

REGULAR MEETING #04

March 1, 2016

A Regular Meeting of Council convened in the Council Chambers at 7:03 p.m. in the presence of Mayor Steve Tessier, Councillors, Chief Administrative Officer, Dan Noseworthy, Town Clerk Gail Pomroy, Director of Planning and Development, Elaine Mitchell, Director of Finance, Liz Davis, Director of Economic Development and Tourism, Jennifer Lake, Fire Chief John Heffernan and Communications Coordinator, Kristina George.

1. ADOPTION OF AGENDA AND MINUTES

a. Adoption of meeting agenda of March 1, 2016

Resolution #16-056
Councillor Youden/Councillor Connors

Be it so resolved that the agenda of the meeting of March 1, 2016 be adopted as presented.

- carried unanimously

b. Adoption of minutes of meeting of February 16, 2016

Resolution #16-057
Councillor Connors/Deputy Mayor George

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

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

1. Winterfest Contest

During Winterfest 2016, the Town of Conception Bay South held a Coloring & Drawing contest for students from kindergarten to grade 6.

Kindergarten to grade 3 competed in the coloring contest while students in grade 4-6 competed in the drawing contest.

Mayor Tessier and Councillors presented prizes to the following winners:

Coloring Contest

Kindergarten – Leah Slaney (St. George’s Elementary)

Grade 1 – Natalie Beh (St. Edward’s Elementary)

Grade 2 – Grace Hicks (Topsail Elementary)

Grade 3 – Breanna Kennedy (St. George’s Elementary)

Drawing Contest

Amanda McIlsac (Topsail Elementary)

Colin Sutton (Upper Gullies Elementary)

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

Transferred from Privileged Meeting #04

1. Backlot Development

Resolution #16–058

Councillor Rowe/Councillor Tilley

Be it so resolved that the Commissioner’s Report regarding Proposed Conception Bay South Municipal Plan Amendment No. 9, 2015 and Conception Bay South Development Regulations Amendment No. 13, 2015 submitted by Mr. Stanley Clinton on February 8, 2016, be tabled.

- carried unanimously

2. Order - 358 Dunns Hill Road, Foxtrap

Resolution #16–059

Councillor Rowe/Councillor Connors

Be it so resolved that the Order issued February 24, 2016 under the Urban and Rural Planning Act and the Town of Conception Bay South Development Regulations ordering the removal of a fence that has been constructed on a right away located adjacent to 358 Dunns Hill Road, Foxtrap, without a permit being issued by the Town be confirmed.

- carried unanimously

Presentation of recommendations of meeting held February 24, 2016

1. Residential Development – 35 Hillview Avenue, Manuels

Resolution #16–060
Councillor Rowe/Councillor

Be it so resolved that Council exercise its discretion under section 4.6 of the Conception Bay South Development Regulations and refuse an application to vary the minimum lot frontage to facilitate the subdivision of 35 Hillview Avenue, Manuels to create a residential lot on the grounds that:

- the proposed dwelling would be inconsistent with the established building line setback;
- the proposed lot would be inconsistent in size and out of character with other properties on this street; and
- the limited width of the proposed lot could impact proper site grading and may create a potential negative impact on adjacent properties due to storm water run-off.

- carried unanimously

2. Crown Lands Application – 91 Rocky Place, Foxtrap

Recommendation:

Be it so resolved that the Town not support an application to acquire Crown Land to extend 91 Rocky Place, Foxtrap, for agricultural use and that the property be maintained for future residential development.

Resolution #16–061
Councillor Tilley/Councillor Bent

Be it so resolved that the item of Crown Lands Application – 91 Rocky Place be deferred.

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

Councillor Rowe declared a conflict of interest in this matter as her son-in-law is the applicant. She vacated the Chamber at 7:18 p.m. and returned at 7:19 p.m.

3. Planning and Development Committee Meeting Report

Resolution #16-062
Councillor Rowe/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of February 24, 2016, be accepted as presented.

- carried unanimously

The Planning and Development Committee Meeting Report of February 24, 2016, contains the following recommendations:

1. Crown Lands Application – 1890 Conception Bay Highway, Seal Cove

Recommendation:

Be it so resolved that the Town indicate no objection to the acquisition of approximately 10 acres of Crown Land located at the rear of 1890 Conception Bay Highway, Seal Cove to be utilized for hobby farming.

2. Telecommunication Tower – 13 Graham Mifflen Drive, Kelligrews

Recommendation:

Be it so resolved that the Town concur with the proposed 60 metre lattice style telecommunications tower at 13 Graham Mifflen Drive, Kelligrews.

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

Presentation of recommendations of meeting held February 23, 2016

1. Engineering and Public Works Committee Meeting

**Resolution #16-063
Councillor Murphy/Deputy Mayor George**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of February 23, 2016, be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meeting held February 23, 2016

1. Recreation and Leisure Services Committee

**Resolution #16-064
Councillor Connors/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of February 23, 2016 be accepted as presented.

- carried unanimously

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

Transferred from Privileged Meeting #04

1. Personnel – Fire Captain

Resolution #16–065
Councillor Rowe/Councillor Youden

Be it so resolved that approval be given to appoint Fred Kennedy as Fire Captain 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 24, 2016

1. Accounts Payable Cheque Register

Resolution #16–066
Councillor Rowe/Councillor Connors

Be it so resolved that approval be given to pay cheques totaling \$220,081.42 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #16–067
Councillor Rowe/Councillor Connors

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$80,866.88 as per the attached report.

- carried unanimously

3. Capital Invoices

Resolution #16-068
Councillor Rowe/Deputy Mayor George

Be it so resolved that approval be given to pay capital cheques totaling \$2,448,126.40 as listed in the Financial Services Committee Minutes of February 24, 2016.

- carried unanimously

4. Donation – Studio 5

Resolution #16-069
Councillor Rowe/Councillor Bent

Be it so resolved that approval be given for a \$350 in kind donation to Studio 5 in support of their art exhibition to be held on March 13, 2016.

- carried unanimously

5. Personnel – Communications Coordinator

Resolution #16-070
Councillor Rowe/Councillor Bursey

Be it so resolved that approval be given to appoint Kristina George as Communications Coordinator for the Town of Conception Bay South as per the terms and conditions contained within the employment contract.

- carried unanimously

6. Financial and Administrative Services Committee Report

Resolution #16-071
Councillor Rowe/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of February 24, 2016 be accepted as presented.

- carried unanimously

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

No meeting held.

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

Transferred from Privileged Meeting #04

1. 24 Golden Road, Kelligrews

**Resolution #16-072
Councillor Youden/Councillor Rowe**

Be it so resolved that the Order issued February 26, 2016 under the Urban and Rural Planning Act and the Town of Conception Bay South Development Regulations ordering the removal of all agricultural livestock situated from the property located at 24 Golden Road, Kelligrews, Conception Bay South be confirmed.

- carried unanimously

Councillor Youden provided a history of the file. He noted the issue has been ongoing for a couple of years and originally involved goats, chickens and roosters. He stated complaints were received from surrounding properties pertaining to noise, smell and roaming chickens. He stated the property owners were advised that a permit was required. The home owners applied for a hobby farm permit which was declined due to objections received from neighbours. The property owners then appealed the decision with the Eastern Regional Appeal Board Appeal and was unsuccessful in the appeal.

Mayor Tessier stated that the Town does try to strike a balance of the needs of both the rural and urban aspects of our community.

Councillor Murphy stated that he supported the motion but that the situation is unfortunate. He stated that consideration must be given to the surrounding property owners as well so that they can enjoy their own properties.

Presentation of recommendations of meeting held February 23, 2016

1. Fire, Enforcement and Public Safety Committee Report

Resolution #16-073
Councillor Youden/Councillor Tilley

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of February 23, 2016 be accepted as presented.

- carried unanimously

Councillor Youden noted that the Fire, Enforcement and Public Safety Committee met with a representative of the NL English School District to school traffic safety.

Councillor Youden commended the Royal Newfoundland Constabulary for their continued cooperation and for the extra patrol car allocated to the K4 area.

10. OTHER COMMITTEE REPORTS

Nil

11. NEW BUSINESS

Councillor Murphy

congratulated Fred Kennedy on his appointment as Fire Captain.

stated that he received an email from residents of Lears Road in appreciation of the work being conducted on a dilapidated property

stated that the operating budget review has started in the Engineering and Public Works department.

Councillor Bursey

thanked members of Council and staff for the welcome he has received since being elected as Ward 2 Councillor.

Councillor Connors

expressed condolences to the family of Makayla Puddicombe.

Councillor Bent

advised that the Spring and Summer Activity Guide is now available on the Town's website.

congratulated the athletes and coaches acknowledged at the recent Athletes and coach of the Year Awards Ceremony.

stated that he enjoyed attending the recent Seniors Social.

Councillor Tilley

stated that something must be done with the dilapidated school property at All Saints Road. He stated that it is a serious concern and has become a hangout. He requested contact be made with the NL English School District to request action.

Councillor Rowe

stated that she attended the recent Chamberlains Park Action Committee AGM and regular meeting. She noted that the Executive Board will remain the same this year and encouraged all to walk the park.

Mayor Tessier

reminded residents that Conception Bay South will host the 2016 NL Summer Games and will require up to 600 volunteers. He encouraged people to register to volunteer.

12. ADJOURNMENT

The meeting adjourned at 7:56 p.m.

Resolution #16-074
Councillor Rowe/Councillor Murphy

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Town Clerk