition of new flush curb at Wharf Road heading west in the amount of \$3,965.50 plus HST,*
4. *The addition of new flush curb at the Old Post Office in the amount of \$1,706.25 plus HST.*

Be It Resolved to provide authorization to proceed with the extra work at a total cost of \$18,149.69 plus HST.

Favour 6; Opposed 0; **Carried**

Mayor Butt asked when the War Memorial work will be completed. The Director of Ops & PW advised the work to remove brick from the park should be completed next week.

9. Finances

a) Operating Invoices over \$2,000.00 in the amount of..... \$ 13,836.07

Motion 24-176

C. O'Grady / P. Snow

Resolved that the Town of Carbonear approve for payment the list of

operating invoices over \$2,000 totaling \$13,836.07 as submitted to Council.
Favour 6; Opposed 0; **Carried**

b) Capital Invoices

Adelaide Street Upgrades, Phase II, 17-GI-23-00002

Cougar Engineering, Claim 1.....\$368,168.18

Water Street Phase II - Landscaping PN 20-105, Part B

Harris & Associates, Invoice # 7133.....\$12,667.25

Councillor O'Grady declared a conflict of interest on the Adelaide Street Phase II Project as he has a brother who owns property in the area.

Councillor Seymour declared a conflict of interest on the Adelaide Street Phase II Project as he has a mother-in-law who owns property in the area.

Councillor Snow declared a conflict of interest on the Adelaide Street Phase II Project as he has a sister who owns property in the area.

Councillors O'Grady, Seymour and Snow then moved to the public gallery.

Motion 24-177

D. Doyle / R. Noel

Resolved that the Town of Carbonear approve for payment the following capital invoice:

Adelaide Street Upgrades, Phase II, 17-GI-23-00002

Cougar Engineering, Claim 1.....\$368,168.18

Favour 3; Opposed 0; **Carried**

Councillors O'Grady, Seymour and Snow returned to their seats at the Council table.

Motion 24-178

C. O'Grady / M. Seymour

Resolved that the Town of Carbonear approve for payment the following capital invoice:

Water Street Phase II - Landscaping PN 20-105, Part B

Harris & Associates, Invoice # 7133.....\$12,667.25

Favour 6; Opposed 0; **Carried**

10. Regulations for Adoption

No Regulations listed.

11. Notices of Motion

a) Town of Carbonear Fire Prevention Regulations

The following notice of motion was presented and will be presented to be voted on at the next Regular Council Meeting.

Notice of Motion

C. O'Grady / D. Doyle

Whereas the Minister of Municipal and Provincial Affairs has approved the Town of Carbonear Fire Prevention Regulations in accordance with section 414(1)(f) of the Municipalities Act, 1999.

Be It Resolved that pursuant to the authority conferred by Sections 414(1)(f) of the Municipalities Act, 1999, the Town of Carbonear hereby adopts the Town of Carbonear Fire Prevention Regulations.

12. New Business

a) Announcements

Mayor Butt noted the following events:

- Shared spaces at CONA
- Saint Vincent DePaul Foodbank - Community meal, Thursday June 13 at the Masonic Lodge
- Memorial University, Distributed Medical Education – Community Connection Visit round table discussion will be held June 13, 2024 at the Community Room, CBRCC.
- Soil being delivered tomorrow for the Community Garden
- Residents are encouraged to take part and register for the participation activities.
- There were 37 Grade 1 students that visited the Council Chambers this this past Friday.

13. Adjournment

Motion 24-179

R. Noel / P. Snow

Resolved that the meeting adjourn at 6:06pm and that Council meet again for a Regular Council Meeting on Wednesday, June 26th at 5:30pm.

Favour 6; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk