



DRAFT

TOWN OF PORTUGAL COVE-ST. PHILIP'S

July 29, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler (7:45 pm)
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Clerk	Judy Squires
	Director of Financial Operations	Tony Pollard
	Director of Ec.Dev/Marketing/Comm.	Jeff Lawlor
	Director of Public Works	Gail Tucker
	Planning Coordinator	Les Spurrell

Mayor Tucker called the meeting to order and welcomed the gallery of 7 persons in attendance.

ADOPTION OF AGENDA

Motion: Facey/Hanlon
2014-237 Resolved that the Agenda dated **July 29, 2014**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Will/Bartlett
2014-238 Resolved that the minutes of **July 15, 2014**, be adopted as circulated.
Carried Unanimously

BUSINESS ARISING The Town Manager is away on vacation until August 8, 2014.

COMMITTEE REPORTS

Planning & Development Report of July 22, 2014 – presented by Councillor Collins

1. 895-899 St. Thomas Line – accessory building

Motion: Collins/Bartlett
2014-239 Resolved that the application to construct an accessory building at Civic # 895-899 St. Thomas Line be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

2. 18 Beaver Creek Road - backfilling

Motion: Collins/Will
2014-240 Resolved that the application to perform backfilling at Civic # 18 Beaver Creek Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 32-34 Thorpes Road – patio deck

Motion: Collins/Bartlett
2014-241 Resolved that the application to demolish and reconstruct a patio/deck at Civic # 32-34 Thorpes Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. Discussion item – 20-22 Emberleys Road

The Committee discussed the following correspondence as per Appendix A: Tabled Report:

- Civic # 20-22 Emberleys Road – Removal of Existing Turn-Around.

5. Legal opinion re Removal Orders

Motion: Collins/Will
2014-242 Resolved **that** Council seek a legal opinion from the Town’s Solicitor regarding the Towns options and ability to enter property and perform work to enforce Removal Orders for property clean-ups.
Carried Unanimously

6. Street name submissions

Motion: Collins/Will
2014-243 Resolved that “Prince George Drive” and “Kittiwake Place” be used as the street names within the Olivers Pond Estates Residential Subdivision.
Carried Unanimously

7. 237-239 Old Broad Cove Road – frontage variance request

Motion: Collins/Bartlett
2014-244 Resolved that the request for Civic # 237-239 Old Broad Cove Road be granted approval in principle, permitting a 2.0% variance on the lot frontage requirement for a vacant building lot. Approval in principle is subject to a notice to area residents regarding the proposed variance in accordance with General Regulation 11 (Variances) and 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.

8. 1 Garden Hill – building height

Motion: Collins/Will
2014-245 Resolved **that** the request for Civic # 1 Garden Hill be granted approval in principle, permitting a building height of 10 m as opposed to the maximum building height of 8 m. 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 41 (Building Height).
Carried Unanimously

9. Permit stats

There were twenty-four (24) permits issued from July 4th to July 17th, 2014.

Recreation /Lifestyle Committee Report – July 22, 2014- presented by Councillor Facey

1. Security for the Parks

Discussions were held and staff will obtain quotes regarding security for the Parks during the evenings and the weekends. The Town will also be looking into installing cameras in high traffic areas of the parks.

2. Garden Competition

Staff completed the first round of judging for the Garden Competition during the week of July 21st to 25th. They will revisit these gardens again during the week of August 25th to 29th as part of the second round of judging. This will allow judges to see the different types of flora that bloom during both times of the season. The full report will be given after all the competition has been completed.

3. Donations

The Recreation Committee received two requests for donations.

Motion: Facey/Hanlon
2014-246 Resolved that Ms. Candace Bowen pay \$100 for the use of the Rainbow Gully Softball Field for a fund-raiser tournament. This fund-raiser is to assist the Stone Family with travel expenses for their daughter, Bella, to travel to Toronto Sick Kids Hospital for surgery.

Carried Unanimously

Motion: Facey Bartlett
2014-247 Resolved **that** Town donate the time and materials requested by the Portugal Cove End of Summer Regatta Committee. The list of items requested will be forwarded to the appropriate departments to be dealt with.

Carried Unanimously

2. Upcoming Schedule of Events

The Recreation Department would like to inform all Council and Staff of the upcoming events and activities that are planned for the staff and the community. The list and dates for these events are attached for your review. If there are any questions or concerns, please feel free to contact the Recreation Department anytime.

3. Killick Coast Games

The Killick Games will be running from Sunday, July 27th to Friday, August 1st. Mr. Ray Will has been chosen as this year's Honorary Patron representing the Town of Portugal Cove – St. Philip's. The Town has approximately 100 participants in these games, competing in basketball, ball hockey, soccer, and cross country running. For full schedule of events please visit www.torbay.ca The Town will also update results on the Town Facebook on a daily bases as schedules allow. Follow our Tweets @Get_Recd

4. Drop Zone

The Recreation Department is involved in the 2014 Easter Seals Drop Zone. Councillor Joe Butler has volunteered to repel off Atlantic Place on Saturday August 2nd. We are at the half way mark to reach the donation goal and still looking for staff, council, and community support. Please visit the Town's Website to find the link to donate to this event.

5. Trinity Seniors Tour

The Trinity Seniors Tour has been scheduled for August 20th. The response has been great for this event. However due to the demand we had been taking residents that live in the community and placing those from outside on a wait list. Effective Friday, August 25th we opened it up to everyone and now the tour is full. The Recreation Department is very excited about offering this to the seniors and ensures they will have a fabulous time at the event.

6. ACE Recommendation

The Advisory Committee on the Environment met with the Recreation and Community Services Committee and took a walk on the Voisey's Brook Walking Trails that are being constructed. From this ACT submitted a report to the committee with recommendations regarding the Trails. Please see the report attached. The Recreation Committee will take these recommendations into serious advisement and assess what direction they will take from here. Staff will correspond with ACE with their feedback.

For the record: Councillor Butler arrived for the Council meeting at 7:45 pm

Public Works Committee Report – July 9, 2014 presented by Councillor Bartlett

1. Traffic Calming

Committee reviewed correspondence from civic numbers 398 and 384 Dogberry Hill Road regarding traffic calming issues and the removal of an all-way stop in the area. A recently purchased driver feedback sign will be placed on Dogberry Hill Road in the area between the intersection of Dogberry Hill Road Extension and Jenny Lynn Drive to assist with traffic calming. Committee also discussed the need for a Traffic Calming policy and guidelines. Staff is in the process of completing research in this regard and will present recommendations to Committee by the beginning of the fourth quarter of this year. Committee also discussed the importance of encouraging residents to report traffic enforcement issues to the Royal Newfoundland Constabulary for appropriate follow-up.

2. Garbage and Recycling Regulations

Committee is undertaking a review of the Town's garbage and recycling regulations to update the rules and procedures with respect to waste collection. Once the review is complete, communication on the new regulations will be forwarded to residents prior to enactment to assist with resident awareness of collection requirements.

3. Correspondence – 2 Luffman’s Hill re: Upgrades Blast Hole Pond

Committee reviewed correspondence from civic # 2 Luffman’s Hill regarding upgrades completed on Blast Hole Pond Road and concerns outlined related to the property owner’s undeveloped land adjacent to the right of way on Blast Hole Pond Road. Staff will send a response to the property owner in this regard.

Note: Following the report, DM Will inquired about his request at last meeting re ‘winding road’ signage on Nearys Pond Road and Clr. Bartlett advised that this issue, while not addressed on the report, was discussed at the PW meeting and a couple of signs will be installed (at each end) stating winding road for next 2-3 kms.

Economic Development, Marketing & Communications Report - July 23, 2014 presented by Councillor Butler

1. Advisory Committee on the Environment (ACE)

Rex Porter has resigned from the committee due to personal reasons, council and staff would like to say thank you to Rex for his hard work and dedication to ACE.

Recommendations have been forwarded to the Recreation and Community Services Committee for the Voisey’s Book Trails.

A recommendation has been sent to Planning and Development committee regarding enforcement of 15 meter buffer around rivers.

2. Placebuilder

The public consultations are almost over now, with a community group meeting at the Legion and a business and developers breakfast at Voisey’s Brook scheduled for this week. The project is on schedule and is set to be completed in the early fall.

3. Business Retention and Expansion

The Director of Economic Development will be meeting officials with the Innovation, Business and Rural Development to create to define the scope of work for a planned Business Retention and Expansion project.

4. Small Business Awards

The Small Business Awards will be on November 5th with nominations starting in September and judging in October. Considerations are being made on the format and awards with the formal announcement to be made in the next Tickle.

5. Stewardship Agreement

In conjunction with the Department of Environment and Conservation an event is being planned for the signing of the agreement. Some dates in August are being considered.

6. Newsletter

The deadline for the next tickle newsletter is August 5. Residents and community groups are encouraged as always to send in their content.

Protective Services Committee Report – no meeting or report

Admin. and Finance Committee Report – July 22, 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Facey
2014-248 Resolved that accounts for payment be approved as follows:
Regular Accounts - \$81,560.52
Capital Accounts - \$24,860.00
Total - \$106,420.52
Carried Unanimously

2. Gas Tax Allocation 2014-2019

Correspondence was received from the Gas Tax Secretariat providing the allocated amounts for each of the five years with a total amount of \$1,578,523 funding available. The Town will receive an information package along with the agreement to be signed and returned after which time we can begin applying for the new Gas Tax Funds.

3. Budget

The Director of Financial Operations advised that dates and locations need to be set determined for public budget consultations. The Mayor noted he would like to see one central location for the whole town and offered to contact the school to make the necessary arrangement for late September.

4. Remote meeting access

Councillor Butler inquired about Bill 6, legislation which proposed to amend the Municipalities Act so that council can allow a councillor to participate in a meeting by electronic means. The Director of Financial Operations will check the status of this legislation and also investigate the technology available to Council.

5. Update from staff on ongoing matters

The Town Clerk and Director of Financial Operations provided status updates on several ongoing legal issues and were advised to proceed as directed and required.

6. Paving Rainbow Gully Parking Lot

Motion: Will/Bartlett
2014-249 Resolved that, as part of the completion of the Rainbow Gully Road project, paving on the upper parking lot be completed at an estimated cost of \$160,000.
Carried Unanimously

7. Financing approval

Motion: Will/Facey
2014-250 Resolved that financing be approved in the amount of \$474,000 to cover both the Town's share of Thorburn Road Sanitary project and the cost of paving Rainbow Gully Parking lot. Financing is to be arranged through the Royal Bank for a term and amortization of 15 years at a rate of 3.98%
Carried Unanimously

CORRESPONDENCE

(a) Municipalities NL – Call for Resolutions – for info

Note: Mayor Tucker requested that committees give consideration to any items they would like to put forward to MNL and he also tabled the 2014 registration package for the Oct. 8-11th convention.

(b) Canadian Mental Health NL – info re Swim for the Tickle August 27th

The letter requested support in the form of refreshments for this event and Councillor Facey noted that the Volunteer Fire Department be notified of this event.

NEW/GENERAL/ UNFINISHED

1. Item from Deputy Mayor Will re ATIPPA Review Committee

DM Will advised that he presented at the hearings last week representing himself and not the Town. He read a brief written summary of his presentation and obtained permission from the Mayor and Council to table the document which was noted for the record, this is his personal opinion and not Council position. Note: After Council discussion, the Town Clerk was asked to look into ATIPP training for Councillors.

2. Open Sessions – procedures

Councillor Hanlon suggested the procedures for the open sessions be reconsidered and that Council answer questions when possible rather than wait for the next meeting. The Town Clerk will check into the guidelines and advise Council of what was established.

3. Presentation by MIGA re Multi Year Capital Works Funding

Ministers Crummell and Brazil will be making a funding presentation to the Town at noon July 30th at the Rainbow Gully Park facility and all are welcome to attend.

ADJOURNMENT

Motion: Will/Collins
2014-251 Resolved that this meeting be adjourned. Time 8:30p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments: (1) Appendix A: Tabled Report

**Appendix A: Tabled Report
July 22nd, 2014**

Applications:

Item # 1: Civic # 895-899 St. Thomas Line
Accessory Building
Zoning: Heritage Community (HC) - Unserviced

The Committee recommends that the application for Civic # 895-899 St. Thomas Line be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a public notice regarding the proposed accessory building size as per Development Standard 38 (Accessory Buildings). 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 Regulation 38 (Accessory Buildings).

Item # 2: Civic # 18 Beaver Creek Road
Backfilling
Zoning: Residential Infill (RI) - Unserviced

The Committee recommends that the application for Civic # 18 Beaver Creek Road be granted approval in principle, permitting backfilling. Approval in principle is subject to the submission and acceptance of a Grading Plan and Drainage Plan completed by a Professional Engineer. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations, and all other regulatory bodies of government, specifically Schedule C: Residential Infill Condition # 7 (Soil Removal and Deposit and Site Grading).

Administrator recommended that this application be granted approval in principle.

Item # 3: Civic # 32-34 Thorpes Road
Patio\Deck
Zoning: Heritage Community (HC) - Serviced

The Committee recommends that the application for Civic # 32-34 Thorpes Road be granted approval in principle, permitting the demolition and reconstruction of an existing patio/deck. Approval in principle is subject to the submission of documentation supporting the required demolition and reconstruction of the existing patio/deck. 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 49 (Non-Conforming Use).

Administrator recommended that this application be granted approval in principle.

Correspondence:

Item # 4: Civic # 20-22 Emberleys Road - Removal of Existing Turn-Around

The Planning Department is in receipt of correspondence from a resident requesting that grading work be completed between the sides of the existing cul-de-sac and new ditching as the existing turn-around is removed due to an extension of Emberleys Road.

The Committee advises Planning Staff to prepare a conveyance of the initial road extension and temporary turn-around from the Developer of this portion of the roadway.

The Committee also advises Planning Staff to contact the Developer of the Timberlea Estates Residential Subdivision and request the submission of an engineering design for the back slope of the new ditching installed in the location of the temporary turn-around that has been removed as part of the development of the Residential Subdivision.