

## **Regular Meeting #15 September 19, 2017**

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Mayor Tessier, Councillors, Chief Administrative Officer, Dan Noseworthy, Town Clerk, Gail Pomroy, Director of Engineering and Public Works, Jennifer Norris, and Fire Chief, John Heffernan.

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

#### **a. Adoption of the Meeting Agenda for September 19, 2017**

**Resolution #17-366**

**Councillor Youden/Councillor Connors**

Be it so resolved that the agenda of the meeting of September 19, 2017 be adopted as presented.

- carried unanimously

#### **b. Adoption of the Meeting Minutes of September 5, 2017**

**Resolution #17-367**

**Councillor Connors/Councillor Tilley**

Be it so resolved that the minutes of the meeting of September 5, 2017 be adopted as presented.

- carried unanimously

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

Nil

### 3. VISITORS, PRESENTATIONS AND PETITIONS

#### 1. Petition – Steep Nap Road

Councillor Bursey tabled a petition from residents in opposition of a Discretionary Use and Variances for a 10 unit apartment building at 28 – 40 Steep Nap Road. This will be forwarded to the Planning and Development Committee for review.

#### 2. 2017 Scotts Miracle-Gro Best Garden Selection

Nominees of the 2017 Scotts Miracle-Gro Best Garden Selection Contest were in attendance. The Mayor announced the finalists/winners as follows:

- Finalist - Sarah Greenslade (27 Jerathon Place)
- Finalist - Amy Learning (7 Mountain View Crescent)
- Finalist - Sheila Rideout (45 Anchorage Road)
- Fourth Place - Joan Learning (18 Minerals Crescent)
- Third Place - Fay Butler (226 Greeleytown Road)
- Second Place - Rosa Gauthier (34 Millers Road)

#### **Overall Winner:**

Winnie Pope (167 Dunns Hill Road)

#### **Social Media Winner:**

Gladys Dawe (9 Jasmine Place)

#### **Best Commercial Property:**

Newfoundland and Labrador Credit Union (89 Conception Bay Highway);  
represented by Jenny Alleway (and Frank Buckle of New Look Lawn Care)

**4. RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE  
(Chair, Councillor Darrin Bent)**

Presentation of recommendations of meeting held on September 11, 2017

**1. Discretionary Use – 95 Comerfords Road, Upper Gullies**

**Resolution #17-368  
Councillor Bent/Councillor Rowe**

Be it so resolved that application to operate a fitness studio as a home-based business at 95 Comerfords Road, Upper Gullies, be refused, as the proposed use is not conducive in a residential neighbourhood given that the proposed classes would be larger than what is implied for private school uses in the Residential Medium Density Zone, and that the subject property would not be able to accommodate the anticipated parking needs of clients to the home based business.

- carried unanimously

**2. Variance – 8-12 Tilley's Road South, Kelligrews**

**Resolution #17-369  
Councillor Bent/Councillor Bursey**

Be it so resolved that a request to develop two residential building lots at 8-12 Tilley's Road South, Kelligrews, with variances of the minimum building line setback to 9 metres and the minimum rear yard setback to 9 metres, be approved.

- carried unanimously

**3. Confirm Order – 10 Pettens Road, Upper Gullies**

**Resolution #17-370**  
**Councillor Bent/Councillor Rowe**

Be it so resolved that an Order be issued, under the Urban and Rural Planning Act, 2000 and the Town of Conception Bay South Development Regulations ordering front and side yard landscaping be completed so the property at 10 Pettens Road can be brought into compliance.

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

Councillor Connors declared a conflict of interest with this item as he has a sister who lives on this street. He vacated the Chamber at 7:15 p.m. and returned at 7:16 p.m.

**4. Sale of Town Owned Land – 29 Oaken Drive, Kelligrews**

**Resolution #17-371**  
**Councillor Bent/Councillor Bursey**

Be it so resolved that the Town retain town owned property at the rear of 29 Oaken Drive, Kelligrews.

- carried unanimously

**5. Sale of Town Owned Land – 115 Conception Bay Highway, Manuels**

**Resolution #17-372**  
**Councillor Bent/Councillor Rowe**

Be it so resolved that the Town retain town owned property at 115 Conception Bay Highway, Manuels.

- carried unanimously

There was a discussion on the size of the land to be sold. This will be confirmed with the Department of Planning and Development.

**6. Sale of Town Owned Land – 42-44 Pine Tree Road, Kelligrews**

**Recommendation:**  
**Councillor Bent/Councillor Rowe**

Be it so resolved that Council sell land at 40-42 Pine Tree Road, more particularly described in the Legal Survey and Property Description prepared by Craig Nightingale Surveys Limited as Job No. 689916, dated October 17, 2016 to the highest qualified bidder for the sum of \$6,000 plus HST and costs incurred by the Town associated with the sale of the land.

- DEFERRED

**7. Building Line Setback Adjustment – 184 Garden Road, Seal Cove**

**Resolution #17-373**  
**Councillor Bent/Councillor Youden**

Be it so resolved that approval be given to set the minimum building line setback as per Section 5.8 of the Development Regulations at 184 Garden Road, Seal Cove, to enable a single family dwelling which aligns with the streetscape in respect to adjacent properties and the general area.

- carried unanimously

**8. Purchase of Town Owned Property – 38 Indian Pond Road, Seal Cove**

**Resolution #17-374**  
**Councillor Bent/Councillor Connors**

Be it so resolved that the Town sell not more than 233 square metres of Town owned land adjacent to 38 Indian Pond Road, Seal Cove for consideration of \$499 plus \$500 to cover processing, legal and registration costs upon submission of a Legal Survey and Property Description prepared by a Newfoundland land Surveyor by the applicant.

- carried unanimously

**9. Portable Sign Regulations**

**Resolution #17-375**  
**Councillor Bent/Councillor Bursey**

Be it so resolved that the Department be directed to initiate an amendment to the Conception Bay South Development Regulations to allow portable sign permits to be valid for a period of up to one year.

- carried unanimously

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

**Resolution #17-376**  
**Councillor Rowe/Deputy Mayor George**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of September 11, 2017, be accepted as presented.

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

Councillor Bent declared a conflict of interest with item #5 – Changeable Message Signage - as contained in the Planning and Development Minutes of September 11, 2017. Councillor Conflict 7:23 p.m. and returned at 7:24 p.m.

**5. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE  
(Chair, Councillor Paul Connors)**

Presentation of recommendations of meeting held on September 12, 2017

**1. Ratification of PO #2017-2261**

**Resolution #17-377**  
**Councillor Connors/Councillor Murphy**

Be it so resolved, that approval be given to Farrell's Excavating Limited to ratify PO #2017-2261 in the amount of \$9,986.30, plus HST. Funds to be taken from account 01-302-1000-5905.

- carried unanimously

**2. Ratification of PO #2017-2223**

**Resolution #17-378**  
**Councillor Connors/Deputy Mayor George**

Be it so resolved, that approval be given to Brenntag Canada Inc. to ratify PO #2017-2223 in the amount of \$11,216.12, plus HST. Funds to be taken from account 01-402-1000-5097.

- carried unanimously

**3. Design Change Ratification – 2015 Traffic Lights**

**Resolution #17-379**  
**Councillor Connors/Councillor Bursey**

Be it so resolved that approval be given to purchase additional pedestrian signal indicators as required for the new traffic lights at a cost of \$35,000.00. Funds to be charged to the project account.

- 7 yeas  
- 2 nays (George and  
Murphy)  
- motion carried

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

**Resolution #17-380**  
**Councillor Connors/Councillor Bursey**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of September 12, 2017, be accepted as presented.

- carried unanimously

**6. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Gerard Tilley)**

Councillor Tilley read the following statement:

The CBS Baseball Association hosted the 2017 Peewee AA Atlantic Baseball Championships at Parsons Field from September 15 – 17, 2017. The event featured teams from Nova Scotia, Prince Edward Island, New Brunswick and Newfoundland. The CBS Raiders were the host team and Mount Pearl represented Team NL. Tournament Chair David Coates has acknowledged the fantastic support from the Town leading up to and during the event. The field was in excellent shape and they appreciated all the hard work put in by the Town Staff.

The gold medal game was played between NS and NB with Nova Scotia winning the championship. The Host Team finished with a 0-4 record and Mount Pearl was 1-3.

From September 25 – October 1, 2017 the Conception Bay South Arena will host the Provincial Agrifood and Garden Show. This is the largest agriculture show in the province. The annual show runs for three days (Friday, Saturday and Sunday). On Friday, school tours will take place. There will be a petting farm, cooking demonstrations, food samples and twelve storefronts for vendors to sell agriculture products. There will also be a number of agriculture information booths. It is anticipated that the show will see 5,000 people.

The Terry Fox Run took place on Sunday, September 17, 2017. There was great feedback regarding the route. There were approximately 37 participants at the event which is slightly down from 50 participants in 2016. There was a total of \$1,010 raised through in person and online registration down from \$3,000 in 2016 for the Terry Fox Foundation. A shuttle service was donated by Parsons and Sons for those who did not want to complete the whole route, however given the fantastic weather only 3 people availed of the service.

Applications for the 2017–2018 Youth Advisory Council will be advertised in this week's paper along with all social media platforms. The deadline for applications is Friday, October 6, 2017 at 4:00 p.m.

Week 3 of Walking for Wellness will be held on Sept 20 starting at Manuels River followed by a boil at the end of the 3.36 km walk. The boil up will include roasted wieners, pea soup, fresh tea biscuits, fresh cookies, and tea and coffee. The start time is 10:30 am. This boil up is in partnership with Coffee Matters.

On September 6, 2017, the Special Olympics Softball Program hosted their year-end event at the Parsons Rotary Field Club House. The Department provided

refreshments for this event. Program Coordinator Eric Hart offered his thanks to the Town Council, the Director of Recreation and Leisure and staff for all their help to create this opportunity. Mayor Tessier, Councillors Youden, Bent and Tilley were in attendance for the ceremony

The Hopewell District Girl Guides will be doing a Great Canadian Shoreline Clean Up on Saturday, September 23, 2017 from 10:00 – 12:00 p.m. Their location is the beach and pond at the end of Doyles Road in Upper Gullies. Town staff will arrange a bulk garbage pickup on that date. The Town will also provide garbage bags, gloves and swim passes. If the weather is bad, it will be held on Sunday, September 24.

The Conception Bay South Soccer Association is proud to host the Girls Under 13 Atlantic Soccer Championships at the Topsail Turf Facility from Sept 28th through Oct 1st. This tournament will see 8 teams vying for the title which include two from Nova Scotia, two from Prince Edward Island and two from Newfoundland and Labrador. CBS Soccer is particularly proud that the home team - the CBS Strikers who won the Provincial Championship last month will represent us at the Atlantic Championships - we hope for a great tournament and particularly our own CBS Strikers!

Presentation of recommendations of meeting held on September 12, 2017

**1. Montreal Canadiens Alumni Game**

**Resolution #17-381**

**Councillor Tilley/Councillor Connors**

Be it so resolved that approval be given for the Town to enter into an agreement with the Montreal Canadiens Alumni to engage in an exhibition game on Thursday, March 15, 2018 at the Conception Bay South Arena as per the terms and conditions of the agreement.

- carried unanimously

**2. Recreation and Leisure Services Committee**

**Resolution #17-382**  
**Councillor Tilley/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of September 12, 2017 be accepted as presented.

- carried unanimously

**7. RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor George)**

**Transferred from Committee of the Whole Meeting #18**

**1. Donation Request – Conception Bay Family Resource Program**

**Resolution #17-383**  
**Councillor Rowe/Councillor Murphy**

Be it so resolved that approval be given for a \$1,550 in-kind donation to the Conception Bay Family Resource Program. Funds are available in account #01-101-1000-7705.

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

Councillor Connors declared a conflict of interest with this item as his sister is involved in the organization. He vacated the Chamber at 7:33 p.m. and returned at 7:34 p.m.

Presentation of recommendations of meeting held on September 12, 2017

**1. Accounts Payable Cheque Register**

**Resolution #17-384**  
**Councillor Rowe/Councillor Bursey**

Be it so resolved that approval be given to pay cheques totaling \$377,723.87 as per the Accounts Payable Cheque Register.

- carried unanimously

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

**Resolution #17-385**  
**Councillor Rowe/Councillor Youden**

Be it so resolved that approval be given to pay cheques totaling \$925,750.55 as per the Manual Cheque Register.

- carried unanimously

**3. Capital Invoices**

**Resolution #17-386**  
**Councillor Rowe/Councillor Tilley**

Be it so resolved that approval be given to pay capital invoices totaling \$1,085,403.63 as listed in the Financial Services Minutes of September 12, 2017.

- carried unanimously

**4. Tax and Other Receivable Adjustments**

**Resolution #17-387**  
**Councillor Rowe/Councillor Bent**

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

NATUR001	\$329.54
ACCSE001	\$416.50

- carried unanimously

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

**Resolution #17-388**  
**Councillor Rowe/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of September 12, 2017 be accepted as presented.

- carried unanimously

**8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Kirk Youden)**

Presentation of recommendations of meeting held on September 11, 2017

**1. Development of Investment Attraction Collateral**

**Resolution #17-389**  
**Councillor Youden/Councillor Bursey**

Be it so resolved that approval be given to release a call for proposals for the development of Investment Attraction Collateral as part of a cost shared funding arrangement with the Invest Canada Community Initiatives Program.

- carried unanimously

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

**Resolution #17-390**  
**Councillor Youden/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of September 11, 2017 be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meeting held on September 12, 2017

**1. 614 Conception Bay Highway**

**Resolution #17-391**  
**Councillor Murphy/Councillor Rowe**

Be it so resolved that approval be given to install no parking signs along the roadway in the area of 614 Conception Bay Highway to Tundra Place.

- carried unanimously

**2. Approval to Call Disposal of Assets Tender – Fire Department Aluminum Truck Box (Old Tack 1)**

**Resolution #17-392**  
**Councillor Murphy/Councillor Bursey**

Be it so resolved that approval be given to call a disposal of assets tender for the sale of an Aluminum Truck Box (Old Tack 1) for the Conception Bay South Fire Department.

- carried unanimously

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

**Resolution #17-393**  
**Councillor Murphy/Councillor Rowe**

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of September 12, 2017 be accepted as presented.

- carried unanimously

**10. OTHER COMMITTEE REPORTS**

Nil

**11. NEW BUSINESS**

**Councillor Bent**

commented on the soccer championships held at the Topsail Soccer Field and expressed congratulations to the Conception Bay South team.

stated that he had attended the meet and greet held by the Conception Bay Area Chamber of Commerce for the candidates of the 2017 municipal election. He thanked the Chamber for organizing the event and the candidates for attending. He thanked the current members of Council for their service and stated that he is looking forward to working with the incoming members.

**Councillor Murphy**

congratulated Fire Chief Heffernan on receiving his Chief Fire Officer designation. He stated that this is a very prestigious designation which takes a lot of work and dedication to achieve.

stated that he has enjoyed the last four years and learned a lot during his term on Council. He wished all candidates luck and thanked the staff for their hard work.

**Councillor Connors**

suggested that the Town consider mail in ballots for future elections. He also expressed appreciation to staff.

**Councillor Tilley**

expressed congratulations to the Director of Engineering and Public Works who is a member of the women's softball team to win the Provincial Championships this past weekend.

thanked the residents of Ward 3 for allowing him to represent them during the past term and asked for them to vote for him again during this election.

**Councillor Youden**

advised that the Communications Coordinator and the Chief Administrative Officer have resigned. He wished them luck in their futures.

**Councillor Bursey**

also wished the Communications Coordinator and the Chief Administrative Officer luck in the future.

**Deputy Mayor George**

wished good luck to the new council and staff.

**Councillor Rowe**

stated that she has really enjoyed the last 12 years on Council and commented on the excellent staff.

**Mayor Tessier**

stated that he has made friends with Council members and staff who have been here since he started on Council. He wished all good luck in the election.

**12. ADJOURNMENT**

The meeting adjourned at 7:58 p.m.

**Resolution #17-394**  
**Deputy Mayor/Councillor Rowe**

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