

## **Regular Meeting #10 June 18, 2019**

A Regular Meeting of Council convened in the Council Chambers 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, Director of Economic Development, Jennifer Lake, Fire Chief John Heffernan, and Director of Engineering and Public Works, Jennifer Norris.

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

#### **a. Adoption of the Meeting Agenda for June 18, 2019**

**Resolution #19-189**

**Councillor Hillier/Councillor Bursey**

Be it so resolved that the agenda of the meeting of June 18, 2019 be adopted as presented.

- carried unanimously

#### **b. Adoption of the Meeting Minutes of May 21, 2019**

**Resolution #19-190**

**Councillor Butler/Councillor Davis**

Be it so resolved that the minutes of the meeting of May 21, 2019 be adopted as presented.

- carried unanimously

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

Nil

**3. VISITORS, PRESENTATIONS AND PETITIONS**

**a. Proclamation – National Indigenous Peoples Day**

Mayor French proclaimed June 21, 2019 as National Indigenous Peoples Day in the Town of Conception Bay South.

Danny Pottle, Executive Director of First Light, and Emma Reelis, President of the Board of Directors of First Light were in attendance for the signing.

**b. Presentation - Renegades-Blues Humboldt Cup Benefit Hockey Game**

Proceeds of the Renegades-Blues Humboldt Cup Benefit Hockey Game were be presented.

Representing the CBS Special Olympics Program: Committee representatives Shirley Miller and Laura Butler, Athletes Stephanie Ledrew and Glen Walters, and Volunteer Doug Walters

Representing the Junior Renegades; Player Nick David, Board members Paulo David and Kevin Tobin

Representing the Senior Blues: Player Ryan Power, Team president Pat Rose and Head Coach Jonathan Kavanagh

**4. NEW BUSINESS**

**Deputy Mayor Murphy**

stated that had attended the grand opening of Nine Penny Brewery last Friday. He congratulated the owners and wished them luck in their business venture.

expressed condolences to the family and friends of the late George Evans. He stated that Mr. Evans was involved in many community activities and was a former school teacher.

**Councillor Youden**

stated that he and Councillor Davis recently attended the FCM Annual Convention held in Quebec. He stated that it was a great quality conference.

stated that the food fishery opens on June 30, 2019. He requested residents to be safe and respectful of others when using public launch areas and as well with disposing of fish waste.

**Councillor Tilley**

stated that he had attended the Annual Motorcycle Ride for Dad on Saturday. He stated that over \$90,000 was raised.

**Councillor Hillier**

commented on the Town's recent 3 hour challenge. He stated that over 600 people got involved and did a great job around our town. He commented on the mess of the highway between Weirs Construction and Fowlers Road and inquired if we can inquire if a clean up of this area of provincial highway can be cleaned up.

**Councillor Bent**

commented on the recent Motorcycle Ride for Dad and the Law Enforcement Torch Run. He expressed a particular congratulations to Councillor Davis and former Deputy Mayor Paul Davis for being founding members of the Avalon Ride for Dad.

**Councillor Butler**

stated that she had attended the Family Resource Centre's 7<sup>th</sup> birthday party this morning.

**Councillor Davis**

stated that planning for the Kelligrews Soiree is well underway. She reminded residents that Early Bird Tickets for this year's Garden Party, featuring the Fables, the Navigators, the Masterless Men and the Bishops are currently on sale for \$22 each plus surcharge.

stated that she had attended the Seniors Social at the Legion. Lunch and music was provided. This was the first event as part of our Celebrate Seniors in Conception Bay South.

stated the Law Enforcement Torch Run in aid of the Special Olympics Program kicked off the first leg of their event at the Robert French Memorial Stadium on Friday June 14. She stated that she had attended and spoke on behalf of the Town. Deputy Mayor Murphy and Councillor Butler were in attendance as well. Approximately 80 participants, comprised of both law enforcement and special Olympians, took part in a variety of fitness activities and obstacle courses. The organizers of the event were very happy with the venue and appreciated the support that they receive from the Town of Conception Bay South.

stated that the Motorcycle Ride for Dad was held on Saturday June 15. As in the past the Town of allowed the ride to use the Robert French Memorial Stadium as a rest stop and have lunch. There were over 200 riders in attendance. She expressed gratitude to the Town for the support provided to the Motorcycle Ride for Dad.

## **Mayor French**

also commented on the 3 Hour Challenge and noted it was a great success.

also expressed condolences to family of George Evans. He stated that Mr. Evans was his next door neighbour for many years.

stated that he and the Chief Administrative Officer recently had a meeting with officials from the Town of Holyrood. He stated that issues of common interest were discussed and we will explore ways to work with our neighbouring municipalities.

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

Presentation of recommendations of meeting held on June 11, 2019

**1. 26 Albany Place, Foxtrap**  
**Request for Approval of Building Lot**

**Resolution #19-191**  
**Councillor Hillier/Councillor Burse**

Be it so resolved that Application 19-040 seeking approval of a residential lot at 26 Albany Place be refused as the proposed lot does not front onto a public road, which is contrary to Section 5.16 of the Conception Bay South Development Regulations.

- carried unanimously

**2. 40 Lawrence Pond Road West**  
**Variance Request, Reduced frontage for three lots**

**Resolution #19-192**  
**Councillor Hillier/Councillor Butler**

Be it so resolved that variances be approved to reduce the minimum frontage to 27m for each of the three proposed lots to be subdivided from the property at 40 Lawrence Pond Road West.

- carried unanimously

**3. 1322 Conception Bay Highway, Seal Cove**  
**Acquisition of Property**

**Resolution #19-193**  
**Councillor Hillier/Councillor Burse**

Be it so resolved that the Town seek approval of the Minister of Municipal Affairs and Environment to acquire the property at 1322 Conception Bay Highway, Seal Cove, Property ID 192875, in accordance with section 201(2) of the *Municipalities Act, 1999*.

- carried unanimously

4. **381 Fowlers Road, Chamberlains**  
**Amendment Request: Indoor Market Uses within Commercial Light Industrial (CLI) Zone**

**Resolution #19-194**  
**Councillor Hillier/Councillor Bent**

Be it so resolved that Amendment No. 32, 2019 to the Conception Bay South Development Regulations is hereby adopted in accordance with Section 16 of the *Urban and Rural Planning Act, 2000*.

- carried unanimously

5. **825 Conception Bay Highway, Kelligrews**  
**Amendment Request: Re-zone from Commercial Light Industrial (CLI) to Commercial Main Street (C-1)**

**Resolution #19-195**  
**Councillor Hillier/Councillor Tilley**

Be it so resolved that draft Amendment No. 18, 2019 to the Conception Bay South Municipal Plan and draft Amendment No. 31, 2019 to the Conception Bay Development Regulations be referred to the Department of Municipal Affairs and Environment for review to determine any provincial interests in accordance with Section 15 of the *Urban and Rural Planning Act, 2000*.

- carried unanimously

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

**Resolution #19-196**  
**Councillor Hillier/Councillor Butler**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of June 11, 2019, be accepted as presented.

- carried unanimously

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

**Transferred from Privileged Meeting #10**

**1. Approval to Award – 2019 Street Upgrading and Paving**

**Resolution #19-197  
Councillor Tilley/Councillor Davis**

Be it so resolved that approval be given to award tender for the 2018 - 2019 Street Upgrading and Paving – Phase 2 to Farrell's Excavation Limited for the bid price of \$4,685,434.02 including HST. Phase 2 includes the 2019 street paving portion as well as the 2019 sidewalks. Funds to be taken from the project accounts.

- carried unanimously

Presentation of recommendations of meeting held on June 11, 2019

**1. Approval to Award – 2019 Street Rehabilitation**

**Resolution #19-198  
Councillor Tilley/Councillor Bursey**

Be it so resolved that approval be given to award tender for the 2019 Street Rehabilitation to Parsons Paving Limited for the bid price of \$471,081.40 including HST. Funds to be taken from the project account.

- carried unanimously

**2. Ratification of PO #2019-0648**

**Resolution #19-199  
Councillor Tilley/Councillor Davis**

Be it so resolved, that approval be given to Xylem to ratify PO #2019-0648 in the amount of \$14,214.60, plus HST for emergency replacement of Pump #1 at the Sparrow Drive Lift Station. Funds to be taken from account 01-401-6207-7405.

- carried unanimously

**3. Sparrow Drive Lift Station Pump #2 - Approval to Purchase**

**Resolution #19-200**  
**Councillor Tilley/Councillor Bursey**

Be it so resolved, that approval be given to Xylem to replace Pump #2 at Sparrow Drive Lift Station in the amount of \$14,214.60, plus HST. Funds to be taken from account 01-401-6207-7405.

- carried unanimously

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

**Resolution #19-201**  
**Councillor Tilley/Councillor Bursey**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of June 11, 2019, be accepted as presented.

- carried unanimously

**7. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Cheryl Davis)**

Presentation of recommendations of meeting held on June 11, 2019

**1. Recreation and Leisure Services Committee**

**Resolution #19-202**  
**Councillor Davis/Councillor Butler**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of June 11, 2019 be accepted as presented.

- carried unanimously



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

**Transferred from Committee of the Whole Meeting #11**

**1. Policy – Public and Privileged Meeting Minutes Policy**

**Resolution #19-203**

**Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that the Public and Privileged Meeting Minutes Policy be adopted as presented.

**PURPOSE:**

To define and set forth a procedure for the record keeping of the Public and Privileged Meetings of the Council for the Town of Conception Bay South.

**AUTHORITY:**

- Access to Information and Protection of Privacy Act
- Municipalities Act, 1999
- Records Retention Policy, Town of Conception Bay South

**PUBLIC MEETING PROCEDURE:**

The Public Meeting of Council will be recorded manually by the Town Clerk or his/her designate. The Public Meeting Minutes will be adopted at the next Public Meeting of Council. These minutes will be maintained permanently and available for public viewing as per Section 215 (1)(a) of the Municipalities Act, 1999 and the Records Retention Policy of the Town of Conception Bay South.

The Public Meeting Minutes will contain background information previously provided in the Meeting Agenda and any motions that may result from the agenda items. No general discussion need be recorded.

Audio recordings of Public Meetings will be for internal record purposes only.

Broadcasting of or video recordings of a Public Meeting will be permitted by an advance 2/3 vote of Council.

**PRIVILEGED MEETING PROCEDURE:**

The Privileged Meeting of Council will be recorded manually by the Town Clerk or his/her designate. The Privileged Meeting Minutes will be accepted at the next Privileged Meeting of Council. The Privileged Meeting Minutes will remain strictly confidential as per Subsection 19 (1) of the Access to Information and Protection of Privacy Act.

As per Section 213 (3) of the Municipalities Act, 1999, decisions made at the Privileged Meeting of Council are not valid until ratified by a vote of Council at a Public Meeting. These decisions will be identified and voted upon individually under the appropriate section of the Public Meeting Agenda.

The Privileged Meeting of Council will not be recorded electronically.

This policy rescinds all previous policies pertaining to this subject matter.

- carried unanimously

**2. Federal Gas Tax Agreement**

**Resolution #19-204**

**Deputy Mayor Murphy/Councillor Bent**

Be it so resolved that the Town of Conception Bay South accept funding from the Federal Gas Tax Fund for 2019 – 2024 in the amount of \$6,924,293 as per the terms and conditions of the Federal Gas Tax Agreement.

- carried unanimously

Presentation of recommendations of meeting held on June 11, 2019

**1. Accounts Payable Cheque Register**

**Resolution #19-205**

**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that approval be given to pay cheques totaling \$197,092.71 as per the Accounts Payable Cheque Register Report.

- carried unanimously

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

**Resolution #19-206**  
**Deputy Mayor Murphy/Councillor Butler**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$852,568.69.

- carried unanimously

**3. Capital Invoices**

**Resolution #19-207**  
**Deputy Mayor Murphy/Councillor Hillier**

Be it so resolved that approval be given to pay capital invoices totaling \$916,418.77 as listed below:

<b>Project</b>	<b>Vendor</b>	<b>Details</b>	<b>Amount</b>
Legion Road	Farrell's Excavating	Progress Claim #5	\$646,097.43
2018/19 Streets	Farrell's Excavating	Progress Claim #2	\$212,387.31
2018/19 Streets	Fred & Norma Borden	Expropriation – Road Widening	\$338.86
2018/19 Streets	Michael Clarke & Janet Stone	Expropriation – Road Widening	\$694.83
2018/19 Streets	Stephen & Kathy Rodden	Expropriation – Road Widening	\$2,021.80
2018/19 Streets	Martin Surveys & Land Surveys	Invoice #2819	\$5,000.00
Legion Road Upgrades	PEC	Invoice #2017-039-8	\$26,491.60
Lawrence Pond Road Upgrades	Jerome & Rosemary Chafe	Expropriation – Road Widening	\$2,700.00
Lawrence Pond Road Upgrades	Mr. Peter Dawe	Expropriation – Road Widening	\$11,869.89
Traffic Study Phase 3	Harbourside	Invoice #1423	\$8,817.05

- carried unanimously

**4. Tax and Other Receivables Adjustments**

**Resolution #19-208**

**Deputy Mayor Murphy/Councillor Davis**

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

UPSTA001	\$976.99
KRAKE001	\$2,938.22
PROMO001	\$1,180.90
PEAKP001	\$387.96
WYSED001	\$1,085.94

- carried unanimously

**5. Policy – Smoke Free Policy**

**Resolution #19-209**

**Deputy Mayor Murphy/Councillor Hillier**

Be it so resolved that the Smoke Free Policy be adopted as presented.

**PURPOSE:**

To promote a smoke-free environment at Town owned playgrounds and outdoor recreational sport facilities and provide consistent guidelines for all Town facilities, vehicles and equipment regarding smoking.

**AUTHORITY:**

- Section 414 (2)(vv) of the *Municipalities Act, 1999*

**PROCEDURE:**

- Smoking is not permitted at all Town owned recreational facilities. Facilities include all sports fields, playgrounds and entrances to both indoor and outdoor recreational facilities.

- Any individual smoking in a parking lot is to remain 10 meters away from all doors, entryways and walkways.
- There are no designated smoking areas in any Town owned buildings.
- Smoking is not permitted in any Town owned vehicle or equipment.
- Smoking is not permitted in the following areas:
  - Gas pumps.
  - Any areas where combustible materials are stored and/or stockpiled.
  - All confined spaces.

This policy rescinds all previous policies pertaining to this subject matter.

- carried unanimously

**6. Order – 13 Legion Road, Kelligrews**

**Resolution #19-210**

**Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that the Order issued on March 9, 2018, under the Municipalities Act, 1999, the Urban and Rural Planning Act 2000 and the Occupancy and Maintenance Regulations ordering the repair or demolition of the dwelling and two accessory buildings located at 13 Legion Road be rescinded as compliance has been achieved.

- carried unanimously

**7. Order – 10 Cronins Place**

**Resolution #19-211**  
**Deputy Mayor Murphy/Councillor**

Be it so resolved that the Order issued on June 3, 2019, under the Municipalities Act, 1999 and the Waste Disposal and Property Regulations ordering the removal of wrecked, dismantled and inoperative vehicles, vehicle parts, tires and debris from the property located at 10 Cronins Place, Conception Bay South be confirmed.

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

Councillor Tilley declared a conflict of interest with this item as he has immediate family who live in the area. He vacated the Chambers at 7:44 p.m and returned at 7:45 p.m.

**8. Order – 33 Rideouts Road**

**Resolution #19-212**  
**Deputy Mayor Murphy/Councillor Bursey**

Be it so resolved that the Order issued on January 5, 2019, under the Municipalities Act, 1999 and the Waste Disposal and Property Regulations ordering the removal of all miscellaneous debris and the stacking of wood situated on 33 Rideouts Road, Conception Bay South be rescinded.

- carried unanimously

**9. Order – 33 Rideouts Road**

**Resolution #19-213**  
**Deputy Mayor Murphy/Councillor Bent**

Be it so resolved that the Order issued on June 3, 2019, under the Municipalities Act, 1999 and the Waste Disposal and Property Regulations to all property owners ordering the removal of all miscellaneous debris and the stacking of wood situated on 33 Rideouts Road, Conception Bay South be confirmed.

- carried unanimously

**10. Partnership – Town of Conception Bay South & Tim Hortons**

**Resolution #19-214**

**Deputy Mayor Murphy/Councillor Tilley**

Be it so resolved that the Town of Conception Bay South enter into a partnership agreement with Tim Hortons to provide funding up to \$3,000 to the Conception Bay South Tennis Program. Funds are available in 01-101-1000-7705.

- carried unanimously

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

**Resolution #19-215**

**Deputy Mayor Murphy/Councillor Davis**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of June 11, 2019 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF COMMUNICATIONS AND ECONOMIC DEVELOPMENT (Chair, Councillor Darrin Bent)**

Presentation of recommendations of meeting held on June 11, 2019

**1. Heritage Grant program 2019**

Notification advising of the Town's Heritage Grant Program for 2019 were mailed to twenty four of the municipally designated heritage properties in the Town soliciting applications for the Program; nine applications were submitted prior to the deadline and approved.

**Resolution #19-216**

**Councillor Bent/Councillor Butler**

Be it so resolved that approval be given to provide grants totaling \$9,000 to nine municipally designated heritage properties within the Town as follows:

- The Miller House (2342 Topsail Road) - \$1,000
- St. John the Evangelist Cemetery (20 Rectory Road, Topsail) - \$1,000
- St. John the Evangelist Church (20 Rectory Road Topsail) - \$1,000
- All Saints Anglican Parish (Oakes's Lane/Church Road, Foxtrap) - \$1,000
- St. Peter's Anglican Cemetery (1219 Conception Bay Highway) - \$1,000
- St. Peter's Anglican Church (1219 Conception Bay Highway) - \$1,000
- Star of Bethlehem, Loyal Orange Lodge (5 Lodge Road) - \$1,000
- Prince of Orange, Loyal Orange Lodge #23 (12 Middle Bight Road) - \$1,000
- Topsail United Cemetery (2426 Topsail Road) - \$1,000

Funds are available in Account# 01-502-1000-5099.

- 8 yeas
- 2 abstentions  
(Hillier, Bursey)
- motion carried

Councillors Hillier and Bursey declared a conflict of interest with this item. They vacated the Chambers at 7:51 p.m. and returned at 7:54 p.m.

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

### **Resolution #19-217 Councillor Bent/Councillor Tilley**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee meeting of June 11, 2019 be accepted as presented.

- carried unanimously

Councillor Bent spoke on the following items from the Committee meeting:

### **Community Garden**

- On May 29 over 45 residents attended a public meeting to discuss the future of a Community Garden within the Town.
- The outcome of the meeting was very positive.



- A Steering Committee is now in place and will have their second meeting this week to plan next steps.
- The goal is to have one garden open and in operation in the coming months.
- Details will be released in the coming weeks on the Steering Committees activities and future plans.

### **Atlantic Canada Petroleum Show**

- The Town has a booth at the Atlantic Petroleum Show taking place at Mile One Centre today and tomorrow.
- This is East Coast Canada's Premier Offshore Energy Event with over 2,000 delegates and over 125 exhibitors in the industry. The Show is open on Wednesday from 10am-4pm. Complimentary Shuttle service is available from Kelsey Drive.
- Anyone who would like to attend can do so by registering for a free pass online using code ACPS2A.
- Further details can be found online via <https://atlanticcanadapetroleumshow.com/>.

### **Green Team CBS 2019**

- The Town has been fortunate to obtain funding to host a Green Team, in conjunction with the Conservation Corps Newfoundland and Labrador.
- We have another exceptional team in place for 2019 including:
  - Team Lead: Calista Greening
  - Team Member: Lilly Rideout
  - Team Member: Ian Metcalfe
  - Team Member: Michael Gregory
- The Team will commence employment in the Town in early July at Chamberlains Park, Foxtrap Marina, Kelligrews Ecological Enhancement Program and other projects throughout the Town.

### **Chamberlains Park Action Committee 5-Year Plan**

- Representatives from the Chamberlains Park Action Committee presented their 5 Year plan to the Committee.
- They would like to focus on three main projects:
  - Boardwalk Construction to complete the loop within the park
  - Stream Remediation to prevent flooding

- Acquisition of the former Irving Property
- Council are very proud of the dedication and passion of this small but mighty group
- The Committee expressed interest in assisting the Action Committee with their priorities list and have asked staff to discuss the scope of the priorities.

### **Ninepenny Brewing Grand Opening**

- Nine Penny have officially cut the ribbon and are off to a great start in their first months in operation.
- They will be an asset to the Town's economic landscape and have begun partnering with Manuels River and Hospitality Newfoundland and Labrador to do their part in growing the tourism landscape of the Town.
- Ninepenny are part of our Tax Incentive Program and that helped make their decision to come to CBS that much easier.
- We love seeing new businesses opening here and encourage any entrepreneurs out there to consider our Town to start, or expand, their business.

### **The Great Trail Treasure Hunt**

- Trans Canada Trail and the Royal Canadian Geographical Society have joined forces again to invite Canadians to find hidden treasure along The Great Trail of Canada.
- The Great Trail Treasure Hunt is set to take place from Wednesday, June 19 to Sunday, August 18, 2019.
- This year, 200 treasure boxes – twice as many as last year – will be waiting to be discovered in every province and territory in Canada, including our T'Railway in Conception Bay South.
- Anyone who finds a treasure box and enters the contest will have a chance of winning some amazing prizes
- Details can be found online at <https://thegreattrailtreasurehunt.ca/>
- Information will be circulated via the Town's social media channels next week.

**10. OTHER COMMITTEE REPORTS**

Nil

**11. ADJOURNMENT**

The meeting adjourned at 8:01 p.m.

**Resolution #19-218**  
**Councillor Tilley/Councillor Davis**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Terry French  
Mayor

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Gail Pomroy  
Town Clerk