



TOWN OF PORTUGAL COVE-ST. PHILIP'S
 January 9, 2018
 Regular Public Council Meeting 7:00 p.m.

IN ATTENDANCE:	Mayor	Carol McDonald
	Deputy Mayor	Jeff Laham
	Councillors:	Dave Bartlett
		Darryl J. Harding
		Johnny Hanlon
		Tina Neary
		Madonna Stewart Sharpe
	Town Manager/Engineer	Chris Milley
	Director of Economic Development, Marketing, Communications and Tourism	Jeff Lawlor
	Planning Technician	Les Spurrell
Deputy Town Clerk	Claudine Murray	

Mayor McDonald called the meeting to order, welcomed the gallery of 31 persons in attendance.

DELEGATIONS/PRESENTATIONS

None for this meeting

ADOPTION OF AGENDA

Motion: Bartlett/Laham
 2018-001 Resolved that the agenda dated January 9, 2018, be adopted as circulated.
 Carried Unanimously

ADOPTION OF MINUTES

Motion: Bartlett/Hanlon
 2018-002 Resolved that the minutes of December 19, 2017 be adopted as circulated.
 Carried Unanimously

BUSINESS ARISING

A public meeting to present the draft 2018 budget will be held on January 21, 2018 at 4:00 pm at the Rec Centre.

COMMITTEE REPORTS

Planning & Development Committee Report of January 4, 2018 – presented by Councillor Harding

1. Civic # 17 Mitchell's Road – Business (Sawmill)

This item is deferred until new information can be reviewed.

2. Minister of Municipal Affairs and Environment – Notice of Registration

The Planning Department is in receipt of correspondence from the Minister of Municipal Affairs & Environment notifying the Town that Development Regulations Amendment No. 4, 2017 (Street Length) has been registered.

Notice of the registration was published in the Newfoundland and Labrador Gazette on Friday, December 29, 2017 and in The Telegram on Saturday, December 30, 2017, and was posted at the Town Office and on the Town website. The Amendment came into effect on the date that the notice appeared in the Gazette.

Item Submitted for Information.

3. Eastern Newfoundland Regional Appeal Board – Decision of Appeal

The Planning Department is in receipt of a decision of the Eastern Newfoundland Regional Appeal Board regarding an appeal filed against Council's decision to issue a Removal Order on a dwelling extension at Civic # 10-12 Hilltop Lane that was constructed beyond the specifications of the Building Permit issued.

The Board concluded that the Town acted in compliance with the Urban and Rural Planning Act, 2000 when issuing and providing notice of the Order. The Board ordered that Council's decision be confirmed.

Item submitted for information. Updated photos of the dwelling extension will be presented at the next Committee meeting for further discussion regarding the outstanding Order.

4. Single Dwellings off Right-of-Way's Amendment

Councillor Neary left the meeting prior to the discussion of item # 4 for a conflict of interest whereas a relative of the councillor could have a monetary interest in the matter.

As per a Notice of Motion given at the December 19th, 2017 Public Council Meeting, the Planning and Development Committee submits the following:

Motion: Harding/Laham

2018-003 Resolved that Council complete an amendment to the Town's Municipal Plan and Development Regulations (as per Appendix A: Tabled Report) to allow development off right-of-way's within the Traditional Community Zone that are identified in legal documentation to have existed prior to amalgamation of Portugal Cove-St. Philip's.

Carried Unanimous

Councillor Neary returned to the meeting after discussion of item # 4.

5. Amendment to Development Regulation # 10 (Discretionary Powers of Council)

A Notice of Motion for an amendment to Development Regulation # 10 was given at the December 19th, 2017 Public Council Meeting. Councillor Harding advised that Council will defer the motion to give residents an opportunity to ask questions of Council and staff and to get informed on how the amendment could impact them.

Councillor Harding spoke of a resident spearheading a campaign accusing Council members of deliberately sabotaging our Town's rules and regulations. Councillor Harding reiterated the oath of office that each Councillor took and Council's commitment to the people of this Town.

He noted that at the first P&D committee meeting in October 2017, the committee received a letter from the Minister of Municipal Affairs and Environment outlining a complaint they had received which documented over 60 occurrences of the former P&D committee approving motions that were in conflict with the regulations and contrary to the advice of the administrator. The Minister wanted to ensure the committee is working within its framework. The ACE committee sent letters to the Council members also with concerns of development. The concern is focused on development within the buffer zones on our watershed areas, lakes and rivers.

The motion is deferred for 90 days while public meetings are held and information is gathered.

Items # 6 through 11 are other items that were discussed at the Committee's meeting. Detailed information regarding these items can be found in Appendix A: Tabled Report.

12. Permits Issued

There were thirteen (13) permits issued from December 8th to December 28th, 2017 as per Appendix A: Tabled Report.

Recreation & Community Services Committee

- No report

Public Works Committee Report for January 3, 2018 – presented by Councillor Bartlett

No meeting was held but the Committee would like to provide the following update:

1. Snow Clearing & Ice Control Operations

Season is well under way with effective operations in place. The three rental loaders have been received and will remain in our fleet until end of April 2018. Sidewalk Snow Clearing and Ice Control Policy draft remains outstanding and will be scheduled to be discussed at the next Public Works Committee meeting.

2. Fire Hydrants – Snow Removal

As a reminder, following heavy snow fall, the Public Works staff will begin hydrant snow removal as soon as the Town’s operators and Transportation and Works operators have completed their snow removal and pushback efforts – usually within two days. Should an emergency situation arise, there are equipment operators on standby at all times to provide assistance to the fire department.

Economic Development, Marketing, Communications & Tourism Committee

- No report

Protective Services Committee

No meeting was held but the Committee provided the tabled Municipal Enforcement Report.

Admin. and Finance Committee Report of January 4th, 2018 - presented by Deputy Mayor Laham

1. Accounts for Payment

The Admin and Finance Committee met with Council as a Whole in conjunction with a Budget meeting. The Accounts for Payment document was reviewed.

Motion: Laham/Harding

2018-004 Resolved that Council approve payment of regular accounts in the amount of \$168,311.21 and capital accounts in the amount of \$18,734.67 for a total of \$187,045.88 as tabled.

Carried Unanimously

2. Murray’s Pond Country Club Payment

Councillor Harding left the meeting prior to discussion of Item #2 for a conflict of interest whereas the councillor is an officer, employee or agent of an incorporated or unincorporated company, or other association of persons, that has a monetary interest in the matter.

The Admin and Finance Committee have extracted the payment for Murray’s Pond Country Club from the Accounts for Payment as Councillor Harding works at the establishment.

Motion: Laham/Stewart Sharpe

2018-005 Resolved that Council approve payment to Murray’s Pond Country Club in the amount of \$7,107.93 as tabled.

Carried Unanimous

Councillor Harding returned to the meeting after discussion of item # 2.

3. Financial Support

Mayor McDonald commented that the amount of \$1000 had not been increased in 17 years. Councillor Harding said to cater a lunch on the current budget is difficult.

Motion: Laham/Harding

2018-006 Resolved that Council increase its annual support of the senior’s Christmas party from \$1,000 to \$1,500.

Carried Unanimously

CORRESPONDENCE

Council Correspondence for December 18, 2017 to January 5, 2018

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
December 18 2017	Resident	Request for assistance with any connections to Provincial Government	Mayor and Clr. Bartlett
December 7 2017	Canadian Wireless Telecommunications Association	Recycle my cell program	Council
December 7 2017	Conservation Corps	ECHO Program application	A&F
December 8 2017	Association for Community Living	Breakfast Fundraiser for February 23	Council

NEW/GENERAL/UNFINISHED BUSINESS

1. Commissionaires

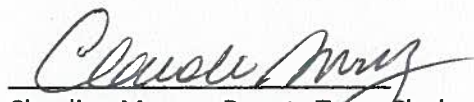
Councillor Hanlon reported the progress of creating a regional service with Torbay whereby the Commissionaires will draft our regulations (for instances they are the same in both towns). Together, the Towns will meet with Municipal Affairs and Environment to suggest the service and gain support and approval. Councillor Hanlon noted that Newfoundland & Labrador is the only province in Canada not currently doing this.

AGENDA ITEMS/NOTICE OF MOTION

ADJOURNMENT

Motion: Hanlon/Neary
2018-007 Resolved that this meeting be adjourned. Time is 7:28 pm.
Carried Unanimously



Carol McDonald, Mayor

Claudine Murray, Deputy Town Clerk

Appendix A – Planning and Development Committee Report
