



TOWN OF PORTUGAL COVE-ST. PHILIP'S

May 20, 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
	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 11 persons in attendance.

ADOPTION OF AGENDA

Motion: Collins/Will
2014-129 Resolved that the Agenda dated **May 20, 2014**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Hanlon/Bartlett
2014-130 Resolved that the minutes of **May 6, 2014**, be adopted as circulated.
Carried Unanimously

COMMITTEE REPORTS

Planning & Development Report of May 13, 2014 – presented by Councillor Collins

1. 729-739 Indian Meal Line - dwellings
Motion: Collins/Will
2014-131 Resolved that the application to subdivide property and construct two single dwellings at Civic # 729-739 Indian Meal Line be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 446-448 Old Broad Cove Road - business

Motion: Collins/Bartlett
2014-132 Resolved that the application to establish a standalone office and light industry business at Civic # 446-448 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 1573-1575 Old Broad Cove Road - business

Motion: Collins/Hanlon
2014-133 Resolved that the application to establish a standalone personal service business at Civic # 1573-1575 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. 28-32 Alfreds Drung – subdivision concept plan

Motion: Collins/Hanlon
2014-134 Resolved that the request to revise the approved subdivision concept plan at Civic # 28-32 Alfreds Drung (which was conditionally approved by Council on December 3rd, 2013) be granted approval in principle. The proposed change will increase the number of proposed building lots from three (3) to four (4).
Carried Unanimously

5. Street name – “Sparta Place”

Motion: Collins/Bartlett
2014-135 Resolved that “Sparta Place” be used as the street name for the primary street within the Windsor’s Gate Residential Subdivision.
Carried Unanimously

6. Removal Order – 942-944 St. Thomas Line

Motion: Collins/Will
2014-136 Resolved that Council issue a Removal Order for debris located on the property at Civic # 942-944 St. Thomas Line as per Section 404. (1) (l) of the Municipalities Act, 1999.
Carried Unanimously

7. Town of Paradise - amendment

The Committee also discussed the following as detailed in Appendix A: Tabled Report:
a) Town of Paradise – Proposed Amendment to the St. John’s Urban Region Regional Plan
Note: it was noted that the motion as recommended in the Appendix A is required as follows:

Motion: Collins/Butler
2014-137 Resolved Planning Staff forward correspondence to the Town of Paradise stating that Council has no objections to the proposed amendments.
Carried Unanimously

8. There were twenty (20) permits issued from April 24th to May 8th, 2014.

Recreation /Lifestyle Committee Report – May 13, 2014 presented by Councillor Facey

1. Meeting with Mixed Softball League President

Mr. Gerry Hall requested to speak with the committee about the future plans for Voisey’s Brook Park and Rainbow Gully Park. More specifically he inquired about the instillation of lights on the field in Rainbow Gully. The Committee assured Mr. Hall that they will take his request into consideration for future budget and plans. However, it was communicated that it would not be in the plans for this fiscal year.

2. Portugal Cove Scouts – request for donation

A donation request for the use of the Rainbow Gully Turf Soccer Pitch was received by the Recreation Department. This request has been forwarded to the Administration and Finance Committee for review at their next scheduled meeting.

Note: Councillor Facey requested that the chair of Admin Finance take it to his committee to give consideration to allowing the Recreation Committee to look after these requests rather than have them referred.

3. Netting and/or Fence for Voiseys Brook Park

The Recreation Director met with Grand Concourse to discuss the catch netting for the constructed practice field in Voisey’s Brook Park. Both parties will be looking at the option of either placing netting or extending the fence for this issue. Once all the options have been explored and pricing costs are established, options will be brought back to the committee to review.

4. Recreation Center Attendant pay

Committee discussed the request from the Recreation Centre attendants for an increase in their rate of pay for cleaning services.

Motion: Facey/Bartlett
2014-138 Resolved that the Recreation Centre Attendant rate of pay be increased by \$20 for every period of cleaning that they as assigned.
Carried Unanimously

For the record:

Prior to the following item being presented, Councillor Hanlon left the chambers due to a possible conflict of interest (relative applying for a summer position).

5. Summer Program Rates – Program and Staff

- a) Ms. Courtney Hammond has been hired as the Summer Programs Coordinator. Her start date was Wednesday, May 14th and she will complete her work placement with us on Friday, August 29th.

- b) The Recreation Department collected information on Summer Program registration rates and staff salaries from surrounding communities for the committee to discuss. From these discussions and following recommendations were made;

Motion: Facey/Butler
2014-139 Resolved that the Summer Program rates be set as follows;
Day Camp:
First Child - \$120.00 per week
Second Child - \$100.00 per week
Additional Child - \$85.00 per week
Kinderskills- \$250.00 for 2 days/ 8 weeks

Furthermore, Committee recommends that the Summer Program Staff rates be increased to the following:

Summer Program Coordinator - \$15.00 per hour
Head Councillor - \$13.00 per hour
Councillor - \$12.00 per hour

Carried Unanimously

Note: Councillor Facey explained that in reference to our Program rates, this increase covers the cost of transportation to and from events so that participants and staff don't have to deal with paying and collecting money for busing for the individual events.

For the record:

Councillor Hanlon returned to the chambers for the remainder of the Council meeting

6. **Lawn Tractor and Wheeled Trimmer**

Committee reviewed the quotes collected for the purchase of a new lawn tractor and wheeled trimmer for the parks maintenance staff and as this is an allocated budget item, makes the following recommendation:

Motion: Facey/Hanlon
2014-140 Resolved that the Town purchase a Husqvarna YT48XLS (Lawn Tractor) for the price of \$4067.99 (taxes included) and a Husqvarna HU625HWT (Wheel Trimmer) for the price of \$485.89 (taxes included) from Toy Box.

Carried Unanimously

7. **New Program – Dribbling Disco**

The Recreation Department met with Mr. Scott Noftall of "Next Level Basketball". He is very excited to be working with the Recreation Department to launch his new program, "Dribbling Disco". We will be assisting him with some advertising on our website and on the new updated Facebook page. He is also working with us for our Canada Day Celebrations and the Summer Camps.

8. **Proclamations**

Mayor Tucker will read and sign the proclamations for (a) June is Recreation Month and (2) the National Health and Fitness Day (June 7th) proclamations.

Public Works Committee Report – May 14, 2014 – presented by Councillor Bartlett

1. Well – St. Thomas Line

A resident of St. Thomas Line had been in contact with the Town regarding well water quality. Town Staff made contact with the appropriate provincial representative to obtain information and guidance. A letter was sent to the resident to provide the information and contacts acquired and to enable the resident to follow-up with the provincial representatives as appropriate.

2. Nuisance Dogs

Council received a complaint on the issue of nuisance dogs and town regulations. Staff will be following up with the resident directly to discuss the concern.

3. Regulations & Enforcement

Committee discussed the planned review of regulations, particularly as they relate to animal control. Both the Nuisance and Dog Control regulations were discussed and it was advised that the Protective Services Committee is tasked with this review. Committee also discussed the need for enforcement with respect to regulations and the future establishment of resources in that regard. Committee was advised two (2) public works staff are participating in animal welfare training provided by the province during the week of May 19.

4. Manager, Water & Wastewater

This position is one of three to be filled immediately in support of the new organizational structure recently adopted for the Public Works Division. The remaining two will be brought forward in the near future.

Motion: Bartlett/Hanlon
2014-141 Resolved that the pay scale associated with the Manager, Water & Wastewater be approved.
Carried Unanimously

For the record: Prior to the following item #5 being introduced, Councillor Collins inquired as to whether or not he would be in conflict as his mother lives on Legion Road. All Councillors agreed there is no conflict and he was not required to leave for this item.

5. Update – Speed Bumps & Traffic Calming

Committee was updated on the progress of the installation of speed bumps and the implementation of new all-way stops throughout the community. The issue of high speeds on Legion Road was discussed and it was agreed Committee would recommend the establishment of a 30 km/hour speed limit on Legion Road.

Motion: Bartlett/Hanlon
2014-142 Resolved that a speed limit of 30 km/hour be established for Legion Road and speed limit signs be implemented.
Carried Unanimously

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

Protective Services Committee Report –, May 13, 2014 – presented by Councillor Hanlon

1. Fire & Emergency Services Updates

Vehicles & Equipment:

The Chiefs met with Paul Cook of Complete Transport with respect to developing a fleet maintenance program. There are several vehicles in need of inspections and/or maintenance and once these have been completed the Chiefs recommend the following:

- a) The Chiefs shall maintain a complete file on each FD vehicle. To include inspections, repairs, mechanical checks, and FD checks, or other conditions.
- b) In consultation with PCSP Public Works Director or Paul Cook, we will implement a general check frequency of every 4 months, whereby a Town mechanic or a mechanic from Complete Transport will conduct a general check of each unit. This can occur at the stations.
- c) The FD personnel shall conduct weekly checks of each unit checking such things as fluid levels, general observations, and cleanliness.
- d) The programming of work to be conducted will be coordinated with the PCSP Public Works Director, to fit within applicable Town policies and procedures.

Training:

- Training Coordinator has implemented meetings and discussion with the FD trainers. A training program has been mapped out for the next 8 weeks.
- A training records management system is being reviewed and the FD has a database already so no cost will be incurred to the Town. A final decision on a suitable method will be made in the near future.
- Firefighters are scheduled to attend FES-NL fire school commencing May 24, 2014.
- Vehicle extrication training is ongoing now and scheduled to be completed on May 17, 2014 at Station 1.

Fire Department SOP's (Standard Operating Procedures):

The Chiefs have selected a small working group of FD members to initiate a complete review of what currently exists and re-develop or update where necessary. Some additional SOP's must be developed to address other operation details. A general overview of the working group mandate and task will be provided, and the time frame assigned for completion of these tasks is approximately 8 weeks.

Report status:

The Chiefs are anticipating presenting the Fire Protection review report to the Town at approximately the end of May.

2. Pedestrian Safety Community Group Meeting

A group of 10 individuals have been identified as a potential executive for this group. Deputy Mayor Will has agreed to contact the group of 10 to determine interest in the positions of Chair, Vice-Chair, and Secretary. A meeting with these 10 individuals is scheduled for Wednesday May 21, 2014, to confirm the executive positions and review a draft Terms of Reference for the group. The Committee discussed the content of the draft Terms of Reference and the Employee

and Public Relations Administrator will produce a draft Terms of Reference for the group based on this information.

The next full meeting of the Pedestrian Safety Community Group is scheduled for Wednesday May 28, 2014 at the Recreation Centre; Tract Consulting will be invited to attend.

Note: Deputy Mayor Will advised that all 10 individuals have been contacted and there is someone interested in the position of Chair for the committee to date.

3. Animal Trapping Regulations

The Committee agreed that more research into best practices is needed.

The Committee also agreed that a more in depth review is needed for many of the Towns regulations, plans and policies and will schedule a separate meeting for this purpose.

4. North Point Road – safety complaint

The Committee reviewed a complaint from a resident on North Point Road in regards to finding a large amount of sharps waste, in particular, used needles, and is concerned for the safety of residents and their children playing in the area. The Committee agreed to contact the RNC Municipal Liaison for further information and action.

Admin. and Finance Committee Report – May 13, 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Collins
2014-143 Resolved that accounts for payment be approved for payment as follows:
Regular Accounts - \$67,331.46
Carried Unanimously

2. Donations requests:

(a) Resident – Sandra Squires

Motion: Will/Facey
2014-144 Resolved that the Town donate \$100 to resident Sandra Squires, provincial team member travelling to Halifax in June 2014 for the National Dart Championships.
Carried Unanimously

(b) Under 15 Boys Provincial Basketball

Committee reviewed the request received from Leary's Brook Basketball Coach. The request does not meet the Donation Policy guidelines as none of the team members from Learys Brook are residents of Portugal Cove-St. Philip's.

(c) Correspondence from Youth Ventures Program

Committee reviewed the letter from the Program's coordinator asking for support for young entrepreneurs from ages 12-29 wanting to start up and run their summer businesses.

Committee agreed that, as we have done in the previous years, fees for permits and licenses would be waived from May 1st to September 1st; and, as per our tax structure there is no business tax charged for first year of operation. This information will be passed along to the Planning & Development Department to make them aware in the event they receive any such applications.

3. Acceptance of ACOA Contract

Motion: Will/Butler

2014-145 Resolved that the Mayor and Town Clerk be authorized to sign the agreement in the amount of \$92,340.00 between the Town and the Atlantic Canada Opportunities Agency (ACOA) for funding under the Business Development Program.

Carried Unanimously

Note: Deputy Mayor Will explained that this was in reference to the 'Placebuilder' project and that this is not a loan but a grant available to the Town. It is cost shared 75% (ACOA) / 25% (Town) which is approximately \$25,000 for the Town's share.

4. Correspondence from Dept. of Municipal Affairs re Project 12136

Committee acknowledges receipt of a letter from the Engineering/Planning Branch to the Town dated May 5, 2014, with "Approval to Proceed" with the Voiseys Brook Park Upgrades program, estimated at \$2,670,078 and utilizing the services of Grand Concourse Authority.

5. Update on Projects:

The Town Manager informed committee on several ongoing project issues.

Those which may require change orders and are pending further investigation include:

- Water and Sewer services required as part of land acquisition for Hanlons Lane turnaround
- Speed bump for Thorburn Road and possibly Rainbow Gully Road

There are also two projects which have tenders that came in over budget which need to be considered as follows:

- **Thorburn Road Sewer project** – as this project impacts the new school, the Mayor will contact the necessary Government officials to seek financial assistance on the overrun.

Note: Mayor Tucker provided an update to Council noting that while he has made the necessary contacts noting that in reference to the school site, the Dept. have given verbal commitment, but we have not yet received a written commitment. . The deadline date to award the tender for this project is June 13th.

- **Dogberry Hill Road Bridge/Drovers Heights Culvert Project #08371**

Committee reviewed the correspondence from exp. dated May 1, 2014, outlining the bid results for this project which came in over budget. After review and consideration, committee agreed that both the Drovers Heights Culvert replacement portion of Package A and Package B be deferred until a future Water and Sewer project is put in place for Drover Heights. Staff will advise exp. to obtain the revised costs from the contractor for the Bridge replacement only. In order to proceed, committee puts forward the following:

Motion: Will/Collins
2014-146 Resolved that the tender be awarded to Cougar Engineering and Construction Ltd. in the amount of \$307,732.90 for the Dogberry Hill Road Bridge replacement portion only of Project #08371 and to defer the Drovers Heights Culvert replacement.
Carried Unanimously

Note: Mayor Tucker further advised that because the Town does not yet have the report from the Dept. of Environment for the Climate Change Study which will include the flows under the Drovers Heights Bridge, it is appropriate that we defer that portion at this time.

6. Land acquisition updates

The Town Manager advised that the takeover of several parcels of land for road work is still in process of being finalized (Hanlons Lane, Knights Rest and Portugal Cove Road).

NEW/GENERAL/UNFINISHED BUSINESS

1. **2014-2017 Multi Year Capital Works Program - Item presented by Deputy Mayor Will**

Motion: Will/Bartlett
2014-147 Resolved that Council authorize the Mayor and the Town Clerk to enter into an agreement (on behalf of Council) to accept the funding for projects in the amount of \$2,763,119 under the 2014-2017 Multi-Year Capital Works Program.
Carried Unanimously

ADJOURNMENT

Motion: Will/Bartlett
2014-148 Resolved that this meeting be adjourned. Time 8:10 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

**Appendix A: Tabled Report
May 13th, 2014**

Applications:

Re item 1 - Civic # 729-739 Indian Meal Line

Subdivide Property & Construct Single Dwellings
Zoning: Residential Infill (RI) - Unserviced

The Committee recommends that the application for Civic # 729-739 Indian Meal Line be granted approval in principle, permitting the subdivision of property and construct two (2) single dwellings. Approval in principle is subject to proof of ownership of the property. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government.

Administrator recommended that this application be held.

Re item 2 - Civic # 446-448 Old Broad Cove Road

Business (Office & Light Industry)
Zoning: Residential Infill & Agriculture (RI & AG) - Unserviced

The Committee recommends that the application for Civic # 446-448 Old Broad Cove Road be granted approval in principle, permitting the establishment of a standalone office/light industry 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 General Development Standard 49 (Non-Conforming Use) and Schedule D: Off-Street Parking Requirements.

Administrator recommended that this application be granted approval in principle.

Re item 3 - Civic # 1573-1575 Portugal Cove Road

Business (Personal Service)
Zoning: Residential Infill & Residential Medium Density (RI & RMD) - Unserviced

The Committee recommends that the application for Civic # 1573-1575 Portugal Cove Road be granted approval in principle, permitting the establishment of a standalone personal service 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 General Development Standard 49 (Non-Conforming Use) and Schedule D: Off-Street Parking Requirements.

Administrator recommended that this application be granted approval in principle.

Correspondence:

Re item 7 - Town of Paradise - Proposed Amendment to the St. John's Urban Region Regional Plan

The Planning Department is in receipt of a letter from the Town of Paradise proposing to rezone property off St. Thomas Line to the south of Picco Drive from Restricted to Urban Development in the St. John's Urban Region Regional Plan in order to accommodate the development of a 70 lot fully-serviced residential subdivision. An amendment to the Town of Paradise Development Regulations is required to rezone the area from Residential Subdivision Area (RSA) to Residential Medium Density.

The Town is also requesting that an adjacent area containing existing development be included in this amendment to bring this area into conformity with the Regional Plan.

The Committee recommends that Planning Staff forward correspondence to the Town of Paradise stating that Council has no objections to the proposed amendments.