

REGULAR MEETING #12

August 11, 2015

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Deputy Mayor Steve Tessier, Councillors, Acting Chief Administrative Officer, Gail Pomroy, Director of Planning and Development, Elaine Mitchell, Director of Recreation and Leisure Services, Dave Tibbo, Director of Finance, Liz Davis, Director of Economic Development, Jennifer Lake, Director of Engineering and Public Works, Jennifer Manuel and Executive Secretary, Jody Fifield.

1. ADOPTION OF AGENDA AND MINUTES

a. Adoption of meeting agenda of August 11, 2015

Resolution #15-277

Councillor George /Councillor Rowe

Be it so resolved that the agenda of the meeting of August 11, 2015 be adopted as presented.

- carried unanimously

b. Adoption of minutes of meeting of July 14, 2015

Resolution #15-278

Councillor Connors /Councillor Youden

Be it so resolved that the minutes of the meeting of July 14, 2015 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Prostate Cancer Awareness Month

Deputy Mayor Tessier proclaimed the month of September 2015 as Prostate Cancer Awareness Month in the Town of Conception Bay South.

b. 2015 Scotts Miracle-Gro Best Garden Selection Contest

Through a partnership with Scotts Miracle-Gro and Communities in Bloom, the Town of Conception Bay South was selected to participate in the “Best Garden Selection” contest for 2015.

From a total of 13 entries with representation from each of the four Wards, one business and seven residential gardens were recognized as the “Best in Conception Bay South”.

Judges conducted site visits on July 28 and recommended the following gardens as the “Best Garden Selection”.

- Ziggy’s Unisex Hair Styling – 82 Anchorage Road (Business)
- Ward 1 – Jackie Raynes – 35A Chamberlains Road (Residential)
- Ward 1 – June White – 98 Swansea Street (Residential)
- Ward 2 – Chrystal Collins – 23 Goldrock Run (Residential)
- Ward 2 – Sheila Rideout – 45 Anchorage Road (Residential)
- Ward 3 – Scott & Tina Martin – 11 Venice Heights (Residential)
- Ward 4 – Gladys Dawe – 9 Jasmine Place (Residential)
- Ward 4 – Lois & Mike Ouellette – 30 Indian Pond Estates (Residential)

**4. RECOMMENDATIONS OF PLANNING & DEVELOPMENT COMMITTEE
(Chair, Councillor Beverley Rowe)**

1. Motion to Defer

**Resolution 15-279
Councillor Rowe/Councillor Bent**

Be it so resolved that Item #1 - Residential Development – 27 Pocket Road, Long Pond be deferred.

- carried unanimously

Presentation of recommendations of meeting held August 3, 2015

1. Residential Development – 27 Pocket Road, Long Pond

Recommendation:

Be it so resolved that approval in principle be granted for a residential development consisting of single dwellings and row houses located between Pocket Road and Townsview Place including water and sewer connection with Coffee Creek Place subject to the following conditions:

- A permanent cul-de-sac complete with curb and gutter and a guard rail be constructed to prevent connection with Tobins Place;
- Approval be obtained from the Department of Environment and Conservation for stream buffers and protection of any provincial designated wetlands;
- If contaminated matter is found during development, full compliance with the Environmental Protection Act and Regulations is required including notification to the Department of Environment and Conservation and rehabilitation of the site;
- Implementation of a rodent control program prior to site development; and
- Compliance with the Town's Development Regulations and Municipal Engineering Residential Subdivision Standards.

- DEFERRED

2. Enforcement - 21 Lears Road, Seal Cove

Resolution #15-280

Councillor Rowe/Councillor Youden

Be it so resolved that the Order issued July 24, 2015 under the Municipalities Act, 1999 and The Town of Conception Bay South Occupancy and Maintenance Regulations ordering the demolition of a building at 21 Lears Road Seal Cove, be confirmed.

- carried unanimously

3. Commercial Vehicle Permit Application – 42 Dunns Hill Road

Resolution #15-281
Councillor Rowe/Councillor Murphy

Be it so resolved that the application to park a commercial motor vehicle at 42 Dunns Hill Road, Foxtrap be refused as the property does not meet the minimum area of 1,000 square metres specified in section 7 of the Town of Conception Bay South Commercial Motor Vehicle Regulations.

- carried unanimously

4. Planning and Development Committee Meeting Report

Resolution #15-282
Councillor Rowe/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of August 3, 2015, be accepted as presented.

- carried unanimously

The Planning and Development Committee Meeting Report of August 3, 2015, contains the following recommendations:

1. Rescind Order - 20 Kelliview Crescent, Kelligrews

Recommendation:

Be it so resolved that the order issued on May 15, 2015, under the Municipalities Act, 1999 and the Town of Conception Bay South Waste Disposal and Property Regulations ordering the removal of inoperative and scrap vehicles and the discontinuation of repairing, dismantling, and scrapping vehicles at 20 Kelliview Crescent, Kelligrews be rescinded as compliance has been achieved.

2. Crown Lands – Lawrence Pond Road West

Recommendation:

Be it so resolved that the Town indicate approval of the Crown Lands application for a boat house and wharf on Lawrence Pond Road West.

3. Town Land – Peacock Place, Foxtrap

Recommendation:

Be it so resolved that the Town retain a parcel of Town-owned land located at Peacock Place, Foxtrap until it acquires the necessary frontage for road access.

4. Variance Application – 23 Kingswood Drive, Topsail

Recommendation:

Be it so resolved that the variance of the flanking yard from 8 metres to 7.2 metres at 23 Kingswood Drive, Topsail be approved.

5. Water Lot Lease and Wharf - 37 Atkins Road, Manuels

Recommendation:

Be it so resolved that the Town indicate to Small Craft Harbours that it has no objection to the issuance of a water lot lease at 37 Atkins Road, Manuels and that approval be given for a wharf subject to compliance with requirements of the Department of Environment and Conservation and Fisheries and Oceans Canada.

6. Fence Application – 9 Dawes Hill Road, Upper Gullies

Recommendation:

Be it so resolved that approval be granted under section 16 of the Town of Conception Bay South Fence Regulations for an eight (8) foot fence along the south boundary of 9 Dawes Place, Upper Gullies.

7. Fence Application – 11 Garland Place, Chamberlains

Recommendation:

Be it so resolved that an application for a seven (7) foot fence along the west boundary of 11 Garland Place be refused as it will be placed on a Town sewer easement and approval be granted under section 16 of the Town of Conception Bay South Fence Regulations for a seven (7) foot fence along the east and north boundary of 11 Garland Place, Chamberlains.

**5. RECOMMENDATIONS OF ENGINEERING & PUBLIC WORKS COMMITTEE
(Chair, Councillor Richard Murphy)**

Transferred from Privileged Meeting #13

1. Prime Consultant Agreement – Seal Cove Bridge Repairs (2014-2017 MYCW)

**Resolution #15-283
Councillor Murphy/Councillor George**

Be it so resolved that approval be given for the Town of Conception Bay South to enter into a Prime Consultant Agreement with Bae Newplan Group Ltd. for the Seal Cove Bridge Repairs project, funded through the 2014 – 2017 Multi Year Capital Works program.

- carried unanimously

2. Topsail Sewage Treatment Plant, Phase 40 - Award of Tender – CP5

**Resolution #15-284
Councillor Murphy/Councillor Bent**

Be it so resolved that subject to approval from the Department of Municipal and Intergovernmental Affairs, approval be given to award the tender for the CP5 – Cronin's Head Upgrading for the Topsails Sewage Treatment Plant, Phase 40 project to G.J. Cahill & Company (1979) Ltd. in the amount of \$889,310, HST included. Funds are available in the Multi Year Capital Works Program.

- carried unanimously

Presentation of recommendations of meeting held August 4, 2015

1. Approval to Call Tender – Traffic Light Maintenance Standing Offer

Resolution #15-285
Councillor Murphy/Councillor George

Be it so resolved that approval be given to call tender for Traffic Light Maintenance Standing Offer.

- carried unanimously

2. Award of Tender 15-10 Purchase of One (1) 2015 or Newer Snow Blower

Resolution #15-286
Councillor Murphy/Councillor Youden

Be it so resolved that approval be given to award Tender 15-10 Purchase of One (1) 2015 or newer snow blower attachment to Saunders Equipment Limited for the tender bid price of \$118,367.50 HST included. Funds to be taken from account #01-301-5000-8025.

- carried unanimously

3. Award of Tender 15-13 Purchase of One (1) 2015 or Newer Portable Liquid Cooled Engine Driven Pump

Resolution #15-287
Councillor Murphy/Councillor Connors

Be it so resolved that approval be given to award Tender 15-13 Purchase of One (1) 2015 or newer portable liquid cooled engine driven pump to Battlefield Equipment for the tender bid price of \$48,456.66 HST included. Funds to be taken from account #01-301-5000-8025.

- carried unanimously

4. Engineering and Public Works Committee Meeting

Resolution #15-288
Councillor Murphy/Councillor Connors

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of August 4, 2015, be accepted as presented.

- 6 yeas
- 2 nays (Bent, Youden)
- motion carried

6. RECOMMENDATIONS OF RECREATION & LEISURE SERVICES COMMITTEE (Chair, Councillor Paul Connors)

Transferred from Privileged Meeting #13

1. Grand Concourse Authority – 2016 Summer Games Facilities Upgrades
2014 – 2017 Multi Year Capital Works Program

Resolution #15-289
Councillor Connors/Councillor Tilley

Be it so resolved that approval be given for the Town of Conception Bay South to enter into a Prime Consultant Agreement with the Grand Concourse Authority for the 2016 Summer Games Facilities Upgrades project in the amount of \$774,210, HST included, funded through the 2014 – 2017 Multi Year Capital Works program.

- carried unanimously

Presentation of recommendation of meeting held August 4, 2015

1. Tender 15-12 – Supply and Delivery of New Lockers for the Conception Bay South Recreation Complex

Resolution #15-290
Councillor Connors/Councillor Youden

Be it so resolved that approval be given to award Tender 15-12 Supply and Delivery of New Lockers for the Conception Bay South Recreation Complex (Pool) to Kanstor Inc. at a cost of \$28,340.00 plus HST. Funds are available in account 01-700-5056-8055.

- carried unanimously

2. Tender – Electronic Timing System – Recreation Complex

Resolution #15-291
Councillor Connors/Councillor Youden

Be it so resolved that approval be given for the Town of Conception Bay South to call tender for the purchase of an electronic timing system for the Recreation Complex.

- carried unanimously

3. Recreation and Leisure Services Committee

Resolution #15-292
Councillor Connors/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of August 4, 2015 be accepted as presented.

- carried unanimously

7. RECOMMENDATIONS OF FINANCIAL & ADMINISTRATIVE SERVICES COMMITTEE (Chair, Councillor Ken George)

Transferred from Privileged Meeting #13

1. RFP – Office Furniture

Resolution #15-293
Deputy Mayor Tessier/Councillor Rowe

Be it so resolved that approval be given to award the Request for Proposals for the Supply and Installation of Office Furniture to Pinnacle Office Interiors in the amount of \$96,503.55, plus HST. Funds are available in Capital Project Account.

- carried unanimously

Presentation of recommendations of meeting held August 5, 2015

1. Accounts Payable Cheque Register

Resolution #15-294
Councillor George/Councillor Connors

Be it so resolved that approval be given to pay cheques totaling \$547,104.83 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #15-295
Councillor George/Councillor Connors

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$269,196.71 as per the attached report.

- carried unanimously

3. Capital Invoices

Resolution #15-296
Councillor George/Councillor Tilley

Be it so resolved that approval be given to pay capital cheques totaling \$2,303,860.91 as listed in the Financial Services Committee Minutes of August 5, 2015.

- carried unanimously

4. Tax and Other Receivables Adjustments

Resolution #15-297
Councillor George/Councillor Connors

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

FASCO001	\$325.85
67179001	\$2,422.56
J.C.B001	\$1,259.10
HAPPY003	\$3,482.94
BEACH002	\$1,823.56
JAYJA002	\$4,274.38

- carried unanimously

5. Donation Request – KEEP – Railway Festival

Resolution #15-298
Councillor George/Councillor Tilley

Be it so resolved that approval be given for a \$1,000 in-kind donation to KEEP in support of the 13th Railway Folk Festival to be held on August 16, 2015. Funds are available in account #01-101-1000-7705.

- carried unanimously

6. Donation Request – Wounded Warriors Canada

Resolution #15-299
Councillor George/Councillor Connors

Be it so resolved that approval be given for a \$600 donation to Wounded Warriors Canada in support of the 2nd Annual Wounded Warrior Canada Charity Golf Tournament to be held on September 4, 2015. Funds are available in account #01-101-1000-7705.

- carried unanimously

7. Donation Request – NL Down Syndrome Society

Resolution #15-300
Councillor George/Councillor Bent

Be it so resolved that approval be given for a \$300 in-kind donation to the NL Down Syndrome Society in support of the Faron Hynes & Zachary Tobin Memorial softball tournament. Funds are available in account #01-101-1000-7705.

- carried unanimously

8. Leave of Absence – Mayor McDonald

Resolution #15-301
Councillor George/Councillor Youden

Be it so resolved that approval be given for a leave of absence for Mayor Ken McDonald effective August 3, 2015 to October 19, 2015.

- carried unanimously

9. Financial and Administrative Services Committee Report

Resolution #15-302
Councillor George/Councillor Connors

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of August 5, 2015 be accepted as presented.

- carried unanimously

1. Approval to Pay - Grand Concourse – ATV Bypass Staging Area

Recommendation:

Be it so resolved that approval be given to pay the Grand Concourse Authority for Claim 1 of the ATV Bypass Staging Area Project in the amount of \$35,275.81. Funds are available in Capital out of Revenue.

2. Approval to Pay - Grand Concourse – T’Railway Development Phase III

Recommendation:

Be it so resolved that approval be given to pay the Grand Concourse Authority for Claim 1 of the T’Railway Development Phase III Project in the amount of \$40,392.29. Funds are available in Capital out of Revenue.

8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Darrin Bent)

Presentation of recommendations of meeting held August 3, 2015

1. Appointment to Main Street BIA Board

Resolution #15-303
Councillor Bent/Councillor Tilley

Be it so resolved that Alain Chabbert of The Healthy Vibe be approved and appointed as a Director of the Board of Management for the Conception Bay South Main Street Business Improvement Association as per the Main Street Business Improvement Association Regulation.

- carried unanimously

2. Economic Development and Tourism Committee Report

Resolution #15-304
Councillor Bent/Councillor George

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of August 3, 2015 be accepted as presented.

- carried unanimously

9. OTHER COMMITTEE REPORTS

10. NEW BUSINESS

Councillor Bent

advised that we have undergone a change to the Activity Guide. It is now expanded to include community groups and businesses. He also noted the guide will no longer be mailed out but available on the Town's website and through the email list.

Councillor Connors

stated that the annual Family Fun Day at the Still was held on August 5th, and was well attended again this year. He would like to thank HJ O'Connell, who are currently working at Dowdens Point, for stopping their heavy equipment traffic in the area during the event. He also noted that Pirate day is going to be held on Sunday, August 23rd and encouraged residents to attend.

Councillor Murphy

requested residents to consider switching to plastic waste buckets or boxes that can be wheeled to the curb on garbage day. He advised that employees are experiencing injuries from collecting waste from boxes and advised that the hands free garbage collection system may be implemented in the future.

11. ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Resolution #15-305
Councillor Murphy/Councillor Rowe

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Acting Chief Administrative Officer