

## **Regular Meeting #20 December 15, 2020**

A Regular Meeting of Council convened at 7:03 p.m. in the presence of Mayor French, Councillors, Chief Administrative Officer, Brian Crawley, Administrative Assistant, Tracey Lambert, Director of Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Director of Planning and Development, Corrie Davis, Fire Chief, John Heffernan, and Director of Economic Development, Jennifer Lake.

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### **1. ADOPTION OF AGENDAS AND MINUTES**

#### **a. Adoption of the Meeting Agenda for December 15, 2020**

**Resolution #20-414**

**Councillor Tilley/Councillor Butler**

Be it so resolved that the agenda of the meeting of December 15, 2020 be adopted as presented.

- carried unanimously

#### **b. Adoption of the Meeting Minutes of December 1, 2020**

**Resolution #20-415**

**Councillor Hillier/Councillor Youden**

Be it so resolved that the minutes of the meeting of December 1, 2020 be adopted as presented.

- carried unanimously

### **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

### **3. VISITORS, PRESENTATIONS AND PETITIONS**

Nil

**4. NEW BUSINESS**

**Deputy Mayor Murphy**

acknowledged that 2020 has been a year with challenges and hardships for many and is hopeful that 2021 will be kinder with a new vaccine on the horizon.

thanked residents for their support and wished all residents, council members, and staff a very Merry Christmas and a Happy New Year.

**Councillor Youden**

echoed Deputy Mayor Murphys comments and wished seasons greetings to all residents. He noted that staff has had to pivot and change the way they do business to adjust to the challenges that 2020 has brought. He concluded that staff have delivered with shining results and noted they are certainly deserving of a break this holiday season.

**Councillor Tilley**

wished all residents a Merry Christmas and a prosperous New Year and is hopeful that 2021 will be much brighter.

**Councillor Hillier**

wished everyone happy holidays and is hopeful that everyone will remain Covid safe.

**Councillor Bent**

advised that this past week is the beginning of the Christmas spirit for many, with the annual Riley Mercer Memorial Toy Drive. He noted that Covid restrictions did not dampen the generosity of the residents and that the support was tremendous. Approximately \$30,000 worth of toys and \$15,000 in gift cards have been collected, and donations are still being received. He noted there was a live stream service on December 10, 2020 and it had hundreds of viewers, with some as far as Australia. He is pleased to see the spirit of Riley and Alex reach beyond our borders of our town, province and country. He thanked the Mercers for doing this each year and for bringing joy to others. He concluded by wishing everyone a very Merry and safe Christmas and is looking forward to a better new year.

**Councillor Bursey**

wished everyone a Merry Christmas and hopes that everyone remains Covid safe.

**Councillor Butler**

shared a good news story regarding the Conception Bay South Community Garden. Advised that during their Annual General Meeting last week, the Economic Developers Association of Newfoundland and Labrador awarded the CBS Community Garden as the Project of the Year for population over 3,000. She extended sincere congratulations to each of the committee members for having such an impact within our community garden and is looking forward to it growing even more in the new year.

wished a safe and healthy Christmas to all staff, residents and councillors and thanked everyone for all they have done.

**Councillor Davis**

advised that the Conception Bay South Parks Commission held their annual general meeting earlier this month. Annual reports from the member groups – Manuels River, Chamberlains Park, Kelligrews Ecological Enhancement Program and the Community Garden Committee were tabled. She extended congratulations to all those groups for the tremendous amount of work they have completed in beautifying and protecting town owned lands throughout the Town. Their passion and dedication certainly do not go unnoticed.

wished all residents, staff and council a Merry Christmas and reminded them to follow Covid rules as set by Chief Medical Officer and to stay safe.

**Mayor French**

echoed Councillor Bents comments regarding the annual Riley Mercer Memorial Toy Drive and acknowledged all the hard work and passion involved to create this miraculous event.

reminded residents that we have 24/7-hour snow clearing operations and asked for everyone's patience during the season, as staff are out doing their best and have a priority list as it relates to snow clearing. He noted weather conditions in Conception Bay South can rapidly change.

encouraged residents to look after each other this winter season and shovel out fire hydrants when possible for everyone's safety. Thanked youth and residents for their overwhelming initiative last year in the clearing of fire hydrants and asked them to keep up the good work as we move forward.

wished everyone a very Merry Christmas and Happy New Year and acknowledged directors and staff for their contribution to the Town.

wished a special Merry Christmas to our municipal neighbours, St. Johns, Mount Pearl, Torbay, Paradise and Holyrood. Thanked them for being open for discussion on various matters and trying to find ways to be cost effective and make a better life on the North East Avalon. He wished all surrounding municipalities, police and first responders a very Merry Christmas.

**5. RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE  
(Chair, Councillor Rex Hillier)**

Presentation of recommendations of meeting held on December 8, 2020

**1. 15 Topsail Beach Road – Ancillary Agricultural Use**

**Resolution #20-416  
Councillor Hillier/Councillor Youden**

Be it so resolved that, in accordance with Council's Authority provided by Section 10.7 of the Town's Development Regulations, Application No. 2020-299 seeking approval of hobby farming as an ancillary use at 15 Topsail Beach Road be approved on the condition that a maximum of five

hens, ducks or geese be permitted on the property and that the fowl must be contained within the property at all times.

**AND FURTHER:**

Be it so resolved that any hives, coop or run proposed with the application must be located and built in accordance with the Town's accessory building regulations.

- carried unanimously

Councillor Hillier advised an application was submitted to apply for a permit for a significant number of fowl and beehives. The Committee agreed to the recommendation with conditions.

**2. 791 Conception Bay Highway – Fence Application for a 2.7m High Fence**

**Resolution #20-417**  
**Councillor Hillier/Councillor Davis**

Be it so resolved that in consideration of Council's authority at Section 16 & 17 of the Town's Fence Regulations, Application No. 20-F-156 be approved to permit a 2.7m high fence along the north and eastern property boundaries behind the established building line and a 1.8m high front yard fence, approximately 18m in length, along the north boundary only and forward of the established building line at 791 Conception Bay Highway.

- 8 yeas  
- 1 abstention (Tilley)  
- carried unanimously

Councillor Hillier noted that property abuts a used car dealership, which is relatively new in our Town. The owners wished to put a fence in between themselves and that property.

Councillor Tilley declared a conflict of interest on 791 Conception Bay Highway – Fence Application for a 2.7m High Fence as his son is employed by Kelligrews Auto Mart. He vacated the Chamber at 7:17 p.m. and returned at 7:19 p.m.

**3. 26-50 Laurel Road – Land Use Impact Assessment Report**

**Resolution #20-418**  
**Councillor Hillier/Councillor Tilley**

Be it so resolved that, in accordance with Council's Authority at Section 4.15 (5) of the Town's Development Regulations, the Town provide an opportunity for public review of the Land Use Impact Assessment Report received in relation to proposed shoreline stabilization at 26-50 Laurel Road.

- carried unanimously

Councillor Hillier noted this property is located on the beach and that we are looking at doing some stabilization to protect it from erosion. He advised that due to the sensitivity, a Land Use Impact Assessment Report has been requested, which is available for comment and review.

Councillor Hillier advised residents that the deadline to register for the virtual LUIAR and the proposed OCI Long Pond Project public consultation session is coming up tomorrow. Residents wishing to participate in the consultation session must pre-register before 4:30 p.m. on Wednesday, December 16, 2020 on the Town's website. If you do not wish to participate but you'd like to view the entire session live, please tune in to our YouTube Channel at the time of the event. He added that we are looking forward to the session and is hopeful that everyone can join us.

Councillor Hillier expressed concerns of a gravel pit located at the intersection of the Trans-Canada Highway and Pits Memorial Drive. He advised the pit is located near a watershed that takes water down through Paradise, down through Topsail and empties into Conception Bay at Topsail Beach. He added there is another series of pits located on the Foxtrap Access Road and are in an area that affects the water that flows through our town. He advised that the City of St. John's has submitted 3 more applications that will have the same impact on our town. One is east of Foxtrap and the other 2 will be located on the south side of highway in the area we refer to Pasterland Road. He added that these quarries are in the City of St. Johns and have the potential to affect our water sheds. Kelligrews Ecological Enhancement Program (KEEP) has approached the town on numerous occasions to write letters in support of their efforts. He concluded that we need to encourage residents to be more educated on this matter.

Mayor French advised the Town has written letters to the Minister of Environment, Climate Change and Municipalities, the Minister of Industry, Energy and Technology, and the Mayor/Council of the City of St. John's expressing our concerns and requesting to be included in the decision-making process as we move forward.

**4. Planning and Development Committee Meeting Report**

**Resolution #20-419**  
**Councillor Hillier/Councillor Bursey**

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meeting on December 8, 2020, be accepted as presented.

- carried unanimously

**6. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE  
(Chair, Councillor Junior Bursey)**

Presentation of recommendations of meeting held on December 8, 2020

**1. Anchorage Road and Minerals Road – Approval to Award Consulting Services**

**Resolution #20-420**  
**Councillor Bursey/Councillor Tilley**

Be it so resolved that approval be given to enter into Prime Consultant Agreement with SNC Lavalin Inc. for the Minerals Road and Anchorage Road Upgrades, including sidewalks, at the approximate cost of \$204,050.26 including HST. Funds are available in the projects account.

- carried unanimously

Councillor Bursey advised that the scope of working being done is \$2.5 million and has been allotted to widen and upgrade Minerals Road, as well as to install a sidewalk along with curb and gutter from Peacekeepers Way to Country Path Road. \$1 million has been allocated to upgrade Anchorage Road. This will include roughly 1.5 kilometres of paving from Peacekeepers Way overpass to Minerals Road. \$375,000 has been allocated to install new sidewalks through the Community. Locations are being reviewed and will be announced in the new year. Construction is anticipated to start in the spring and be completed by late summer.

**2. Engineering and Public Works Committee Meeting**

**Resolution #20-421**  
**Councillor Bursey/Councillor Hillier**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of December 8, 2020, be accepted as presented.

- carried unanimously

Mayor French excused himself for the remainder of the meeting and vacated the Chamber 7:30 p.m. Deputy Mayor Murphy assumed the chair.

**7. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Kirk Youden)**

Presentation of recommendations of meeting held on December 7, 2020

**1. Recreation and Leisure Services Committee**

**Resolution #20-422**  
**Councillor Youden/Councillor Hillier**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of December 7, 2020 be accepted as presented.

- carried unanimously

Councillor Youden encouraged residents and businesses to enter the Best Decorated House and Best Decorated Business Contest! All the information for the contests can be found on the Town's website. He added there are some great prizes to be won and the deadline to enter your property or business is December 21, 2020. This contest in addition to the Merry and bright Contest being offered by MUN Botanical Gardens so residents can actually be entered in both competitions to win. Residents can also add their lit-up properties to the Town's Light Map. This map is a great way to find locations of lit properties and can be found on the Town's website. There are currently 8 locations on the map already.



Councillor Youden advised that staff have been working hard to finish setting up the Conception Bay South Light Walk. This walk is located along the Manuels River, on the Gallagher Walk and a portion of the T'Railway. It's expected that the Light Walk will be lit tomorrow evening and will remain on during the holiday season. He noted that with significant weather forecast for this evening, staff will closely monitor the display in the event of weather damages and work to make any additional repairs if needed. Visitors are reminded to please keep safety in mind while visiting the Light Walk and please observe all signage and guidelines that have been put into place.

Councilor Youden advised the New Year's Eve Skate will be going ahead again this year on December 31. Skates will be offered at a number of different times throughout the day to allow for more people to attend, while still maintaining appropriate social distancing. Anyone looking to participate will need to register online, through the Town's website. There is no charge to attend and all participants will be required to complete COVID-19 screening before attending. Please note that this event, as all our events, are subject to change pending the current COVID-19 situation.

**8. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Mayor Richard Murphy/Co-Chair Gerard Tilley)**

Presentation of recommendations of meeting held on December 8, 2020

**1. Accounts Payable Cheque Register**

**Resolution #20-423**  
**Councillor Tilley/Councillor Youden**

Be it so resolved that approval be given to pay Accounts Payable Cheques totaling \$280,880.81.

- carried unanimously

**2. Ratification of Manual Cheques Previously Released**

**Resolution #20-424**  
**Councillor Tilley/Councillor Butler**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$112,099.68.

- carried unanimously

**3. Ratification of Direct Payments Previously Released**

**Resolution #20-425**  
**Councillor Tilley/Councillor Bent**

Be it so resolved that approval be given to ratify direct payments previously released totaling \$411,099.18.

- carried unanimously

**4. Capital Invoices**

**Resolution #20-426**  
**Councillor Tilley/Councillor Butler**

Be it so resolved that approval is given to pay capital invoices totaling \$699,576.78 as listed below:

<b>Project</b>	<b>Vendor</b>	<b>Invoice Details</b>	<b>Amount</b>
Tilley's Road South Phase 3	SNC Lavalin	Invoice #1519364	\$34,498.78
2020 Streets	Harbouside	Invoice #1871	\$20,654.75
Lawrence Pond Road Phase 2	NL Power	Invoice #SLS5133	\$20,633.74
Lawrence Pond Road Phase 2	Bell Aliant	Invoice #95667231	\$82,664.77
2020 Streets Rehab	Modern Paving	Invoice #IN071579	\$371,530.85
Storm Damage Assessment	PEC	Invoice #2020-013-2	\$1,495.00

Gateway Erosion	SNC Lavalin	Invoice #1519043	\$10,051.00
Gateway Erosion	ETL	Progress Claim #2	\$8,561.75
Worsley & Laurel Intersection	Stantec	Invoice #1552698	\$1,274.94
Traffic Calming	Construction Signs	Invoice #42460	\$14,605.00
Maintenance Trailer	Saunders Equipment	Invoice #82357	\$89,700.00
Water System Review	CBCL	Invoice #467226	\$16,766.20
CBS Energy Review	Core Engineering Inc.	Invoice #20-350 Rev1	\$27,140.00
<b>Total Capital Invoices:</b>			<b>\$699,576.78</b>

- 7 yeas
- 1 abstention (Murphy)
- carried unanimously

Deputy Mayor Murphy declared a conflict of interest on the above Capital Invoices item, as he has family who owns and operates Eric Taylor Ltd. He also declared a conflict of interest on the below Personnel – Casual Fire Captain item as he has a family member who is involved in the competition. He vacated the Chamber at 7:35 and returned at 7:38.

Councillor Youden assumed the chair during the Deputy’s Mayor’s absence.

**5. Personnel – Casual Fire Captain**

**Resolution #20-427  
Deputy Mayor Murphy/Councillor Bent**

Be it so resolved that pending acceptable documentation, approval be given to appoint Richard Hynes as Fire Captain on a casual basis, per the terms and conditions of the employment contract.

- 7 yeas
- 1 abstention (Murphy)
- carried unanimously

**6. Tax and Other Receivables Adjustments**

**Resolution #20-428**  
**Councillor Tilley/Councillor Bursey**

Be it so resolved that approval be given to adjust tax and other receivables accounts as follows:

MYERS007	\$30.60
SEALC004	\$76,960.82
DAWER007	\$4,154.89
HODDE002	\$6,504.94

- carried unanimously

**7. Approval to Pay – Councillor Remuneration – 2021 Fiscal Year**

**Resolution #20-429**  
**Councillor Tilley/Councillor Youden**

Be it so resolved that approval be given for the disbursement of Councillor Remuneration for the 2021 fiscal year as follows:

April 2, 2021	1 <sup>st</sup> Quarter Remuneration
July 9, 2021	2 <sup>nd</sup> Quarter Remuneration
October 1, 2021	3 <sup>rd</sup> Quarter Remuneration
December 10, 2021	4 <sup>th</sup> Quarter Remuneration

The total budget for remuneration for 2021 is \$289,160 and funds are available in account 01-101-1000-4010.

- carried unanimously

**8. Approval to Release Cheques and Make Payments during Holiday Period**

**Resolution #20-430**  
**Councillor Tilley/Councillor Butler**

Be it so resolved that approval be given to issue cheques and make payments from December 16, 2020 to January 18, 2021. Cheques released during this period will be ratified at the Council meeting of January 19, 2021.

- carried unanimously

**9. Power of Sale**

**Resolution #20-431**  
**Deputy Mayor Murphy/Councillor Youden**

Be it so resolved that approval be given to initiate power of sale proceedings on arrears accounts identified at the Financial Services Meeting of December 8, 2020.

- 7 yeas  
- 1 abstention (Hillier)  
- carried unanimously

Councillor Hillier declared a conflict of interest as he is involved with land in the area of the church property. He vacated the chamber at 7:40 p.m. and returned at 7:41 p.m.

**10. COVID-19 Stimulus Program – Application**

**Resolution #20-432**  
**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that approval be given to make application to the Department of Environment, Climate Change and Municipalities under the COVID-19 Stimulus Program for \$150,000 for the Town Hall Landscaping Project.

- carried unanimously

Transferred from Committee of the Whole #22

**1. Tender 20-15 for Fire Department Uniform Clothing**

**Resolution #20-433**

**Deputy Mayor Murphy/Councillor Hillier**

Be it so resolved that approval be given to award Tender #20-15 as follows:

**Martin et Levesque**

FF Work Pants \$99.00 + HST

FF Long Sleeve Work Shirts \$84.90 + HST

FF Short Sleeve Work Shirts \$79.90 + HST

Officer White Uniform Shirts \$37.90 + HST

Job Shirts \$86.90 + HST

3-in-1 Jacket \$364.90 + HST

Belt \$22.90 + HST

Tie \$8.50 + HST

**The Uniform Shop +**

Uniform Dress Hat \$ 80.10 + HST

Dress Uniform \$608.00 + HST

**William L Chafe & Sons**

Leather Gloves \$69.00 + HST

Winter Yukon Fur Hat \$118.95 + HST

Funds are available in the Uniform Clothing Budget, Account # 01-205-1000-4115.

- carried unanimously

**2. Standing Offer 20-01 for Fire Department Protective Equipment**

**Resolution #20-434**

**Councillor Tilley/Councillor Bursey**

Be it so resolved that approval be given to award Tender #20-01 as follows:

**First Response Supply**

Bunker Gloves \$122.89 + HST

Bunker Boots \$268.40 + HST

**MicMac Fire & Safety**

**2021 Pricing**

Protective Hood \$58.25 + HST  
Helmet \$258.20 + HST  
Replacement Helmet Visor \$108.90 + HST  
Bunker Gear (Jacket & Pants) \$2,625.00 + HST

**2022 Pricing**

Protective Hood \$61.15 + HST  
Helmet \$271.11 + HST  
Replacement Helmet Visor \$114.34 + HST  
Bunker Gear (Jacket & Pants) \$2,745.00 + HST

**2023 Pricing**

Protective Hood \$64.20 + HST  
Helmet \$284.65 + HST  
Replacement Helmet Visor \$120.00 + HST  
Bunker Gear (Jacket & Pants) \$2,865.00 + HST

Funds are available in the Uniform Clothing Budget - Account # 01-205-1000-4110.

- carried unanimously

**11. Financial and Administrative Services Committee Report**

**Resolution #20-435**

**Councillor Tilley/Councillor Hillier**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of December 8, 2020 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM  
(Chair, Councillor Christine Butler)**

Presentation of recommendations of meeting held on December 8, 2020

**1. Chamberlains Park Donation**

**Resolution #20-436  
Councillor Butler/Councillor Davis**

Be it so resolved that approval be given for a donation to Chamberlains Park Action Committee for the completion of their boardwalk project to a maximum of \$29,000. Funds are available in account number 01-101-1000-7705.

- carried unanimously

Councillor Davis advised that the Chamberlains Park Action Committee have done a tremendous job at making their trail fully accessible and safe for all trail users. Due to the increased cost of building supplies this past summer, they fell a little short on budget for the completion of their 2020 project. While they have funding applications pending to various organizations, we wanted to support them in completing their project, should the funds be required.

**2. Economic Development and Tourism Committee Meeting Report**

**Resolution #20-437  
Councillor Butler/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee meeting of December 8, 2020 be accepted as presented.

- carried unanimously

**10. OTHER COMMITTEE REPORTS**

Nil



**11. ADJOURNMENT**

The meeting adjourned at 7:45 p.m.

**Resolution #20-438**  
**Councillor Hillier/Councillor Davis**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Terry French  
Mayor

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Richard Murphy  
Deputy Mayor

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Kirk Youden  
Councillor

\_\_\_\_\_  
Tracey Lambert  
Administrative Assistant