



TOWN OF PORTUGAL COVE-ST. PHILIP'S

September 23, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Manager	Chris Milley
	Town Clerk	Judy Squires
	Director of Financial Operations	Tony Pollard
	Director of Recreation	Dawn Sharpe
	Director of Public Works	Gail Tucker
	Planning & Development Coordinator	Les Spurrell

Mayor Tucker called the meeting to order and welcomed the gallery of 18 persons in attendance. Regrets received from Councillor Butler who is away.

ADOPTION OF AGENDA

Motion:	Facey/Collins
2014-309	Resolved that the Agenda dated September 23, 2014 , be adopted as circulated.
Carried	Unanimously

DELEGATIONS/PRESENTATIONS

PCSP Volunteer Fire Department

Mayor Tucker read and signed the **Proclamation for 'Fire Prevention Week 2014'**. **Capt. Michael Hynes** was in attendance and accepted a signed copy of the Proclamation on behalf of the PCSP Volunteer Fire Department.

Capt. Hynes briefed Council and all those in attendance on some of the activities and events taking place in our Town for Fire Prevention Week . He also expressed sincere gratitude to Council on behalf of the VFD for all the continued support they have given the Department.

PCSP Annual Garden Competition 2014

The Director of Recreation and Committee Chair, Councillor Facey, presented awards to the three winners who were in attendance and prizes will also be forwarded to the runners up. The minutes and photographs of the winning gardens will be on the Town's website. Congratulations extended to all participants.

Best Kept Garden

Winner - Cheryl and Grant Somerton, Meadow Heights

Runner Up - Dobbin Residence, Bennett's Rd

Best Veggie Garden

Winner - Valerie Hanson and John Quinton, Beachy Cove Rd

Runner up - Glenda Power, Thorburn Woods

Best Floral Design

Winner - Lynn Greene, Ayres Lane

Runner up - Mandy Tucker, Tolt Rd

ADOPTION OF MINUTES

Motion: Hanlon/Bartlett
2014-310 Resolved that the minutes of **September 9, 2014**, be adopted.
Carried Unanimously

BUSINESS ARISING

The Town Manager gave a verbal report on the following items:

- The action Item list is now on track and circulated for information
- The Municipal Plan (2014-2024) and Commissioners Report is on the Town's website
- The first meeting re the Flood Risk Mapping Study was held and the project is expected to be completed by March 2015
- A blast last week caused damage to the main water line and obstructed water service for the whole Town, however it was repaired in 3 hours
- The last manhole was installed on the Thorburn Road Sewer project a couple of days ago
- Dogberry Hill Road Bridge work is ahead of schedule
- The Town Manager and Director of Economic will be out of the office attending the EDAC (Economic Development Conference) in Calgary from Sept. 24th returning Oct 2nd. Town Clerk Judy Squires will be the Acting Town Manager during that time
- Update on son of PW employee: Joey Dwyer had surgery and no seizures since, showing signs of improved health.
- Julie Pomeroy started with us today as the Heritage Programs and Services Coordinator for the Town.
- The Town now has a Twitter account @pcspnl

In response to questions arising, the Town Manager advised and provided the following info:

- the Town Plan will be sent to the Department of Municipal Affairs once we receive the document (updated with maps and commissioners comments) back from our consultant and then it should take approximately 5 days after that for registration.
- the letter of support for East Coast Trails will be sent this week now that we have received the details of what they require in the letter. The Mayor also noted the letter will include the information about the previous Council's \$40,000 contribution.
- the Flood Risk Mapping will identify potential risks/structures and mapping where there may be issues and the causes for it. It won't include suggested corrections. This is a project being done by the province and it will include information on climate change.
- security for Town facilities is still being addressed by various committees.

COMMITTEE REPORTS

Planning & Development Report of September 16, 2014 presented by Councillor Collins

1. 41-47 Meadow Heights

Motion: Collins/Will

2014-311 Resolved that the application to subdivide property and construct a single dwelling (backlot) at Civic # 41-47 Meadow Heights be rejected as per Appendix A: Tabled Report.

Carried For: Bartlett/Collins/Facey/Tucker/Will
Against: Hanlon

2. 9 Beachy Cove Road

Motion: Collins/Will

2014-312 Resolved that the application to construct a commercial building extension at Civic # 9 Beachy Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

3. 21-23 Olivia Place

Motion: Collins/Bartlett

2014-313 Resolved that the application to construct an accessory building at Civic # 21-23 Olivia Place be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

4. 22 River Front Drive

Motion: Collins/Facey

2014-314 Resolved that the application to construct an accessory building at Civic # 22 River Front Drive be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

5. 25 Hardings Hill

Motion: Collins/Will
2014-315 Resolved that the application to construct an accessory building at Civic # 25 Hardings Hill be rejected as per Appendix A: Tabled Report.
Carried Unanimously

6. 919-921 St. Thorburn Road

Motion: Collins/Bartlett
2014-316 Resolved that the application to relocate a driveway access at Civic # 919-921 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 36-38 & 40-42 Beachy Cove Road

Motion: Collins/Bartlett
2014-317 Resolved that the application to change the use of existing buildings from commercial to residential at Civic # 36-38 & 40-42 Beachy Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

8. 923-931 St. Thomas Line

Motion: Collins/Hanlon
2014-318 Resolved that Council issue a Stop Work Order against backfilling activity at Civic # 923-931 St. Thomas Line which is being completed without a permit from the Town.
Carried Unanimously

9. 15 Country Garden Road

Motion: Collins/Will
2014-319 Resolved that the variance request for Civic # 15 Country Garden Road be granted approval in principle. Approval in principle is subject to a notice to area residents regarding the proposed 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 General Regulation 11 (Variances), General Regulation 12 (Notice of Variance) and Development Standard 38 (Accessory Buildings).
Carried Unanimously

10. & 11. Correspondence

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

- Eastern Newfoundland Regional Appeal Board – Decision of Appeal, and;
- Department of Municipal and Intergovernmental Affairs – Municipal Plan Amendment No. 25, 2014 & Development Regulations Amendment No. 55, 2014 (New School).

12. Stats - There were twenty six (26) permits issued from August 28th to September 11th, 2014.

Recreation /Lifestyle Committee Report – September 16, 2014 presented by Cllr. Facey

1. Garden Competition

On July 21st and July 27th members of the Town staff travelled throughout the community and judged local gardens that entered into our Annual Garden Competition. With the assistance of staff at Murray’s Horticulture Centre, winners were chosen from three categories. Please note that Murray’s has also agreed to sponsor the 2015 Garden Competition. We look forward to building on this great partnership. (Winners listed under preceding item ‘Presentations’)

2. National Seniors Day

The Recreation Department will be hosting National Seniors Day activities on Wednesday, October 1st from 2:00p.m. – 4:00p.m. at the Recreation Centre. There will be snacks and refreshments provided as well as entertainment by Blackie O’Leary. This event is free of charge for all seniors, however you must call and register as space is limited.

3. Donations of School Bags

Members of Council and staff donated funds to supply 7 backpacks to local school that students for the community attend. These bags of supplies will go a long way with assisting those kids that are in need and help ease the burden on their school’s administration.

Note: Councillor Bartlett expressed gratitude to Council and Staff for recognizing the needs of junior high students.

4. Donation of Softball Field – Jeff Matthews

The Recreation Committee discussed a request from Mr. Jeff Matthews to have the Rainbow Gully Softball Field donated or discounted for a fund-raiser tournament. This team has recently won the qualifier to represent Newfoundland and Labrador at the National Slo-pitch Association in Hamilton, Ontario in 2015. It should be noted that Mr. Matthews is a very active volunteer in the community as President of the Minor Softball Association and a coach with the Beachy Cove Puma Basketball Team.

Motion: Facey/Hanlon
2014-320 Resolved that Mr. Jeff Matthews receive the Rainbow Gully Softball Field for the rental cost of \$100 for a weekend rate to host a tournament fund-raiser.
Carried Unanimously

5. Budget

All the Recreation Department staff met with the committee to discuss projects and other budget interest. Staff will prepare a presentation for council with all items as per discussions. If any Councillor has items that they would like to add, please contact the Recreation Director ASAP.

Public Works Committee Report – September 17, 2014 presented by Councillor Bartlett

1. Recycling Truck Crusher Door

It has been identified by staff that the compaction area of the new recycling truck is posing operational issues. Due to the light weight of the recycling materials, particularly containers, and the open design of the compaction area, portions of materials do not remain in their designated silos. This results in cross contamination of materials and poses a health and safety concern for the truck's operator. As such, a crusher door has been designed by the supplier to address the issue and has an associated cost of \$7,200 +HST.

Motion: Bartlett/Collins
2014-321 Resolved that the purchase of the crusher door kit from Saunders Equipment Ltd. (be approved) for a cost of \$7,200 +HST.
Carried Unanimously

Note: After questions arising, Councillor Bartlett duly noted concerns expressed regarding sharing costs with the supplier and agreed to address this at a future committee meeting.

2. Budget Priorities

Committee discussed a list of capital and other large operational expenses identified by staff. Items were prioritized and will be submitted as part of the budget process.

3. Facilities Lead Position

Committee was presented with information on the position of Facilities Lead which will bring a much needed focus to the Town's management of its indoor and outdoor facilities. This position supports the new Public Works organizational structure previously adopted by Council.

Motion: Bartlett/Hanlon
2014-322 Resolved that the pay scale associated with the Facilities Lead position be approved.
Carried Unanimously

4. Future Depot Location

Committee was presented with information on land for the potential relocation of the Town's depot. The relocation of the depot supports Council's vision to better align services and amenities in the area of Rainbow Gully Road, particularly with the introduction of the new Grade 5-9 school. Staff were seeking approval to move forward with preparing and issuing a Request for Expression of Interest to identify consultants interested in working with the Town on the various phases of site assessment and, if applicable, concept design.

Motion: Bartlett/Collins
2014-323 Resolved that staff prepare a Request for Expression of Interest to assess the site opportunity.
Carried Unanimously

Note: The chair noted potential site(s) need investigation and communication with owner(s).

5. Update on Construction Projects & Traffic Impacts

Committee was updated on the status of capital projects ongoing and traffic impacts. While there have been some traffic delays due to construction, no major issues are being experienced. The Town's communication on the Dogberry Hill Road Bridge construction has played an important role in ensuring residents were given advance notification of the traffic impacts.

6. Road Shoulders

Committee was given an update on the road shoulder work to be completed in select areas throughout Town within the coming weeks. It is expected that the contractor, S&H Codner Construction Ltd., will begin work on the impacted roads within the next couple of weeks.

7. Speed Limit Signs – Dogberry Hill Road

Staff was asked to assess the volume of speed limit signs on Dogberry Hill Road to determine if additional signs can be placed. Councillor Bartlett had a request for additional signage from a resident in the area.

Economic Development, Marketing & Communications Report – no meeting held/no report

Protective Services Committee Report – September 16, 2014, presented by Councillor Hanlon

1. Fire & Emergency Services Updates

a) Emergency Plan

The Chiefs review of the Emergency Plan is moving along. The St. John's International Airport has forwarded a copy of their emergency plan for the Chiefs to review for possible inclusions in our plan. A presentation from the airport's Director of Security & Emergency Response is also being arranged.

b) Emergency Plan Tabletop Exercise

The Fire Chiefs, some of the Directors and members of staff attended an Emergency Plan Tabletop Exercise with the Town of Paradise on Sept. 16, 2014. We were invited to attend as observers and all found it very informative and beneficial toward planning our own such exercise in the near future.

c) Antique Fire Truck

The Volunteer Fire Department and the Committee would like to see the antique Bickle Seagrave truck be placed with someone who can give it the attention it deserves. This process will be initiated by making contact with the Young family who kindly donated the antique to the Town, and therefore:

Motion: Hanlon/Bartlett
2014-324 Resolved that the process to remove the antique fire truck from the possession of the Town's ownership be started.
Carried Unanimously

Note: The Mayor explained further that space will be needed for the new Fire Truck.

d) Other Items

- Fire Prevention Week event planning is well underway and contact is being made with the school for possible participation in their fire drill and some in class items as well.
- Capital budget items have been submitted, suggested budget items from the recommended VFD Plan have been submitted, and 2015 Operational budget items are underway.

2. Municipal Enforcement

Whether it is for regulations or patrols this item will remain on the radar of the Committee. An increase in security and municipal enforcement, especially in the parks, is needed as a budget item. The Chief suggested a possibility for some crossover with the recommended staffing option in the Fire Dept. Time lines need to be firmly set around the decision with the Implementation Plan for the Fire Dept.

3. Neighbourhood Watch Group

Contact has been made with the Town by a group of volunteers for Neighbourhood Watch. They are organizing a meeting in the near future, and if it is to be a public meeting then members of the Committee will attend. The Committee will keep in contact with the group as they develop.

Note: A meeting (open to the public) is set for Thursday October 2nd at 7:30 p.m. in the Council Chambers

Admin. and Finance Committee Report – September 16 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Bartlett
2014-325 Resolved that Council pay Regular Accounts in the amount of:
\$70,965.77 and Capital accounts in the amount of \$162,978.68 for a total of
\$233,944.45
Carried Unanimously

2. Review of Financial Reports

The Director of Finance presented a further analysis of the financial position of the town and while there are some variances from budget the overall picture is favorable and we should finish the year near or ahead of budget overall.

3. Budget Consultation Dates

The Director of Finance will check with the Director of Economic Development to get an update on times and place for budget consultations.

4. Donation Request – Vera Perlin Annual Charity Golf Tournament

This donation request was refused as it falls outside the Donation Policy .We did contribute in prior years but decided to this year stay within policy.

5. Notice of Expropriation – School Land

We received notification from the Province that the property for the new school has been expropriated. Committee agreed that the Town Manager proceed with the next step in the process and contract Neil Hardy of Altus Group to complete the appraisal of the property being expropriated.

6. Meeting with Resident re taxation of farm land

The committee met with a resident to hear concerns regarding taxation policy and it particular how it relates to farm land. The town will be forwarding a letter to the resident outlining the town's authority relating to the taxation issues discussed.

7. Placebuilder

The Director of Finance along with the Director of Economic Development Marketing and Communications are to pursue the economic modelling relating to the Town Center Concept that was presented by Tract at a recent presentation.

CORRESPONDENCE -

(a) CUPW – Request for support to Save Canada Post

Mayor Tucker briefed Councillors on the details of the letter and each of the Councillors agreed to put forward the requested resolution in support of CUPW. He then read the 'Save Canada Post – Stop the Cuts' preceding clauses and Councillor Collins put forward the motion as follows:

Motion: Collins/Will
2014-326 Resolved that the Town of Portugal Cove-St. Philip's write a letter to the Minister responsible for Canada Post that calls on the government to reverse the changes to services announced by Canada Post, and to look instead for ways to increase service and revenues in areas such as postal banking.;

Be it further resolved that the Town of Portugal Cove-St. Philip's ask the Federation of Municipalities to request that the federal government properly consult with the public about what kind of postal delivery service they need before allowing Canada Post to make such major changes to public postal service.

Carried Unanimously

(b) Municipal. Affairs – re St. John's Regional Plan Amendment – for info

(c) Proclamation - Mayor Tucker read and signed the attached Proclamation proclaiming Oct. 1-7th as **World Breast Feeding Week** in the Town of Portugal Cove – St. Philip's

NEW/GENERAL/ UNFINISHED

1. Deputy Mayor Will advised that a public meeting was held last week concerning school bussing for Beachy Cove Elementary. He noted this issue causes a lot of anxiety for families and this was a positive meeting and it is hoped that MHA/Minister Brazil can work something out to resolve this issue.

ADJOURNMENT

Motion: Collins/Facey
2014-327 Resolved that this meeting be adjourned. Time 8:55 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments: (1) Appendix A: Tabled Report (Planning & Development)

**Appendix A: Tabled Report
September 16th, 2014**

Applications:

- Item # 1 Civic # 41-47 Meadow Heights
Subdivide Property & Construct Single Dwelling (Backlot)
Zoning: Residential Infill (RI) – Semi-Serviced**

The Committee recommends that the application to subdivide property and construct a single dwelling at Civic # 41-47 Meadow Heights be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Plan Policy 3.3 (iv) (Infill Development), Plan Policy 3.3 (ix) (Building Setbacks), Plan Policy 3.3 (x) (Access to a Public Street), Plan Policy 3.4.2.1 (v) (Backlot Development), General Regulation 11 (Variances), Development Standard 37 (2) (Accesses and Service Streets), Development Standard 46 (1) (Lot Area), Subdivision of Land Regulation 76 (Subdivision Subject to Zoning) and Schedule C: Residential Medium Density with respect to lot frontage and side yard.

Administrator recommended that this application be rejected.

- Item # 2 Civic # 9 Beachy Cove Road
Commercial Building Extension
Zoning: Heritage Community (HC) – Serviced**

The Committee recommends that the application for Civic # 9 Beachy Cove Road be granted approval in principle, permitting the construction of a commercial building extension. 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) and Schedule C: Heritage Community.

Administrator recommended that this application be granted approval in principle.

- Item # 3 Civic # 21-23 Olivia Place
Accessory Building
Zoning: Residential Medium Density (RMD) – Semi-serviced**

The Committee recommends that the application for Civic # 21-23 Olivia Place be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to a notice to area residents regarding the proposed 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 General Regulation 11 (Variances), General Regulation 12 (Notice of Variance) and Development Standard 38 (Accessory Buildings).

Administrator recommended that this application be granted approval in principle.

Item # 4 Civic # 22 River Front Drive

Accessory Building

Zoning: Residential Medium Density (RMD) - Serviced

The Committee recommends that the application for Civic # 22 River Front Drive be granted approval in principle, permitting the construction of an accessory building.

Administrator recommended that this application be rejected.

Item # 5 Civic # 25 Hardings Hill

Accessory Building

Zoning: Heritage Community (HC) - Serviced

The Committee recommends that the application to construct an accessory building at Civic # 25 Hardings Hill be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Development Standard 38 (Accessory Buildings).

Administrator recommended that this application be rejected.

Item # 6 Civic # 919-921 Thorburn Road

Driveway Access

Zoning: Watershed (WAT) -Serviced

The Committee recommends that the application for Civic # 919-921 Thorburn Road be granted approval in principle, permitting the relocation of a driveway access. Approval in principle is subject to approval from the City of St. John's. 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 3.4.8 (i) (Watershed - General Intent) and Schedule C: Watershed.

Administrator recommended that this application be granted approval in principle.

**Item # 7 Civic # 36-38 Beachy Cove Road & 40-42 Beachy Cove Road
Change Use of Buildings
Zoning: Heritage Community (HC) - Serviced**

The Committee recommends that the application for Civic # 36-38 & 40-42 Beachy Cove Road be granted approval in principle, permitting the change of use of existing buildings from commercial to residential. Approval in principle is subject to public notice regarding the change of use. 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 32 (Notice of Application), Development Standard 49 (Non-Conforming Use) and Schedule D: Off-Street Parking Requirements.

Administrator recommended that this application be held pending the results of the public notice advertisement.

Correspondence:

Item # 10 Eastern Newfoundland Regional Appeal Board - Decision of Appeal

The Planning Department is in receipt of a decision from the Eastern Newfoundland Regional Appeal Board regarding Councils decision to reject an application to subdivide property and construct a double dwelling. The Board determined that Council had the authority to refuse this application.

Item Submitted for Information.

Item # 11 Department of Municipal & Intergovernmental Affairs - Municipal Plan Amendment No. 25, 2014 & Development Regulations Amendment No. 55, 2014 (New School)

The Planning Department is in receipt of correspondence from the Department advising that the above noted amendments have been registered. Notice of Registration for these amendments was published in the Newfoundland and Labrador Gazette on September 12th, 2014 and in the Telegram on September 13th, 2014.

Item Submitted for Information