



TOWN OF PORTUGAL COVE-ST. PHILIP'S
November 1, 2016, held at the Recreation Center

Regular Public Council Meeting 5:00 p.m.

IN ATTENDANCE:	Mayor	Moses Tucker
	Deputy Mayor	Gavin Will
	Councillors:	Dave Bartlett
		Joe Butler Norm Collins
		Aaron Facey Johnny Hanlon
	Town Manager/Engineer	Chris Milley
	Director Recreation & Comm.Services	Dawn Sharpe
	Director Public Works	Gail Tucker
	Director Ec. Dev., Marketing & Comm.	Jeff Lawlor
	Planning Coordinator	Les Spurrell
	Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 9 persons in attendance,

ADOPTION OF AGENDA

Motion: Collins/Facey
2016-397 Resolved that the Agenda dated **November 1, 2016**, be adopted as circulated.
Carried Unanimously

ADOPTION OF MINUTES

Motion: Collins/Bartlett
2016-398 Resolved that the minutes of **October 18, 2016** be adopted as circulated.
Carried Unanimously

BUSINESS ARISING

The Town Manager presented the following report:

1. Capital Works Projects

- Kick off meeting for the Spurrells Road Bridge took place on October 19. Work was scheduled to begin this week on site. The strategy for completing the bridge has been changed. All the on-site civil work is expected to be completed this year including the removal of the old bridge. There is a possibility that the asphalt approaches will have to wait until next spring when the plants re-open. The bridge will then be designed and built off-site. Over the winter the bridge will be delivered and installed so that the road can be opened prior to spring.

- Neary's Pond Road project is just about ready to go to tender. More changes were requested by DMA and provided by the Project Managers. We are expecting DMA's approval letter soon. At this time there is no practical way to complete this work this year. We expect it will be finished in the spring and include pedestrian space as well as greatly improved drainage to protect the road from future deterioration.
- Meadow Height's water servicing and sewer installation is in preliminary design phase with intention to be tendered over winter for early 2017 install.
- Water Metering RFP is being reviewed in preparation of being advertised.
- After tonight, the sanitary sewer sludge dewatering project under the Clean Water & Wastewater Fund is expected to start. This is not a civil works project and completion is expected upon delivery of equipment meeting required specifications. The first step of this project will be the development of a tender or RFP package.

2. Municipal Enforcement

I am preparing a report for the Protective Services Committee as highlighted in previous committee reports. It is taking longer than expected but I have gathered a lot of new and valuable information in making the report very detailed to enable council to make a well informed decision on service delivery. I will continue to work on and provide updates on the report until it is brought before the committee.

3. Strategic Plan Review

I have been working with a number of consultants in order to try and move along a number of initiatives identified in the strategic plan. I expect to be bringing a number of these initiatives forward to over several weeks in the form of Project Charters to get council's approval to proceed. While most of the upcoming Strategic Plan initiatives will be initiated with a Project Charter, not all will use external resources. Some are being proposed to primarily use town resources.

COMMITTEE REPORTS

Planning & Development Report of October 25, 2016 – presented by Councilor Collins

Note: The following item was presented as written in the P & D appendix (at the end of these minutes), however a 'friendly amendment' put forward by Councillor Butler to separate the motion as 1(a) for the apartment and 1(b) for the accessory building and it was agreed by consensus by all councillors to separate the motions. The motions were then put forward as follows:

1. (a) Civic 167-169B Beachy Cove Road

Motion: Collins/Butler

2016-399 Resolved that the application for a subsidiary apartment at Civic # 167-169B Beachy Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Failed. For: Tucker, Will

Against: Bartlett/Butler/Collins/Facey/Hanlon

Note: Prior to the vote Councillor Butler advised while he second the motion (which was clarified that it for debate purposes) he was voting against and he made reference to the application being a 'discretionary' use for a backlot. He also noted his concerns regarding traffic and that this property was the subject of an access issue. In response to Deputy Mayor Will's inquiry, the P & D Coordinator confirmed that this was a non-conforming use as it currently exists and that we have similar situations in the town. Councillor Facey also stated his concerns with seeking permits after work is done and whether penalties for those situations are or should be in place.

1. (b) Civic 167-169B Beachy Cove Road

Motion: Collins/Butler
2016-400 Resolved that the application to construct an accessory building at Civic # 167-169B Beachy Cove Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously.

2. Civic 56-60 Hogans Pond Road

Motion: Collins/Facey
2016-401 Resolved that the application for an accessory building at Civic # 56-60 Hogans Pond Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously

3. Civic 337 Bennetts Road

Motion: Collins/Hanlon
2016-402 Resolved that the application for a take-out food service within an existing commercial building (convenience store) at Civic # 337 Bennetts Road be granted approval in principle as per Appendix A: Tabled Report.
Carried For: Bartlett/Butler/Collins/Hanlon/Tucker/Will
Against: Facey

4. Civic 52-54 Hogans Pond Road

Motion: Collins/Will
2016-403 Resolved that the application to construct a single dwelling at Civic # 52-54 Hogans Pond Road be granted approval in principle as per Appendix A: Tabled Report.
Carried Unanimously.

5. Commissioner's Report and Amendments No. 1 for Municipal Plan and Development Regulations

The Town is in receipt of the Commissioners Report resulting from a Public Hearing held September 28, 2016 for Municipal Plan Amendment No. 1, 2015, Development Regulations Amendment No. 1, 2015, and St. John's Urban Region Regional Plan Amendment No. 1, 2015 which proposes to re-designate and rezone an area of **land located east of Bugden Drive from Agriculture to Residential**. In his report, the Commissioner recommended that "Municipal Plan Amendment No. 1, 2015 and Development Regulations Amendment No. 1, 2015 as adopted by the Town Council of Portugal Cove-St. Philip's be approved, pursuant to Sections 23 (4) and 24 of the Act."

Motion: Collins/Hanlon
2016-404 Resolved that Council adopt the Commissioners Report prepared by Commissioner Tom Strickland, dated October 12th, 2016. Furthermore, the Committee also recommends that Council approve Municipal Plan Amendment No. 1, 2015 and Development Regulations Amendment No. 1, 2015, as adopted and forward Municipal Plan Amendment No. 1, 2015 and Development Regulations Amendment No. 1, 2015 to the Department of Municipal Affairs for Registration, as per Section 24 of the Urban and Rural Planning Act, 2000.
Carried For: Bartlett/Butler/Collins/Facey/Hanlon/Tucker
Against: Will
Note: Deputy Mayor Will expressed his concerns and referenced a previous motion of Council (2014-183) dealing with rezoning.

6. Permit stats: There were twenty five (25) permits issued from October 7th to October 20th, 2016.

Recreation & Community Services Committee – October 25th presented by Councillor Facey:

1. Fall Family Festival

The Recreation Department hosted its 1st Fall Family Festival on Sunday, October 16th at Rainbow Gully Park. The event was a great success with approximately 200 participants engaging in Halloween themed games, horse rides, a petting zoo, haunted treasure map, tractor rides, face painting, plus refreshments and treats. Families spent a couple of hours enjoying an afternoon in the park and ended the day with the announcement of the winners of the community contest. The winner of the “Perfect Pumpkin Contest” was Karen Squires Family, who took home a knife block set. The winner of the “Perfect Pie Contest” was Genny DeCoste Family, who took home a KitchenAid mixer. A special thanks was sent out in the Newsletter and via email to all the groups and individuals who volunteered for the event. We also sent thanks to the businesses that took the opportunity to participate in the event and help to make it such a success.

2. Bonfire Night

The Recreation Department has partnered with the PCSP Volunteer Fire Department and the 1st Portugal Cove Scouts to host the Annual Guy Faux Night Community Bonfire. The event will take place on Saturday November 5th from 6:30p.m. to 8:00p.m., next to the Recreation Centre. Refreshments will be provided free of charge, however the Scouts will be hosting a bake sale inside the Recreation Centre. Thanks to the Fire Department and the Scouts for their help with this event.

3. Christmas Parade Route

The Recreation Staff is well underway with the plans for the Annual Christmas Parade. This year’s parade route will travel through the Portugal Cove side of the community. However the start point of the parade has changed from Beachy Cove Elementary to the Holy Rosary Parish, West Point Road and Bayview Heights. This new route will shorten the length of the route and hope to attract a few more participants. If anyone would like to enter a float or group in the parade, please contact Nick Miller at 895-5661 or email him at nick.miller@pcsp.ca. Note: the parade ends at the Legion

4. Community Grants

After reviewing the Community Grant Application, the committee would like to put forward the following recommendations:

- Motion: Facey/Bartlett
- 2016-405 Resolved that the Town donate \$250 to the 1st Portugal Cove Scouts to assist with their travels to the 2017 National Jamboree in Nova Scotia.
- Carried Unanimously

- Motion: Facey/Collins
- 2016-406 Resolved that the Town waive the Recreation Centre rental fee for SafePCSP fund-raiser bingo on November 6th.
- Carried Unanimously

- Motion: Facey/Will
- 2016-407 Resolved that the Town reduce the rental fee for the Petty Harbour Mini Aquarium “Chase the Ace” fundraiser to \$40 a night for the first 10 weeks and \$80 a night for the remainder of the fund-raiser.
- Carried Unanimously

Please note that the Recreation Committee received a Community Grant Application from the Northeast Eagles Atom "A" Team. However the Recreation Director will bring additional information to the next committee meeting regarding the Northeast Eagle's Minor Hockey Association request, for discussion and a recommendation.

Note: Councillor Facey expressed Thanks to the Clarke family who held a very successful 'Haunted House' event for the 17th year raising funds for Vera Perlin Society.

Public Works Committee Report for October 26th - Councillor Bartlett

Councillor Bartlett noted that the committee did not meet however dealt with items that he is presenting via email communication.

1. Appointment Project Management Consultants – Portable Sludge Drying Units

As previously announced, the Town was awarded funding under the joint Federal/Provincial Clean Water and Wastewater Funding for the implementation of portable sludge drying units. Staff recommended the appointment of Vigilant Management Inc. as project management consultants for this project.

Motion: Bartlett/Facey
2016-408 Resolved that Vigilant Management Inc. be appointed as project management consultants for Project No. 17-CWWF-17-00033, Portable Sludge Drying Units, under the Clean Water and Wastewater Fund and notice of the appointment be given to the provincial government.
Carried Unanimously

2. Wastewater Pump Purchase & Lift Station Conversion

Quotes were received for: 1) the purchase of a new waste sludge pump for the St. Philip's plant; this will be placed in inventory to ensure emergency back-up; and 2) the conversion of the pump connection within the Portugal Cove wharf lift station.

Motion: Bartlett/Collins
2016-409 Resolved that the purchase of one (1) waste sludge pump for the St. Philip's plant at a cost of \$3,705 plus tax and the conversion of the pump connection within the Portugal Cove wharf lift station at a cost of \$6,658.20 plus tax from Xylem Inc. be approved.
Carried Unanimously

3. Loop Drive Traffic Issues - this item is deferred back to committee for further discussion.

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

Councillor Butler noted that the Director, Jeff Lawlor, accepted an award on behalf of the Town at a recent conference he attended. Jeff added that the Town received an Advertising Campaign Award at the National Economic Development Conference (held in Saskatoon) for the Town's "Inspired Living" brochure/campaign and a detailed report will be made to the next committee meeting.

Protective Services Committee – no meeting held/update report of Oct.25th presented by Clr. Hanlon

1. FES Updates

-The regional training initiative is underway, beginning last weekend with the first of two weekend sessions. This past weekend PCSP hosted the inland flat water rescue and a 2 day SCBA course on our training ground. Torbay hosted a vehicle (bus) extrication course and the St. John's Airport hosted 2

aircraft emergency familiarization courses. The second weekend session is this coming weekend. It has been very well received by all participants with a total of 109 firefighters from across the northeast Avalon region registered. This initiative is being overseen by a working group from the northeast Avalon departments, led by our own Training Coordinator Firefighter Mandy Young. Ms. Young has done an outstanding job coordinating this regional cooperation initiative.

-The Chiefs are following up with the Director of Financial Operations on the budget projection for 2017 and furthering the fleet proposal for consideration.

2. Newbury Street Traffic Concerns

Council has followed up with the School District with regards to relocating the bus stop at Newbury Street to improve safety concerns around the current bus stop, as suggested by the traffic consultants.

Note: Deputy Mayor Will noted after meeting with residents the next step was for Public Works to come up with a plan and the Public Works Director noted she will be in touch with the traffic consultants to get a timeline on that.

Admin. and Finance Committee Report of October 25, 2016 presented by Deputy Mayor Will

1. Accounts for Payment

Motion: Will/Facey
2016-410 Resolved that Council pay Regular Accounts in the amount of \$ 43,916.19
Carried Unanimously

2 .Budget 2017

A brief discussion around times for staff to present budget details with November 2nd chosen as the date for initial presentations. More dates will be set after the first review with plans for a public presentation to be held mid to late November.

OTHER REPORTS:

Committee of the Whole Report – Nov. 1st (Subsidiary report to the October 18, 2016 report) presented by Deputy Mayor Will

Secondary Report of the Privileged Meeting of the Committee of the Whole, October 18, 2016, 4:30 pm

As originally reported at the October 18, 2016 council meeting a privileged meeting was convened for the purpose of discussing non-unionized employees salaries and performance measures.

At that meeting council required some more information prior to making further recommendations. That information was provided to council subsequent to the meeting and is contained herein.

Therefore council brings forward the following:

1. Fire Chief position salary scale.

At the last council meeting, new pay scales for all non-unionized positions, except Fire Chief, were introduced and adopted. A proposed pay scale for the position of Fire Chief has been proposed for use should the Town choose to move fill the position in the future. Currently the position is not filled by an employee and the duties are being performed under contract.

Motion: Will/Facey
2016-411 Resolved that Council approve the recommended Salary Scale for the position of Fire Chief.
Carried Unanimously

2. Succession Plan.

The current Town Clerk has many years of valuable and unique experience. The position of Town Clerk is integral to the effective operation of council and so it is important to plan for the inevitable retirement of the person holding this position. A proposal to develop a Succession Plan has been offered by LW Consulting. The scope of work for this proposal is included as an attachment.

Motion: Will/Facey
2016-412 Resolved that Council enter into a contract with LW Consulting for \$2500.00 +HST in order for them to develop a Succession Plan for the replacement of the Town Clerk upon her eventual retirement.
Carried Unanimously

CORRESPONDENCE None for this meeting

NEW/GENERAL BUSINESS re Water Metering Project

Conditions of the Federal Clean Water & Wastewater Funding used for the Water Metering Project (and sludge dewater project) requires a resolution from council indicating that the project would not have been undertaken in 2016/17 or 2017/18 without federal funding. Apparently the same requirement does not apply for the Provincial funds.

In order to get permission to go to RFP for the supply and install of meters the Province is requiring us to provide this resolution of council.

Motion: Will/Butler
2016-413 Resolved that, further to motion 2016-268, council shall agree that the projects for Clean Water and Waste Water Funding proceed at the present time only because federal funding is currently available.
Carried. For: Bartlett/Butler/Collins/Facey/Hanlon/Tucker
Against: Hanlon

ADJOURNMENT:

Motion: Will/Collins
2016-414 Resolved that this meeting be adjourned at 5:50 pm.
Carried Unanimously

Moses G. Tucker, Mayor

Judy Squires, Town Clerk

Attachment: P & D, Appendix 'A'

**Appendix A: Tabled Report
October 25th, 2016**

Applications:

- Item # 1: **Civic # 167-169B Beachy Cove Road**
Subsidiary Apartment & Accessory Building
Zoning: Residential Medium Density (RMD) - Serviced

The Committee recommends that the application for Civic # 167-169B Beachy Cove Road be granted approval in principle, permitting a subsidiary apartment and 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 Plan Policy RES-1 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 39 (Accessory Building), Development Regulation 49 (Non-Conforming Use), Development Regulation 60 (Subsidiary Apartments), Development Regulation 102 (Discretionary Uses), Schedule C: Residential Medium Density, and Schedule D: Off-Street Parking Requirements.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

- Item # 2: **Civic # 56-60 Hogans Pond Road**
Accessory Building
Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 56-60 Hogans Pond Road be granted approval in principle, permitting 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 Building) and Schedule C: Residential Low Density.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

- Item # 3: **Civic # 337 Bennetts Road**
Business (Take-Out Food Service)
Zoning: Mixed Use (MIX) - Semi-Serviced

The Committee recommends that the application for Civic # 337 Bennetts Road be granted approval in principle, permitting a take-out food service from an existing commercial building (convenience store). Approval in principle is subject to approval from Service NL. 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 RES-3 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Mixed Use, and Schedule D: Off-Street Parking Requirements.

The Administrator recommended that Council use their discretion to grant approval in principle to this application.

Item # 4: Civic # 52-54 Hogans Pond Road

Single Dwelling

Zoning: Residential Low Density (RLD) - Unserviced

The Committee recommends that the application for Civic # 52-54 Hogans Pond Road be granted approval in principle, permitting the construction of a single dwelling.

The Administrator recommended that this application be rejected as it does not comply with the Town's Municipal Plan & Development Regulations as the wetland area has not been refined in accordance with Schedule E: Environmental Protection Overlay.

Permits Issued:

Item # 6:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	16-441	10/07/2016	275-277	Dogberry Hill Road	Backfilling
2	16-442	10/07/2016	10-12	Bickerstaffe Road	Single Dwelling
3	16-443	10/11/2016	1	Marie Place	Single Dwelling
4	16-444	10/11/2016	1	Marie Place	Accessory Building
5	16-445	10/11/2016	29	Beachy Cove Road	Accessory Building
6	16-446	10/11/2016	34-38	Patricia Drive	Business
7	16-447	10/12/2016	214-216A	Bauline Line Extension	Subdivide Property
8	16-448	10/12/2016	14	Sparta Place	Test Holes
9	16-449	10/12/2016	24	Megan Ridge Drive	Accessory Building
10	16-450	10/13/2016	231-233	Beachy Cove Road	Site Preparation
11	16-451	10/13/2016	1436-1438	Portugal Cove Road	Single Dwelling
12	16-452	10/13/2016	870-872	Indian Meal Line	Accessory Building
13	16-453	10/13/2016	1477-1479	Thorburn Road	Connection to Water & Sewer
14	16-454	10/14/2016	11-13	Franklyn Place	Dwelling Repairs
15	16-455	10/14/2016	1477-1479	Thorburn Road	Occupancy
16	16-456	10/18/2016	16	Bluebell Bend	Driveway Repairs
17	16-457	10/18/2016	31	Megan Ridge Drive	Accessory Building

18	16-458	10/18/2016	1553-1555	Portugal Cove Road	Accessory Building
19	16-456	10/18/2016	221-223	Tolt Road	Accessory Building Extension
20	16-457	10/18/2016	32-34	Jera Street	Test Holes
21	16-458	10/18/2016	32-34	Jera Street	Site Preparation
22	16-459	10/18/2016	103-107	Round Pond Road	Accessory Building
23	16-460	10/19/2016	1534-1536	Thorburn Road	Connection to Water
24	16-461	10/19/2016	52-72	Hogans Pond Road	Subdivide Property
25	16-462	10/19/2016	62-66	Hogans Pond Road	Test Holes
26	16-463	10/19/2016	68-72	Hogans Pond Road	Test Holes
27	16-464	10/19/2016	555-559	Old Broad Cove Road	Demolition
25	16-465	10/20/2016	1220-1224	Thorburn Road	Connection to Water