

Regular Meeting #14 September 7, 2021

A Regular Meeting of Council convened at 7:00 p.m. in the presence of Mayor French Councillors, Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Planning and Development, Corrie Davis, Director of Recreation and Leisure Services, Dave Tibbo and Communications Manager, Carla Hodder.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for September 7, 2021

Resolution #21-313

Deputy Mayor Murphy/Councillor Bent

Be it so resolved that the agenda of the meeting of September 7, 2021 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of August 17, 2021

Resolution #21-314

Councillor Youden/Councillor Hillier

Be it so resolved that the minutes of the meeting of August 17, 2021 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Proclamation – Fetal Alcohol Spectrum Disorder Awareness Week

Mayor French proclaimed the week of September 6-10, 2021 as Fetal Alcohol Spectrum Disorder Awareness Week in the Town of Conception Bay South.

b. Childhood Cancer Awareness Month

Mayor French proclaimed the month of September 2021 as Childhood Cancer Awareness Month in the Town of Conception Bay South.

4. NEW BUSINESS

Deputy Mayor Murphy

stated that he and other Councillors attended the grand opening of Gullies Convenience Store. He expressed congratulations to the business owners.

Councillor Youden

stated that he is proud of the annual financial statements to be adopted. He stated that Council has had 4 years in a row with a reduction on spending. Incredible accomplishment.

Councillor Tilley

stated that he attended the most recent UMC meeting held in Mount Pearl. He stated there was much discussion on enforcement and the of ATVs and dirt bikes.

Councillor Hillier

reminded residents of school bus safety as school is starting again tomorrow.

Councillor Bent

requested safety in school zones as children are returning to school this week. He requested all to pay attention.

stated that the Town is part of a Committee with other municipalities to talk about how to attract business to our areas. He advised that there will be a consulting firm to offer some direction on where to go from here.

Councillor Bursey

stated that the annual Terry Fox Run will be taking place on Sunday Sept 19, 2021 at 2:00 pm. Participants will meet at the Manuels River Hibernia Interpretation Center to start the event. To register and for more information please visit the Towns website at conceptionbaysouth.ca

Councillor Butler

stated that she had attended the seniors bbq. She advised she was so excited to see all the seniors and thanked the Town for hosting.

stated that she was nominated and voted as Vice Chair of the MNL's Women's Caucus.

wished students and staff a safe return to school and requested everyone to also be respectful.

Councillor Davis

stated that nominations for the Bright Business Achievement Awards are now open. Details may be found on the Town's website.

Mayor French

congratulated all candidates in the upcoming municipal election.

Reminded drivers to slow down and referenced the first day of school tomorrow.

Advised that the public forum for the Recreational Master Plan has been postponed so that the new Council may be involved.

stated that construction for the installation of the LAV III has commenced on the Town Hall property.

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

1. 20 Laurel Road

**Resolution #21-315
Councillor Hillier/Deputy Mayor Murphy**

Be it so resolved that Application No. 857 received on September 7, 2021 for a 9.75m x 7.3m accessory building at 20 Laurel Road, be approved.

- carried unanimously

Presentation of recommendations of meetings held on August 31, 2021

1. 25 Dannic Place

**Resolution #21-316
Councillor Hillier/Councillor Bursey**

Be it so resolved that, in accordance with section 15 of the Town's Fence Regulations, Application No. 21-F-107 for a front yard fence at 25 Dannic Place be refused as there is no established form of front yard fences in the general area.

- carried unanimously

2. 1322 Conception Bay Highway

**Resolution #21-317
Councillor Hillier/Councillor Butler**

Be it so resolved that, in accordance with Section 201.2 of the *Municipalities Act, 1999*, the Town sell property at 1322 Conception Bay Highway.

- carried unanimously

3. Municipal Plan Amendment No 19, 2021 and Development Regulations Amendment No. 36, 2021

Resolution #21-318
Councillor Hillier/Councillor

Be it so resolved, that in accordance with section 23 of the *Urban and Rural Planning Act, 2000*, Conception Bay South Municipal Plan Amendment No. 19, 2021 and Development Regulations Amendment No. 36, 2021 are approved as adopted.

- 8 yeas
- abstention (Murphy)
- motion carried

Deputy Mayor Murphy declared a conflict of interest with this item as it involved a family business. He vacated the Chamber at 7:23 p.m. and returned at 7:24 p.m.

4. 1856 Conception Bay Highway

Resolution #21-319
Councillor Hillier/Councillor Bent

Be it so resolved, that in accordance with Section 5.22 of the Town's Development Regulations and Section 24 of the Town's Fence Regulations, Application No. 2021-173 received on June 15, 2021 for an above ground pool complete with 1.8m high security fence at 1856 Conception Bay Highway, be approved.

- carried unanimously

5. 71 Seal Cove Road

Resolution #21-320
Councillor Hillier/Councillor Bursey

Be it so resolved that, in accordance with sections 4.11(3) and 10.7 of the Town's Development Regulations, Application No. Com-21-071 for a home-based occupation at 71 Seal Cove Road, be approved on a temporary basis

for one year and that the application be re-considered after the expiration of the temporary approval.

- 8 yeas
- 1 nay (Youden)
- motion carried

6. 2597 Topsail Road

Resolution #21-321
Councillor Hillier/Councillor Davis

Be it so resolved that, in accordance with Policy 5.2.3(1) of the Town's Municipal Plan, application No. 2021-229 received on August 2, 2021 for development of a subsidiary apartment within the existing single dwelling at 2597 Topsail Road, be approved.

- carried unanimously

7. 102 Porters Road

Resolution #21-322
Councillor Hillier/Councillor Tilley

Be it so resolved that the Order issued on August 18, 2021, requiring that construction of the extension to the existing accessory building stop, and that the extension to the accessory building constructed to date be removed from the property at 102 Porters Road, be confirmed.

- carried unanimously

8. 24-42 Hops Street

Resolution #21-323
Councillor Hillier/Councillor Bent

Be it so resolved that, in accordance with Section 17 of the Town's Fence Regulations, Application No. COM-21-055 that includes chain link fence to a maximum height of 2.7m at the front and flanking street lot lines along Hops Street and Fords Way for the industrial lot at 24-42 Hops Street, be approved.

- carried unanimously

9. Planning and Development Committee Meeting Report

Resolution #21-324
Councillor Hillier/Councillor Bursey

Be it so resolved that the decision and recommendations made at the Planning and Development Committee meeting on August 31, 2021 be accepted as presented.

- 8 yeas
- abstention (Tilley)
- motion carried

Councillor Tilley declared a conflict of interest on an item included pertaining to Hibernia Place. He has family who reside on this street. He vacated the Chamber at 7:32 p.m. and returned at 7:33 p.m.

6. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE
(Chair, Councillor Gerard Tilley)

Presentation of recommendations of meeting held on August 31, 2021

1. Phase 47 Surface Course – Approval to Award

Resolution #21-325
Councillor Tilley/Councillor Bursey

Be it so resolved that approval be given to award Phase 47 Surface Course to Modern Paving Limited for the bid price of \$773, 870.94 including HST. Funds to be taken from the capital project account.

- carried unanimously

2. Perrins Road and Easons Road Pedestrian Activated Traffic Lights – Approval to Tender

Resolution #21-326
Councillor Tilley/Councillor Davis

Be it so resolved that approval is given to tender pedestrian activated traffic lights along Conception Bay Highway and Easons Road and Perrins Road.

- carried unanimously

3. Ratification PO# 2021-0620 - Water System Supplies

Resolution #21-327
Councillor Tilley/Councillor Hillier

Be it so resolved, that PO# 2021-0620 is ratified for EMCO Waterworks in the amount of \$38,386.36, plus HST for transmission main water system supplies. Funds to be taken from account 01-401-1000-6016.

- carried unanimously

4. Water, Sewer and Road Work – Request for Proposals

Resolution #21-328
Councillor Tilley/Councillor Bursey

Be it so resolved that approval is given to call request for proposals for consulting services for upcoming water, sewer and road work.

- carried unanimously

5. Engineering and Public Works Committee Meeting

Resolution #21-329
Councillor Tilley/Councillor Hillier

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of August 31, 2021, be accepted as presented.

- carried unanimously

7. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Junior Bursey)

Presentation of recommendations of meeting held on August 31, 2021

1 Recreation and Leisure Services Committee

**Resolution #21-330
Councillor Bursey/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of August 31, 2021 be accepted as presented.

- carried unanimously

8. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor Richard Murphy)

Presentation of recommendations of meeting held on August 31, 2021

1. Accounts Payable Cheque Register

**Resolution #21-331
Deputy Mayor Murphy/Councillor Bent**

Be it so resolved that approval be given to pay Accounts Payable Cheques totaling \$600,740.02.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

**Resolution #21-332
Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$316,964.82.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #21-333
Deputy Mayor Murphy/Councillor Butler

Be it so resolved that approval be given to ratify direct payments previously released totaling \$287,344.12.

- carried unanimously

4. Capital Invoices

Resolution #21-334
Councillor Bent/Councillor Burse

Be it so resolved that approval be given to pay capital invoices totaling \$255,332.35 as per the attached listing:

Project	Vendor	Invoice Number	Amount
Library	SNC Lavalin	1563269	\$5,976.84
Tilleys Road South Phase 3	SNC Lavalin	1562567	\$1,759.50
Tilleys Road South Phase 3	Platinum Construction	Progress Claim 5	\$56,205.16
T'railway Repairs	Grand Concourse Authority	21071	\$25,673.56
RFMS Roof Repairs	Crane Services Ltd	21136-1	\$25,849.13
District Water Meters	SNC Lavalin	1562870	\$933.80
Lift Station Upgrades	Stantec	1598542	\$6,452.72
2020 Streets	Harbourside	2134	\$24,120.10
2020 Streets	Harbourside	2170	\$16,618.49
Minerals Road Upgrade	SNC Lavalin	1562574	\$6,457.97
Anchorage Road Upgrade	SNC Lavalin	1563471	\$19,119.82

Pedestrian Crossing - Eason's Road	Harbourside	2178	\$2,064.83
Billy Brook Storm Water Study	SNC Lavalin	1563452	\$3,160.20
Phase 47	MAE	20210183	\$3,386.75
2020 Leak Detection	SNC Lavalin	1562871	\$414.00
LAV III Memorial Garden	ETL	Claim 1	\$54,384.08
Coastal Assessment Long Pond Breakwater	CBCL	472351	\$1,807.80
Coastal Assessment Long Pond Breakwater	CBCL	471778	\$786.60
Lawrence Pond Road Phase 2	Pardy Surveys	21-232	\$161.00
Total Capital Invoices:			\$255,332.35

- 8 yeas
- abstention (Murphy)
- motion carried

Deputy Mayor Murphy declared a conflict of interest with this item as it involves a family business. He vacated the Chamber at 7:43 p.m. and returned at 7:43 p.m.

5. Tax and Other Receivables Adjustments

Resolution #21-335
Deputy Mayor Murphy/Councillor Bursey

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

BRENB001	\$1,278.13
ANTHO009	\$1,161.99
SUNSE001	Request Denied
ESTAS001	\$29,557.12
SHAPP001	\$34,758.38

- carried unanimously

6. Appointment of Auditors for 2021

Resolution #21-336

Deputy Mayor Murphy/Councillor Davis

Be it so resolved that approval be given to appoint Grant Thornton LLP as the town's auditors for the 2021 fiscal year.

- carried unanimously

7. Approval of Amendment to Gas Tax Agreement

Resolution #21-337

Deputy Mayor Murphy/Councillor Bursey

Be it so resolved that approve by given to accept the amendment to the Ultimate Recipient Gas Tax Agreement which includes an additional allocation for 2021-2022 in the amount of \$1,107,718 as per correspondence from the Minister of Municipal Affairs dated August 6, 2021.

- carried unanimously

8. ICIP Project Approval - Water and Sewer Upgrades

Resolution #21-338

Deputy Mayor Murphy/Councillor Bent

Be it so resolved that approval be given, as the Ultimate Recipient – Town of Conception Bay South, to accept cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated the 20th day of August, 2021, Project number 17-GI-00033 Water & Sewer Upgrades with a total project value of \$3,999,097. This council agrees to provide the Ultimate Recipient share value of \$1,087,956 in funding for this project and authorizes the Mayor and Town Clerk to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Conception Bay South.

- carried unanimously

9. ICIP Project Approval

Street Upgrading – Chaytors Place

Resolution #21-339

Deputy Mayor Murphy/Councillor Youden

Be it so resolved that approval be given, as the Ultimate Recipient – Town of Conception Bay South, to accept cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated the 20th day of August, 2021, Project number 17-RNC-22-00014 Street Upgrading with a total project value of \$423,325. This council agrees to provide the Ultimate Recipient share value of \$127,949 in funding for this project and authorizes the Mayor and Town Clerk to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Conception Bay South.

- carried unanimously

10. Conference – MNL Annual Convention and Trade Show

Resolution #21-340

Deputy Mayor Murphy/Councillor Hillier

Be it so resolved that approval be given for 2 members of council to attend the Municipalities Newfoundland and Labrador (MNL) 2021 Annual Convention and Trade Show to be held in Corner Brook, NL from November 3-6, 2021, at an approximate cost of \$525 each, and \$500 for virtual access. Funds are available in account #01-101-1000-4220.

- carried unanimously

11. Order – 18 Hennessey Place

Resolution #21-341

Deputy Mayor Murphy/Councillor Tilley

Be it so resolved that the Order issued on August 24, 2021, under the Development Regulations 2011 and the Urban and Rural Planning Act, 2000 ordering the property owner to remove the livestock from the property located at 18 Hennessey Place, Conception Bay South be confirmed.

- carried unanimously

12. Personnel – Facilities Operations and Maintenance Manager

Resolution #21-342

Deputy Mayor Murphy/Councillor Bursey

Be it so resolved that pending acceptable documentation, approval be given to appoint Morgan Walsh to the position of Facilities Operations and Maintenance Manager as per the terms and conditions of the employment contract.

- carried unanimously

13. Financial and Administrative Services Committee Report

Resolution #21-343

Deputy Mayor Murphy/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of August 31, 2021 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM
(Chair, Councillor Cheryl Davis)**

Presentation of recommendations of meeting held on August 25, 2021.

1. Economic Development and Tourism Committee Meeting Report

**Resolution #21-344
Councillor Davis/Councillor Hillier**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee meeting of August 25, 2021 be accepted as presented.

- carried unanimously

10. OTHER COMMITTEE REPORTS

11. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

**Resolution #21-345
Councillor Tilley/Deputy Mayor Murphy**

Be it so resolved that the meeting adjourn.

- carried unanimously

Terry French
Mayor

Gail Pomroy
Town Clerk