



**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
January 31, 2017

Regular Public Council Meeting 5:00 p.m.

**IN ATTENDANCE:**

Mayor	Moses Tucker
Councillors:	Dave Bartlett
	Joe Butler
	Norm Collins
	Aaron Facey
	Johnny Hanlon
Town Manager	Chris Milley
Director of Financial Operations	Tony Pollard
Director of Rec. & Comm. Service	Dawn Sharpe
Director of Public Works	Gail Tucker
Planning Coordinator	Les Spurrell
Deputy Clerk	Claudine Murray
Town Clerk	Judy Squires

Mayor Tucker called the meeting to order and welcomed the gallery of 14 persons in attendance, noting regrets from Deputy Mayor Will.

**ADOPTION OF AGENDA**

Motion: Collins/Facey  
2017-024 Resolved that the Agenda dated January 31, 2017, be adopted as circulated.  
Carried Unanimously

**PRESENTATIONS**

1. Winter Carnival Proclamation read and signed by Mayor Tucker
2. Presentation to the winner of the Winter Carnival 'Button' design contest by Councillor Hanlon & Director of Recreation & Community Services. Winner is Cassie Sparks.

**ADOPTION OF MINUTES**

Motion: Hanlon/Bartlett  
2017-025 Resolved that the minutes of January 17, 2016 be adopted as circulated.  
Carried Unanimously

## **BUSINESS ARISING**

The Town Manager presented the following items and tabled his report:

1. Introduction and welcome to the Deputy Town Clerk who began January 30, 2017.
2. Updates on the following capital works construction projects with greater detail provided by respective reporting committees:
  - a. MYCW Nearys Pond Road Upgrade
  - b. MYCW Spurrells Road Bridge
  - c. MYCW Meadow Heights water, sewer, and road upgrade
  - d. CWWF Water Metering
  - e. CWWF Treatment Plant Sludge Dewatering Unit
  - f. Gas Tax School Pedestrian Connectivity
  - g. Gas Tax Portugal Cove Road Pedestrian Connectivity
  - h. OCOA Soccer Field Upgrade
3. Regional Cooperation
4. New Civic Numbering Regulations
5. Maggies Place Development Plan – Public Project Kick-off

## **COMMITTEE REPORTS**

### **Planning & Development Report of January 24, 2017 presented by Councillor Collins**

#### **1. Civic # 51-53 Knapps Road – Single Dwelling**

Motion: Collins/Bartlett

2017-026 Resolved that the application for a single dwelling at Civic # 51-53 Knapps Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

#### **2. Civic # 1618 Portugal Cove Road – Business**

Motion: Collins/Facey

2017-027 Resolved that the application to establish a personal service/shop business (pet grooming/retail/bakery) within an existing commercial building at Civic # 1618 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

#### **3. Civic # 1483-1485 Thorburn Road – Business**

Motion: Collins/Bartlett

2017-028 Resolved that the application to establish a personal service business (health and wellness website) as a home occupation at Civic # 1483-1485 Thorburn Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

#### **4. Civic # 1808 Portugal Cove Road - Business**

Motion: Collins/Hanlon

2017-029 Resolved that the application to establish a shop business (consignment store – children’s items) within an existing commercial building at Civic # 1808 Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

**5. Civic # 270-282 Witch Hazel Road – Condition of Building**

Councilor Butler provided update and requested staff to arrange a site visit and send correspondence to the property owner regarding the condition of the building.

**6. Permit stats:**

Nine (9) permits issued January 6<sup>th</sup> to January 19<sup>th</sup>, 2017 as per Appendix A: Tabled Report.

**Recreation & Community Services Committee for January 24, 2017 presented by Clr. Facey**

**1. Winter Carnival**

The Town of Portugal Cove – St. Philip’s Winter Carnival is taking place from February 10<sup>th</sup> to 18<sup>th</sup>. To kick off the festivities, Mayor Moses will sign the Proclamation. As a new addition to this year’s Winter Carnival, students at Beachy Cove Elementary were invited to participate in the “Winter Carnival Tag It Contest”. Students were asked to design a button and give it a tag line. The winner would have his/her design on a button and sold for the purpose of daily prize draws. The winner of the First Annual “Winter Carnival Tag it Contest” is Cassie Sparks. She will be presented with her button and a prize for participating in the contest.

Note: Councillor Facey noted Winter Carnival information booklets were mailed to residents today.

**2. Atlantic Summit**

The Recreation Director provided information on the Atlantic Canada Event Summit being held in St. John’s March 8<sup>th</sup> to 10<sup>th</sup>. This Summit target audience is Municipal Leaders, Special Event and/or Facility Coordinators, and Sport Tourism personal. Mayor Moses Tucker and Nick Miller, Sports Coordinator will be attending the conference on behalf of the Town. Information from this conference will be discussed at the Recreation Committee meeting on March 21<sup>st</sup>.

**3. Staff Training**

Over the next few months Recreation Staff will be engaged in Professional Development training. Dawn Sharpe, Director of Recreation and Community Services and Nicole Clark, Special Events Coordinator will be participating in the DancePlay Instructor Certification Workshop hosted by the Town of Torbay, May 6<sup>th</sup> -7<sup>th</sup>. Mike Stone, Program Coordinator will be participating in the Fundamental Movement Skills Workshop on February 4<sup>th</sup>, at the Jack Byrne Arena. Both workshops will allow staff to engage community members that coach or volunteer with youth ages 6-12 years. This will be very beneficial to our Summer Program Staff and we look forward to the outcomes of the training.

**4. Rainbow Gully Softball Field Lighting**

Recreation Committee discussed the expansion of the Rainbow Gully Softball Field Lighting System. Committee would like to put forward the following recommendations:

Motion: Facey/Bartlett

2017-030 Resolved that the Town engage Grand Concourse Authority and Musco Lighting to upgrade Rainbow Gully Softball Field to add Lighting that is compatible to and in conjunction with the soccer field expansion.

Carried For: Bartlett/Butler/Collins/Facey/Hanlon

Against: Tucker

Friendly Amendment:

After discussion of this item, Councillor Hanlon suggested inserting the words 'to add' as noted above. The amendment was agreed to by all of Council.

For the Record: Mayor Tucker requested that the minutes show that he is opposed to the expenditure for this lighting (approximately \$280,000) as it is not a need and can't be justified when we already have field lighting on the Voiseys Brook Field.

**Public Works Committee Report for January 25, 2017 presented by Councillor Bartlett**

**1. Update: Connectivity Plan Phase 1 – Thorburn Road and Dogberry Hill Road**

An update from Vigilant Management on January 23, 2017 advised that EXP is finalizing the design drawings for the tender package. Staff is awaiting Council direction on the integration of water connections to this project. The release of the tender package will be held until such direction is received. If water connections are integrated, further design work will need to be completed and the tender package updated.

**2. Update: Zone Metering / Water Loss Program**

The project charter will be brought to next Committee meeting for review and recommendation for approval.

**3. Update: Sludge Dewatering Project**

A meeting with Department of Municipal Affairs is scheduled for January 30, 2017 to discuss the project.

**4. Traffic Concerns Witch Hazel Road**

Concerns forwarded by a resident regarding traffic speeds and driveway approaches on Witch Hazel Road are being assessed.

**Economic Development, Marketing & Communications Report for January 31, 2017 presented by Councillor Butler**

**1. CFIB Report**

Committee reviewed the Canadian Federation of Independent Business (CFIB) report on Municipal Red Tape. The Town of Portugal Cove –St. Philip's ranked poorly in the report and the methodology and findings of the study were reviewed. The Director of Economic Development will propose a new formalized process to deal with business applications and inquiries at the next Committee meeting as a result.

**2. Maggies Place**

The public meeting took place on Wednesday, January 18<sup>th</sup>. As a result of both the introductory meetings, Tract and Town staff are reviewing the methodology for engagement and timelines of the project to ensure meaningful dialogue and success. At the next Committee meeting the minutes will be shared and revised plan presented.

**3. Website/PCSP Connects**

The new website will be launched on Wednesday, February 1<sup>st</sup>. Residents will also be able to sign up for our new notification system called "PCSP Connects". We will start to send out notifications with the new system on March 1<sup>st</sup>.

**4. Field Expansion Press Release**

A press release is being drafted by the Town and ACOA for a funding announcement on February 2<sup>nd</sup>.

**5. Stewardship Agreement Signs**

In collaboration with the Stewardship Association of Municipalities additional signs have been completed to support the individual management units. There are unique signs for the Blast Hole Ponds area, Voisey's Brook Park and a common sign for Beachy Cove Brook, Main River, and Broad Cover River. They will be installed at the same time the main stewardship road signs are installed in the early spring.

**6. Advisory Committee on the Environment**

ACE is exploring interest from residents regarding the maintenance and stewardship of Beachy Cove Brook as a result of the Green Team report presentation. The No Idle campaign is launching the week of February 6<sup>th</sup> and the Lions Club is partnering with the Town for delivery and, if necessary, installation of signs at local businesses.

Paula Courage has expressed formal interest in joining the Committee and her submission was reviewed. Paula is a resident of the community as well as a teacher at Beachy Cove Elementary who leads the school's environmental initiatives.

Motion: Butler/Bartlett  
2017-031 Resolved that Paula Courage be appointed to the Advisory Committee on the Environment.  
Carried Unanimously

**7. Heritage Committee**

To celebrate Heritage Day we will be partnering with Memorial University and Dale Jarvis for a Memory Mug Up event on February 10<sup>th</sup>.

We will be proceeding with the restoration and eventual relocation of Fanny Goff's headstone; Grand Concourse will be doing this work at a cost of \$3500. This item has already been included in the budget.

**Protective Services Committee Report for January 24, 2017 presented by Councillor Hanlon**

**1. FES Updates**

- a. The Chiefs attended the Northeast Avalon Joint Council (NEAJC) meeting January 18<sup>th</sup>. NL Fire Commissioner Derek Simmons gave a presentation on the state of affairs for fireworks. The Chiefs are working on a draft resolution regarding recreational fireworks for the purpose of presenting to the Newfoundland and Labrador Association of Fire Services (NLAFS). The draft will be discussed at a meeting of the regional fire chiefs in early February and then brought back to Council for their review.
- b. The draft mutual aid agreement for fire and emergency services between PCSP and the Town of Torbay will also include the Town of Pouch Cove. The proposed agreement will be

sent to all three Mayors for their consideration.

- c. The Volunteer Fire Department made three separate responses to a commercial alarm at 1082 Thorburn Road on January 21<sup>st</sup> / 22<sup>nd</sup> in less than 12 hours. Each response was deemed a false alarm. There were numerous attempts to contact the building owner with no response. The Chiefs are drafting a letter to the building owner and security service provider as a means of follow up.
- d. The regional water supply tanker initiative package is being compiled for presentation to the Minister of Municipal Affairs.

**2. Damage to Private Vehicle**

The Committee discussed a claim for damages to a Volunteer Fire Department member's private vehicle sustained at the station in response to a call. The Chiefs will obtain further information and bring it back to the Committee before a final decision is made.

**3. Witch Hazel Road Traffic Concerns**

Recent events on Witch Hazel Road have increased concerns regarding traffic safety. Councillor Hanlon will be bringing this issue to Public Works Committee for action on mitigation measures such as line of sight - brush clearing, and safety signage.

**4. Animal Control**

The draft agreement to allow Portugal Cove-St. Philip's to avail of the Town of Torbay's Animal Control services is close to completion. It will be brought to Committee as soon as possible.

**5. Civic Numbering**

The initial draft of the Civic Numbering regulation is still under review. It will be brought to Committee as soon as possible.

**6. Municipal Enforcement Service Providers**

A draft version of the agreement for municipal enforcement services between PCSP and the Town of Torbay is being reviewed by Committee members. Their feedback is requested by the end of this week.

**Admin. and Finance Committee Report for January 24, 2017 presented by Councillor Butler**

**1. Accounts for Payment**

Motion: Butler/Facey  
2017-032 Resolved that Council approve payment of regular accounts in the amount of \$47,628.74 and Capital accounts in the amount of \$102,932.12 for a total of \$150,550.86  
Carried Unanimously

**2. Ayres Lane property i.d. 183-838 sold at 2016 Tax Sale**

As the tax sale of the above mentioned was insufficient to cover the outstanding amount, the following is required:

Motion: Butler/Facey  
2017-033 Resolved that Council write-off the amount of \$19,317.27 for the property known as Parcel i.d. 183-838 Ayres Lane.  
Carried Unanimously

### **3. Correspondence from Municipal Affairs, Gas Tax Secretariat**

The letter dated January 13, 2017, states the Town has \$427,821.77 remaining in gas tax funds to March 31, 2019. To ensure the Town receives timely payments of gas tax funds, a Capital Investment Plan application along with a resolution of Council and a quote for the proposed cost of eligible project(s) will need to be submitted. The Director of Financial Operations will follow-up on this item.

### **4. Service Level Review Charter (of the Strategic Plan)**

The Town Manager advised that he, along with the Director of Economic Development, Marketing & Communication, are working on completing the Charter to bring it to an acceptable status for Council. The Town Manager proposed that Vigilant will not be involved in the creation of the charter however they will still put together the RFP or tender package. It is hoped that the first draft will be ready for the next round of committee meetings in two weeks.

### **5. Asset Management Plan**

Committee generally discussed the need to strengthen policies around reserving funds for asset management planning.

### **6. Carried forward items discussed:**

- a. The Town Manager provided some verbal information but noted he will be providing a report on MYCW and all other capital projects in his Town Manager's report for the January 31<sup>st</sup> meeting.
- b. The update of the Water & Sewer Regulations is continuing as part of the Water Metering project
- c. Mayor Tucker will bring an update on the ad-hoc committee for Affordable Housing to the Council meeting on January 31<sup>st</sup>. The update will include the names of members he has appointed to the Committee.
- d. It is noted that the item for 163 Witch Hazel Road acquisition of Crown Land is removed from this committee's list of carried forward items as that is now being processed thru the Planning & Development Committee.

## **CORRESPONDENCE**

None for tonight

## **NEW/GENERAL BUSINESS**

### **1. Re Ad-hoc Affordable Housing committee update**

Mayor Tucker reported that prospective committee members met January 30<sup>th</sup> (they included Len Collins, Rev. Amanda Taylor, Fred Thompson, Baxter Rose, Tony Pollard and MHA Brazil). MHA Brazil will be providing some information for their next housing meeting in reference to the market requirement and demographics for seniors housing. They are just in the initial stages and depending on the outcome and based on need, the Mayor will advise at the next Council meeting whether the committee will move forward.

**2. Presented by Councillor Bartlett, Chair of Public Works Committee:**

The Connectivity Plan Phase 1 – Thorburn Road and Dogberry Hill Road involves the placement of sidewalk options along a select area of Thorburn Road and Dogberry Hill Road. The initial project scope entails the placement of sidewalks from the entrance of the new school on Thorburn Road west to the intersection of Dogberry Hill Road and then south along Dogberry Hill Road to the intersection with Dogberry Hill Road Extension. Committee is recommending expansion of the project scope to include the placement of water service stubs for those properties along the area of Thorburn Road covered by this project which are currently not connected to the Town water system. The estimated cost for the placement of these stubs is \$60,000.

Motion: Bartlett/Hanlon

2017-034 Resolved that the scope of the Connectivity Plan Phase 1 – Thorburn Road and Dogberry Hill Road project be expanded to include the integration of water service stubs for properties on Thorburn Road which are within the project construction area and the tender package be updated to reflect the same.

Carried Unanimously

**3. Presented by Councillor Hanlon, Chair of Protective Services Committee:**

Motion: Hanlon/Facey

2017-035 Resolved that the Town of Portugal Cove-St. Philip's approve the Fire Protection Mutual Aid Agreement between the Towns of: Portugal Cove-St. Philip's, Pouch Cove and Torbay effective January 31, 2017.

Carried Unanimously

**NOTICE OF MOTION**

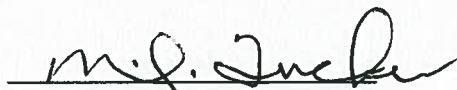
None for this meeting

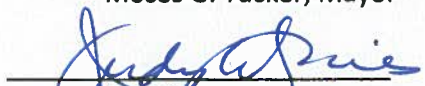
**ADJOURNMENT**

Motion: Hanlon/Facey

2017-036 Resolved that this meeting be adjourned at 6:00 pm.

Carried Unanimously

  
Moses G. Tucker, Mayor

  
Judy Squires, Town Clerk

Attachment: P & D, Appendix 'A'



**Appendix A: Tabled Report**

January 24<sup>th</sup>, 2017

**Applications:**

Item # 1:

**Civic # 51-53 Knapps Road  
Single Dwelling  
Zoning: Residential Medium Density (RMD) – Unserviced**

**The Committee recommends that the application for Civic # 51-53 Knapps Road be granted approval in principle, permitting the construction of a single dwelling. Approval in principle is subject to a 8.1 % variance on the minimum lot area standard which will establish a lot area of 1,710 m<sup>2</sup> (0.42 ac) as opposed to the minimum of 1,860 m<sup>2</sup> (0.46 ac). 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 11 (Variances), Development Regulation 12 (Notice of Variance), Development Regulation 47 (Lot Frontage), and Schedule A: Definitions.**

The Administrator recommended that Council use its direction to grant approval in principle to this application.

Item # 2:

**Civic # 1618 Portugal Cove Road  
Business (Personal Service\Shop)  
Zoning: Mixed Use (MIX) – Serviced**

**The Committee recommends that the application for Civic # 1618 Portugal Cove Road be granted approval in principle, permitting the establishment of a personal service/shop business (pet grooming/retail/bakery). 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 MIX-2 (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 its direction to grant approval in principle to this application.

Item # 3:

**Civic # 1483-1485 Thorburn Road  
Business (Personal Service)  
Zoning: Traditional Community (TC) – Serviced**

**The Committee recommends that the application for Civic # 1483-1485 Thorburn Road be granted approval in principle, permitting the establishment of a personal service business (health and wellness website). 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 TC-1 & TC-2 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Traditional Community, and Schedule D: Off-Street Parking Requirements.**

The Administrator recommended that Council use its direction to grant approval in principle to this application.

Item # 4:

**Civic # 1808 Portugal Cove Road  
Business (Shop)  
Zoning: Traditional Community (TC) –Serviced**

**The Committee recommends that the application for Civic # 1808 Portugal Cove Road be granted approval in principle, permitting the establishment of a shop business (consignment store – children’s items). 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 TC-1 & TC-2 (Land Uses), Development Regulation 33 (Notice of Application), Development Regulation 102 (Discretionary Uses), Schedule C: Traditional Community, and Schedule D: Off-Street Parking Requirements.**

The Administrator recommended that Council use its direction to grant approval in principle to this application.

**Permits Issued:**

Item # 6:

#	Permit	Issued Date	Civic #	Street Name	Permit Type
1	17-002	01/06/2017	9	Brentwood Avenue	Occupancy
2	17-003	01/06/2017	81-83	Hughs Pond Road	Remove Accessory Building
3	17-004	01/06/2017	81-83	Hughs Pond Road	Accessory Building
4	17-005	01/10/2017	26	Legion Road	Subsidiary Apartment
5	17-006	01/10/2017	556-560	Old Broad Cove Road	Occupancy
6	17-007	01/13/2017	167-169B	Beachy Cove Road	Subsidiary Apartment
7	17-008	01/17/2017	36-38	Jera Street	Occupancy
8	17-009	01/17/2017	34	Bauline Line Extension	Business
9	17-010	01/18/2017	245-247	Olivers Pond Road	Site Preparation