



TOWN OF PORTUGAL COVE-ST. PHILIP'S

April 8, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses G. Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Director of Financial Operations	Tony Pollard
	Director of Public Works	Gail Tucker
	Planning Coordinator	Les Spurrell
Town Clerk	Judy Squires	

Mayor Tucker called the meeting to order and welcomed the gallery of 10 persons in attendance.

ADOPTION OF AGENDA

Motion:	Will/Collins
2014-075	Resolved that the Agenda dated April 8, 2014 , be adopted as circulated.
Carried	Unanimously

ADOPTION OF MINUTES

Motion:	Hanlon/Bartlett
2014-076	Resolved that the minutes of March 25, 2014 , be adopted as circulated.
Carried	Unanimously

BUSINESS ARISING

No report for this meeting. The Town Manager noted the action item update will be available for the next meeting. Also, he attended the Professional Administrators Conference in Gander last week and will bring a report to Council at the next meeting.

COMMITTEE REPORTS

Planning & Development Report of April 2, 2014 – presented by Councillor Collins

1. 1461 Portugal Cove Road

Motion: Collins/Butler

2014-077 Resolved that the application to construct a single dwelling at Civic # 1461 Portugal Cove Road be rejected as per Appendix A: Tabled Report.

Carried Unanimously

2. 52-56 Meadow Heights

Motion: Collins/Facey

2014-078 Resolved that the application to construct an accessory building at Civic # 52-56 Meadow Heights be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

3. 1320-1322 Portugal Cove Road

Motion: Collins/Bartlett

2014-079 Resolved that the application to construct an accessory building at Civic # 1320-1322 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

4. 1771 Portugal Cove Road

Motion: Collins/Will

2014-080 Resolved that the application to establish a standalone business at Civic # 1771 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

5. Residents of Nearys Pond Road – Petition Requesting Rezoning

The Planning Department is in receipt of a petition signed by residents of Nearys Pond Road requesting that the Town rezone areas of Nearys Pond Road from Residential Infill & Agriculture (RI & AG) to Residential Medium Density (RMD) so that they may develop their land by availing of the municipal water & sewer services recently installed in the area.

The Committee advises that this item be deferred to the Committee of the Whole for further discussion.

6. Other items

The Committee also discussion the following items as detailed in Appendix A: Tabled Report:

- a) Eastern Newfoundland Regional Appeal Board – Notice of Appeal Hearings**
- b) Civic # 850-856 St. Thomas Line – Proposed Agriculture Business**
- c) Development Control Statistics**

7. Permit Stats

There were seventeen (17) permits issued from March 14th to March 27th, 2014.

Recreation /Lifestyle Committee Report –April 2, 2014 – presented by Councillor Facey

1. Communication

Dawn Sharpe is now back to work as the Recreation Director for the Parks, Recreation and Community Services Department.

2. Minor Soccer

Committee discussed the recent funding received by Minor Soccer in the term of a grant. Discussions ongoing as to needed equipment for both Rainbow Gully and Voiseys Brook park.

3. Volunteer Events

Volunteer Fair and Awards are taking place on Saturday April 5th. Nominations have been completed.

For the record: Councillor Facey extended thanks and appreciation to all volunteers who serve our community and advised the following winning categories/names:

Youth Volunteer Award – Janet Maloney

Senior Volunteer Award – Fred Thompson

Overall Volunteer Award – Michael Hynes

Public Works Committee Report – April 2, 2014 – presented by Councillor Bartlett

1. Award Tender #PCSP-2014-001 – Collection Sweeper

At tender closing, three (3) bids were received. S&S Supply Ltd. was the lowest, qualified bidder.

Motion:
2014-081

Bartlett/Facey

Resolved that the award of the tender for one new Collection Sweeper (go) to the lowest qualified bidder, S&S Supply Ltd., for a total price of \$23,322.97 taxes included.

Carried

Unanimously

2. Award Request for Quotes – Emergency Power Generator Connection

Two (2) quotes were received on March 21, 2014 with the lowest, qualified bidder being Taylor Electric Ltd.

Motion:
2014-082

Bartlett/Facey

Resolved that Taylor Electric Ltd. as the lowest, qualified bidder be selected to carry out the work associated with the Emergency Power Generator Connection (at \$7,802.65 taxes included).

Carried

Unanimously

Note: this equipment will allow hook-up within minutes to obtain electrical power for emergency situations such as the storm experienced earlier this year.

3. Road Condition – Winsorian Place

Significant feedback has been received from residents of Winsorian Place regarding the deteriorating condition of the road. Work is underway to obtain a cost estimate regarding the potential replacement of a section of this road.

Council discussed the condition of the road, the greenbelt area and quality control on roads being built. The Town Manager noted that this item will come back to committee and also noted that subdivision agreements now have controls in place for road construction.

4. Ice Control Materials – 2014-2015

Committee discussed the Town's ice control efforts and ordering of ice control materials for the 2014-2015 winter season. As part of the discussion, the need for a salt/sand storage facility was reiterated and will be proposed in future budgetary considerations.

5. Conferences/Training

Committee was updated on staff training and educational seminars taking place throughout the year.

6. Flagpoles – Town Hall

A request was made by Committee to investigate the cost of installing a third flag pole in front of the Town Hall to ensure appropriate protocol is followed with respect to placement of flags.

7. Provincial Roads – Repairs & Maintenance

Committee discussed the condition of provincially-maintained roads within Town boundaries. Council continues to be in touch with provincial representatives in this regard.

8. Road Widening – Wood Chipper

A request was made by Committee to investigate the cost of purchasing a wood chipper. Committee is interested in understanding if there is a long-term benefit to the Town purchasing its own piece of equipment to assist with road widening and improving sight lines, as well as producing mulch to be used in some of the Town's outdoor facilities.

Economic Development, Marketing & Communications Report – no meeting or report

Protective Services Committee Report – April 4, 2014 – presented by Councillor Hanlon

1. Fire and Emergency Services Department Updates

The Committee reviewed the correspondence from the Provincial Fire and Emergency Services Dept. regarding the spring session of Fire and Emergency Services Training School to be held in Clarendville on May 24-30, 2014. The Employee & Public Relations Administrator will contact Fred Hollett and Richard Murphy for a report on what members of the Volunteer Fire Department will apply to attend this training.

Note: Councillor Facey indicated April 17th deadline given to Fire Fighters to apply.

2. Meeting with Bell Island Council re: Ferry Terminal

The meeting has been scheduled for Monday April 28, 2014 at 6:30pm on Bell Island. The Employee & Public Relations Administrator will send a meeting invitation to all of Council, as well as, the Town Manager, the Director of Economic Development, Marketing and Communications, and MHA David Brazil.

3. Speeding Issue on Portugal Cove Road

The Committee reviewed correspondence from a resident regarding several incidents of speeding along Portugal Cove Road as well as their suggestions for traffic calming solutions including a speed bump and/or signage for hidden driveways. The Committee agreed this is an ongoing issue and will make contact with the resident to invite them to the Pedestrian Safety

Community Group meeting taking place on Wednesday April 9, 2014 as this is directly related to the same issue. This is a provincially maintained road and therefore the Committee also agreed that the resident be given contact information for the Department of Transportation Works to bring the resident's recommendations directly to their attention.

4. Pedestrian Safety Community Group Meeting

Deputy Mayor Gavin Will contacted all identified residents with information on the meeting scheduled for Wednesday, April 9, 2014 starting at 7:00pm at the Recreation Centre on Rainbow Gully Road. The Director of Economic Development, Marketing and Communications will be presenting a summary of the Town's Pedestrian Safety survey and resident representatives will have the opportunity to present their ideas on how they wish to proceed with the organization of this group, for example, who will act as the liaison, group lead, or who would be willing to be part of the operating center for this group. The Town will help facilitate these volunteers in forming this concerned citizens group as well as seek their efforts in identifying priority areas within the Town and in bringing these concerns to the province, Members of the House of Assembly and the Dept. of Transportation Works. The Committee agreed that the RNC Municipal Liaison should be part of this public meeting as well, the Employee & Public Relations Administrator to contact Sgt. Ennis with the information and invitation.

Note: Councillor Hanlon updated that Sgt. Ennis agreed to have a liaison meet with the group.

5. RNC Liaison

The Municipal Liaison from the RNC was scheduled to attend the Committee meeting last Tuesday April 1, 2014 which was postponed due to the inclement weather. Sgt. Sean Ennis has agreed to attend the Committee's next regularly scheduled meeting on Tuesday April 15, 2014.

Admin. and Finance Committee Report – April 2, 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion:	Will/Collins
2014-83	Resolved that accounts for payment be approved as follows:
	Regular Accounts - \$100,490.51
	Capital Accounts - \$ 89,477.35
	For a total of - \$189,967.86
Carried	Unanimously

2. Donation Requests:

(a) Resident Jordan Pitcher

Motion: Will/Bartlett
2014-84 Resolved that the Town donate \$100 to resident, Jordan Pitcher, to travel to the Under 15 Atlantic Soccer Championships being held in Moncton, NB, June 22-25th.
Carried Unanimously

(b) PCSP Hiking/Walking Club

Motion: Will/Hanlon
2014-85 Resolved that the Town donate \$100 and the use of the Rainbow Gully Park Building free of charge to the PCSP Hiking/Walking Club for the Walk for Wildlife event they are hosting during National Wildlife Week in April.
Carried Unanimously

3. Royal Canadian Legion Annual Exemption Request

Motion: Will/Collins
2014-86 Resolved that the request from the Royal Canadian Legion Branch 10 for the exemption of 2014 property taxes in the amount of \$1,653.40 and business tax in the amount of \$2,007.70 be approved.
Carried Unanimously

4. Tender Award – 2011/2012 Road Upgrading and Bridge Replacement

Committee reviewed the correspondence and recommendation received from the Town's consultants, exp., and puts forward the following:

Motion: Will/Hanlon
2014-87 Resolved that the contract for the 2011/2012 Road Upgrading and Bridge Replacement (DMA #11173/12135) be awarded to Modern Paving Ltd. in the amount of \$1,985,055.46
Carried Unanimously

5. OHS Review

The Director of Financial Operations updated committee on the status of the review done by Service NL and noted that the completion date is extended to mid-April. He also advised that Atlantic Safety Services have been contracted to do the chemical inventory and associated safety training.

6. Update on land for new school

The Town Manager updated committee on the location of the land the Dept. of Education is requesting for the new school. In order to determine the property value of the land, a mediation team will need to be set up in the next couple of weeks. The team will consist of three assessors/qualified persons to determine land value, one each appointed by the Town and the Dept. of Education, and a third person agreed upon by both. The Town would also need to have an appraisal done for the assessor to use in the Town's presentation to the Board. Some suggestions were discussed and committee puts forward the following motion:

Item 6 continued:

Motion: Will/Bartlett

2014-088 Resolved that the Town Manager have the authority to contract an appraisal firm to determine property value and an assessor to put forward the Town's position to the Board of Education on the compensation for the land required for the new school.

Carried Unanimously

7. Town Hall renovations

The Town Manager advised that Grand Concourse Authority is not able to take on this project and he is considering hiring a project manager to manage the renovations using the drawings that have already been done. This item will come back to committee for consideration when more information becomes available.

8. Update on Performance Evaluation Reviews

The Town Manager briefed committee on his plans for the annual reviews on all staff. The review will include performance, goal setting and professional development components in keeping with the overall corporate objectives and priorities of Council. The Town Manager requested a meeting with Council for their input prior to implementing the reviews. The Mayor tentatively arranged this meeting for April 23rd.

9. 2014-2017 Multi Year Capital Works Program

Correspondence received from Minister Kent was reviewed and the following put forward:

Motion: Will/Facey

2014-89 Resolved **that the Town accept and acknowledge the letter received from the Dept. of Municipal & Intergovernmental Affairs offering \$1,848,600 in provincial funding for the 2014-2017 Multi Year Capital Works Program at a cost sharing ratio of 70/30. And, furthermore, confirm the following project applications to be funded from this amount:**

- 1. Skidders Road Water Servicing \$448,795.32**
- 2. Drover Heights Water and Sewer Servicing \$811,730.86**
- 3. Indian Meal Line Water and Sewer Servicing \$911,607.00 and**
- 4. Franklyn Place Water and Sewer Servicing \$590,987.00**

Carried Unanimously

CORRESPONDENCE

- (a) St. John's Labour District Council – notice of Day of Mourning, April 28th 12 noon
 - (b) Minister Kent, Dept. of Municipal Affairs – re Oversight Committee & Terms of Reference
 - (c) RNC letter to Mayor re Police & Peace Officer Memorial Service – May 14th 11:00 a.m.
 - (d) Municipal Councils Handbook 2014 edition – circulated to Councillors
- Mayor Tucker noted this book is for council and administrators for guidance on the operation of towns. The Mayor also noted that in conjunction with this, we are reviewing and updating the Town's Rules of Procedures.

NEW/GENERAL/UNFINISHED BUSINESS

1. Mayor Tucker advised that applications have been submitted to provincial government for FD Breathing apparatus and he has contacted MHA Brazil to obtain financial support for us on this application.
2. Councillor Facey reported the Fire Truck (acquired from Logy Bay-Middle Cove-Outer Cove) went in service last night and that the Volunteer Fire Fighters are really pleased with it and expressed their thanks to Council.
3. Mayor Tucker noted that he attended a meeting of Beachy Cove School Council last evening along with MHA Brazil who commented on the new modular classrooms which will be available for use after Easter. Mayor Tucker took this opportunity to update them on the new school issue and noted a project sign will be installed in the near future.
4. Councillor Hanlon requested an update on the status of Voiseys Brook Park project and the Town Manager advised that it is still with the Dept. of Municipal Affairs for approval to hire the project management firm. He will follow-up and report back to Recreation.
5. Councillor Butler will be attending a NEAJC half -day session on Saturday at Mt. Pearl to review Strategic Planning and will report back to Council after the event.

NOTICE OF MOTION - None

ADJOURNMENT

Motion: Collins/Will
2014-090 Resolved that this meeting be adjourned. Time 8:20 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments: Appendix A: Tabled Report

Appendix A: Tabled Report - April 2nd, 2014

**Civic # 1461 Portugal Cove Road
Single Dwelling
Zoning: Residential Infill (RI) - Serviced**

The Committee recommends that the application to construct a single dwelling at Civic # 1461 Portugal Cove Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Development Standard 47 (Lot Area and Size Exceptions) and Schedule C: Residential Infill.

**Civic # 52-56 Meadow Heights
Accessory Building
Zoning: Residential Infill (RI) – Semi-Serviced**

The Committee recommends that the application for Civic # 52-56 Meadow Heights be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a 10% variance on the separation distance between the existing single dwelling and the proposed accessory building which will decrease the minimum separation distance from 3 m to 2.7 m in accordance with General Regulation 11 (Variances) and General Regulation 12 (Notice of Variance). Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Development Standard 38 (Accessory Buildings).

**Civic # 1320-1322 Portugal Cove Road
Accessory Building
Zoning: Residential Infill & Watershed (RI & WAT) – Unserviced**

The Committee recommends that the application for Civic # 1320-1322 Portugal Cove Road be granted approval in principle, permitting the demolition and construction of an accessory building. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Development Standard 38 (Accessory Buildings) and Schedule C: Watershed.

**Civic # 1771 Portugal Cove Road
Business Application (Office)
Zoning: Mixed Use (MIX) - Serviced**

The Committee recommends that the application for Civic # 1771 Portugal Cove Road be granted approval in principle, permitting the establishment of an office as a stand-alone business. Approval in principle is subject to a public notice regarding the development as per General Regulation 32 (Notice of Application) and Use Zones Regulation 90 (Discretionary

Uses). Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Plan Policy 3.4.3 (Mixed Use), Schedule C: Mixed Use and Schedule D: Off-Street Parking Requirements.

Correspondence:

Eastern Newfoundland Regional Appeal Board – Notice of Appeal Hearings

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that the following appeals will be heard by the Board on April 23rd, 2014 starting at 9:15 am at the Ramada Hotel, Kenmount Road:

- Civic # 10-14 Bayview Heights – Rejection by Council of an application to subdivide property;
- Civic # 820B St. Thomas Line – Issuance of a Removal Order for an accessory building constructed without a Permit from the Town, and;
- Civic # 8 Rosemary Rise – Approval in principle by Council for the construction of a single dwelling and accessory building.

Item Submitted for Information.

Civic # 850-856 St. Thomas Line – Proposed Business

The Planning Department is in receipt of correspondence from a resident regarding a proposed “landscape contracting” or “research” business for tree and perennial growth.

The Committee advises Staff to correspond with the resident regarding the current zoning of the property they are looking to develop.

Discussion:

Development Control Statistics

The Planning Department will discuss Development Control statistics for January-March 2014.
Item Submitted for Information.