



TOWN OF PORTUGAL COVE-ST. PHILIP'S

January 27, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Councillors:	Dave Bartlett
		Joe Butler
		Norm Collins
		Aaron Facey
		Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Director of Financial Operations	Tony Pollard
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 8 persons in attendance, noting regrets from Deputy Mayor Will.

ADOPTION OF AGENDA

Motion: Facey/Collins
2015-014 Resolved that the Agenda dated **January 27, 2015**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Bartlett/Butler
2015-015 Resolved that the minutes of **January 13, 2015** be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

The Town Manager reported on the following items:

1. Action list updated with 18 new, 24 completed and 23 remaining items
2. Met with co-chiefs and Architecture 49 (experienced architecture firms in the field of Fire Hall programming and design) in the ongoing process to determine the feasibility of the Public Works Depot/Fire Hall project.
3. Canadian Infrastructure Report Card Survey, will be finalized by the new deadline of Jan. 30th.
4. Basic Emergency Management Training was attended by some staff on January 21-22nd and others are scheduled for February, and some will continue on with Emergency Operations Center Training at a later date.
5. New School – site work started yesterday to create a temporary access road from Rainbow Gully so activity will be fairly low key until heavy earthmoving starts to happen a little later on.

COMMITTEE REPORTS

Planning & Development Report - January 20, 2015 presented by Councillor Collins:

1. 20-30 Coadys Road

Since the last Committee meeting Council met with Bishop Peddle, representatives of Church by the Sea and the Town's Heritage Committee in regard to the proposed demolition of the old church building at Civic # 20-30 Coadys Road. The Committee requests that Item # 1 be held for further discussed at the next Committee meeting pending further review of the application and information, as the result of the meetings.

Note: in addition to the above information, Councillor Collins reported on a recent site visit.

2. 537 Old Broad Cove Road

Motion: Collins/Butler

2015-016 Resolved that the application to subdivide property and construct a residential subdivision at Civic # 537 Old Broad Cove Road be rejected as per Appendix A: Tabled Report.

Carried Unanimously

3. 907A Indian Meal Line

Motion: Collins/Bartlett

2015-017 Resolved that the application to construct a single dwelling at Civic # 907A Indian Meal Line be rejected as per Appendix A: Tabled Report.

Carried Unanimously

4. 275-277 Dogberry Hill Road

Motion: Collins/Butler

2015-018 Resolved that the application to perform backfilling of land at Civic # 275-277 Dogberry Hill Road be rejected as per Appendix A: Tabled Report.

Carried Unanimously

5. Notice of Appeal – 13 Emylia Place

The Planning Department is in receipt of a notice from the Eastern Newfoundland Regional Appeal Board that the appeal against Councils decision to reject an accessory building application at Civic # 13 Emylia Place will be heard on February 4th, 2015 at 9:00 am at the Fairfield Inn & Suites, St. John's. Item Submitted for Information.

6. 170 Bennetts Road

Motion: Collins/Bartlett

201-019 Resolved that Council 'lift' the 'Stop Work Order' (Motion # 2013-191) that was placed on the operation of a personal service business at Civic # 170 Bennetts Road, on June 4th, 2013.

Carried Unanimously

7. There were nine (9) permits issued from January 2nd to January 15th, 2015.

Recreation /Lifestyle Committee Report – January 20, 2015 presented by Councillor Facey:

1. Rainbow Gully Walking Trails

The Department of Education will be preparing the site for the new Middle School in Portugal Cove – St. Philip’s within the next couple of months. The project will mean the closure of the Rainbow Gully walking trail. It is the intention of the Recreation Department to relocate the walking trail network in the future, post school completion. Further details on the trail system will be made public when available. Notices of the closure will be posted in Rainbow Gully, on the website, on Facebook, and twitter.

2. Voisey’s Brook Park – Naming of Facilities

The Recreation Committee held discussions regarding the naming of the facilities in Voisey’s Brook Park. Over the last number of years residents have contacted staff and/or Councillors suggesting that the Town name the softball field and soccer field after individuals from the community. The Recreation Department will work with the Heritage staff to ensure all information is gathered. It is the intention of the Recreation Committee to have the recommendation in place and the facility naming to be announced at the reopening of Voisey’s Brook Park. The Committee also discussed ways to acknowledge other individuals who have contributed to sport and recreation in our community. Staff will gather information on this and it will be discussed at a later date.

3. Community Clean Up and Bulk Garbage

The Recreation Department and the Public Works Department met to discuss the options for Community Clean up and Bulk Garbage Activities. The departments wanted to coordinate activities to ensure there would be no overlap of resources

4. Reason for the Rink – Charity Game

The Reason for the Rink Charity Game has been changed from the “Killick Coast Cup” to the “Community Challenge”. Communities from the Killick Coast we unable to commit. It is now a friendly competition between the Town of Portugal Cove – St. Philip’s and the Town of Paradise. The date has also changed due to ice conditions and scheduling modifications by the coordinator. The new date is February 15th. This date is during the week of the Winter Carnival which allows the opportunity for promoting the event is our Winter Carnival advertising. The information will also be changed on our website, Facebook page, and twitter. Be sure to come out and watch! Visit Reason for the Rink website to details and donation information.

5. Volunteer and Athletics Awards Program

The Recreation Department is gathering information on other recognition programs that exist around and Province and across Canada. The purpose of this is to try and garner more interest in the current program we have plus add an athletic component to it. The department will compile all the information and pass it along to the Recreation Committee for review. We hope to roll the new program out by the middle of February.

Item added at meeting by Mayor Tucker:

Congratulations extended to Rebecca Squires, daughter of residents Tony & Millicent Squires. Rebecca just returned from Las Vegas where she competed in two gymnastics events, winning Gold and Bronze. She will be representing Canada at the Pan Am 2015 Summer Games. Councillor Facey will arrange with the Director of Recreation to have a congratulatory letter sent to her on behalf of Council.

Public Works Committee Report – January 21, 2015 - presented by Councillor Bartlett:

1. Public Works Reports:

Committee was provided with updates on Water Consumption, Driver Feedback (Radar Sign) data and Landfill Usage. These updates are presented to Committee on a monthly basis. Water consumption levels were higher than budgeted for 2014; this is a consistent trend across all municipalities participating in the Regional Water Authority. With respect to the Driver Feedback (Radar Sign) data, issues of high speeds continue to be a concern on Dogberry Hill Road. Staff will provide a data report to the Protective Services Committee for forwarding to the Royal Newfoundland Constabulary.

2. Public Works Updates:

- a) Bridge Assessments, Miller's and Spurrell's Road – Staff updated Committee on the contract that is in place with Tiller Engineering for engineering design and replacement of the bridges on Spurrell's Road and Miller's Road. Throughout the design process, updates will be brought to Committee for input. Initial design concepts are focused on the implementation of steel structures, as opposed to the traditional concrete culvert structures, due to the cost efficiencies associated with this type of material.
- b) Depot Relocation – Staff updated Committee on the contract with Altus Group for the appraisal of lands being considered for the potential location of a centralized Depot/Fire Hall facility. Work is ongoing in this regard and a report from Altus Group is expected within a 3-4 week timeframe.
- c) Provincial Roads, Areas of Concern – Committee discussed the response from Transportation and Works following the Town's correspondence to the provincial Department outlining areas of concern on provincially-owned and maintained roads. This correspondence was previously circulated to Council. There were no commitments outlined in the correspondence to address any of the concerns identified by the Town.
- d) Animal Health and Protection Act – Committee was advised that two Public Works employees, Wesley Tucker and Frank Dwyer, have completed training related to the provincial *Animal Health and Protection Act*. Both employees will be licensed as inspectors with the ability to enforce requirements of the Act. The process for licensing is underway. Congratulations and thanks are extended to both employees for their participation in this training.
- e) Sign Requests to Transportation and Works – Staff advised Committee that signage requests were submitted to the provincial Department of Transportation and Works for the following: "40kph" speed limit sign on Tucker's Hill, "Busses Stopping" heading towards Beachy Cove School zone, and "50kph Ahead" to be placed between the 70kph and 50kph coming into the Town boundary at Windsor Lake. Transportation and Works advised Staff that this request has been placed on the department's summer maintenance schedule.

- f) Video Cameras – Committee was advised security camera installation is now complete at the Depot and live feeds are active. The implementation of this system enhances safety and security for the facility and Town staff.
- g) SafePCSP – The Director of Public Works met with a representative of SafePCSP as per a prior request of Committee. The purpose of the meeting was to discuss how the operations of the Public Works department might support and/or align with the priorities identified by SafePCSP. A brief report on this meeting will be forwarded to the Protective Services Committee as this is the liaison committee for SafePCSP.

3. Leak Detection

As per the 2015 budget, work is underway on a leak detection program. Initially, a focused amount of leak detection work will be contracted for an area of Portugal Cove Road. Arrangements have also been made with the provincial Department of Environment to begin in-the-field training for select Public Works employees and program planning for the spring of this year. Contact has also been made with neighboring municipalities to facilitate sharing of best practices from those jurisdictions.

4. Loop Drive – Next Steps

As follow-up to a survey conducted in the latter part of 2014, Committee will revisit the survey results related to the potential change in traffic direction on Loop Drive. Staff will also follow-up with the Department of Transportation & Works to discuss any plans the provincial Department may have under consideration for this area and solicit feedback with respect to a change in traffic direction.

Economic Development, Marketing & Communications Report - no meeting held, updates report presented by Councillor Butler

1. 1894 St. Philip's Church

A site visit was conducted on January 26th with Rev Keeping, members of Town Council, staff, Church by the Sea and the Heritage committee as Council continues to meet with all stakeholders to explore options.

2. Heritage Committee

The committee wishes to convey to Mayor and Council that at a meeting of the Heritage Committee on Thursday, January 22nd, 2015, it was voted on and passed with a five to one vote that the Heritage Committee will support the Town Council in investigating the option of relocating the 1894 St. Philip's Church as well as other options. They do request to be part of that process.

3. Budget Feedback Survey

The Budget Feedback Survey has been up for two weeks now and 30 people have completed. A summary will be compiled at the end of February. Residents are asked to take the time to fill it out by February 28th.

4. Placebuilder

Meetings with community groups have been arranged for input prior to a public meeting in late February. Numerous action items are being undertaken by staff and Tract to complete the project by early March.

5. Advisory Committee on the Environment (ACE)

Mr. Shawn Kean has expressed interest in joining the Environment Committee. His credentials were shared with the Economic Development committee and he will be invited to attend the next meeting.

6. Sharepoint

Training was delayed a week and will now take place Thursday, February 5th. Council will then be trained by the Director of Economic Development.

7. Mondopad

Quotes for the Mondopad have been finalized and information will be sent to Administration and Finance Committee for consideration. This is a budgeted item.

Protective Services Committee Report – January 20, 2015 – presented by Councillor Hanlon:

1. Fire & Emergency Services Updates

- Recruitment is in progress, now in the process of interviewing potential candidates.
- The storage lockers for the bunker gear are expected to be received sometime in the next two weeks
- The draft Open Air Burning Regulations have been requested to be returned to the Committee in preparation for the burning season.

2. Pedestrian Visibility Initiative

The Committee further discussed the idea of an initiative to help increase the individual visibility of pedestrians along the roadways in the Town. The Committee will be working with SafePCSP on this as it was part of their proposal to Council for pedestrian safety. Municipal Liaison Sgt. Kevin Foley of the RNC will be invited to attend the next Protective Services Committee meeting, February 3, 2015 to discuss further initiatives.

3. Jackhammering Hours and Excluding Blasting During Bird Breeding Months

The Committee discussed changes to the Town's existing Nuisance Regulation. Staff will prepare recommended changes to be reviewed at the next Committee meeting. If acceptable, a Notice of Motion will be prepared for the February 10, 2015 Council meeting.

4. Civic Number Identification

The Committee discussed the importance of education and promotion of civic numbering. All residents are encouraged to have their homes and property clearly identified and highly visible from the roadway. This is especially important in the event of an emergency as first responders will need to find your location as quickly as possible.

5. Speeding Concerns on King's Hill Road

The Committee reviewed a complaint from a resident with safety concerns on King's Hill Road. The resident believes that the temporary speed bumps are working and would like to see them installed as a year round measure. This is the first year the Town has installed permanent speed bumps in some test locations and we are waiting on the feedback as to their feasibility, so far it does look promising. It was noted that King's Hill Road is a major artery for the Fire Department and that this should be considered when deciding what type of traffic calming solution to use in this location.

6. Municipal Enforcement

The process of gathering information from comparable municipalities is ongoing and a compilation report will be brought back to the Committee as soon as possible.

Item added at Council Meeting:

Councillor Hanlon read an email received by Council from resident Barb Yetman who wished to congratulate the Town's Volunteer Fire Department on their response to a recent event. She noted that she was proud of the individuals who responded whom she named in her email. She was impressed by their knowledge and made particular reference to Capt. Hynes, Capt. Donovan and Fire Fighter Karen Squires. Council expressed their appreciation and thanks for their continued service to the Town and community.

Admin. and Finance Committee Report – January 20, 2015 – presented by Councillor Butler:

1. Accounts for Payment

Motion: Butler/Collins
2015-020 Resolved that Council approve the accounts for payment as follows:
Regular Accounts - \$ 91,853.31
Capital Accounts - \$ 185,502.46
Totaling \$ 277,355.77
Carried Unanimously

2. Donation

Motion: Butler/Hanlon
2015-021 Resolved that Council approve a donation of \$200 for the 1st Portugal Cove Boy Scouts to attend Camp Nor'Wes jamboree June 26-29th.
Carried Unanimously

3. East Coast Trails funding

Motion: Butler/Hanlon
2015-022 Resolved that further to the commitment made by the Town on December 6, 2011 (Motion #2011-287 Resolved that Council support the request for assistance from the East Coast Trail Association to construct a 15km trail between Bauline and Portugal Cove in the amount of \$40,000) that the Town approve payment and release of these funds to the East Coast Trail Association.
Carried Unanimously

4. Other items discussed:

Committee were provided with updates by the Town Manager regarding ongoing legal matters and several other items were also discussed as follows: possible submissions for Take Charge NL; the potential water metering pilot and the interest in water metering by other municipalities; and the extensive requirements which need to be considered for completion of the Asset Management Plan.

CORRESPONDENCE

(a) **Minister of Transport, Government of Canada** – acknowledgement response to the Town’s letter concerning Canada Post

(b) **Municipal and Intergovernmental Affairs** – circular re amendment to Municipalities Act (disposal of municipal property)

NEW/GENERAL/UNFINISHED BUSINESS

(1) New item raised by Councillor Collins regarding January Northeast Avalon Times article written by Robin McGrath entitled “Pathetic in Pink”.

Councillor Collins expressed his concerns regarding the recent article and was joined by several other members of Council expressing their views. It was stated that the article was offensive, disrespectful and an insult to the community. It was the consensus of Council that their disapproval of the article being noted in these minutes.

For the record: Councillor Collins and Councillor Bartlett asked to go on record that they would like to see a letter written to the paper even though there was not a consensus of Council to do so.

(2) Regulations regarding Rules of Procedures Governing Meetings

Mayor Tucker advised that a draft amended set of procedures were circulated to Council some time ago for their review. It is intended that a Notice of Motion will be included with the next meeting package on February 10th advising that these will be coming forward for adoption at the Council meeting of February 24th. The Town Clerk will re-send the document for Council’s review and it is expected that this review will be completed prior to those dates.

ADJOURNMENT

Motion: Facey/Hanlon
2015-023 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
January 20th, 2015**

Applications:

Item # 2: Civic # 537 Old Broad Cove Road

Residential Subdivision

Zoning: Residential Medium Density & Residential Rural (RMD & RR) - Unserviced

The Committee recommends that the application to subdivide property and construct a residential subdivision at Civic # 537 Old Broad Cove Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Plan Policy SD-6 (d) (Council Decision), Plan Policy SD-7 (Open Space Dedications), Plan Policy RES-8 (Council Control of Land Development), Plan Policy RES-9 (Council Control of Land Development), Plan Policy RES-14, RES-16, RES-17 and RES-18 (Street Design and Construction Standards), Plan Policy T-10 and T-11 (Local Roads), Plan Policy 4.1 (3.1) (Subdivision Proposals and Agreements), Development Standard 59 (Street Construction Standards), Subdivision of Land Regulation 83 (Permit to Subdivide Subject to Considerations), Subdivision of Land Regulation 88 (Land for Public Open Space) and Subdivision of Land Regulation 90 (Subdivision Design Standards).

Item # 3: Civic # 907A Indian Meal Line

Single Dwelling

Zoning: Mixed Use & Residential Low Density (MIX & RLD) - Unserviced

The Committee recommends that the application to construct a single dwelling at Civic # 907A Indian Meal Line be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically Plan Policy GL-6 (General Layout Policies), Plan Policy GLU-9 (Access to Public Streets and Roads), Development Standard 48 (Existing Lot Area and Size Exceptions) and Schedule C: Mixed Use.

The Administrator recommended that this application be rejected.

Item # 4: Civic # 275-277 Dogberry Hill Road

Backfilling

Zoning: Residential Medium Density (RMD) - Unserviced

The Committee recommends that the application to perform backfilling at Civic # 275-277 Dogberry Hill Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, specifically General Regulation 70 (Soil Removal and Deposit and Site Grading) and Schedule E: Environmental Protection Overlay Condition # 4 (Steep Slopes).

The Administrator recommended that this application be rejected.