



TOWN OF PORTUGAL COVE-ST. PHILIP'S

October 21, 2014

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Johnny Hanlon
	Town Manager	Chris Milley
	Director of Financial Operations	Tony Pollard
	Director of Economic Development	Jeff Lawlor
	Planning & Dev. Co-coordinator	Les Spurrell
Town Clerk	Judy Squires	

Mayor Tucker called the meeting to order and welcomed the gallery of 12 persons in attendance. Regrets received from Councillor Facey.

ADOPTION OF AGENDA

Motion: Collins/Will
2014-349 Resolved that the Agenda dated **October 21, 2014**, be adopted as presented.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Bartlett/Hanlon
2014-350 Resolved that the minutes of **October 7, 2014**, be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

The Town Manager commented on the following items included in his written report to Council:

- Action Items – 9 new, 5 complete and 29 remaining
- Early Sunday morning staff made background preparations in the event that hurricane Gonzola materialized and thankfully no action was required.
- Staff are currently preparing for the upcoming Budget Consultations/presentations.

In response to questions arising it was noted that the community profile will be available once the business listings are done in the next month or so.

COMMITTEE REPORTS

Planning & Development Report of October 14 2014 presented by Councillor Collins

Municipal Plan and Development Regulations

Prior to reading the report, Councillor Collins was pleased to announce that the Municipal Plan and Development Regulations 2014-2024 have now been registered with the Department of Municipal Affairs and advertised in the NL Gazette. This plan repeals and replaces the 1996 Town Plan.

Councillor Collins expressed congratulations to Council and sincere gratitude to the Planning Coordinator and staff of the planning and development department for their hard work and dedication to this project. Residents in the gallery also expressed their congratulations to the Town Council/staff on this accomplishment.

Report items:

The following Items have been considered and/or recommended by the Planning and Development Committee in accordance with the Town's Municipal Plan and Development Regulations 2014-2024 and shall be subject to all other regulatory government agencies.

1. 15-19 Nearys Pond Road

Motion: Collins/Hanlon
2014-351 Resolved that Council 'lift' the 'Stop Work Order' (Motion # 2013-192) placed on property at Civic # 15-19 Nearys Pond Road as per Appendix A: Tabled Report.
Carried Unanimously

Motion: Collins/Will
2014-352 Resolved that the application for Civic # 15-19 Nearys Pond Road be granted approval in principle, permitting the subdivision of property and construction of a single dwelling as per Appendix A: Tabled Report.
Carried Unanimously

2. 7-11 Millers Road

Motion: Collins/Bartlett
2014-353 Resolved that the application for Civic # 7-11 Millers Road be granted approval in principle, permitting the demolition of a single dwelling and accessory building and the subdivision of property into three parcels for the construction of single dwellings as per Appendix A: Tabled Report.
Carried Unanimously

3. 116-120 Bennetts Road

Motion: Collins/Butler
2014-354 Resolved that the application to construct a driveway access at Civic # 116-120 Bennetts Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

4. 584-588 Old Broad Cove Road

Motion: Collins/Bartlett
2014-355 Resolved that the application for Civic # 584-588 Old Broad Cove Road be granted approval in principle, permitting the subdivision of property, backfilling and stream diversion as per Appendix A: Tabled Report.

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

5. The Committee discussed comments on the draft residential subdivision agreement received from The Porches of St. Philip's Residential Subdivision as per Appendix A: Tabled Report.

6. The Committee discussed the Notice of Appeal Hearings received from the Eastern Newfoundland Regional Appeal Board as per Appendix A: Tabled Report.

7, 50-52 Knapps Road

Motion: Collins/Butler
2014-356 Resolved that Council issue a Removal Order against a structure (accessory building) on property at Civic # 50-52 Knapps Road which was constructed without a permit as per Appendix A: Tabled Report.

Carried Unanimously

8. There were twenty eight (28) permits issued from September 26th to October 8th, 2014.

Recreation /Lifestyle Committee Report – October 14, 2014 presented by Cllr. Bartlett

1. Rainbow Gully Playground Surface

The Recreation Committee discussed the installation of the pour and play low impact surface in the Rainbow Gully Playground.

Motion: Bartlett/Hanlon
2014-357 Resolved that as per our membership agreement, Grand Concourse will prepare and install the pour and play surfacing at Rainbow Gully Playground for the amount of \$76260.00 + HST.

Carried Unanimously

2. Killick Coast Games

To correction the information from the Recreation Committee minutes of September 30th, the funding for the Regional Games Program from the Department of Tourism, Culture, and Recreation will be available for application for 2015. However this funding may not be for the \$10000 amount as in previous years because there is a push to get more regions involved. The Recreation Director will make application for this grant and we will be hosting the games in 2015.

3. Budget

The Recreation Committee reviewed the items that have been submitted to the Director of Finance for the budget. Directors will be presenting to Council within the next couple of weeks for their thoughts and input.

Added item:

Councillor Bartlett noted that Learys Brook Jr. High Senior Soccer Team, coached by him and two other teachers, won school championships 4th year in a row and most of the teams members are from the Town of PCSP.

The Mayor and Councillors congratulated Clr Bartlett and asked that compliments be passed along to the team

Public Works Committee Report – October 15, 2014 presented by Councillor Bartlett

1. Structural Assessments – Spurrells Road Bridge and Millers Road Bridge

Inspections on Spurrells Road Bridge and Millers Road Bridge were completed on October 15; with a report expected week of October 20, 2014.

2. Building Assessment – Rainbow Gully & Voisey's Brook

As recommended by the Committee a service and maintenance check was performed on the Ventilation Systems by Newfoundland HVAC. The report recommended the placement of hoods over the outside vents at both facilities to possibly resolve the water leak issues experienced at these facilities. Staff is waiting for a quote on this work.

3. Capital Works Update

- Sanitary Sewer Project – Thorburn Road – is now complete. Staff are waiting received test results before connections can be completed. Patch work is underway. Re-capping of the road will take place next construction season.
- Dogberry Hill Bridge work is complete and reopened to two way traffic.
- Deficiency work related to the asphalt on the lower part of Thorburn Road and the installation of speed bumps is expected to be completed the week of October 20.

Economic Dev., Marketing & Communications Report – Oct. 15 presented by Clr Butler

1. Advisory Committee on the Environment (ACE) and Heritage Committee

Both committees are currently preparing to present to council at the pre-budget consultation session on Wednesday, October 22nd.

2. Placebuilder

Next steps for Placebuilder were discussed. Tract is currently completing an economic impact analysis on the potential projects; The Town is consulting with ACOA to determine if further economic assessments are required to maintain the support of ACOA. Upon completion of this step Council will be able to set priorities and have a public meeting outlining the results of the report.

3. Best of PCSP Awards and Business Summit

The Best of PCSP Awards will be on Wednesday, November 12th at Murray's Pond Country Club. Judging is currently underway with 12 final nominees for four awards. Royal Bank of Canada and Business Development Bank of Canada are sponsoring portions of the event and providing speakers for the Business Summit.

4. Reason for the Rink

Todd Churchill, resident and creator of Reason for the Rink is again requesting that the Town sponsor his project. The rink grows each year and at this point has raised over \$87,000. A sponsorship of \$1,000 is being requested for a logo on the ice and our flag raised over the rink. Easter Seals NL, Rainbow Riders Therapeutic Riding NL and Mazol Shriners and this year a 4th charity this year - The Cerebral Palsy Association of Newfoundland and Labrador (CPANL) have benefited from the project. The project has received provincial and national attention and is a great community project here in PCSP.

Motion: Butler/Collins
2014-358 Resolved that the sponsorship of Reason for the Rink (be approved) at a cost of \$1,000. The Town will receive advertisement in the form of a logo under the ice and the flag.
Carried Unanimously

5. Department Budget Submission

A draft budget request from the department was reviewed with the committee. The Director of Economic Development will be presenting to Council along with other Directors during the 2015 Budget process.

6. Pre-Budget Consultations

We have eleven confirmed presenters to council and six written submissions. Three sessions have been set and are being advertised for October for public meetings.

Wednesday, October 22nd – Registered Presentations by the public to council at the Town Hall starting at 7:00

Sunday, October 26th – 2014 Budget Review – “How much does it cost to run a Town?” is being held at St. Philip's Anglican Parish Hall at 2:00 pm.

Wednesday, October 29th – “Future Priorities and how they relate to Mill Rate” will be at the Murray's Pond Country Club at 7:00 pm.

Planned but yet to have dates confirmed will be the public meeting on the draft of 2015 Budget and the date of the formal announcement. Both expected in Mid-Late November.

7. My 311

The first phase of My 311 has been launched on the website. Our search engine is now powered by this software. We are still working on some technical issues with its rollout, but all are encouraged to use the search engine and report back if any information is missing. The search engine is now meant to be more intuitive by responding to the user's questions.

8. Business Retention and Expansion

The province has confirmed a total of 15 businesses that they will target with the Business Retention and Expansion Program. The Director of Economic Development is working with the Department of Business, Tourism, Culture and Rural Development to execute the interviews with the business owners.

Protective Services Committee Report – October 15, 2014, presented by Councillor Hanlon

1. Fire & Emergency Services Updates

- Chief Hollett is out of town until the 29th of October.
- Fire Prevention Week went ok, school presentations had to be moved due to an unforeseeable reason, the Open House and Parade had to be rescheduled due to weather concerns.
- Members are doing training this week in the Mobile Burn Unit in CBS.
- All else is status quo.

2. Safety Concerns in Parks

The Committee discussed the safety and security concerns around the parks that were brought forward through the Recreation Committee. The Committee noted these concerns are well known and are being addressed in the 2015 budget consultations.

3. Former Swine Breeding Station Fencing

The Dept. of Transportation Works has given the Town an update on the former Swine Breeding Station site. The security fencing is substantially finished and inspections are scheduled for next week. Hazard warning signs have been installed on the roads and on the fence surrounding the site. The buildings are intended to be demolished and an environmental consultant has been appointed to assess the site for the demolition.

4. Road Safety

The Safe PCSP Community Group has started an email campaign regarding road safety and a meeting for this group needs to be scheduled for the near future. Residents are encouraged to call the Royal Newfoundland Constabulary when they see any kind of infraction. The RNC have stated that they allocate resources based on the number of complaints received. Pedestrian safety concerns are a priority item in the 2015 budget consultations.

5. Municipal Enforcement

No new updates at this time.

Admin. and Finance Committee Report – October 14 2014 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Collins
2014-359 Resolved that Council pay Regular Accounts in the amount of \$91,353.12 and Capital Accounts in the amount of \$608,057.79 for a total of \$699,410.91
Carried Unanimously

2. Discussion Items

The Director of Financial operations updated the committee on a meeting with Safe PCSP regarding Sidewalks and advised on progress towards project costing for submissions for funding under the Canada Building Fund.

A number of identified potential projects, sidewalks, water meters, curb and gutter, Trail plans, sludge drying and bridge replacement projects are currently being costed for further discussion

and prioritization. The Director Financial Operations indicated he would forward information as it becomes available and draft a motion as necessary in support of chosen projects.

The committee briefly touched on budget consultation timeframes and the Director of Finance suggested a Monday meeting with Council to have initial budget discussion and hopefully come to some directional consensus on the approach to budget given the increased requirement to become self-sustaining and move toward a longer term approach to asset and debt management.

CORRESPONDENCE

(a) Proclamation - Mayor Tucker read and proclaimed 'November is Diabetes Month'

NEW/GENERAL/ UNFINISHED

Item presented by chair of Admin/Finance, Deputy Mayor Will as follows:

1. Canada Building Fund applications

With the deadline for submissions to the new Building Canada Fund fast approaching and some proposed projects still awaiting costing the committee recommends that council at this time ,approve two projects for submission to the fund:

Motion: Will/Hanlon
2014-360 Resolved that the project to construct 5.2 km of trail from Rainbow Gully to Broad Cove Beach and to complete 2.8 km of trail at Voisey's Brook Park in the amount of \$1,200,000 plus HST be submitted to the New Building Canada Fund.
Carried Unanimously

Motion: Will/Bartlett
2014-361 Resolved that the project to provide a Sludge dewatering system for the Waste Water Treatment Plants in the amount of \$132,111 plus HST plus a 20 % contingency for freight and spare parts be submitted to the New Canada Building Fund.
Carried Unanimously

Other items from the Mayor:

- Children's Wish Foundation walk being held at Rainbow Gully Park from 1-3 pm Sunday. A sponsor sheet will be circulated and placed in the front office for donations to this worthy cause.
- The Killick Coast Mayors are looking at sharing common services on a per capita basis as part of the Accord agreement signed last spring. They met at the Logy Bay-Middle Cove-Outer Cove Town Hall on Oct. 2nd and there was also a meeting of 15 Towns regarding the NEAR Plan (also attended by Les Spurrell, Planning Coordinator) and support for the ideas discussed by the Killick Coast Mayors at the conference room, West Block, Confederation Building
- Saturday, Oct. 18th the 2nd annual animal (fish) release was held by the Petty Harbour Mini-Aquarium Association and it was well attended by a couple hundred people.
- The Mayor and Councillor Collins attended MNL Convention held in Corner Brook last week and the two resolutions submitted by PCSP (one re ATIPPA and one re Fire Bans) were passed unanimously.
- The Financial Fiscal Framework project put forward by MNL is moving along with hopes of action in upcoming provincial budget
- Mayor Tucker reported that Councillor Collins was recognized at the MNL Convention for his 16 years of service and congratulations were extended by fellow councillors

ADJOURNMENT

Motion: Collins/Will
2014-362 Resolved that this meeting be adjourned. Time 8:35 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

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

**Appendix A: Tabled Report
October 14th, 2014**

Applications:

- 1) **Civic # 15-19 Nearys Pond Road
Single Dwelling
Zoning: Residential Medium Density (RMD) - Serviced**

Motion: The Committee recommends that Council 'lift' the 'Stop Work Order' (Motion # 2013-192) that was placed on the subdivision of property and construction of a single dwelling at Civic # 15-19 Nearys Pond Road on May 29th, 2013.

Motion: The Committee recommends that the application for Civic # 15-19 Nearys Pond Road be granted approval in principle, permitting the subdivision of property and construction of a single dwelling. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government.

Administrator recommends that the Stop Work Order be lifted and that this application be granted approval in principle.

- 2) **Civic # 7-11 Millers Road
Demolish Single Dwelling & Accessory Building, Subdivide Property & Construct Single Dwellings
Zoning: Residential Medium Density (RMD) - Serviced**

Motion: The Committee recommends that the application for Civic # 7-11 Millers Road be granted approval in principle, permitting the demolition of a single dwelling and accessory building and the subdivision of property into three parcels for the construction of single dwellings. Approval in principle shall be in full compliance with the Town's Municipal Plan & Development Regulations and all other regulatory bodies of government.

Administrator recommends that this application be granted approval in principle.

- 3) **Civic # 116-120 Bennetts Road
Driveway Access
Zoning: Watershed (WAT) - Unserviced**

Motion: The Committee recommends that the application to construct a driveway access at Civic # 116-120 Bennetts Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Plan Policy PW-6 (Protected Watershed) and Schedule C - Protected Watershed Condition # 1 (Development Approval) as the application was rejected by the City of St. John's on September 22nd, 2014.

Administrator recommends that this application be rejected.

- 4) **Civic # 584-588 Old Broad Cove Road
Subdivide Property, Backfilling & Stream Diversion
Zoning: Residential Medium Density & Agriculture (RMD & AG) - Unserviced**

Motion: The Committee recommends that the application for Civic # 584-588 Old Broad Cove Road be granted approval in principle, permitting the subdivision of property, backfilling and stream diversion. Approval in principle is subject to review and comments from the Department of Environment and Conservation, Department of Fisheries and Oceans, and Department of Transportation and Works. Approval in principle is also subject to the submission of an engineering and hydrological design for stream diversion and site development to be reviewed by the Town's consulting 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 Plan Policy GE-4 and Plan Policy GE-7 (Protection of Environmentally Sensitive Areas), Plan Policy RES-19 (Watercourse and Wetland Protection), Development Standard 67 (1) (Stormwater Management), Development Standard 70 (3) (Soil Removal and Deposit and Site Grading), Schedule C - Use Zones Condition # 12 (Environmental Protection), Schedule C - Residential Medium Density and Schedule C - Agriculture Condition # 3 (Development Criteria).

Administrator recommends that this application be granted approval in principle.

Correspondence:

- 5) **The Porches of St. Philip's Residential Subdivision - Comments on Draft Residential Subdivision Agreement**

The Planning Department is in receipt of correspondence from the Developer of The Porches of St. Philip's Residential Subdivision requesting that two (2) changes be made to a draft Residential Subdivision Agreement that was forwarded to them for review.

The Committee advises that as per a Council meeting held on August 26th, 2014, no timeline will be established regarding the re-conveyance of Lot # 9 of The Porches of St. Philip's Residential Subdivision and that it will be at the discretion of Council if and when this lot will be re-conveyed to the Developer.

6) Eastern Newfoundland Regional Appeal Board - Notice of Appeals

The Planning Department is in receipt of notices from the Eastern Newfoundland Regional Appeal Board that appeals have been filed against the following:

- a decision of Council to reject an application to construct an accessory building at Civic # 13 Emylia Place on August 26th, 2014, and;
- a Removal Order issued by Council for a structure constructed without a Permit at Civic # 75-85B Round Pond Road.

Item Submitted for Information. Planning Staff will forward the information requested to the Board.

Discussion:

7) Civic # 50-52 Knapps Road - Development without a Permit

Planning Staff discussed a Development of an accessory building without a permit.

Motion: The Committee recommends that Council issue a Removal Order against a structure (accessory building) on property at Civic # 50-52 Knapps Road which was constructed without a permit.