

# Regular Meeting #11

## July 10, 2018

A Regular Meeting of Council convened in the Council Chambers at 7:00 p.m. in the presence of Mayor French, Councillors, Chief Administrative Officer, Brian Crawley, Town Clerk, Gail Pomroy, Director of Finance, Liz Davis, Director of Planning and Development, Corrie Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Fire Chief John Heffernan, and Director of Communications and Economic Development, Jennifer Lake.

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### 1. ADOPTION OF AGENDAS AND MINUTES

#### a. Adoption of the Meeting Agenda for July 10, 2018

**Resolution #18-234**

**Councillor Hillier/Councillor Butler**

Be it so resolved that the agenda of the meeting of July 10, 2018 be adopted as presented.

- carried unanimously

#### b. Adoption of the Meeting Minutes of June 12, 2018

**Resolution #18-235**

**Councillor Bursey/Councillor Youden**

Be it so resolved that the minutes of the meeting of June 12, 2018 be adopted as amended.

- carried unanimously

### 2. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

### 3. VISITORS, PRESENTATIONS AND PETITIONS

#### a. 2018 CBS Parks Commission Green Team

The 2018 CBS Parks Commission Green Team (consisting of Team Leader Coady Fitzpatrick and Team Members Calista Greening, Michael Gregory, and Ian Metcalfe) will be in attendance. The Team Leader provided an overview of their summer work plan as they assist the Chamberlains Park Action Committee and the Kelligrews Ecological Enhancement Program over the next 7 weeks.

#### b. Mayor French read the following statement:

- Traditionally in Newfoundland, the spring and early summer brings a high amount of precipitation but from a fire protection perspective, unfortunately this year brought lower than normal amounts. This was coupled with a very mild winter which left a large amount of underbrush still present causing higher fuel loads in the forested areas of Conception Bay South.
- The wildland fire in Kenmount Terrace yesterday was a stark reminder to all of us that these fires are very real, extremely dangerous and move very quickly which may not allow everyone involved adequate time to prepare to act or evacuate if required.
- Based on the Fire Index which is currently on **HIGH**, effectively immediately, the Conception Bay South Fire Department has suspended the issuing of all permits for Open Air Fires until such time that the Fire Index had been lowered within a safe and acceptable range.
- As a proactive approach, the Town Conception Bay South has instituted a complete ban on open/outdoor fires to include backyard fireplaces. This includes the fire pits at the Rotary Topsail Beach Park which have been temporarily removed, again until the Fire Index had been lowered within a safe and acceptable range. Appropriate signage will be placed throughout the Town in areas where open fires have traditionally been held.
- In consultation with the Forestry Office at Paddy's Pond, a significant amount of rainfall will be required to bring the Fire Index down to an acceptable level where it can be maintained for a number of days and/or weeks.

- We are asking all residents and visitors to Conception Bay South to please be extremely cautious when in wooded areas and abide by these changes in the best interests of all residents in Conception Bay South. The Fire Chief is in constant contact with outside agencies, monitoring the Fire Index and current fire conditions. As soon as conditions improve, further assessments will be conducted with all residents updated.
- Residents are reminded visit our website to sign up for our free Resident Alert system. This will ensure residents receive timely emergency and safety information.

**4. RECOMMENDATIONS OF PLANNING AND DEVELOPMENT COMMITTEE  
(Chair, Councillor Cheryl Davis)**

Presentation of recommendations of meeting held on July 3, 2018

**1. Municipal Plan Review, Request for Proposals**

**Resolution #18-236  
Councillor Davis/Councillor Bursey**

Be it so resolved the Town of Conception Bay South issue a Request for Proposals for a review of the Town's Municipal Plan in accordance with section 28 of the *Urban and Rural Planning Act, 2000*.

- carried unanimously

**2. Correspondence - 6-24 Lucston Avenue, Topsail**

**Resolution #18-237  
Councillor Davis/Councillor Bursey**

Be it so resolved that application # 2018-145 to alter approved subdivision lots at 6 to 24 Lucston Avenue for development as ten double dwelling structures for a total of 20 lots/units, be refused in consideration of Council's authority under section 4.6 of the CBS Development Regulations as the proposed plan is inconsistent with the character of the neighbourhood, the intent of the original plan of the subdivision, and that the proposal is contrary to the CBS Water and Sewer Regulations.

- carried unanimously

**3. Crown Land Application for Private Wharf – 22 Indian Pond Drive, Seal Cove**

**Resolution #18-238**  
**Councillor Davis/Councillor Youden**

Be it so resolved that the application for development of Crown Land shoreline reserve at 22 Indian Pond Drive, Seal Cove, for the purpose of a private wharf and boathouse be approved.

**AND FURTHER**

Be it so resolved that the Town recommend to the Provincial Department of Fisheries and Land Resources that the Crown Land application for occupation of the Crown shoreline reservation at 22 Indian Pond Drive, Seal Cove, Crown Land Application #153810, be approved.

- carried unanimously

**4. Terms of Reference – LUIA 16 Lance Cove Road, Seal Cove**

**Resolution #18-239**  
**Councillor Davis/Councillor Bursey**

Be it so resolved that the Land Use Impact Assessment Report and recommendations therein regarding proposed re-development of the existing residential property at 16 Lance Cove Road, Seal Cove, be approved.

- carried unanimously

**5. Confirm Order - 115 Lawrence Pond Road East, Upper Gullies**

**Resolution #18-240**  
**Councillor Davis/Councillor Butler**

Be it so resolved that the Order dated June 18, 2018, issued to the property owner of 115 Lawrence Pond Road East, Upper Gullies, Conception Bay South under authority of the *Urban and Rural Planning Act, 2000*, the

*Municipalities Act, 1999* and the Conception Bay South Development Regulations requiring that a renewal permit be obtained, and that all necessary inspections be obtained so that occupancy permit can be issued, be confirmed.

- carried unanimously

**6. Confirm Order – 10 Perrins Road, Long Pond**

**Resolution #18-241**  
**Councillor Davis/Councillor Hillier**

Be it so resolved that the Order dated June 20, 2018, issued to the property owner of 10 Perrins Road, Long Pond, Conception Bay South under authority of the *Urban and Rural Planning Act, 2000*, the *Municipalities Act, 1999* and the Conception Bay South Development Regulations requiring that building wrap and exterior cladding of dwelling be completed, be confirmed.

- carried unanimously

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

**Resolution #18-242**  
**Councillor Davis/Councillor Bursey**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of July 3, 2018, be accepted as presented.

- carried unanimously

**5. RECOMMENDATIONS OF ENGINEERING AND PUBLIC WORKS COMMITTEE  
(Chair, Councillor Gerard Tilley)**

Presentation of recommendations of meeting held on July 4, 2018

**1. Approval to Dispose by Tender of Two (2) 2012 International Waste Trucks**

**Resolution #18-243**  
**Councillor Tilley/Deputy Mayor Murphy**

Be it so resolved approval be given to dispose by tender of two (2) 2012 International Waste Trucks.

- carried unanimously

**2. Ratification of P.O. # 2018-0886**

**Resolution #18-244**  
**Councillor Tilley/Councillor Butler**

Be it so resolved, that approval be given to Saunders Equipment Limited to ratify P.O. # 2018-0886 in the amount of \$33,808.00, plus HST. Funds to be taken from account 01-301-1000-5415.

- carried unanimously

**3. Ratification of PO #2018-0719**

**Resolution #18-245**  
**Councillor Tilley/Councillor Hillier**

Be it so resolved, that approval be given to Xylem to ratify PO #2018-0719 in the amount of \$8,820.00 plus HST. Funds to be taken from account 01-401-1000-7405.

- carried unanimously

**4. Take into General Revenue – Security Deposits**

**Resolution #18-246**  
**Councillor Tilley/Councillor Hillier**

Be it so resolved approval be given for security deposits in the amount of \$8,100.00 be taken into general revenue.

- carried unanimously

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

**Resolution #18-247**  
**Councillor Tilley/Councillor Davis**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of July 4, 2018, be accepted as presented.

- carried unanimously

**6. RECOMMENDATIONS OF RECREATION AND LEISURE SERVICES COMMITTEE (Chair, Councillor Christine Butler)**

Councillor Butler read the following statement:

- 1) The Town's Canada Day Celebration took place at the Conception Bay South Recreation Complex on Sunday, July 1. This event had approximately 600 people in attendance who enjoyed a free BBQ, hosted by the CBS Lions Club, bouncy castles, glitter tattoos and more, as well as the music of Stixx & Stones, and the Bishops.

Before the event, the Memorial Day Service took place at the Monument of Honour, hosted by the Royal Canadian Legion. This event had approximately 350 people in attendance

The fireworks show took place at 10:00 p.m. off Cronin's Head. This year's show was very well received by the public.

- 2) This weekend kicked off the 2018 Kelligrews Soiree. All events have been very well attended to date and the rest of the week there are many more events

happening for all ages. Visit the Town's website, [www.conceptionbaysouth.ca](http://www.conceptionbaysouth.ca) for a full listing of events. Or, you can follow the Soiree on Facebook to get all of the latest Soiree information.

- 3) We are happy to say that our pool has now re-opened! We would like to thank our residents for their patience and understanding while repairs were underway, and will be offering all swims FREE OF CHARGE from July 10-15.

Presentation of recommendations of meeting held on July 3, 2018

1. **Recreation and Leisure Services Committee**

- Resolution #18-248**  
**Councillor Butler/Councillor Bent**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of July 3, 2018 be accepted as presented.

- carried unanimously

7. **RECOMMENDATIONS OF FINANCIAL AND ADMINISTRATIVE SERVICES COMMITTEE (Chair, Councillor Kirk Youden)**

No meeting held.

Transferred from Committee of the Whole Meeting #12

1. **Program Supervisor**

- Resolution #18-249**  
**Councillor Youden/Councillor Bursey**

Be it so resolved that approval be given to appoint Natasha Hann to the position of Program Supervisor as per the terms and conditions of the employment contract dated July 6, 2018.

- carried unanimously



**2. Personnel – Director of Planning and Development**

**Resolution #18-250**  
**Councillor Youden/Councillor Hillier**

Be it so resolved that approval be given to confirm Corrie Davis in the position of Director of Planning and Development as per the terms and conditions outlined in the employment contract of December 8, 2017.

- carried unanimously

**3. Donation Request – 2018 Paddle in Paradise**

**Resolution #18-251**  
**Councillor Youden/Councillor Bursey**

Be it so resolved that approval be given for the Town of Conception Bay South sponsor a team in the 2018 Sunsplash Paddle in Paradise Festival at a cost of \$200.

- carried unanimously

**4. Order – 18 Barnes Lane**

**Resolution #18-252**  
**Councillor Youden/Councillor Hillier**

Be it so resolved that the Order issued on June 18, 2018), under the Municipalities Act, 1999 and the Waste Disposal and Property Regulations ordering the stacking of wood piles and the removal of mattresses, old doors, windows and other miscellaneous debris situated on 18 Barnes Lane, Conception Bay South be confirmed.

**AND FURTHER**

Be it so resolved that the Town conduct the work if compliance is not achieved and bill the expense back to the property tax account.

- carried unanimously

**5. Accounts Payable Cheque Register**

**Resolution #18-253**  
**Councillor Youden/Councillor Davis**

Be it so resolved that approval be given for payment of cheques totaling \$148,656.36 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

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

**Resolution #18-254**  
**Councillor Youden/Councillor Davis**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$679,867.91 as per the attached report.

- carried unanimously

**7. Ratification of Direct Payments Previously Released**

**Resolution #18-255**  
**Councillor Youden/Councillor Hillier**

Be it so resolved that approval be given to ratify direct payments previously released totaling \$906,815.37 as per the attached report.

- carried unanimously

**8. Capital Invoices**

**Resolution #18-256**  
**Councillor Youden/Councillor Bursey**

Be it so resolved that approval be given to capital invoices totaling \$414,528.36 as listed below:

<b>PHASE 47</b>		
Burseys' Excavating Limited	Progress Claim #9	\$ 266,653.07
Progressive Engineering & Consulting	Invoice 2017-011-12	\$ 50,631.08
NL English School District	Invoice 14970	\$ 1,277.82
<b>TRAFFIC STUDY PHASE 3</b>		
Harbourside Transportation Consultants	Invoice 1122	\$ 6,335.12
<b>GATEWAY TRAIL</b>		
Grand Concourse Authority	Invoice 18034	\$ 45,657.57
<b>CBS ARENA ROOF REPAIR</b>		
Crane Services Limited	Invoice 18131-1	\$ 39,143.70
<b>ALL SAINTS ENVIRONMENTAL ASSESSMENT</b>		
SNC Lavalin Inc	Invoice 1368552	\$ 4,830.00

- carried unanimously

**9. Capital Change Order**

**Resolution #18-257**  
**Councillor Youden/Councillor Butler**

Be it so resolved that approval be given for the following Capital Change Order:

Phase 47      Change Order #2                      \$14,765.74

- carried unanimously

**10. Prime Consultant Agreement Amendment**

**Resolution #18-258**  
**Councillor Youden/Councillor Hillier**

Be it so resolved that approval be given to amend the Prime Consultant Agreement for Lawrence Pond Road Project with Progressive Engineering Consultants in the amount of \$28,031.25 due to design additions and increased construction. This project is funded through the 2017-2020 Multi Year Capital Works Program.

- carried unanimously

**11. Power of Sale**

**Resolution #18-259**  
**Councillor Youden/Councillor Davis**

Be it so resolved that approval be given to commence power of sale proceedings on the following properties for non-payment of taxes:

Civic	Address	Balance
30A	BATTENS ROAD	2,780.63
26	BLUEVIEW AVENUE	3,026.76
26	BROWNS LANE	22,582.57
100 C	BUCKINGHAM DRIVE	5,799.66
13-15	BUTLERS ROAD SOUTH	7,881.53
13	CABLES ROAD	3,425.88
11	CABLES ROAD	741.51
30-64	CHUTE PLACE	45,500.36
73B	CHUTE PLACE	2,909.82
9-11	COBRA PLACE	1,778.70
827- 829	CONCEPTION BAY HIGHWAY	18,880.60
1689-1693	CONCEPTION BAY HIGHWAY	4,618.45
571-573	CONCEPTION BAY HIGHWAY	11,548.68
19-21	CONCORD DRIVE	22,821.40
44-46	DAWES PLACE	1,964.38
56-58	DICKS PLACE	1,999.67
37-39	DICKS PLACE	772.20
45	DICKS PLACE	741.66
26	DORIS PLACE	6,498.40
499A	DUNNS HILL ROAD	1,707.53
543A	DUNNS HILL ROAD	6,294.52
354A	DUNNS HILL ROAD	1,259.96
86A	EASONS ROAD	712.55
149-159	FOREST ROAD	5,844.82
165-173	FOREST ROAD	6,111.92
241-251	FOREST ROAD	18,711.57

55-57	FOREST ROAD	8,459.62
63	FOREST ROAD	2,142.24
238A	FOXTRAP ACCESS ROAD	1,199.83
80-84	GREELEY GARDENS	3,791.84
49-59	GREELEY GARDENS	20,694.23
47	GREELEY GARDENS	5,527.23
8- 12	GREELEY GARDENS	1,648.33
108A	GREELEYTOWN ROAD	12,018.61
146-148	GREELEYTOWN ROAD	4,905.77
7-11	HISCOCKS LANE	47,793.91
78-82	LARCH GROVE ROAD	3,763.31
86-90	LARCH GROVE ROAD	3,671.27
78-82A	LARCH GROVE ROAD	2,881.74
86-90A	LARCH GROVE ROAD	2,922.45
46	LEARS ROAD	6,258.07
244-276	LEDREWS ROAD	17,148.97
269-281	LEDREWS ROAD	7,467.78
43A	MINERALS ROAD	5,669.71
44-48A	MINERALS ROAD	3,138.51
19	NEILS LINE EXTENSION	5,837.62
21	OAKES LANE	2,920.56
18-20A	PANDORA DRIVE	2,493.46
39	PATTYS ARM ROAD	3,550.02
66-68A	PEACOCK PLACE	7,485.81
15- 17	PEACOCK PLACE	3,231.36
49	PENNELLS ROAD	2,334.67
36	POTTLES LANE	1,639.11
27- 29	POTTLES LANE	3,630.20
48	READERS HILL CRESCENT	4,033.11
36B	READERS HILL ROAD	1,794.69
68-74	READERS HILL ROAD	3,089.70
115-121	READERS HILL ROAD	16,493.92
35	READERS HILL ROAD	2,745.64
78A	RIDEOUTS ROAD	1,579.14
50- 52A	ROBERTS ROAD NORTH	3,932.30
58-62C	ROBERTS ROAD NORTH	1,684.51
58-62D	ROBERTS ROAD NORTH	1,684.51
11-13A	ROSEBUD PLACE	1,230.56
38-42	SALEM PLACE	1,276.80
6-14	SALEM PLACE	2,776.35
40A	SCOTTS ROAD NORTH	2,515.55
74	SEAL COVE ROAD	7,575.07
372-386A	SEAL COVE ROAD	4,814.03
60	SWEETENWATER CRESCENT	1,101.74
17	TILLEYS ROAD NORTH	1,106.89
86-88 B	TILLEYS ROAD SOUTH	19,885.50
2318-2328A	TOPSAIL ROAD	18,816.02
2183-2185A	TOPSAIL ROAD	6,814.62
7-9	VIEW LANE	4,350.38
33-39A	WINDY COVE LANE	8,210.53

11	WINDY COVE LANE	4,327.38
11	WOODGROVE ACRES	11,676.68

- carried unanimously

**12. 2017 – 2020 Multi Year Capital Works Funding Amended Agreement**

**Resolution #18-260**  
**Councillor Youden/Councillor Bursey**

Be it so resolved that approval be given to enter into Amendment #1 of the 2017/2020 Multi Year Capital Works Funding Agreement.

- carried unanimously

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

**Resolution #18-261**  
**Councillor Youden/Councillor Butler**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of July 10, 2018 be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meeting held on July 3, 2018

**1. 2018 Heritage Grants**

**Resolution #18-262**  
**Councillor Bent/Deputy Mayor Murphy**

Be it so resolved that approval be given to provide grants totaling \$10,000 to ten municipally designated heritage properties within the Town as follows:

- The Miller House (2342 Topsail Road) - \$1,000

- St. John the Evangelist Cemetery (Church Terrace, Topsail) - \$1,000
- St. John the Evangelist Church (Church Terrace, Topsail) - \$1,000
- All Saints Anglican Parish (Oakes's Lane/Church Road, Foxtrap) - \$1,000
- St. Peter's Anglican Cemetery (1219 Conception Bay Highway) - \$1,000
- St. Peter's Anglican Church (1219 Conception Bay Highway) - \$1,000
- Star of Bethlehem, Loyal Orange Lodge #181 (192 Foxtrap Access Road) - \$1,000
- Prince of Orange, Loyal Orange Lodge #23 (12 Middle Bight Road) - \$1,000
- St. Edwards Parish Cemetery (St. Edwards Road) - \$1,000
- The Hermitage (23 Spruce Hill Road) - \$1,000

Funds are available in Account # 01-502-1000-5099.

- 6 yeas
- 3 abstentions  
(Burse, Hillier and  
Tilley)
- motion carried

Councillors Bursey, Hillier and Tilley declared a conflict of interest with this item. They vacated the Chambers at 7:24 p.m. and returned at 7:26 p.m.

## **2. Communications and Economic Development Committee Meeting Report**

### **Resolution #18-263 Councillor Bent/Councillor Butler**

Be it so resolved that the recommendations/decisions made at the Communications and Economic Development Committee meeting of July 3, 2018, be accepted as presented.

- carried unanimously

## **9. OTHER COMMITTEE REPORTS**

Nil

## 10. NEW BUSINESS

### **Deputy Mayor Murphy**

acknowledged the passing of former Councillor of the City of St. John's, Ray O'Neil. He expressed condolences to family and friends.

commented on noise coming from the Seal Cove Bridge. He stated that this was a temporary bridge installed in the 1980s and the noise that comes from the expansion joints is a nuisance to area residents. He stated that in his opinion, the residents have suffered for too long and that they cannot enjoy their properties. He stated that funds have been allocated for the repairs and thanked residents for their continued patience.

### **Councillor Youden**

commented on the reopening of the pool.

reminded residents to practice boater safety. He stated that there is a lot of boat traffic at this time of year. He also requested residents to be respectful of private property when parking in boat launch areas.

### **Councillor Bent**

stated that traffic calming is an issue in our Town and as such, Council budgeted \$25,000 to address some concerns. He stated that devices used for traffic calming are very expensive and requested more funds be budgeted in 2019. He also commented that traffic is changing in Conception Bay South. Not all traffic issues are for speed but other factors, such as demographics. He requested a review of the Traffic Calming Policy so that we can address the concern of our residents.



**Councillor Butler**

thanked those involved with the organization of the Kelligrews Soiree.

**Councillor Davis**

expressed condolences to friends and family on the passing of Town employee, Kevin Hodge.

**Mayor French**

stated that the Town is starting the RFP process for the new library. He advised that the NL Provincial Libraries Board will lease the space for an annual total of \$230,000. He stated more information will be available in the Fall.

Urged residents to sign up for the Resident Alert system so that they can be informed when an emergency occurs.

stated that there has been unbelievable attendance at the 2018 Kelligrews Soiree events. He encouraged all residents to get out and enjoy the festivities.

**11. ADJOURNMENT**

The meeting adjourned at 7:40 p.m.

**Resolution #18-264**

**Councillor Youden/Councillor Tilley**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Terry French  
Mayor

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Gail Pomroy  
Town Clerk