

## **REGULAR MEETING #03 February 16, 2016**

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Mayor Steve Tessier, Councillors, Chief Administrative Officer, Dan Noseworthy, Deputy Clerk Gail Pomroy, Director of Planning and Development, Elaine Mitchell, Director of Finance, Liz Davis, Director of Recreation and Leisure Services, David Tibbo, Director of Engineering and Public Works, Jennifer Manuel, Director of Economic Development and Tourism, Jennifer Lake and Acting Fire Chief John Heffernan.

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

#### **a. Adoption of meeting agenda of February 16, 2016**

**Resolution #16-038**  
**Councillor Rowe/Councillor Murphy**

Be it so resolved that the agenda of the meeting of February 16, 2016 be adopted as presented.

- carried unanimously

#### **b. Adoption of minutes of meeting of February 2, 2016**

**Resolution #16-039**  
**Councillor Tilley/Deputy Mayor George**

Be it so resolved that the minutes of the meeting of February 2, 2016 be adopted as presented.

- carried unanimously

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

**Nil**

**3. VISITORS, PRESENTATIONS AND PETITIONS**

**1. Proclamation – Kin Canada**

Mayor Tessier proclaimed Saturday, February 20, 2016 as Kinsmen and Kinettes Day and the week of February 14 – 20, 2016 as Kinsmen and Kinettes Week in the Town of Conception Bay South. Representatives from Kin Canada were in attendance for the signing of the proclamation.

**2. Welcome to Ward 2 Councillor Evan Bursey**

Mayor Tessier welcomed Evan Bursey as Ward 2 Councillor.

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

Presentation of recommendations of meeting held February 8, 2016

**1. Water Lot Lease – Bishops Road, Long Pond**

**Resolution #16-040  
Councillor Rowe/Councillor Tilley**

Be it so resolved that the request for a water lot lease in Long Pond Inner Harbour at Bishops Road, Long Pond, be refused.

- carried unanimously

**2. Order – 7 Kadan Place, Foxtrap**

**Resolution #16-041  
Councillor Rowe/Councillor Connors**

Be it so resolved that an Order issued on February 5, 2016, under the Urban and Rural Planning Act, ordering the property owner to relocate the accessory building at 7 Kadan Place, Foxtrap, in accordance with the Conception Bay South Development Regulations, be confirmed.

- carried unanimously

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

**Resolution #16-042**  
**Councillor Rowe/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of February 8, 2016, be accepted as presented.

- carried unanimously

**The Planning and Development Committee Meeting Report of February 8, 2016, contains the following recommendations:**

**1. Street Naming – Legion Road Cul-de-sac**

**Recommendation:**

Be it so resolved that **Freedom Heights** be adopted as the new street name for the cul-de-sac extending from Legion Road in the Gateway.

**2. Variance – 7 Spruce Hill Place, Topsail**

**Recommendation:**

Be it so resolved that an application to subdivide property at 7 Spruce Hill Place to facilitate the development of an additional residential lot with a variance of the minimum lot frontage to 18.9 metres be approved, subject to the following conditions:

- The proposed dwelling should be setback consistent with the other dwellings on the street and in particular with the existing house at 7 Spruce Hill Place;
- Storm water from the lot be appropriately managed to protect adjacent properties; and
- That approval be for a single dwelling only.

**3. Permit to Operate – 402 Conception Bay Highway, Foxtrap**

**Recommendation:**

Be it so resolved that the matter related to a business operating at 402 Conception Bay Highway, Foxtrap be referred to the Town's solicitor for legal action.

**4. Sale of Town Owned Land – 10 Chateau Avenue, Foxtrap**

**Recommendation:**

Be it so resolved that the Town sell a portion of Town Owned Land on Chateau Avenue, Foxtrap, at a cost of \$500, as well as the provision of a survey and the payment of all related costs.

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

Presentation of recommendations of meeting held February 9, 2016

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

**Resolution #16-043  
Councillor Murphy/Councillor Tilley**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of February 10, 2016, be accepted as presented.

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

Councillor Bent stated that he voted nay on this motion as he disagrees with the decision made on 10 Monument Road wherein the resident was denied a claim for damages due to a sewer back up.

Councillor Bent also noted the lift station near Monument Road. He advised that the generator will have to run for a couple of days straight and so he would communications to go out to residents to notify in advance. He also stated that

the fence is not appealing and he requested the Committee to reconsider the aesthetics of this fence.

Councillor Murphy noted that all claims for damages are considered individually. He stated claims cannot be paid against policy as it would be precedent setting.

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

Presentation of recommendations of meeting held February 9, 2016

**1. Recreation and Leisure Services Committee**

**Resolution #16-044**  
**Councillor Connors/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of February 10, 2016 be accepted as presented.

- carried unanimously

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

Transferred from Privileged Meeting #03

**1. Personnel – Fire Chief**

**Resolution #16-045**  
**Deputy Mayor George/Councillor Rowe**

Be it so resolved that approval be given to appoint John Heffernan as Fire Chief for the Town of Conception Bay South as per the terms and conditions contained within the employment contract.

- carried unanimously

Presentation of recommendations of meeting held February 10, 2016

**1. Accounts Payable Cheque Register**

**Resolution #16-046**  
**Deputy Mayor George/Councillor Connors**

Be it so resolved that approval be given to pay cheques totaling \$796,794.17 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

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

**Resolution #16-047**  
**Deputy Mayor George/Councillor Rowe**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$134,528.56 as per the attached report.

- carried unanimously

**3. Capital Invoices**

**Resolution #16-048**  
**Deputy Mayor George/Councillor Bent**

Be it so resolved that approval be given to pay capital cheques totaling \$64,636.61 as listed in the Financial Services Committee Minutes of February 10, 2016.

- carried unanimously

**4. Tax and Other Receivables Adjustments**

**Resolution #16-049**

**Deputy Mayor George/Councillor Rowe**

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

HEIDI001	\$405.28
LISA'002	\$350.00
TAZEB001	\$408.56
MECOE001	\$1,485.99
PORTM009	\$5,106.08
MCCAB002	Request Denied
1934-0-0872-000	Request Denied
1934-0-0872-001	Request Denied

- carried unanimously

Councillors Connors, Bent and Tilley stated that they did not support the refusal of accounts #1934-0-0872-000 and 1934-0-0872-001.

**5. Donation Policy**

**Resolution #16-050**

**Deputy Mayor George/Councillor Youden**

Be it so resolved that donations as listed be approved under the Town's 2016 Donation Program.

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

Councillors Bent and Tilley declared a conflict of interest as they are involved with organizations listed within the 2016 Donation Program. They vacated the Chamber at 7:21 p.m. and returned at 7:22 p.m.

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

**Resolution #16-051**

**Deputy Mayor George/Councillor Rowe**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of February 10, 2016 be accepted as presented.

- carried unanimously

**The Financial and Administrative Services Committee Report of February 10, 2016 contains the following recommendations:**

**1. Ratification of Payment – Quants Inc**

**Recommendation:**

Be it so resolved that approval be given to ratify payment to Quants Inc for professional services provided in the amount of \$18,583.37 taxes included. Funds for this invoice are available in Capital out of Revenue.

**2. Amend Borrowing Resolutions**

**Recommendation:**

BE IT THEREFORE RESOLVED by the Town of Conception Bay South as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank the sum of \$1,951,548. plus interest at a rate of 3.61.% (indication rate to a maximum indication rate of 3.75%) as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby



authorized to sign all cheques drawn on the amount into which the funds are deposited.

3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be given from time to time as required, in security for the amounts borrowed under the provision of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

**Recommendation:**

BE IT THEREFORE RESOLVED by the Town of Conception Bay South as follows:

1. That the Mayor or Deputy Mayor with the Chief Administrative Officer or the Director of Administrative and Financial Services of the Corporation be and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank the sum of \$2,500,000 plus interest at a rate of 3.61% (indication rate to a maximum indication rate of 3.75% as the same is required to meet the capital expenditure of the Corporation when said expenditure has been duly authorized by the Council.
2. That the said Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services aforesaid, be and they are hereby authorized to sign all cheques drawn on the amount into which the funds are deposited.
3. That the said borrowing shall have an initial term period not exceeding 10 years and a total amortization period not exceeding 25 years from date of the initial drawdown.

4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Mayor or Deputy Mayor with the Chief Administrative Officer or Director of Administrative and Financial Services of the Corporation be given from time to time as required, in security for the amounts borrowed under the provision of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.

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

Presentation of recommendations of meeting held February 8, 2016

**1. Economic Development and Tourism Committee Report**

**Resolution #16-052**  
**Councillor Bent/Councillor Murphy**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of February 8, 2016 be accepted as presented.

- carried unanimously

**9. RECOMMENDATIONS OF FIRE, ENFORCEMENT AND PUBLIC SAFETY COMMITTEE (Chair, Councillor Kirk Youden)**

Presentation of recommendations of meeting held February 9, 2016

**1. Signage in School Zones**

**Resolution #16-053**  
**Councillor Youden/Councillor Connors**

Be it so resolved that approval be given to purchase signage from Construction Signs Ltd at a cost of \$9,206.00. Funds are available in Capital out of Revenue.

- carried unanimously

**2. Fire, Enforcement and Public Safety Committee Report**

**Resolution #16-054**  
**Councillor Youden/Deputy Mayor George**

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of February 10, 2016 be accepted as presented.

- carried unanimously

**10. OTHER COMMITTEE REPORTS**

**a. Eastern Regional Services Board**

Councillor Tilley stated that he attended his first meeting of this Committee in January. He noted that he will report back when information is available.

**11. NEW BUSINESS**

All members of Council welcomed Councillor Bursey and congratulated Fire Chief Heffernan on his appointment and the Recreation and Leisure Services Department for a successful Winterfest.

**Councillor Bursey** stated that he agrees with the signage being purchased for school zones and that he would like to see this in other areas as well.

thanked the volunteers who helped with his campaign and those who voted for him in the by-election last night.

**Councillor Tilley** highlighted events are Winterfest and noted the Casino night will be held on February 19, 2016.

**Councillor Bent** noted that he attended the Jim Webb Memorial Badminton tournament and the Paul Nippard Volleyball Tournament.

congratulated Cirian Hearn, a local, rugby player who signed a professional contract to play with the London Irish rugby team.

congratulated Maria AuCoin who earned a gold medal at the 2016 Canadian Powerlifting and Bench Press Championships recently held in Regina, SK.

noted upcoming grand openings of Upstanding Medical Footcare Ltd. and CBS Blood Collection Centre which will be held on February 22, 2016.

reminded residents of the Town's mobile App which was launched 2 weeks ago. He stated the app can be download from itunes or google play.

Advised residents that the staging area at Indian Pond Road is plowed and available for ATV use.

**Councillor Rowe**

stated that the AGM and regular monthly meeting for the Chamberlains Park Action Committee will be held on February 22, 2016 at the Cherry Lane office. She invited all to attend.

**Mayor Tessier**

thanked the CBS Lions Club for help with the pancake breakfast and the Youth Advisory Council for assistance. He also thanked Kent Building Supplies Ltd. for allowing patrons to use their parking lot as overflow parking during the hockey games.

**12. ADJOURNMENT**

The meeting adjourned at 7:55 p.m.

**Resolution #16-055**  
**Councillor Rowe/Councillor Youden**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Steve Tessier  
Mayor

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Gail Pomroy  
Town Clerk