

Regular Meeting #18 November 19, 2019

A Regular Meeting of Council convened in the Long Pond Boardroom 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 Engineering and Public Works, Jennifer Norris, Director of Planning and Development, Corrie Davis, Fire Chief John Heffernan, Director of Economic Development, Jennifer Lake, and Communications Manager, Maggie Hynes.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for November 19, 2019

Resolution #19-381

Councillor Hillier/Councillor Youden

Be it so resolved that the agenda of the meeting of November 19, 2019 be adopted as presented.

- carried unanimously

b. Adoption of the Meeting Minutes of November 5, 2019

Resolution #19-382

Councillor Butler/Deputy Mayor Murphy

Be it so resolved that the minutes of the meeting of November 5, 2019 be adopted as presented.

- carried unanimously

c. Amendment of Agenda

Resolution #19-383

Deputy Mayor Murphy/Councillor Youden

Be it so resolved that the 2020 Budget recommendation be moved on the agenda to item 3.b.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Proclamation - National Child Day 2019

In recognition of National Child Day 2019, Deborah Capps, Executive Director of the Conception Bay Family Resource Program (CBFRP), who also sits on the Board of Directors for the Association of Early Childhood Educators NL (AECENL), was in attendance to join the Town in officially proclaiming National Child Day 2019.

b. 2020 Budget

Resolution #19-384
Deputy Mayor Murphy/Councillor Bursey

Be it so resolved that the Town of Conception Bay South accept the balanced budget hereby tabled for the fiscal year 2020 in the amount of \$37,768,826 and that this budget be submitted to the Minister of Municipal Affairs and Environment for review and acceptance.

- carried unanimously

4. NEW BUSINESS

Deputy Mayor Murphy

stated that he is very pleased with the 2020 budget and thanked staff for all of their hard work.

Councillor Youden

stated that the 2020 budget is aligned with the outcome of surveys that were completed. He stated that Council heard that people do not want any more increases. He commented on the Town's debt management strategy as well as the plans for the Community Park. He also

stated that he is pleased with the progress on the Library.

Councillor Tilley

thanked staff for their efforts.

Councillor Hillier

stated that there are hidden gems throughout the 2020 budget. He stated that it is fantastic that spending has decreased two years in a row. He congratulated and thanked staff and expressed his pleasure with the funds allocated for Chamberlains Park.

Councillor Bent

stated that it is great to be able to manage the Town's funds and to accomplish so much. He highlighted items included in the 2020 budget and stated that he is pleased to be able to cut spending for the 2nd year in a row.

Councillor Bursey

stated that this is his 2nd budget as a Councillor with the Town of Conception Bay South and the fact that there has been no tax increase is extremely positive. He stated that he is very proud of Council and staff for this accomplishment.

Councillor Butler

congratulated staff on their efforts and stated that she is pleased to see so much included in the 2020 budget.

Councillor Davis

stated that she has just finished her 2nd year as a Councillor and still learns something new every day. She stated that she is thoroughly enjoying the role and that she is proud that Councillor work together so well. She stated that while Council members don't agree on all

items we discuss it, listen to each other and work together in a very respectful manner. This is so important and this is how we accomplish the most. We have achieved our goals in the 2020 budget. She thanked her council colleagues, management staff and unionized staff.

Mayor French

stated that it is a real achievement to get the expenditures down in the last couple of years and that it is a slow process to reduce spending. He stated that the mil rate has been maintained even with doing so much work including all of the road work, traffic calming spending as well as an investment with the RNC. He thanked the management and unionized staff.

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

Presentation of recommendations of meeting held on November 14, 2019

1. Steadywater Brook Flood Risk Study

**Resolution #19-385
Councillor Hillier/Councillor Bursey**

Be it so resolved that Resolution #14-355 be rescinded.

AND FURTHER

Be it so resolved that any proposed development within flood risk areas and buffers identified by any storm water management plan or flood risk analysis adopted by Council be managed in accordance with Policy Directive W.R.96-1 of the Water Resources Management Division of the Department of Municipal Affairs and Environment and the "Provincial Land Use Policy: Flood Risk Areas" implemented under authority of section 3 of the *Urban and Rural Planning Act, 2000*.

- carried unanimously

**2. 12A Denford Estates, Chamberlains (Ward 1)
Sale of Town Owned Land**

**Resolution #19-386
Councillor Hillier/Councillor Bent**

Be it so resolved that the Town of Conception Bay South sell Town owned land known as 12A Denford Estates, Chamberlains (Property ID 202412) to the owners of 12 Denford Estates, Chamberlains, in accordance with Subsection 201.2(8) of the *Municipalities Act, 1999*.

- carried unanimously

**3. 26 Albany Place, Foxtrap (Ward 2)
Subdivision of land**

**Resolution #19-387
Councillor Hillier/Councillor Bursey**

Be it so resolved that Resolution 19-191 is rescinded.

- carried unanimously

**4. 22 Noseworthys Lane, Long Pond (Ward 2)
Demolition Order**

**Resolution #19-388
Councillor Hillier/Councillor Bursey**

Be it so resolved that the Town seek quotes from qualified hazardous materials abatement companies and engage the lowest bidder to complete removal of hazardous materials from the buildings at 22 Noseworthys Lane, Long Pond and that the costs be charged to the property tax account.

- carried unanimously

Councillor Hillier provided an update on a site visit to the Envirosol facility in Bedford, Nova Scotia. He advised that the Planning and Development Committee, Councillor Bent and the Director of Planning and Development met with

representatives and had a tour of the facility . He also advised that they met with the Chair of the Citizens Liaison Committee to discuss their experience with the facility. He noted that the facility is very clean, quiet and non-disruptive to neighbouring properties.

Councillor Bent also added that the information gathered will help Council make an informed decision. He stated that the members made every effort to look at the facility and any potential issues from all angles.

5. Planning and Development Committee Meeting Report

Resolution #19-389 Councillor Hillier/Councillor Butler

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of November 14, 2019, be accepted as presented.

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

Councillor Youden advised that he had asked that fencing regulations be reviewed to allow agricultural land in town to be permitted to use electric fences to protect their crops. The Planning and Development Committee declined this request and therefore he does not support the decisions made at the meeting.

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

Presentation of recommendations of meeting held on November 12, 2019

1. Approval to Award – Steadywater Brook Culvert Upgrade

**Resolution #19-390
Councillor Bent/Councillor Butler**

Be it so resolved that approval be given to award tender for the Steadywater Brook Culvert Upgrade to Eric Taylor Limited for the bid price of \$344,090.93 including HST. This work includes upgrading an existing culvert on Greeleytown Road along Steadywater Brook. Funds to be taken from the project account.

- 7 yeas
- 2 abstentions
(Tilley, Murphy)
- motion carried

Councillor Tilley and Deputy Mayor Murphy declared a conflict of interest with this item as they both have family employed by the contractor. They vacated the Chamber at 7:43 p.m. and returned at 7:44 p.m.

2. Approval to Award - Sanitary Sewer Study

**Resolution #19-391
Councillor Tilley/Councillor Bent**

Be it so resolved that approval be given to enter into Prime Consultant Agreement with SNC Lavalin Inc. for the Sanitary Sewer Study at the approximate cost of \$118,897.50 plus HST. Funds are available in the project account.

- carried unanimously

Councillor Tilley made the following statement:

The Town will begin its winter control operations on December 1. At this time, winter operations will be available 24 hours Monday to Friday, with 48 hour on-call coverage Saturday and Sunday. The on-street parking ban is in effect December 1 – April 30.

Fowlers Road Upgrade

- Staff, contractor and consultant met last Thursday (November 7) after concerns were noted with the schedule and work progress. At the meeting the contractor provided a revised schedule that indicated work completion December 8th and paving the first week of December. The contractor also advised they had no staff on site again until Tuesday, November 12th.
- After a review of the progress, schedules (previous and current), and analysis of work completed vs work remaining and in consultation with the exp services, the contractor was given direction to not disturb any new areas and complete all work (curb and gutter, granulars, paving, reinstatement) already disturbed to Chanterelle (North entrance).
- They have until November 29th to do so.
- The contractor will return in the Spring and complete the remainder of the project (Chanterelle to Route 2 ramps).
- All costs over the contract time will be back charged to the contractor.

Tilleys Road South Storm Upgrade

- The contractor advised they cannot complete the all the work and provided an updated schedule for 2019. With recommendation from the consultant, it was agreed that work will stop at Sunrise (south side). All work from the start to Sunrise will be completed (storm infrastructure, widening, curb and gutter, granulars, paving, reinstatement). The disturbed areas will be finished and made for acceptable use over the winter.
- The contractor will return in the Spring and complete the remainder of the project.
- All costs over the contract time will be back charged to the contractor.

Councillor Bent stated that the contractor is now getting Fowlers Road ready for winter. He stated that this project took longer than expected. He stated that while everyone wants the work finished we need to be realistic.

3. Engineering and Public Works Committee Meeting

Resolution #19-392
Councillor Tilley/Councillor Davis

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of November 12, 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 November 12, 2019

1. Recreation and Leisure Services Committee

Resolution #19-393
Councillor Davis/Councillor Butler

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of November 12, 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 #22

1. 2020-2021 Municipal Infrastructure Application

Resolution #19-394

Deputy Mayor Murphy/Councillor Tilley

Be it so resolved that Resolution #19-315 be amended to apply for funding in the amount of \$28,000,000 under the 2020/2021 Municipal Infrastructure Program for the following projects:

Project Description	Estimated Cost	Federal	Provincial	Municipal
Street Upgrading AP-MCW-18382	\$4,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Lawrence Pond Road Upgrades AP-MCW-19561	\$2,000,000	\$666,666	\$666,666	\$666,666
Seal Cove Bridge Upgrades AP-MCW-19562	\$2,000,000	\$666,666	\$666,666	\$666,666
Perrin's Road Traffic Light AP-MCW-19563	\$500,000	\$166,666	\$166,666	\$166,666
Water and Sewer New Install AP-MCW-19560	\$2,000,000	\$800,000	\$600,000	\$600,000
Water and Sewer Upgrades AP-MCW-18384	\$4,000,000	\$1,600,000	\$1,200,000	\$1,200,000
Community Park AP-MCW-18386	\$3,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Community Centre AP-MCW-19437	\$10,000,000	\$3,333,333	\$3,333,333	\$3,333,333
Total	\$28,000,000	\$9,733,333	\$9,133,333	\$9,133,333

- carried unanimously

Presentation of recommendations of meeting held on November 12, 2019

1. Accounts Payable Cheque Register

Resolution #19-395

Deputy Mayor Murphy/Councillor Davis

Be it so resolved that approval be given to pay cheques totaling \$102,963.07 as per the Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #19-396

Deputy Mayor Murphy/Councillor Bursey

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$806,134.03.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #19-397

Deputy Mayor Murphy/Councillor Bursey

Be it so resolved that approval be given to ratify direct payments previously released totaling \$429,404.82.

- carried unanimously

4. Capital Invoices

Resolution #19-398
Deputy Mayor Murphy/Councillor Youden

Be it so resolved that approval be given to pay capital invoices as follows:

Project	Vendor	Details	Amount
Effluent Monitoring	BioMaxx	Invoice #3676	\$3,864.00
Steadybrook Culvert Upgrade	SNC Lavalin	Invoice #1452782	\$9,333.47
2018 Streets Phase 2	Farrells	Progress Claim #4	\$868,854.89
Total Invoices:			\$882,052.36

- carried unanimously

5. Tax and Other Receivables Adjustments

Resolution #19-399
Deputy Mayor Murphy/Councillor Butler

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

SNELS002 Request Denied
CAPMA001 \$1,166.81

- carried unanimously

6. Approval to Call Tender – Purchase and Installation of Audio/Visual Equipment/Software to Livestream Council Meetings

Resolution #19-400
Deputy Mayor Murphy/Councillor Bent

Be it so resolved that approval be given to call tender for the purchase and installation of equipment and software required to livestream council meetings.

- carried unanimously

7. Order – 27-39 Pocket Road

Resolution #19-401
Deputy Mayor Murphy/Councillor Burse

Be it so resolved that the Order issued on April 29, 2019 to both the property owner and the occupant under the Urban and Rural Planning Act, 2000, the Municipalities Act, 1999, the Town of Conception Bay South Development Regulations, and the Waste Disposal and Property Regulations ordering the property owner and occupant to restore the property located at 27-39 Pocket Road, Conception Bay South back to its original state by removing all inoperable and scrap vehicles and equipment from the property and to cease and desist any further work relating to the metal recycling business immediately, be rescinded.

- carried unanimously

8. Appointment of Appeal Assessment Commissioner – Year 2020

Resolution #19-402
Deputy Mayor Murphy/Councillor Hillier

Be it so resolved that the Town of Conception Bay South appoint Mr. Mitchell Moran as the Appeal Assessment Commissioner for the year 2020.

- carried unanimously

9. Financial and Administrative Services Committee Report

Resolution #19-403
Deputy Mayor Murphy/Councillor Davis

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of November 12, 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 November 13, 2019

1. Communications and Economic Development Committee Meeting Report

Resolution #19-404
Councillor Bent/Councillor Butler

Be it so resolved that the recommendations/decisions made at the Communications and Economic Development Committee meeting of November 13, 2019 be accepted as presented.

- carried unanimously

Councillor Bent stated that the Town's Tourism Strategy is nearing the stages of implementation. He stated that one of the first activities is a Tourism Marketing and Experience Development Workshop being held at Manuels River on November 18 from 1-4pm. Experts from destination management organizations and the provincial department of tourism will facilitate the session. Business owners, artisans, musicians, transportation service providers and anyone who wants to get their piece of the tourism pie should be in attendance.

Councillor Bent stated that the Town will host Jim Keating, Executive Vice President, Corporate Services and Offshore Development, Nalcor and Charlene Johnson, CEO, Noia on Thursday morning as they address the business community highlighting the opportunities and potential of Newfoundland and Labrador's Offshore Oil and Gas Industry, along with its impact on our local economy and small business growth. He stated that there are still a few seats available and that people can register on the Town's website.

Councillor Bent congratulated the Community Garden Committee for initiating the Town's first ever Pumpkin Stroll on November 1. The event was a tremendous success with over 400 pumpkins and over 350 people in attendance. It was a great environmentally conscious community event.

The Committee hosted a booth at the Town's Wellness Fair this past weekend. They promoted the garden initiative and provided bean sprouts as a takeaway for attendees.

The Committee continues to meet monthly to prepare for next year and their program expansion. The second location that is being considered for a satellite garden is on Gardner Drive. Staff will be circulating a notice to area residents in the coming weeks for their input.

10. OTHER COMMITTEE REPORTS

Nil

11. ADJOURNMENT

The meeting adjourned at 8:02 p.m.

Resolution #19-405
Councillor Hillier/Councillor Davis

Be it so resolved that the meeting adjourn.

- carried unanimously

Terry French
Mayor

Gail Pomroy
Town Clerk