



TOWN OF PORTUGAL COVE-ST. PHILIP'S

March 24, 2015

Regular Public Council Meeting 7:30 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler
		Aaron Facey
		Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Director of Financial Operations	Tony Pollard
	Dir. of Ec. Dev., Marketing & Comm.	Jeff Lawlor
	Planning & Dev. Coordinator	Les Spurrell
Town Clerk	Judy Squires	

Mayor Tucker called the meeting to order, welcomed the gallery of 12 persons in attendance and noted regrets from Councillor Collins.

ADOPTION OF AGENDA

Motion: Will/Hanlon
2015-077 Resolved that the Agenda dated **March 24, 2015**, be adopted.
Carried Unanimously
(correction to item 9 (1) changed from Draft Nuisance Regs. To Draft Open Air Regs.)

ADOPTION OF MINUTES

Motion: Bartlett/Butler
2015-078 Resolved that the minutes of **March 10, 2015** be adopted as circulated.
Carried Unanimously

BUSINESS ARISING - no report for this meeting

COMMITTEE REPORTS

Planning & Development Report – March 17, 2015 presented by Councillor Butler:

1. 20-30 Coadys Road

The processing of an application to demolish the old church building at Civic # 20-30 Coadys Road remains on-going and the Committee requests that Item # 1 is held pending further review.

2. 30-32 Mitchells Pond Place

Motion: Butler/Will
2015-079 Resolved that the application to construct a single dwelling at Civic # 30-32 Mitchells Pond Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 508-510 Old Broad Cove Road

Motion: Butler/Will
2015-080 Resolved that the application to subdivide property and construct a single dwelling at Civic # 508-510 Old Broad Cove Road be rejected as per Appendix A: Tabled Report.
Carried. For: Bartlett/Butler/Facey/Tucker/Will
Against: Hanlon

Note: In response to Councillor Hanlon's inquiry, it was confirmed that this was a backlot application and no longer permitted in the current Town Plan.

Councillor Facey suggested that the Town give guidance and options to all applicants who have their applications rejected and furthermore requested, and it was agreed by the Chair, that the Planning & Development Committee give this process consideration at an upcoming meeting.

4. 13 Emylia Place

Motion: Butler/Bartlett
2015-081 Resolved that the application to construct an accessory building at Civic # 13 Emylia Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. Crown Land Recommendation

Motion: Butler/Will
2015-082 Resolved that the Municipal Recommendation Form for Crown Land at the intersection of Beachy Cove Road and Patricia Drive be refused as per Appendix A: Tabled Report.
Carried Unanimously

6. 1777 and 1779-1781 Portugal Cove Road

At the Public Meeting of March 10th, 2015, Council held this item pending a meeting between the Property Owner and the Planning and Development Committee to discuss the restoration/reinstatement of property located at Civic # 1777 & 1779-1781 Portugal Cove Road. This meeting was scheduled for March 17th, 2015; unfortunately, the Developer was unable to attend due to a work conflict.

Note: The committee originally proposed to present a motion however the P & D chair advised, and it was agreed by consensus, that this item is further deferred to the following Council meeting in order to meet with the developer.

7. There were eight (8) permits issued from February 27th to March 12th, 2015.

Recreation /Lifestyle Committee Report – March 17, 2015 presented by Councillor Facey:

1. Volunteer Week Proclamation

Members of the Community Sector Council; Pam Corrigan and Michelle Hunt, CSC Honorary Patrons; Dr. Andrew Furry and Jim Burton, Mayor Moses Tucker and Councillor Facey, Council Hanlon and Councillor Bartlett signed the proclamation for the 2015 Volunteer Week happening from April 12th – 18th. As previously mentioned the Volunteer and Athletics Gala will take place on Thursday, April 16th at the St. Philips Anglican Church. Invitations have been sent out to all Council Members, Community Groups and Organizations, as well as individual Volunteers from our community. We would ask Council members to reach out to the residents that they know who are active in this community and encourage them to nominate people that they know who make a difference.

2. Long Way Home Campaign

This year marks the final track of the journey that MCpl. Kate MacEachern (retired) will be making for the Long Way Home Campaign. This campaign is to raise money and awareness for those who are suffering from Post-Traumatic Stress Disorder (PTSD). Her journey ends with her walk from Saskatchewan to British Colombia. Cpl. Joanne Power (retired) from the Royal Canadian Legion, Branch 10, will be MCpl. MacEachern’s driver and support for this journey. To launch this event MacEachern will be visiting the Province and a reception will be hosted at the Lieutenant-Governors Home on Friday, April 17 at 10 am. Invitations for this event will be sent to Mayor and Council. The Recreation Staff will coordinate with the organizers of the event to confirm who will be attending. The Town will also send a formal correspondence to MCpl. MacEachern and Cpl. Power as they journey with the Long Way Home Campaign.

3. Donation

After reviewing the Community Grant Application the committee put forward the following motion.

Motion:	Facey/Bartlett
2015-083	Resolved that Town donate \$100 to Zach Payne who will be travelling to Edmonton, Alberta to participate in the Men’s Under 18 International (Curling) Championships.
Carried	Unanimously

Public Works Committee Report – March 23, 2015 - presented by Councillor Bartlett:

1. Millers Road Bridge

Committee was advised that the Tender for Millers Road Bridge was advertised in The Telegram on Saturday, March 21, 2015. All submissions will be managed by Tiller Engineering on the Town’s behalf.

2. Leak Detection

Committee was presented with a plan for phase 1 of a leak detection program for the Town. Phase 1 will entail noise listening of all hydrants throughout Town, using a specialized device, to isolate potential leak locations. A priority plan will then be developed to undertake further investigation for areas with leak potential. Crosbie Industrial has submitted a quote to complete the work. This work was budgeted for 2015. (continued...)

Motion: Bartlett/Hanlon
2015-084 Resolved that Crosbie Industrial be engaged to undertake a hydrant noise listening program at a cost of \$5,700 +HST.
Carried Unanimously

3. Depot Relocation

As follow-up to the motion of Council 2015-074, staff provided an update to Committee that legal documentation for the preferred parcel of land has been drafted and is expected to be sent to the property owner by the end of the week.

4. Training & Seminars

Staff updated Committee that two Public Works staff are attending a “Clean and Safe Drinking Water Workshop” in Gander this week (March 24-26, 2015). An equipment operator with the Public Works team has been selected to attend the “APWA Snow Conference” in Grand Rapids, MI, during the week of April 12-15. These training seminars are an important opportunity to enhance employees’ skills and knowledge while also fulfilling the Town’s regulatory requirements. These sessions were budgeted for 2015.

5. Waste Management

Bulk garbage collection will resume in May and run until the end of November 2015. This service will be by appointment only. Residents interested in availing of the service can make an appointment by calling the Public Works office directly. As this service is available to residents seven months of the year and residents can also avail of the drop-off services at the Robin Hood Bay Regional Waste Facility, there will be no bulk garbage drop-off sites in the Town this year. Prior year drop-offs have resulted in excess garbage and litter deposited at the sites beyond the designated days and were not an efficient or effective means by which to manage bulk garbage disposal.

Garbage regulations have been drafted and are under review by senior management prior to forwarding to Committee and Council. All areas of waste management are being reviewed including schedules, garbage box use, bag limits, residential and commercial waste, and other related issues. Once a final draft has been completed, communication will be disseminated to residents regarding the new regulations.

6. Other Items Discussed

Items also discussed included Dogberry Hill Road infrastructure (relating to the new school) and fire hydrant maintenance.

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

Protective Services Committee Report – March 18, 2015 – presented by Councillor Hanlon

1. FES Updates

- Chiefs are preparing a cost sharing application for funding from FES-NL for a high-volume hose and fittings. Applications must be submitted by the end of March and paperwork should be ready for next Council meeting.
- Recruits will begin responding to emergencies after tonight. They will function in a limited role to the level of their current training. They will displace trained members on the vehicles if seating becomes an issue and on scene they will report to the officer in charge and be tasked to “shadow” a trained firefighter.
- Emergency Plan final touches are being prepared by chiefs and the exercise is a go for April 14, 2015, Council has been informed. This exercise will be beneficial to the entire organization.
- A number of Town staff members are attending Emergency Operations Centre Management (EOCM) training at FES-NL in the next couple of days, the chiefs will attend as well.
- The new pickup truck to replace Support 1 is now at Action Truck Caps for up fitting. Work is started and the new cap is expected next week. Once complete, Support 1 will come out of service and also go to Action Truck Caps for emergency lighting transfer. During that period Fire 1 (Chief’s truck) will be stationed at Portugal Cove station to substitute for the support.

2. Draft Nuisance Regulations

The Committee discussed a number of edits to the draft regulations and agreed more work is needed to bring these regulations to final stages. The Town Manager will continue to work on the draft framework.

3. SafePCSP 2015 Initiatives

Members of the community group SafePCSP discussed items from their proposal with the Committee and reviewed potential pedestrian safety initiatives for the group.

Note: Councillor Hanlon advised they hope to promote May as ‘Safe Pedestrian Month’ with some training sessions at the school and will have further details in upcoming meetings.

Admin. and Finance Committee Report – March 4, 2015 – presented by Deputy Mayor Will:

1. Accounts for Payment

Motion: Will/Butler
2015-085 Resolved that Council approve the accounts for payment as follows:
Regular - \$ 16,775.67
Capital - \$ 18,509.40
Totalling - \$ 35,285.07
Carried Unanimously

2. Other items discussed:

Further to Mr. Hammond’s presentation to Council last meeting regarding the busing issues in his Thorburn Woods neighborhood, the Town Manager advised that he has heard from more residents with similar concerns. He will bring this information to the Protective Services Committee as this issue was referred to them at that meeting.

3. Carried forward items:

Committee was provided with updates by staff regarding carried forward items which include: Gas Tax projects – no word back from Municipal Affairs on the projects submitted. Work is still ongoing for the Asset Management Plan. Water metering – in addition to the pilot project being considered, a developer is interested in placing water meters in new homes under construction in his development. The Town Manager noted that he and the Director of Public Works are looking into the model of meter required. The Committee also discussed at length HR and legal items which the Town Manager is currently working on and will bring back to committee for their recommendations to Council once he has finalized the information.

CORRESPONDENCE

1. RNC – re National Police Week May 10-16th – invitation
The Mayor will attend a service on May 13th at 11:00 a.m. being hosted by the 7th Day Adventist Church on 37 Aldershot Street.
2. Municipalities NL - re 2014 Resolution re Open Air Regulations – for info
(cc of letter to FES and cc of letter to Minister King)
3. NL Electoral District Boundaries Commission re Public Notice - for info

NEW/GENERAL/UNFINISHED BUSINESS

(a) Committee of the Whole – re compensation for school land

Mayor Tucker reported that the Committee of the Whole met on March 12, 2015, and discussed the province’s offer for compensation related to the value of land and the trail lost to expropriation (for the proposed new school). It is noted that this offer does not include compensation for the use of the soccer field or any for other lands outside of the expropriated lands. On behalf of the Committee of the Whole, Deputy Mayor Will presented the following motion:

Motion: Will/Bartlett
2015-086 Resolved that the Town accept the offer from the Newfoundland and Labrador English School District dated February 3, 2015, for compensation for the school land; and, furthermore, that this offer is subject to approval by the Minister of Education.
Carried Unanimously

Note: the details of this negotiation are subject to ATIPPA until such time as the Minister of Education has approved the payment and we have received notice of it.

NOTICE OF MOTION

(a) Protective Services Committee – notice re Draft PCSP Open Air Fire Regulations

Councillor Hanlon presented the following Notice:

The Protective Services Committee is giving notice that a motion to adopt the PCSP Open Air Fire Regulations, 2015, will be brought forward to the Council meeting of April 7, 2015. The draft regulations will be circulated to all of Council for their review and consideration prior to the April 7th meeting.

(b) Committee of the Whole update on previous Notice of Motion re Rules of Procedure

Mayor Tucker advised that the Committee of the Whole reviewed the draft regulations on March 12, 2015 and made suggested changes to the document.

Once the edits are completed, the Draft Rules of Procedures will be circulated to Council for final review and then presented at the April 7th, 2015, for adoption.

ADJOURNMENT

Motion:	Will/Facey
2015-087	Resolved that this meeting be adjourned. Time 8:05 p.m.
Carried	Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

Attachments:

Appendix A: Tabled Report, (Planning & Development)

**Appendix A: Tabled Report
March 17th, 2015**

Applications:

- Item # 2: Civic # 30-32 Mitchells Pond Place
Single Dwelling
Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 30-32 Mitchells Pond Place be granted approval in principle, permitting the construction of single dwelling. Approval in principle is in accordance with General Regulation 11 (Variances) and 12 (Notice of Variance) which permits a 5.0 % variance on the minimum lot area requirement which will result in a lot area of 7,600 m² as opposed to the minimum of 8,000 m². Approval in principle is also in accordance with Schedule C General Provision # 10 (d) which permits the front yard setback for a pond frontage lot anywhere upland from the pond setback standard. 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), Schedule C: General Provision # 10 (Development with Pond Frontage), Schedule C: Residential Low Density and Schedule E: Environmental Protection Overlay.

The Administrator recommended that this application be granted approval in principle.

- Item # 3: Civic # 508-510 Old Broad Cove Road
Subdivide Property & Construct Single Dwelling
Zoning: Residential Medium Density (RMD) - Semi-Serviced

The Committee recommends that the application to subdivide property and construct a single dwelling at Civic # 508-510 Old Broad Cove Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulations, as the property does not have frontage on a publicly maintained street (as required by Plan Policy GLU-9 (Access to Public Streets and Roads), Development Regulation 46 (1) (Lot Area), Development Regulation 47 (Lot Frontage), Schedule C: General Provision 12 (c) (Environmental Protection) and Schedule C: Residential Medium Density) and because the property was subdivided without a Permit from the Town (as required by General Regulation 7 (Permit Required)).

The Administrator recommended that this application be rejected.

Item # 4: Civic # 13 Emylia Place
Accessory Building
Zoning: Residential Rural (RR) – Unserviced

The Committee recommends that the application for Civic # 13 Emylia Place be granted approval in principle, permitting the construction of an accessory building. Approval in principle is in accordance with Schedule C: Residential Rural Condition # 1 (c) (Accessory Buildings) which allows Council to authorize a residential lot to have more than one accessory building. 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 39 (Accessory Buildings) and Schedule C: Residential Rural Condition # 1 (Accessory Buildings).

The Administrator recommended that this application be granted approval in principle.

Correspondence:

Item # 5: Municipal Recommendation Form for Crown Land – Patricia Drive

The Planning Department is in receipt of a request from an applicant to process a Municipal Recommendation Form for Crown Land measuring approximately 0.2 ac (780 m²) of Crown land located at the intersection of Beachy Cove Road and Patricia Drive for the purpose of residential development.

The Committee recommends that Council refuse the Municipal Recommendation Form for Crown land at the intersection of Patricia Drive and Beachy Cove Road for the purpose of residential development as the location would not have the required lot area to support residential development, the ownership of the land is unclear and the proposed land to be acquired is a right-of-way currently providing access to existing dwellings at this location.