



TOWN OF PORTUGAL COVE-ST. PHILIP'S

August 11, 2015

Regular Public Council Meeting 7:30 p.m.

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

Mayor Tucker called the meeting to order and welcomed the gallery of 4 persons in attendance.

ADOPTION OF AGENDA

Motion: Will/Hanlon
2015-274 Resolved that the Agenda dated **August 11, 2015**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Facey/Bartlett
2015-275 Resolved that the minutes of **July 30, 2015** be adopted as circulated.
Carried Unanimously

BUSINESS ARISING No report for this meeting as the Town Manager is on vacation.

COMMITTEE REPORTS

Planning & Development Report of August 4, 2015 – presented by Councillor Collins

1. 32-34 Beaver Creek Road

Motion: Collins/Will
2015-276 Resolved recommends that the application to construct a single dwelling at Civic # 32-34 Beaver Creek Road be rejected as per Appendix A: Tabled Report.
Carried Unanimously

2. 105-109 Dogberry Hill Road Extension

Motion: Collins/Facey
2015-277 Resolved that the application to subdivide property and construct a single dwelling at Civic # 105-109 Dogberry Hill Road Extension be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. 11 Emylia Place

Motion: Collins/Bartlett
2015-278 Resolved that the application to construct a dwelling extension and perform general repairs at Civic # 11 Emylia Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

4. 21-23 and 25 Bocker Place

Motion: Collins/Hanlon
2015-279 Resolved that the application to construct an accessory building at Civic # 21-23 and 25 Bocker Place be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

5. 33-35 Skinners Road

Motion: Collins/Will
2015-280 Resolved that the application to construct an accessory building at Civic # 33-35 Skinners Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

6. 80-82 Skinners Road

Motion: Collins/Facey
2015-281 Resolved that the application to construct an accessory building at Civic # 80-82 Skinners Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

7. 546-548 Old Broad Cove Road

Motion: Collins/Bartlett
2015-282 Resolved that the application to construct an accessory building at Civic # 546-548 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

8. 48-50 Churchills Road

Motion: Collins/Hanlon
2015-283 Resolved that the application to construct a commercial accessory building (greenhouse) at Civic # 48-50 Churchills Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

Councillor Collins left the Council meeting prior to item # 9 due to potential conflict of interest. Deputy Mayor Will presented the following:

9. 323-325 Bauline Line Extension

Motion: Will/Bartlett
2015-284 Resolved that the application to perform backfilling at Civic # 323-325 Bauline Line Extension be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

Councillor Collins returned to the Council meeting and resumed presenting the report.

10. 1600 Portugal Cove Road

Motion: Collins/Facey
2015-285 Resolved that the application to install a drainage pipe at Civic # 1600 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

11. Stage IIA Murrays Pond Residential Subdivision

The Committee discussed the acquisition of streets and roads within Stage IIA of the Murrays Pond Residential Subdivision. Staff will contact the Town's Solicitor to receive an update on the status of the acquisition. The Committee requests that staff prepare a report on the status.

12. Home-based business

The Committee discussed staff processing of home-based businesses. The Committee advises Staff that the approving of home-based businesses will continue in accordance with Motion 2015-266 from the July 30th, 2015 Council meeting. The Committee feels that this Motion will effectively reduce the amount of home-based businesses having to be processed through Council.

13. Permit Stats: There were twenty-nine permits issued from July 17th to July 30th, 2015.

Recreation /Community Services Committee – no meeting held/no report

Public Works Committee Report of August 6, 2015 - presented by Councillor Bartlett

1. Millers Road Bridge

Committee met with Tiller Engineering, the Town's engineering consultants for the Millers Road Bridge replacement project, to discuss Phase 1 outcomes and next steps for Phase 2. The consultant advised the bridge is still under construction but safely open to traffic; this approach to project execution was critical given the bridge is the only access/egress point for Millers Road. Phase 1 included the placement of the steel bridge structure and temporary ramps, the latter of which will be replaced with permanent asphalt inclines once Phase 2 is completed. Adjustments were made to extend one of the temporary ramps to address the meeting of the slope of the road with the slope of the ramp. The final inspection of Phase 1 construction was pending at the time of the Committee meeting. Phase 2 involves the placement of the permanent footings and asphalt gradients. Committee discussed with the consultant whether there is opportunity to extend out the bridge railing a further 6" - 8" and the possible addition of a foot trail along one side of the bridge. These options will be considered as part of Phase 2. The consultant recommended and Committee concurred on moving forward with Phase 2 immediately; the tender package will be finalized for distribution. Phase 2 asphalt work will also address some of the deteriorating asphalt conditions on Millers Road (i.e. potholes, shoulder erosion) which were not part of the original scope of work for the bridge project but were part of the Department's planned asphalt repair work for the 2015 season.

2. Horticultural Services – Rainbow Gully Park

Committee was provided with information on three quotes for horticultural services as budgeted for Rainbow Gully Park. The lowest quote for complete services required was from Squires Garden Services at a cost of \$14,000 +HST.

Motion: Bartlett/Facey

2015-286 Resolved that the Town contract Squires Garden Services for the provision of horticultural services at Rainbow Gully Park for the period of August to October 2015 for a cost of \$14,000 +HST subject to the contractor providing proof of appropriate insurance coverages and a reference.

Carried Unanimously

3. Manager, Water & Wastewater

A candidate has been successfully identified for the position of Manager, Water & Wastewater within the Public Works Department. Ms. Leah Power will commence employment with the Town on August 24, 2015 and oversee the Town's Water and Wastewater Division of operations. Ms. Power has a Bachelor of Science from Memorial University and completed the post-graduate program in Water Quality from Marine Institute. She has experience in the both

the fields of water and wastewater with strong knowledge of regulatory requirements, development of standard operating procedures, environmental protection practices, field inspections and permit reporting requirements. This experience is complemented by supervisory and management experience in the mining sector. We look forward to welcoming Ms. Power to the Town's management team.

Economic Development, Marketing & Communications – August 10, 2015, presented by Councillor Butler

1. Tickle Swim for Mental Health

The date of the Tickle Swim will be held on Tuesday, August 18th. We are currently working with Bell Island to help support Canadian Mental Health with their event. The reception should take place around 10 am in Portugal Cove. The invitation for the Mayor and Council is attached as correspondence.

2. Metrobus Survey

The survey to determine community interest for a permanent bus service in Portugal Cove – St. Philip's will be completed shortly and promoted in the next Tickle Newsletter. Metrobus has given input into the survey in terms of content and potential routes.

Note: Councillor Facey noted (at the end of the Council meeting) that it is important to get the word out on this survey, and in particular local media support would be appreciated.

3. Budget 2016

The proposed Budget 2016 public engagement schedule was discussed with the committee. The process will start in mid-September and is scheduled to conclude in early November. The format will be similar to that of last year and will be detailed in the next Tickle Newsletter.

4. Green Team

The Green Team concludes their work on Friday, August 21st. Overall the work plan is on schedule. However, the Green Team, staff and ACE met with a representative with Multi Materials Stewardship Board (MMSB) regarding plans to execute a waste audit. MMSB has committed to performing a full audit in the fall. The Green Team has been tasked with providing support by identifying the routes and homes that will be selected.

5. Best of PCSP Awards and Summit

The Awards will take place in November and nominations will open in September. Businesses are being engaged to provide recommendations for content and speakers for the summit.

6. NL Landscape Event

Due to the impending national election Landscape NL is recommending that the date of the event change to Oct 24 – 26. Location and details are currently being worked out to accommodate.

7. 736-744 Old Broad Cove Road – Designation of a Heritage Structure

The Town is in receipt of an application from the property owners of 736-744 Old Broad Cove Road requesting that a building on their property be designated as a Municipal Heritage Structure. An assessment on the building has been completed by the Heritage Programs and Services Coordinator who has also been providing assistance to the applicant on obtaining provincial designation. I would like to table the application package submitted to the Town and the assessment conducted by the Heritage Programs and Services Coordinator which was reviewed by the Committee.

Whereas on May 11, 2010 Council adopted the “Municipal Designation of a Heritage Place” Regulations according to provisions of Section 413 & 414 of the Municipalities Act, 1999, therefor the following motion is put forward;

Butler/Bartlett

Committee recommends that Council designate a building (dwelling) located on property at Civic # 736-744 Old Broad Cove Road as a Municipal Heritage Building pursuant to the Municipalities Act, 1999, the Town’s “Municipal Designation of a Heritage Place” Regulations, and guidelines established by the Heritage Foundation of Newfoundland and Labrador.

WITHDRAWN - this motion was withdrawn by the mover and seconder with the consensus of all Council.

Note: Debate on this item determined that Council needed to put design guidelines/policy in place prior to designating a heritage structure. The Mayor noted Councillors needed to review the documentation previously sent to them on that subject.

Protective Services Committee – no meeting held/no report

Admin. and Finance Committee Report of August 4, 2015 presented by Deputy Mayor Will

1. Communications for Projects

Water Metering Pilot Project - The Director of EDMC advised he is working with Vigilant Project Management to prepare an information pamphlet and required clarification from the committee on some points in order to finalize the document.

Skinnners Road Project – the committee requested that the Director of EDCM put together a full explanatory letter including individual property owner’s costs and repayment options etc. once he has obtained the financial information from the Town Manager.

Information on both projects will be placed on the Town’s website and in the Tickle Newsletter.

2. Accounts for Payment

Motion: Will/Collins

2015-287 Resolved that the accounts for payment in the amount of \$88,640.67 for Regular accounts be approved for payment.

Carried Unanimously

3. Levy Payment Plan for Skinners Road project

Further to the motion of July 30, 2015, the committee discussed payment options and noting as previously stated, there will be no connection fee charged to the property owners being levied on this project, the following is put forward:

Motion: Will/Collins
2015-288 Resolved that Council implement a maximum 5 year Levy repayment plan for the Skinners Road project commencing in 2016 with a reasonable rate of interest charged as determined by financing charges on the project funding.
Carried Unanimously

3. Correspondence from Dept. of Municipal Affairs

The Town received confirmation that the Gas Tax Secretariat has accepted the Strategic Plan project as listed on the Town's Capital Investment Plan and approved Gas Tax Funding in the amount of \$21,600 for this project.

4. Correspondence from Municipal Assessment Agency

The Town received correspondence stating the agency is preparing a new assessment roll for 2016 to reflect the actual property values as of January 2014. The preliminary results show the average residential property value is increasing by 16.3% and the average commercial property value is a 15% increase. These numbers reflect averages and individual properties will change by higher and lower amounts.

Committee noted that this information will be taken into consideration when preparing the 2016 Budget for the Town.

CORRESPONDENCE - none for this meeting

NEW/GENERAL/ UNFINISHED

New Business to be presented by Councillor Dave Bartlett.

Through the Town's project management consultants, Vigilant Management, six (6) proposals were received for engineering services for the 2014-2017 multi-year capital works projects which focuses on water services for Skinners Road and water and sewer services for Drover Heights, a portion of Indian Meal Line and Franklyn Place.

The six qualified submissions were reviewed and ranked by representatives of the Town, Vigilant Management and the Department of Municipal and Intergovernmental Affairs based on the Request for Proposal's outlined criteria – methodology (20%); background, experience and capabilities (40%); and cost of service (40%). The top three submissions, based on highest total score, were Newfoundland Design Associates Limited, Hatch Mott MacDonald and Allnorth Consultants Limited.

Motion: Bartlett/Hanlon
2015-289 Resolved that the Town seek approval from the Department of Municipal and Intergovernmental Affairs to award the contract for engineering services for the 2014-2017 Multi-year Capital Works projects to Newfoundland Design Associates Limited at a cost of \$311,848.36 HST included, contingent on successful contract negotiation. Should negotiations with Newfoundland Design Associates Limited fail, negotiations will be undertaken with Hatch Mott MacDonald (\$293,932.77 HST incl.) followed by Allnorth Consultants Limited (\$285,304.66 HST incl.), as required.

Carried Unanimously

Note: In response to questions arising about the contract being awarded to the highest bidder of the three named in the motion, Council discussed the method used as explained in the preamble and it was noted that this is an accepted practice for evaluation of proposals and accepted by the Dept. of Municipal and Intergovernmental Affairs.

ADJOURNMENT

Motion: Hanlon/Will
2015-290 Resolved that this meeting be adjourned. Time 8:30 p.m.
Carried Unanimously

Moses Tucker, Mayor

Judy Squires, Town Clerk

**Appendix A: Tabled Report
August 4th, 2015**

Applications:

Item # 1:

Civic # 32-34 Beaver Creek Road

Single Dwelling

**Zoning: Recreation Open Space & Residential Low Density (ROS & RLD) -
Unserviced**

The Committee recommends that the application to construct a single dwelling at Civic # 32-34 Beaver Creek Road be rejected as the application is contrary to the Town's Municipal Plan & Development Regulation the property is zoned Recreation Open Space in which the proposal would be contrary to Section 3.4.6 (Recreational Open Space) and Plan Policy ROS-1 (Land Uses), single dwellings are not listed as a permitted or discretionary use within Schedule C: Recreation Open Space in which the proposal is contrary to Development Regulation 103 (Uses Not Permitted) and Schedule C: General Provision # 2 (Uses Allowed), and the property does not contain frontage on a publicly maintained street as per Development Regulation 47 (Lot Frontage).

The Administrator recommended that this application be rejected.

Item # 2:

Civic # 105-109 Dogberry Hill Road Extension

Subdivide Property & Construct Single Dwelling

Zoning: Residential Medium Density (RMD) - Semi-Serviced

The Committee recommends that the application for Civic # 105-109 Dogberry Hill Road Extension be granted approval in principle, permitting the subdivision of property and construction of a single dwelling. Approval in principle is subject to a 10.0 % variance on the frontage for both lots which will decrease the minimum frontages from 23 m to 20.7 m in accordance with General Regulations 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, specifically General Regulation 11 (Variances), General Regulation 12 (Notice of Variance), Development Regulation 38 (2) (Accesses and Service Streets), Development Regulation 68 (Line of Vision at Intersections), and Schedule C: Residential Medium Density.

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

Item # 3:

**Civic # 11 Emylia Place
Dwelling Extension & General Repairs
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 11 Emylia Place be granted approval in principle, permitting the construction of a dwelling extension and exterior wall repairs. 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 49 (Non-Conforming Use).

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

Item # 4:

**Civic # 21-23 & 25 Bocker Place
Accessory Building
Zoning: Residential Medium Density (RMD) - Serviced**

The Committee recommends that the application for Civics # 21-23 Bocker Place and 25 Bocker Place be granted approval in principle, permitting the construction of an accessory building. Approval in principle is subject to the submission of a legal property survey consolidating both parcels. 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 Medium Density.

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

Item # 5:

**Civic # 33-35 Skinner Road
Accessory Building
Zoning: Residential Medium Density (RMD) - Semi-Serviced**

The Committee recommends that the application for Civic # 33-35 Skinners Road be granted approval in principle, permitting the construction of an 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 Medium Density.

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

Item # 6:

**Civic # 80-82 Skinners Road
Accessory Building
Zoning: Residential Medium Density (RMD) - Unserviced**

The Committee recommends that the application for Civic # 80-82 Skinners Road be granted approval in principle, permitting the construction of an 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 Medium Density.

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

Item # 7:

**Civic # 546-548 Old Broad Cove Road
Accessory Building
Zoning: Residential Medium Density (RMD) - Semi-Serviced**

The Committee recommends that the application for Civic # 546-548 Old Broad Cove Road be granted approval in principle, permitting the construction of an 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 Medium Density.

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

Item # 8:

**Civic # 48-50 Churchills Road
Commercial Accessory Building
Zoning: Residential Low Density (RLD) - Serviced**

The Committee recommends that the application for Civic # 48-50 Churchills Road be granted approval in principle, permitting the construction of a commercial accessory building (greenhouse).

Councillor Collins left the meeting prior to discussion of Item # 9 due to potential conflict of interest.

Item # 9:

**Civic # 323-325 Bauline Line Extension
Backfilling
Zoning: Residential Low Density (RLD) - Unserviced**

The Committee recommends that the application for Civic # 323-325 Bauline Line Extension be granted approval in principle, permitting backfilling. 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 70 (Soil Removal and Deposit and Site Grading) and Schedule E: Environmental Protection Overlay.

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

Councillor Collins returned to the meeting after discussion of Item # 9.

Item # 10:

**Civic # 1600 Portugal Cove Road
Drainage Pipe
Zoning: Mixed Use (MIX) - Serviced**

The Committee recommends that the application for Civic # 1600 Portugal Cove Road be granted approval in principle, permitting the installation of a drainage pipe. 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 E: Environmental Protection Overlay.

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