

Town of Carbonear
Regular Council Meeting July 17, 2024
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, July 17, 2024 at 5:30pm

Members Present: Mayor Frank Butt
Deputy Mayor Sam Slade
Councillors Danielle Doyle (attending remotely)
Chris O'Grady
Ray Noel
Malcolm Seymour
Peter Snow

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

Also Absent: Chief Administrative Officer Cynthia Davis

1. Calling of Meeting to Order
Mayor Butt welcomed those present at the meeting and called the meeting to order at 5:35pm. The meeting is being broadcast by Youtube.
2. Approval of the Agenda for July 17, 2024 Regular Meeting
Mayor Butt noted that the following be added under New Business
- Promotional Offer to advertise with Canada Travel & Lifestyle Magazine.
Motion 24-202 S. Slade / C. O'Grady
Resolved to adopt the agenda for the July 17, 2024 Regular Council meeting as distributed to Council with the following item to be added under New Business
- Promotional Offer to advertise with Canada Travel & Lifestyle Magazine.
Favour 7; Opposed 0; **Carried**
3. Adoption of the minutes
 - a) Regular Meeting – June 26, 2024
Motion 24-203 S. Slade / R. Noel
Resolved to adopt the minutes of the June 26th, 2024 Regular Meeting of Council as presented.
Favour 7; Opposed 0; **Carried**
 - b) Special Meeting – July 9, 2024
Motion 24-204 S. Slade / C. O'Grady

Resolved to adopt the minutes of the July 9th, 2024 Special Meeting of Council as presented.

Favour 7; 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 # 10579-10608

Councillor Doyle asked Council to review the permit listing for possible conflicts. Councillor Seymour declared a conflict on permit #10580 as he assisted with this work.

Councillor Noel declared a conflict on permit #10592 as it was for his brother, and also in conflict on permit #10608 as it is for himself.

Motion 24-205

D. Doyle / C. O'Grady

Resolved to approve permits # 10579-10608, with the exception of permit numbers 10580, 10592 and 10608 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 7; Opposed 0; **Carried**

Councillor Seymour left the council table to sit in the public gallery.

Motion 24-206

D. Doyle / S. Slade

Resolved to approve permit # 10580 as per the application 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**

Councillor Seymour returned to his seat at the council table.

Councillor Noel left the council table to sit in the public gallery.

Motion 24-207

D. Doyle / C. O'Grady

Resolved to approve permits # 10592 and 10608 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**

Councillor Noel returned to his seat at the council table.

6.2 Correspondence, requiring Council's decision

- a) Department of Transportation and Infrastructure
RE: Water Street, Water, Sewer Street Upgrading Phase III – 17-GI-22-00012
Project timeline extension request. Motion required.
Motion 24-208 **S. Slade / P. Snow**
Be it resolved to apply to the Province to extend the project timeline for Water Street Phase 3 to September 30, 2026.
Favour 7; Opposed 0; **Carried**
- b) Harris & Associates Ltd, Carbonear Water Street Upgrading Phase 2 P.N. 20-105, Regarding Change Orders
- Additional flush curb at 193 Water Street to accommodate driveway, 713.10 plus HST
 - Changes to sidewalk at entrance to 195 Water Street to accommodate entrance to the Roost Café. \$1124 plus HST.
- Motion required.
Motion 24-209 **S. Slade / M. Seymour**
*Whereas the consultant for Water Street Phase 2 has recommended additional flush curb in front of 193 Water Street, and
Whereas the consultant for Water Street Phase 2 has recommended additional changes and work to the sidewalk in front of 195 Water Street,
Be it resolved to authorize the consultant to proceed with the additional flush curb at 193 Water Street for \$713.10 plus HST and for the additional work at 195 Water Street for \$1124 plus HST.*
Favour 7; Opposed 0; **Carried**
- c) Request for municipal approval to extend a licensed premise at 180 Water Street from August 9-10, 2024. Motion required.
Motion 24-210 **S. Slade / C. O'Grady**
*Resolved to provide approval to K&P Café Route 66 Diner and Pub to make application to Newfoundland and Labrador Liquor Corporation to extend the licensed premises for August 9 & 10, 2024, and
Be it further resolved to provide approval to install temporary fence at the Old Post Office Park to provide the extension to the licensed premises from August 9 & 10, 2024.*
Favour 7; Opposed 0; **Carried**

6.3 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Property owner Water Street, regarding issue with parking in driveway. Forwarded to Public Works, Waste Management and Community Services committee
- b) Complaint of property on Crossroads. Forwarded to Public Works, Waste Management and Community Services committee
- c) Property owner, Irishtown Road, regarding ditch on property. Forwarded to Public Works, Waste Management and Community Services committee
- d) Property owner, Columbus Drive regarding water run off. Forwarded to the Director of Operations and Public Works for investigation.
- e) Property owner, Water Street regarding brick pavers installed on property. Forwarded to the Director of Operations and Public Works, Chief Administrative Officer and the Public Works, Waste Management and Community Services committee
- f) NL Health Services regarding information brochures Public Health on whopping cough. Forwarded to Council and Staff.
- g) CBDC Trinity Conception regarding information session with speaker Rob Greenwood, Province's Chief Economic Development Officer on August 6, Multipurpose Room from 12 – p.m. RSVP by July 31. Copied to Council and Administration
- h) Government NL
 - Department of Justice and Public Safety regarding fireworks advisory. Forwarded to Administration and the Fire Department
 - Department of Municipal Affairs, Urban and Rural Planning Act, 2000
The appellant was not successful in the appeal and the adjudicator has confirmed that the town did act within its authority and the greenhouse is to be removed on 14 Quarter's Lane. Forwarded to Development, Planning and Land Use Development committee
 - Department of Environment and Climate Change (Water Resources Management) regarding pasteurizing of animals in Public Protected Water Supply Area - Line Road. Forwarded to Development, Planning and Land Use Development.
- i) Conception Bay Joint Council regarding concern with driver training. Forwarded to Council and Administration and Finance committee
- j) Email regarding incident – Fire Hydrant Flushing. Forwarded to Public Works, Waste Management and Community Services committee.
- k) Fire Underwriters Survey and the Canadian Association of Fire Chiefs regarding 2024 National Fire Chief of the Year Awards. Forwarded to the Volunteer Fire Department.

7. Committee Reports

a) Public Works, Waste Management and Community Services

Deputy Mayor Slade presented the following motions:

Motion 24-211 **S. Slade / P. Snow**

*Whereas the consultant for Grassey Lane has recommended a change in the diameter of a proposed manhole,
Be it resolved to authorize a change in the manhole diameter for a cost of \$1,500 plus HST.*

Favour 7; Opposed 0; **Carried**

Motion 24-212 **S. Slade / P. Snow**

*Whereas the consultant for Grassey Lane has recommended a change in the diameter of a proposed manhole,
Be it resolved to authorize a change in the manhole diameter for a cost of \$1,500 plus HST.*

Favour 7; Opposed 0; **Carried**

Motion 24-213 **S. Slade / R. Noel**

Be it resolved to approve the 2024 paving project in the amount of \$506,068.80 as presented to Council, with exact locations to be determined after review with the Prime Consultant.

- Accessibility Improvements	
at Recreation Complex	\$ 20,000.00
Patch Paving (own forces)	\$ 70,000.00
White's Road, section to be determined	\$ 41,760.00
English Hill, section to be determined	\$ 41,760.00
Forest Road to Tilley Place, Phase 1, section to be determined	\$ 97,996.80
Pool Parking Area, Phase 1	\$105,235.00
Hiscock's Road (gravel)	\$ 31,320.00
Water Street East, from playground heading east	\$ 97,996.80
Total	<u>\$506,068.60</u>

Favour 7; Opposed 0; **Carried**

b) Administration and Finance

- 2022 Audited Financial Statements

Motion 24-214 **C. O'Grady / R. Noel**

Resolved to adopt the 2022 Audited Financial Statements for the Town of Carbonear and entities as prepared by Byron Smith, CPA.

Favour 7; Opposed 0; **Carried**

- Councillor O'Grady advised that the proposed Community Grant

Policy was distributed to Council. If all Council has reviewed it, then we can proceed to adopt the policy as presented.

Motion 24-215 **C. O'Grady / P. Snow**

Be it resolved to adopt the proposed Municipal Grants & Donation Program Policy as presented to Council.

Favour 7; Opposed 0; **Carried**

- c) Recreation, Special Events, Culture and Tourism
Councillor Seymour reported on the following from the committee meeting:
- Communities in Bloom – judges visiting July 7 & 8.
 - Flowers are looking great around town
 - Recreation Director will provide further information in his report.

- d) Economic Development, Planning and Land Use Development
Councillor Doyle presented the following motions as recommended by the Development Committee:

Motion 24-216 **D. Doyle / R. Noel**

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:

- *Renewal of permit # 9859 to replace cabin in the Line Road*

Favour 7; Opposed 0; **Carried**

Motion 24-217 **D. Doyle / C. O'Grady**

Resolved to approve the variance to the minimum rear yard from 1.5 m to 1.3 m at 14 Soper Avenue conditional upon receiving no objections to the variance notice provided to the neighbouring properties.

And Be It Further Resolved that if there are objections to the variance(s), the request be further reviewed by Council to determine if the variance will be approved.

Favour 7; Opposed 0; **Carried**

Motion 24-218 **D. Doyle / P. Snow**

Resolved to provide municipal approval of the Crown Land application submitted to the Town for review by the Eastern Regional Lands Office, to construct a wharf / dock at 183 Water Street.

Favour 7; Opposed 0; **Carried**

Motion 24-219 **D. Doyle / C. O'Grady**

Resolved to send a removal order to following properties for noncompliance with the Town of Carbonear Development Regulations:

- *to remove the fence on the property at 195 Water Street*

Favour 7; Opposed 0; **Carried**

It was noted that an application was not submitted for this fence construction.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

The Director reviewed the following from his report with Council:

Pool & Rec Maintenance

- 1.) AquaZip'n (New swing rope) has arrived. Trying to determine installation time. May wait until after the Summer Games Swimming Event. This new feature will be available soon.
- 2.) Crews are staying on top of regular maintenance. Working on bleachers in between.
- 3.) Lighting for the ball field is installed.

Financial & Program Analysis

	<u>2024</u>	<u>2023</u>
1.) Pool Revenue (less HST)	\$139,291.49	\$115,010.97
2.) Lesson Registration	1,093	1,153
3.) Pool Visitation	12,724	9,793

Programs & Grants

- 1.) June is Recreation/Participation Month. What a great success this year!!! Our community was outstanding! Our citizens did their part and placed us #1 in NL and within the top 50 of Canada. All reports and community information has been submitted, lets wait and see how we finish!
- 2.) Summer Program –Going well. Lots of activity around the complex with smiling and happy campers.
- 3.) Carbonear Day Activities are being planned and finalized. Program should be ready in the coming days. Tiddly is back again this year and an Old Fashioned Carnival Day is being planned for Family Day on the Monday.
- 4.) Street Ballers 2.0 is scheduled to happen the weekend of September 14th & 15th. Registration is now open, looking forward to a great weekend of 3 vs 3 Basketball.

Director of Recreation advised the swimming portion of the Summer Games is being held at the Carbonear Pool on August 10-13th.

Councillor Noel noted that announcement made last night on those participating in the Summer Games from Carbonear. Councillor Noel noted that our recreational facilities are second to none and he complimented the recreation staff on their great work in maintaining the facilities.

- b) Director of Operations and Public Works
 The Director of Operations and Public Works presented the following:
- Request for equipment purchase - GPS RTK System
 This will be used to do surveying around town to help when making improvements to intersections and work on our trails. Some special funding is available for this purchase.
 Motion required.
Motion 24-220 **S. Slade / P. Snow**
Be it resolved to purchase a GPS system for the price of \$5,398.14 HST, Shipping and Import fees included.
 Favour 7; Opposed 0; **Carried**

 - Request to approve a Limited Call for Consultant Services for a Sanitary Sewer System and Effluent Treatment Study. There are funds allocated in the 2024 budget for this purpose.
Motion 24-221 **S. Slade / R. Noel**
Be it resolved to make a limited call for consultant services for a study of the current sanitary system and to determine compliance requirements and gaps under the Wastewater Systems Effluent Regulations.
 Favour 7; Opposed 0; **Carried**
 Director advised that once we start getting into this program, the consultant will make recommendation on the possible solutions.

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$70,154.40
Motion 24-222 **C. O'Grady / M. Seymour**
Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$70,154.40 as submitted to Council.
 Favour 7; Opposed 0; **Carried**
- b) Capital Invoices:
Adelaide Street Upgrades Phase 2, 17-GI-23-00002
 Meridian Engineering Inc, Engineering Invoice \$21,251.95
 Cougar Engineering & Construction Ltd, Claim # 2..... \$562,877.45
 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 24-223

R. Noel / S. Slade

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

Adelaide Street Upgrades Phase 2, 17-GI-23-00002

Meridian Engineering Inc, Engineering Invoice \$21,251.95

Cougar Engineering & Construction Ltd, Claim # 2... \$562,877.45

Favour 4; Opposed 0; **Carried**

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

10. Regulations for Adoption
No Regulations listed.

11. Notices of Motion
No notices of motions were filed.

12. New Business

a) Promotional Offer to advertise with Canada Travel & Lifestyle Magazine.

Motion 24-224

C. O’Grady / R. Noel

Resolved that the Town of Carbonear proceed to purchase the special promotional offer for a full page advertisement in the Canada Travel and Lifestyle magazine along a 2 week rotation billboard commercial for the sum of \$4,500 + HST.

Favour 7; Opposed 0; **Carried**

13. Adjournment

Motion 24-225

S. Slade / R. Noel

Resolved that the meeting adjourn at 6:16pm and that Council meet again for a Regular Council Meeting on Wednesday, August 14th at 5:30pm.

Favour 7; Opposed 0; **Carried**

Mayor Frank Butt

Cathy Somers, Town Clerk