

Regular Meeting #17 November 2, 2021

A Regular Meeting of Council convened at 7:07 p.m. in the presence of Mayor Bent, Councillors, Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Planning and Development, Corrie Davis, Acting Director of Recreation and Leisure Services, John Whelan, Director of Economic Development and Tourism, Jennifer Lake, Fire Chief John Heffernan and Communications Manager, Carla Hodder.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for November 2, 2021

Resolution #21-369

Councillor Connors/Councillor Barrett

Be it so resolved that the agenda of the meeting of November 2, 2021 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of October 12, 2021

Resolution #21-370

Councillor Tilley/Councillor Moores

Be it so resolved that the minutes of the meeting of October 12, 2021 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

Nil

4. NEW BUSINESS

Councillor Barrett

thanked the attendees and volunteers at the Pumpkin Stroll at the Community Garden was successful and enjoyable.

commented on issues experienced with the online swimming registration. He advised residents that the Town is working on these issues.

Councillor Hardy

stated that she had attended the Bright Business Achievement Awards event. She congratulated winners and stated that the event was well put together.

Councillor Moores

congratulated the Queen Elizabeth Pioneers who won the 4A Soccer Championships recently.

congratulated local recipients of the Premier's Athletic Awards – Daniel Earles, Drew Sheppard, Thomas Howell, Jonathan Flynn, Lauren Rowe, and Stephen Westcott.

Councillor Connors

congratulated Paul Smith for receiving the Senior of Distinction Award. He requested a letter of congratulations be sent.

Councillor Butler

stated that there were 835 pumpkins at the recent Pumpkin Stroll. She stated it was a beautiful evening that she enjoyed.

TakeCHARGE NL's Luminary Awards celebrate brilliance in Energy Efficiency across Newfoundland & Labrador. The Community Impact Award recognizes a municipality that has excelled in energy efficiency through campaigns, projects, building development, and

energy management. The Town of Conception Bay South has worked to enhance the energy efficiency and sustainability of municipal buildings and the community at-large through numerous energy efficiency upgrades to our municipal facilities, including heat pumps and LED lighting installations, and through our educational social media campaigns (#Sustainable CBS) and resources found on our Sustainable CBS webpage. A formal presentation of the award will take place in the coming weeks. We are thankful for this recognition and we look forward to continuing our work to be a more energy efficient and sustainable community.

Councillor Hillier

congratulated Colleen Martin-Ward for being inducted into the Athletic Hall of Fame.

Councillor Tilley

also congratulated resident Paul Smith
congratulated athletes for making on Team NL who will compete at the Canada Summer Games – Logan Power, Lyndon Power, Alex Williams, Jacob Gill and Luke Strickland.

Deputy Mayor Gosse

commented on the 9th Annual Giver on the River, November 7, 2021 at Manuels River. A great event with 2 races. This a great community event.

Mayor Bent

congratulated local soccer player Grace Nolan who was selected to train in British Columbia.

expressed condolences to the friends and family of the late Hubert Power.

commented on permits issued to Ocean Choice International to commence their infill/wharf/finger pier project in Long Pond.

Permit fees received today and the company has met all requirements from all levels of government.

Deputy Gosse declared a conflict of interest with this matter as she has family who own land in the area. She vacated at 7:19 p.m. and returned at 7:20 p.m.

commented on the upcoming Growlers games to be played at the Conception Bay South Arena. He thanked the user groups for being gracious and accommodating.

stated that he had recently signed a Poppy Proclamation at the Royal Canadian Legion.

expressed congrats to the winners of Bright Business Awards.

stated that the Pumpkin Stroll was a fantastic event.

congratulated resident Justin Fancy on being the first Canadian country artist to be on press play at home on grammy.com

commented on the dedication of a playground on Karat Close to honour Kaiden Little.

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

Presentation of recommendations of meetings held on October 26, 2021

1. 14-18 Dove Place

**Resolution #21-371
Councillor Hillier/Councillor Butler**

Be it so resolved that, in accordance with sub sections 108(3)(e) and (g) of the *Urban and Rural Planning Act, 2000*, approval is granted for the development of a dwelling at 14-18 Dove Place to replace a dwelling at the property that has deteriorated beyond repair, notwithstanding the absence of frontage on a public road and the absence of municipal water and sewer services.

- carried unanimously

2. Minerals Road

Recommendation:

Be it so resolved that, in accordance with Council's discretionary authority, Application COM-21-098 received on August 17, 2021 for mineral exploration activities including bore hole drilling and trenching near Wych Hazel Pond, Minerals Road, be refused given potential negative environmental impacts associated with discharge of process water to the environment.

- DEFERRED

3. 19-21 Golden Road

Resolution #21-372
Councillor Hillier/Councillor Barrett

Be it so resolved that, in accordance with sub section 108(3)(d) of the *Urban and Rural Planning Act, 2000*, application No. 753 received on August 6, 2021 for change in non-conforming use from a general garage to a light industry use (powder coating) at 19-21 Golden Road be approved in consideration that Council is of the opinion that the proposed use is more compatible with the neighborhood than the previous use of the property.

- carried unanimously

4. 35-43 Church Terrace/Metcalfes Lane

Recommendation:

Be it so resolved that, that in accordance with Council's discretionary authority, Application 2021-273 received on September 17, 2021 seeking approval of a single dwelling on a lot to be subdivided from 35-43 Church Terrace, be approved on condition that Municipal water services be extended to the property at the cost and effort of the developer.

- DEFERRED

5. 30 Flats Road

Resolution #21-373
Councillor Hillier/Councillor Barrett

Be it so resolved that the Town seek quotes from qualified professional geotechnical engineering firms to undertake a study to assess the risk of landslides and slope failures along the embankments of the Manuels River north of Route 60.

AND FURTHER:

Be it so resolved that the Approval of Application No. 2021-159 received on June 9, 2021 for development of a single dwelling at 30 Flats Road be rescinded pending completion of a geotechnical study to assess the risk of landslides and slope failures along the embankments of the Manuels River north of Route 60.

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

Councillor Tilley declared a conflict of interest with this matter as he has a brother who lives in the area. He vacated the Chamber at 7:27 p.m. and returned at 7:29 p.m.

6. 103 Fowlers Road

Resolution #21-374
Councillor Hillier/Councillor Connors

Be it so resolved that, in accordance with Council's discretionary authority, Application No. 882 received on September 13, 2021 and Application Nos. 934, 935 and 936 received on September 29, 2021 seeking approval of a retaining wall, fence, pool and deck at 103 Fowlers Road be refused due to the location of the structures in the front and side yard of the property which is contrary to the requirements of Town Regulations.

- carried unanimously

7. 202 Seal Cove Road

Resolution #21-375
Councillor Hillier/Councillor Connors

Be it so resolved that in accordance with section 17 of the Town's Fence Regulations, a privacy fence must be constructed along the western side boundary such that it is setback from the front property boundary by 5m at 202 Seal Cove Road in association with a proposed postal outlet.

- carried unanimously

8. Planning and Development Committee Meeting Report

Resolution #21-376
Councillor Hillier/Councillor Barrett

Be it so resolved that the decision and recommendations made at the Planning and Development Committee meeting on October 26, 2021 be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meetings held on October 26, 2021

1. Approval for Supply and Delivery of Road Sand

Resolution #21-377
Councillor Tilley/Councillor Hardy

Be it so resolved that approval be given to award the supply and delivery of road sand to Farrells Excavating Limited at \$18.92 per tonne including taxes.

- carried unanimously

2. Approval to Dispose of One (1) 2010 Ford Cube Van – Unit 268

Resolution #21-378
Councillor Tilley/Councillor Butler

Be it so resolved approval be given to dispose by tender of the 2010 Ford Cube Van, Unit 268.

- carried unanimously

3. Engineering and Public Works Committee Meeting

Resolution #21-379
Councillor Tilley/Councillor Hillier

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of October 26, 2021, be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meetings held on October 25, 2021

1. Recreation and Leisure Services Committee

Resolution #21-380
Councillor Moores/Councillor Hillier

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of October 25, 2021 be accepted as presented.

- carried unanimously

8. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor Andrea Gosse)

Presentation of recommendations of meetings held on October 25, 2021

1. Ratification of Accounts Payable Cheques

Resolution #21-381
Deputy Mayor Gosse/Councillor Connors

Be it so resolved that approval be given to ratify accounts payable cheques previously released totaling \$245,117.36 as per the attached report.

- carried unanimously

2. Accounts Payable Cheque Register

Resolution #21-382
Deputy Mayor Gosse/Councillor Connors

Be it so resolved that approval be given to pay accounts payable cheques totaling \$512,314.44 as per the attached report.

- carried unanimously

3. Ratification of Manual Cheques Previously Released

Resolution #21-383
Councillor Hardy/Councillor Butler

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$694,265.22.

- 8 yeas
- 1 abstention
(Gosse)
- motion carried

Deputy Mayor Gosse declared a conflict of interest for items 3 and 4 in relation to a family business. She vacated the Chamber at 7:35 p.m.

4. Manual Cheques

Resolution #21-384
Councillor Hardy/Councillor Barrett

Be it so resolved that approval be given to approve the payment of manual cheques totaling \$63,078.22.

- 8 yeas
- 1 abstention
(Gosse)
- motion carried

Deputy Mayor returned to the Chamber at 7:36 p.m.

5. Direct Payments

Resolution #21-385
Deputy Mayor Gosse/Councillor Hardy

Be it so resolved that approval be given to ratify direct payments totaling \$594,586.33.

- carried unanimously

6. Ratification of Capital Invoices

Resolution #21-386
Deputy Mayor Gosse/Councillor Moores

Be it so resolved that approval be given to ratify the payment of capital invoices totaling \$432,386.69 as follows:

| Project | Vendor | Invoice Number | Amount | Description | Funding Program |
|--------------------------------|---------------------|---|---------------------|------------------------------|----------------------------------|
| Library | RCS Construction | Pre-Construction Mgmt Progress Claim #6 | \$8,173.66 | Construction management fees | Lease Agreement |
| Library | RCS Construction | Construction Progress Claim #1 | \$77,492.53 | Construction costs | Lease Agreement |
| Community Park Phase 2 | Eastern Contracting | Progress Claim #1 | \$101,359.65 | Phase 2 construction costs | Federal – ICIP (66% cost shared) |
| 2020 Street Upgrading | All Rock | 451 | \$31,526.92 | Materials testing | Federal - Gas Tax (100% funded) |
| 2020 Street Upgrading | Farrells | Progress Claim #8 | \$213,833.93 | Construction costs | Federal - Gas Tax (100% funded) |
| Total Capital Invoices: | | | \$432,386.69 | | |

- carried unanimously

7. Capital Invoices

Resolution #21-387
Deputy Mayor Gosse/Councillor Hardy

Be it so resolved that approval be given to pay capital invoices totaling \$406,556.56 as follows:

| Project | Vendor | Invoice Number | Amount | Description | Funding Program |
|---|--|------------------|---------------------|--|--|
| LAV III Monument (Memorial Garden) | ETL | Progress Claim 2 | \$81,137.29 | Construction costs | Federal - Covid Stimulus Fund (90% cost shared) |
| Community Park Phase 2 | Mills & Wright | 20-49-CBS-08 | \$5,284.25 | Design and engineering | Federal – ICIP (66% cost shared) |
| Anchorage Road Upgrade | Exp Services | 640129 | \$15,291.90 | Materials testing | Federal – ICIP (66% cost shared) |
| Anchorage Road Upgrade | Farrells | Claim 3 | \$100,619.99 | Construction | Federal – ICIP (66% cost shared) |
| District Water Meters | Dexter | Progress Claim 3 | \$139,236.87 | Construction | Federal – National Regional Projects (70% cost shared) |
| Traffic Lights – Perrins Road and Manuels River | Harbourside Transportation Consultants | 2164 | \$2,213.75 | Design and engineering | Provincial - 20/23 MYCW (50% cost shared) |
| Coastal Assessment Long Pond Breakwater | CBCL | 473061 | \$16,883.73 | Design and engineering | Provincial - 20/23 MYCW (70% cost shared) |
| Coastal Assessment Long Pond Breakwater | CBCL | 473440 | \$17,225.28 | Design and engineering | Provincial - 20/23 MYCW (70% cost shared) |
| Phase 47 Surface Course | MAE | 20210219 | \$24,469.38 | Design and engineering | Provincial - 20/23 MYCW (50% cost shared) |
| Library | SNC Lavalin | 1572677 | \$3,216.84 | Contract admin, design and engineering | Lease Agreement |
| Lawrence Pond Road Phase 2 | Wood | G063258 | \$3,977.28 | Materials testing | Gas Tax |
| Total Capital Invoices: | | | \$409,556.56 | | |

- carried unanimously

8. Tax and Other Receivables Adjustments

Resolution #21-388

Deputy Mayor Gosse/Councillor Hardy

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

| | |
|----------|----------------|
| REIDW004 | \$116.99 |
| MUSIC005 | Request Denied |
| J&JAU001 | \$71.83 |

- carried unanimously

9. Donation Request – Holy Spirit High School

Resolution #21-389

Deputy Mayor Gosse/Councillor Barrett

Be it so resolved that approval be given for the donation of \$250.00 to Holy Spirit High School in support of their Annual Scholarship and Awards Program. Funds are available in account 01-101-1000-7705.

- carried unanimously

10. Donation Request – Queen Elizabeth Regional High School

Resolution #21-390

Deputy Mayor Gosse/Councillor Hillier

Be it so resolved that approval be given for the donation of \$250.00 to Queen Elizabeth Regional High School in support of their Annual Scholarship and Awards Program. Funds are available in account 01-101-1000-7705.

- carried unanimously

11. Financial and Administrative Services Committee Report

Resolution #21-391
Deputy Mayor Gosse/Councillor Moores

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of October 25, 2021 be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meetings held on October 25, 2021

1. 2021 Disaster Mitigation and Adaptation Fund

Resolution #21-392
Councillor Butler/Councillor Hillier

Be it so resolved that approval is given to make application under the 2021 Disaster Mitigation and Adaptation Fund for the repair of the Inner Seal Cove Pond Shoreline, and Trestle, as well as T'Railway Phase 4, for a total project cost of \$1,333,448.

- carried unanimously

2. Economic Development and Tourism Committee Meeting Report

Resolution #21-393
Councillor Butler/Councillor Moores

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

- carried unanimously

10. OTHER COMMITTEE REPORTS

Nil

11. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

Resolution #21-394
Councillor Connors/Councillor Butler

Be it so resolved that the meeting adjourn.

- carried unanimously

Darrin Bent
Mayor

Gail Pomroy
Town Clerk