

Regular Meeting #14 September 5, 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 Finance, Liz Davis, Director of Engineering and Public Works, Jennifer Norris, Director of Recreation and Leisure Services, Dave Tibbo, Fire Chief, John Heffernan, and Director of Economic Development, Jennifer Lake.

1. ADOPTION OF AGENDAS AND MINUTES

a. Adoption of the Meeting Agenda for September 5, 2017

Resolution #17-342

Councillor Murphy/Councillor Bent

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

- carried unanimously

b. Adoption of the Meeting Minutes of August 15, 2017

Resolution #17-343

Councillor Youden/Councillor Connors

Be it so resolved that the minutes of the meeting of August 15, 2017 be adopted as presented.

- carried unanimously

2. BUSINESS ARISING FROM PREVIOUS MINUTES

The following recommendation failed at the Regular Meeting of August 15, 2017 due to a tie vote. The recommendation is now presented for consideration:

1. Development Regulations Amendment No. 9, 2014 - Lears Road and Cemetery Lane, Seal Cove

Recommendation:

Councillor Bent/Councillor Tilley

Be it so resolved that Development Regulations Amendment No. 9, 2017, that would add transportation uses to the Rural Zone as a Discretionary Use, add conditions related to transportation uses in the Rural Zone, and modify conditions for general industry uses in the Rural Zone, be denied.

- 3 abstentions
(Burse, Youden,
George)
- 3 yeas (Murphy,
Bent, Tilley)
- 3 nays (Rowe,
Connors, Tessier)
- tie vote
- motion defeated

Councillor Youden and Deputy Mayor George declared conflict of interest due to family living in the area. Councillor Bursey declared a conflict due to a business interest. They vacated the Chamber at 7:03 p.m. and returned at 7:05 p.m.

3. VISITORS, PRESENTATIONS AND PETITIONS

a. Petition – Metcalfe Lane

Councillor Bent tabled two petitions from residents of Metcalfe Lane. One in favour of making this road one way and one against. Councillor Bent requested the Department of Engineering and Public Works to review this matter.

b. Proclamation – Childhood Cancer Awareness Month

Mayor Tessier proclaimed September as Childhood Cancer Awareness Month in the Town of Conception Bay South. Ms. Allison Pittman Family and Events Coordinator with Candlelighters NL was in attendance.

c. Proclamation – Prostate Cancer Awareness Month

Mayor Tessier proclaimed September as Prostate Cancer Awareness Month in the Town of Conception Bay South.

d. Proclamation – Sexual Violence Awareness Week

Mayor Tessier proclaimed the week of September 10 – 16, 2017 as Sexual Violence Awareness Week in the Town of Conception Bay South.

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

Presentation of recommendations of meeting held on August 28, 2017

1. Request for Rezoning – 380 Conception Bay Highway, Foxtrap

**Resolution #17-344
Councillor Bent/Councillor Rowe**

Be it so resolved that the request to redesignate and rezone land at 380 Conception Bay Conception Bay Highway, Foxtrap, to accommodate lounge uses be refused.

- 6 yeas
- 3 nays (Burse, Tilley, and Youden)
- motion carried

2. Correspondence – Fence at 13 Erica Avenue, Foxtrap

Resolution #17-345
Councillor Bent/Deputy Mayor George

Be it so resolved that the request under section 16 of the Fence Regulations to increase the maximum height of a fence along the rear boundary of 13 Erica Avenue, Foxtrap, be denied.

- carried unanimously

3. Order – 16 Comerfords Road, Upper Gullies

Resolution #17-346
Councillor Bent/Councillor Murphy

Be it so resolved that an Order be issued, under the Municipalities Act, 1999 and the Town of Conception Bay South Development Regulations ordering that incomplete accessory building and landscaping be brought into compliance at 16 Comerfords Road, Upper Gullies.

- carried unanimously

4. Order – 6 Old Topsail Hill, Topsail

Resolution #17-347
Councillor Bent/Councillor Youden

Be it so resolved that an Order be issued under the Municipalities Act, 1999 and the Town of Conception Bay South Development Regulations ordering that encroachments on a Newfoundland Power easement be removed or brought into compliance at 6 Old Topsail Hill, Topsail.

- carried unanimously

5. Planning and Development Committee Meeting Report

Resolution #17-348
Councillor Bent/Councillor Rowe

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of August 28, 2017, be accepted as presented.

- carried unanimously

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

Presentation of recommendations of meeting held on August 29, 2017

1. Ratification of PO #2017-2186

Resolution #17-349
Councillor Connors/Deputy Mayor George

Be it so resolved, that approval be given to ratify Xylem Limited PO #2017-2186 in the amount of \$9,564.01, plus HST. Funds to be taken from account 01-401-1000-7405.

- carried unanimously

2. Ratification Maintenance Inspection – Seal Cove Road Bridge

Resolution #17-350
Councillor Connors/Councillor Murphy

Be it so resolved, that approval be given to ratify an approved quote from SNC Lavalin Inc. in the amount of \$1,887.50, plus HST. Funds to be taken from account 01-302-1000-7017.

- carried unanimously

3. Approval to Award Tender – Heritage Road Sanitary Sewer Upgrade

Resolution #17-351

Councillor Connors/Councillor Youden

Be it so resolved that approval be given to award the tender for Heritage Road Sanitary Sewer Upgrade, 17-NRP-18-00003, to Weir's Construction Limited for the tender bid of \$534,300.58, taxes included, pending Government approvals. Funds are available in the project account.

- carried unanimously

4. Engineering and Public Works Committee Meeting

Resolution #17-352

Councillor Connors/Deputy Mayor George

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of August 29, 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 Town will be hosting the 2017 Peewee AA Atlantic Baseball Championships at Parsons Field from September 15 – 17, 2017. This event will feature teams from Nova Scotia, Prince Edward Island, New Brunswick and Newfoundland.

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 at the show. 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 2017 Pirate Day event took place on Sunday August 20, 2017 at Topsail Beach Rotary Park and was a huge success. The weather provided excellent event conditions and attendance was great. There were approximately 600 people in attendance. Entertainer Ray Lake was very well received by the children and families, and the Pirate show in particular was exceptional. Tim Hortons sponsored the event and once again provided snacks and pirate gear for the children.

The Department will be running the Walking for Wellness Fall Program again this year. This program was met with very positive feedback from participants last year. This program will run for 8 weeks from September 6 to October 25. Each Wednesday, groups will meet at the pre-determined location at 10:30 am and will be led by Recreation Staff along the trail. Info on these walks are available on the Towns website and can be found in the Local Newspaper the Shoreline.

On August 30, the Town hosted a 60+ Seniors Bus Outing to the Terra Nova National Park Interpretation Center in Terra Nova, NL. The group of 54 had the opportunity to tour the interpretation center and learn about the park .They enjoyed a lovely lunch at the Clarendville Inn. Due to popular demand and to accommodate a waitlist, a second trip to the same location will take place this Thursday September 7th.

The annual Terry Fox Run is scheduled for Sunday, September 17, 2017. The Run will start from the Manuels River Hibernia Interpretation Centre and travel along the T'Railway. Run registration will take place at 1:30 p.m. with the actual run starting at 2:00 p.m.

Be sure to follow the Town on Facebook and Twitter for all information on upcoming Town Events and Programs and download our mobile app!

Presentation of recommendations of meeting held on August 29, 2017

1. Request for Proposals – Two Year Audio Visual Services Agreement for Special Events

Resolution #17-353
Councillor Tilley/Councillor Youden

Be it so resolved that approval be given to award the Request for Proposals for the 2(two) Year Audio Visual Services Agreement for Special Events to Canadian AV Inc. The cost of the two year contract is \$33,341.55 plus HST. Funds are available in the operating budget of the Recreation and Leisure Services Department.

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

Councillor Bursey declared a conflict of interest due to business interests. He vacated the Chamber at 7:24 p.m. and returned at 7:25 p.m.

2. Recreation and Leisure Services Committee

Resolution #17-354
Councillor Tilley/Councillor Connors

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of August 29, 2017 be accepted as presented.

- carried unanimously

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

Transferred from Privileged Meeting #16

1. Seal Cove Trestle

Resolution #17-355
Deputy Mayor George/Councillor Murphy

Be it so resolved that approval be given to accept funding in the amount of \$17,250, cost shared on 70/30 basis from the Department of Municipal Affairs and Environment for the purpose of cleaning rocks from the water below the Seal Cove Trestle. Funds are available in the appropriate account.

- carried unanimously

Presentation of recommendations of meeting held on August 29, 2017

1. Accounts Payable Cheque Register

Resolution #17-356
Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to pay cheques totaling \$164,996.44 as per the Accounts Payable Cheque Register.

- carried unanimously

2. Ratification of Manual Cheques Previously Released

Resolution #17-357
Deputy Mayor George/Councillor Connors

Be it so resolved that approval be given to pay cheques totaling \$515,477.84 as per the Manual Cheque Register.

- carried unanimously

3. Capital Invoices

Resolution #17-358

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given to pay capital invoices totaling \$877,917.93 as listed in the Financial Services Minutes of August 29, 2017 and Privileged Meeting #16.

- carried unanimously

4. Donation - Kiwanis Club of Kelligrews – Playground Phase II

Resolution #17-359

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for a donation up to a maximum of \$3,000 to the Kiwanis Club of Kelligrews for the Playground Project Phase II. Funds are available in account #01-101-1000-7705.

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

Councillor Bursey declared a conflict of interest due to making a donation. He vacated the Chamber at 7:30 p.m. and returned at 7:31 p.m.

5. RNCA 27th Annual Crime Prevention Guide

Resolution #17-360

Deputy Mayor George/Councillor Rowe

Be it so resolved that approval be given for a ½ page advertisement in the RNCA 27th Annual Crime Prevention Guide at a cost of \$750, tax included. Funds are available in account #01-101-1000-7705.

- carried unanimously

6. Financial and Administrative Services Committee Report

Resolution #17-361
Deputy Mayor George/Councillor Rowe

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of August 29, 2017 be accepted as presented.

- carried unanimously

The Financial and Administrative Services Committee Meeting Report of August 29, 2017, contains the following recommendation:

1. COLLECTIONS

Recommendation:

Be it so resolved that approval be given to forward accounts, as listed in the Financial Services Committee Minutes of August 29, 2017, for collection proceedings through the use of Credit Recovery Limited.

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

No meeting held.

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

Presentation of recommendations of meeting held on August 29, 2017

1. 2611 Topsail Road - Sugar Plum Building

Resolution #17-362
Councillor Murphy/Councillor Connors

Be it so resolved that the Order issued August 25, 2017, under the Municipalities Act, 1999, the Urban and Rural Planning Act 2000, the Occupancy and Maintenance Regulations and the Waste Disposal and Property Regulations ordering the repairs or replacement of the exterior

cladding, sign, floodlights and door located at 2611 Topsail Road, Conception Bay South be confirmed.

- carried unanimously

2. 25 Ronald Drive

Resolution #17-363
Councillor Murphy/Councillor Tilley

Be it so resolved that the Order issued August 22, 2017, under the Municipalities Act, 1999, the Urban and Rural Planning Act 2000, the Occupancy and Maintenance Regulations and the Waste Disposal and Property Regulations ordering the removal of both vehicles and items contained within and around the vehicles from the property be confirmed.

- carried unanimously

3. Fire, Enforcement and Public Safety Committee Report

Resolution #17-364
Councillor Murphy/Councillor Rowe

Be it so resolved that the recommendations/decisions made at the Fire, Enforcement and Public Safety Committee Meeting of August 29, 2017 be accepted as presented.

- carried unanimously

10. OTHER COMMITTEE REPORTS

Nil

11. NEW BUSINESS

Councillor Bent

stated that another portion of the T'Railway has been approved to occupy by the Department of Transportation and Works. He stated this will join the trail to Kiwanis Park.

advised that Conception Bay South invited as one of five communities nationally to participate in a Climate Adaptation Changemakers Project. He stated that the Town will get free access to advisory services and it will provide opportunities to local workshops at no cost to the Town.

stated that he is honoured to be returning next term to represent the residents of Ward 1. He wished congratulations to Mayor Elect Terry French and noted he looked forward to working with him in the future. He also wished all other candidates luck in the upcoming election.

Deputy Mayor George

congratulated Councillor Bent and Mayor Elect French.

Councillor Rowe

congratulated Councillor Bent and Mayor Elect French.

stated that schools are opening Wednesday and requested drivers to slow down in school zones. She noted that the posted speed zones are in effect 24 hours per day, not just during school hours.

Councillor Tilley

stated that the issue of fireworks is being discussed on social media lately. He requested residents to report incidents rather than just posting complaints on social media.

Councillor Youden

congratulated Councillor Bent and Mayor Elect French.

requested contractors to clean roads at Indian Pond Road and other construction sites.

noted there was an incident at a boat launch over the past weekend. He stated that additional boat launches should be explored as they generate economic activity in the Town.

Councillor Murphy

stated that the Town has been approved for cost shared funding for removing the rocks from the channel by the Seal Cove Trestle. He noted that this area is not only used by residents but also many out of town visitors. He expressed thanks to Carl Morgan for spearheading a Committee to address this matter.

congratulated Councillor Bent and Mayor Elect French.

Councillor Bursey

congratulated Councillor Bent and Mayor Elect French.

stated that he had made the announcement that he wouldn't run in the upcoming election. He had intended to run but due to his business commitments has decided not to. He stated he enjoyed his term on Council and noted that hopefully he will run again in the future. He apologized for not announcing his decision earlier.

cautioned drivers to be careful on the roads when schools open tomorrow.

Councillor Connors

thanked Councillor Bursey for his service.

congratulated Councillor Bent and Mayor Elect French. He stated that the number of candidates indicates the interest there is in Town which is very good to see.

stated that construction is still ongoing at the new school in Kelligrews so requested extra caution.

Mayor Tessier

congratulated Councillor Bent and Mayor Elect French and thanked Councillor Bursey for his service.

read something he found on social media about reasons not to run for municipal council.

12. ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Resolution #17-365
Councillor Bent/Councillor Rowe

Be it so resolved that the meeting adjourn.

- carried unanimously

Steve Tessier
Mayor

Gail Pomroy
Town Clerk