

REGULAR MEETING #11

July 12, 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, Town Clerk, Gail Pomroy, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Director of Finance, Liz Davis, Director of Planning and Development, Elaine Mitchell, 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 July 12, 2016

Resolution #16-240

Councillor Murphy/Councillor Connors

Be it so resolved that the agenda of the meeting of July 12, 2016 be adopted as presented.

- carried unanimously

b. Adoption of minutes of meeting of June 14, 2016

Resolution #16-241

Councillor Murphy/Councillor Connors

Be it so resolved that the minutes of the meeting of June 14, 2016 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Conservation Corps

The Green Team were in attendance to provide a summary of their planned summer activities working with various Parks Commission member groups. In attendance were Keisha Butler, Emily Trenholm, Kamren Jennings and Luke Reid. Keisha Butler stated that the team attended training in Corner Brook and will have several presentations and events during the summer including work at the Foxtrap Marina and the Manuels River Interpretation Centre and the Kelligrews River.

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

Transferred from Committee of the Whole Meeting #14

1. Sale of Town Owned Land – Delaneys Road, Foxtrap

**Resolution #16-242
Councillor Rowe/Councillor Bent**

Be it so resolved that the Town accept the bid from Habitat for Humanity for the purpose of constructed a duplex containing two housing units for deserving families subject to approval from the Minister of Municipal Affairs as required by section 201.2 (7) of the Municipalities Act.

- carried unanimously

Presentation of recommendations of meetings held June 20 and July 4, 2016

1. Municipal Plan Amendment No. 11, 2016 and Development Regulations Amendment No. 18, 2016 – General Assembly Uses in the Commercial Light Industrial designation and zone

**Resolution #16-243
Councillor Rowe/Councillor Bent**

Be it so resolved that Municipal Plan Amendment No. 11, 2016 and Development Regulations Amendment No. 16, 2016 to accommodate general assembly uses in the Commercial Light Industrial (CLI) designation and zone be approved as presented.

- carried unanimously

2. Correspondence – Request for Plan and Development Regulations Amendment, Reubens Lane, Seal Cove

Resolution #16-244
Councillor Rowe/Councillor Murphy

Be it so resolved that an amendment to the Municipal Plan and Development Regulations to permit a multiple unit housing development off Reubens Lane, Seal Cove and that the public consultation process be initiated.

- carried unanimously

3. Correspondence - Request for Municipal Plan and Development Regulations Amendment – 1637-1369 Conception Bay Highway, Seal Cove

Resolution #16-245
Councillor Rowe/Councillor Connors

Be it so resolved that an amendment to the Municipal Plan and Development Regulations be prepared to redesignate and rezone land on the south side of Conception Bay Highway, between Daniels Road and the interchange with Peacekeepers Way, Seal Cove from Residential Low Density (R-1) to Commercial General (C-2) and that the public consultation process be initiated.

- carried unanimously

4. Planning and Development Committee Meeting Report

Resolution #16-246
Councillor Rowe/Councillor Murphy

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meetings of June 20 and July 4, 2016, be accepted as presented.

- carried unanimously

The Planning and Development Committee Meeting Report of July 4, 2016, contains the following recommendations:

1. Correspondence – Request for Plan and Development Regulations Amendment, Chamber of Commerce

Recommendation:

Be it so resolved that the request for an amendment to the Municipal Plan and Development Regulations to accommodate office uses in the Industrial General (IG) zone be refused.

2. Discretionary Use – Home Occupation, 10 Horizon Place

Recommendation:

Be it so resolved that approval be granted to operate a Counselling/Therapy service, as a home occupation, at 10 Horizon Place, Chamberlains, subject to receipt of approval from any relevant Provincial Authorities and compliance with the requirements of the Town's Development Regulations.

3. Application – Home Office, 25 Thomston Avenue, Chamberlains

Recommendation:

Be it so resolved that an application to operate a Home Office, for the purchase and sale of used vehicles, at 25 Thomston Avenue, Chamberlains, be refused as the proposed use is not considered appropriate in a residential zone.

4. Non-compliance – Accessory Building, 7 Kadan Place, Foxtrap

Recommendation:

Be it so resolved that the matter related to 7 Kadan Place, Foxtrap be referred to the Town's solicitor for legal action.

5. Outstanding File – Occupied Without Permit

Recommendation:

Be it so resolved that the matter related to residence occupied without permit be referred to the Town's solicitor for legal action.

AND FURTHER

Be it so resolved that the occupancy deposit as listed below be taken into general revenue.

Address	Permit Date	Receipt #	Amount
5 Elliotts Place	June 10, 2011	90564	750.00

6. Acquisition of Land – Seal Cove Lift Station

Recommendation:

Be it so resolved that the Town acquire land on Seal Cove Road required for a lift station associated with Phase 46 Water and Sewer Project for \$10,000. Funds are available in account number #01-700-5000-8025.

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

Transferred from Committee of the Whole Meeting #14

1. Powers Court Lift Station Upgrades – Quote Ratification

**Resolution #16-247
Councillor Youden/Councillor Bursey**

Be it so resolved that the Powers Court Lift Station Upgrade – Civil Works be awarded to Eric Taylor Limited in the amount of \$26,448.78 HST included. Funds are available in project account.

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

Councillor Murphy declared a conflict of interest with this item as a family member is the owner/operator of Eric Taylor Limited. He vacated the Chamber at 7:15 p.m. and returned at 7:16 p.m.

2. Sgt. Ned's Parking Paving - CIP150 Funding

Resolution #16-248
Councillor Murphy/Deputy Mayor George

Be it so resolved that approval be given to award tender 16-07 Sgt. Ned Nugents Complex - Paving to Clarkes Trucking and Excavation Limited in the amount of \$218,595.11, HST included. Funds are available in the project account.

- carried unanimously

Presentation of recommendations of meeting held July 5, 2016

1. Project Updates

Resolution #16-249
Councillor Murphy/Councillor Bursey

Be it so resolved that approval be given to call tender for the Tilley's Road South Upgrading project pending government approvals.

- carried unanimously

2. Engineering and Public Works Committee Meeting

Resolution #16-250
Councillor Murphy/Councillor Bent

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meetings of June 15, 2016 and July 5, 2016, be accepted as presented.

- carried unanimously

The Engineering and Public Works Committee Meeting of July 5, 2016, included the following recommendation:

1. Amendment to Municipal Engineering Residential Subdivision Standards – Design Criteria

Recommendation:

Be it so resolved that approval be given to amend “Schedule 1 Subdivision Development Policy, Page 48, Section 7.2.3 Design Criteria” of the Town’s Municipal Engineering Residential Subdivision Standards so that the section will now read as follows:

7.2 Design Criteria

7.2.3. “Variances to local street right of ways of may be granted at the discretion of the Director of Engineering and Public Works or designate, up to a maximum reduction of 2.5 metres. This variance is to allow development in extenuating circumstances without impacting existing property infrastructure and is limited to developments with a secondary access.”

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

No meeting held.

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

Transferred from Committee of the Whole Meeting #14

1. Donation Request – Avalon Dragons/Dragon Boat Festival

Resolution #16-251

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for a donation in the amount of \$200 for the registration of a team in the Avalon Dragons annual Dragon

Boat Festival to be held on August 20, 2016. Funds are available in account #01-101-1000-7705.

- carried unanimously

Presentation of recommendations of meeting held July 6, 2016.

1. Accounts Payable Cheque Register

Resolution #16-252
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to pay cheques totaling \$243,524.48 as per the Accounts Payable Cheque Register Report.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #16-253
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$897,435.27 as per the report.

- carried unanimously

3. Ratification of Direct Payments Previously Released

Resolution #16-254
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to ratify direct payments previously released totaling \$82,059.80 as per the attached report.

- carried unanimously

4. Capital Invoices

Resolution #16-255
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to pay capital cheques totaling \$771,990.17 as listed in the Financial Services Minutes of July 6, 2016 and Committee of the Whole meeting #14.

- carried unanimously

5. Tax and Other Receivables Adjustments

Resolution #16-256
Deputy Mayor George/Councillor Bursey

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

PROVI004	\$205.44
DCMED001	\$205.44
FROZE001	\$205.44

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

Councillor Rowe declared a conflict of interest with this matter as one of the accounts was a business owned by her late husband.

6. General Insurance Renewal

Resolution #16-257
Deputy Mayor George/Councillor Bursey

Be it so resolved that the Town of Conception Bay South approve the renewal of the general insurance policy for the period July 1, 2016 to June 30, 2017 with Cal LeGrow/Baine Johnson Insurance at a cost of \$175,000 plus 15% insurance tax for a total of \$201,250.00. This is a budgeted item and funds are available in account 01-102-1000-7110.

- carried unanimously

7. Donation Request – NL Down Syndrome Society

Resolution #16-258

Deputy Mayor George/Councillor Bursey

Be it so resolved that approval be given for a \$500 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. Donation Request – MUN Global Brigades

Resolution #16-259

Deputy Mayor George/Councillor Bursey

Be it so resolved that approval be given for a \$300 in-kind donation to the MUN Global Brigades in support of a fundraiser softball tournament to be held on June 19th and June 20th, 2015. Funds are available in account 01-101-1000-7705.

- carried unanimously

9. Donation Request – Children’s Wish Foundation – Run the Rock

Resolution #16-260

Deputy Mayor George/Councillor Bursey

Be it so resolved that approval be given to ratify expenses for a \$125 donation (in kind) for the Run the Rock 2016 in support of Children’s Wish Foundation held on June 26, 2016. Funds are available in account # 01-101-1000-5060.

- carried unanimously

10. Senior Capital Asset Accountant

Resolution #16-261
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to confirm Suzanne Grouchy in the position of Senior Capital Asset Accountant as per the terms and conditions outlined in the contract letter of September 8, 2014.

- carried unanimously

11. Premier's Forum on Local Government

Resolution #16-262
Deputy Mayor George/Councillor Tilley

Be it so resolved that the Town of Conception Bay South hereby selects the following four (4) candidates as our choice to represent the Avalon Region at the 2016 Premier's Forum on Local Government on Wednesday, October 5, 2016 at the Delta Hotel in St. John's, NL.

Candidate Name	Position on Council	Municipality	X
Aker, Dave	Councillor	City of Mount Pearl	X
Clarke, Glenn	Councillor	Town of Victoria	
Cumby, Fred	Mayor	Town of Heart's Content	
Gosine, Gary	Mayor	Town of Wabana	
Hillier, Norman	Councillor	Town of Clarke's Beach	
Hiscock, Eric	Councillor	Town of New Perlican	
Paul, Roddy	Mayor	Town of Ferryland	
Rose, Scott	Mayor	Town of South River	
Scott, Craig	Councillor	Town of Torbay	X
Tessier, Steve	Mayor	Town of Conception Bay South	X
Tucker, Moses	Mayor	Town of Portugal Cove-St. Philip's	X
Wall, Joedy	Mayor	Town of Pouch Cove	

- carried unanimously

12. Financial and Administrative Services Committee Report

Resolution #16-263
Deputy Mayor George/Councillor Bursey

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of July 6, 2016 be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meeting held July 5, 2016

1. Economic Development and Tourism Committee Report

Resolution #16-264
Councillor Bent/Councillor Bursey

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of July 5, 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 June 30, 2016.

1. Enforcement Vehicle Replacement

Resolution #16-265
Councillor Youden/Councillor Tilley

Be it so resolved that approval be given to purchase a mid-size SUV from the Government Standing Offer at an approximate cost of \$25,000. Funds are available in account 01-301-5000-8025.

- carried unanimously

2. 6 – 8 Nugents Place – Rescind Order

Resolution #16-266
Councillor Youden/Councillor Connors

Be it so resolved that the Order issued November 10, 2015 under the Municipalities Act, 1999 and The Town of Conception Bay South Occupancy and Maintenance Regulations ordering the demolition of the dwelling at 6-8 Nugent's Place, Kelligrews, be rescinded as the dwelling has been demolished.

- carried unanimously

Councillor Youden read the following statement:

The Town of Conception Bay South is pleased to announce that it will host the 2017 Regional Scott FireFit Championships Aug 5-6, 2017.

The Scott FireFit Championships is a physically demanding and exciting event which showcases the fitness level of firefighters and the challenges they face daily. We look forward to welcoming firefighters from across Newfoundland and Labrador, and possibly other provinces, to our community next summer as they compete against the dedicated members of the Conception Bay South Fire Department.

Often described as the "Toughest 2 Minutes in Sport", the Scott FireFit Championships is a competition based on fire-fighting tasks commonly performed in emergency situations. There are many different levels of competitors, from the seasoned 10-year veteran to first time rookie. Competition details can be found at <https://www.firefit.com/>

More details about the 2017 Regional Scott FireFit Championships, and possible sponsorship opportunities will be announced in the coming months.

3. Fire, Enforcement and Public Safety Committee Report

Resolution #16-267

Councillor Youden/Councillor Connors

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of June 30, 2016 be accepted as presented.

- carried unanimously

10. OTHER COMMITTEE REPORTS

Nil

11. NEW BUSINESS

Councillor Rowe

congratulated Musically Inclined on receiving best music school award for the 2nd year in a row.

advised that an online questionnaire has been posted pertaining to Urban Agriculture.

Deputy Mayor George

advised that the Town is continuing to review the 2017 budget. An example of diligence is renewing the general insurance and receiving a cost savings over last year.

Councillor Tilley

stated that the Canada Day celebrations were well attended. He stated that it is unfortunate that bad weather did have a negative impact on other events during the Soiree. He thanked staff for preparations and work in organizing the 2016 Kelligrews Soiree.

Councillor Youden

Grand Concourse Authority Inc. are currently completing the western portion of the

T' Railway. He requested users to be considerate of properties surrounding the staging areas.

stated that he has received complaints pertaining to traffic on Country Path Road. He stated that the road is very narrow and should not be used as a short cut to access Minerals Road. He recommended closing the access to Minerals Road.

Councillor Bent

stated that the T' Railway (14 kms) should be completed by the end of this week.

stated that work will commence this week to connect Sgt. Ned Nugent's Park to the Conception Bay South Arena and noted that the Snowbirds Airshow will be held on August 23, 2016.

stated that Legion Branch 50 will be showing Trail of the Caribou at 7:30 p.m. on July 13, 2016.

stated that he is receiving numerous complaints of speeding traffic on Topsail Beach Road. Requested residents and drivers to be careful.

Councillor Bursey

attended many soiree events and was honoured to be involved with the Annual Manuels River Bobber race.

Councillor Murphy

reminded residents that the new Waste Collection Regulations come into effect on August 1st. He noted that despite rumours circulating, garbage boxes are not banned

stated that some residents are receiving notices for non-compliant recycling. He advised that the Robin Hood Bay Landfill site enforces this when the Town delivers and

therefore, the Town must enforce it with the residents.

expressed congratulations to Firefighter Sean Lawlor who will participate in Combat Challenge. He also noted that the Newfoundland Herald recently displayed a picture of Mr. Lawlor on their cover and did a nice story on the Conception Bay South Fire Department.

Councillor Connors

advised that the Department of Recreation and Leisure Services are actively preparing for the upcoming 2016 Newfoundland and Labrador Summer Games which will kick off in Conception Bay South in 1 month. This event will run from August 13th – 21st and approximately 1500 of the province's top athletes will compete in 10 different sports in our Town. The Town's recreation facilities are in pristine condition and awaiting the Games.

stated that leading up to the Games on August 6th the Host Committee will be having their Torch Run. This event will highlight some of the great athletes and volunteers within our community. The Torch will leave from Topsail Beach and the relay will end in Seal Cove at the Richard Parsons Memorial Field for a community rally. The Committee invites residents to line the streets and cheer on all runners. For more information on the run or the Games in general go to www.nlgamescbs2016.com. He stated that the Town will continue to work closely with the Host Committee to make CBS2016 the best games to date!

expressed congratulations to Tony Cronin on receiving the Ray Bowe Award of Merit awarded by NL- Hockey Newfoundland and Labrador. He requested a letter of congratulations be sent to Mr. Cronin.

Mayor Tessier

stated that he was pleased with the recent announcement of cost shared funding in the amount of \$3,400,630 under the Clean Water and Wastewater Fund.

brought greetings on behalf of the Town of Conception Bay South at the MMSB Illegal Dumping workshop held at Conception Bay South Fire Department on June 6 – 7, 2016. He stated that the Town's work to deter illegal dumping has had a significant effect on the amount of garbage around town and expressed appreciation to the staff involved.

12. ADJOURNMENT

The meeting adjourned at 7:57 p.m.

Resolution #16-268
Councillor Youden/Councillor Rowe

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Town Clerk