



TOWN OF PORTUGAL COVE-ST. PHILIP'S
 March 6, 2018
 Regular Public Council Meeting 7:00 p.m.

IN ATTENDANCE

Mayor	Carol McDonald
Deputy Mayor	Jeff Laham
Councillors	Dave Bartlett
	Johnny Hanlon
	Tina Neary
	Madonna Stewart Sharpe
Director of Financial Operations/Town Clerk	Tony Pollard
Director of Recreation & Community Services	Dawn Sharpe
Planning and Development Coordinator	Les Spurrell
Deputy Town Clerk	Claudine Murray

Mayor McDonald called the meeting to order, welcomed the gallery of 26 persons in attendance offering regrets from Councillor Harding.

ADOPTION OF AGENDA

Motion	Hanlon/Laham
2018-059	Resolved that the agenda dated March 6, 2018, be adopted as circulated.
Carried	Unanimously

DELEGATIONS/PRESENTATIONS

1. Winter Carnival Photograph to Valerie Ploughman (not in attendance)
2. Winter Carnival Coloring contest
 - a. Grade K-2: Reece Parsons
 - b. Grade 3-4: Marissa Evans
3. Nutrition Month Proclamation 2018

ADOPTION OF MINUTES

Motion	Bartlett/Hanlon
2018-060	Resolved that the minutes of February 20, 2018 be adopted as circulated.
Carried	Unanimously

BUSINESS ARISING

- Director of Public Works has accepted a new position elsewhere and will leave the town on March 23, 2018. We all wish her the best
- Procurement Act will be proclaimed on March 24, 2018. This replaces the Public Tendering Act. Details
- Urban Municipal Councils will be meetings on March 14-15, 2018 in St. John’s. The Town Manager, Director of Economic Development and a Council member will attend. The focus will be on asset management.
- Small Communities Funding is usually announced early in the summer.
- Allocation of the Water Loss Program funding is with the Federal government for decision and the Town is awaiting a reply.
- Service Level Review meeting will be held on March 12, 2018 with Council and staff.
- Director of Financial Operations will be on vacation March 14-30, 2018.
- Congratulations to the Recreation and Community Services for a successful winter carnival.

COMMITTEE REPORTS

Planning & Development Committee Report of March 1, 2018 – presented by Deputy Mayor Laham

1. Civic # 115-129 Bennett’s Road – Single Dwelling

Motion: Laham/Bartlett

Committee recommended that the application to construct a single dwelling at Civic # 115-129 Bennett’s Road be rejected as per Appendix A: Tabled Report.

Defeated Against: Mayor McDonald, Councillors Bartlett, Hanlon, Neary and Stewart Sharpe
 For: Deputy Mayor Laham

The application will go back to committee for further discussion.

Councillor Hanlon noted that parts of Thorburn Road are covered under the WaterShed with the St. John’s Act and a certain amount of development is being passed by the City.

The Town’s Regulations are very clear that there is no development within the WaterShed. It seems that the City isn’t as consistent with their approval. For example, St. John’s Rotary Park is renovated repeatedly. So for that reason, Councillor Hanlon would like Council during their review of the Town Plan, look at the approval process within the watershed and where the boundaries lay. Councillor Hanlon stated he is voting against the application to highlight issues and concern in the Town Plan related to WaterShed issues.

Mayor McDonald confirmed the location on Bennett’s road.

Councillor Stewart Sharpe confirmed development in the watershed is not allowed.

2. Civic # 1539A Portugal Cove Road – Subdivide Property and Construct Single Dwelling and Accessory Building

Motion: Laham/Bartlett

2018-061 Resolved that the application to subdivide property and construct a single dwelling and accessory building at Civic # 1539A Portugal Cove Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

3. Civic # 27 Bickerstaffe Road – Extension to Existing Street and Construction of a Single Dwelling and Accessory Building

Motion: Laham/Hanlon

2018-062 Resolved that the application to extend Bickerstaffe Road and construct a single dwelling and accessory building at Civic # 27 Bickerstaffe Road be granted approval in principle as per Appendix A: Tabled Report.

Carried Unanimously

4. Civics # 933 & 935-947 St. Thomas Line – Accessory Building

Motion: Laham/Stewart Sharpe

2018-063 Resolved that the application to construct an accessory building at Civics # 933 & 935-947 St. Thomas Line be rejected as per Appendix A: Tabled Report.

Carried Unanimously

5. Civic # 137 Beachy Cove Road – Request to Amend Residential Subdivision Concept

Motion: Laham/Hanlon

2018-064 Resolved that Motion # 2016-252 be amended to reflect a 14 lot fully serviced subdivision as opposed to a 10 lot fully serviced subdivision as per Appendix A: Tabled Report.

Carried Unanimously

6. Civic # 332-346 Old Broad Cove Road – Zoning of Property

The Planning Department is in receipt of correspondence regarding the zoning of this property and its effect on the development potential.

The Committee advises Staff to respond to the correspondence advising that in accordance with the Municipal Plan and Development Regulations 2014-2024, Council wishes to complete a comprehensive review of land zoned Agriculture for the most appropriate, beneficial, and feasible future land uses prior to completing an amendment to rezone the area.

7. Eastern Newfoundland Regional Appeal Board – Notice of Appeal

The Planning Department is in receipt of correspondence advising that an appeal has been filed regarding Council's decision to reject an application to construct a fully-serviced residential subdivision at Civic # 12-16B Mercers Road.

Staff will forward the information requested to the Board during the time frame specified by the Secretary of the Board.

8. Municipal Plan Amendment No. 4, 2018 and Development Regulations Amendment No. 5, 2018 (Single Dwellings off Traditional Right-of-Ways)

Motion: Laham/Hanlon

2018-065 Resolved that consultation results and draft planning documents for Municipal Plan Amendment No. 4, 2018, and Development Regulations Amendment No. 5, 2018 (Single Dwellings off Traditional Right-of-Ways) be forwarded to the Department of Municipal Affairs for Provincial Review and release as per Section 15 (Review of Plan) of the Urban and Rural Planning Act, 2000.

Carried Unanimously

The Committee advises Staff to respond to the correspondence received.

9. Civic # 24-26 King's Hill Road – Condition of Buildings

Motion: Laham/Stewart Sharpe

2018-066 Resolved that Council place a Removal Order on a dwelling and accessory building at Civic # 24-26 Kings Hill Road due to safety concerns regarding the condition of the structures.

Carried Unanimously

10. 24 Keeley Lane – Development Without Permits

Motion: Laham/Hanlon

2018-067 Resolved that Council place a Removal Order on development activity completed outside and within 10 meters of the high water mark of Butler's Pond at Civic # 24 Keeley Lane which was completed without Permits from the Town. This Order will also require that the area developed be reinstated.

Carried Unanimously

11 – 22. Items # 11 through 22 are other items that were discussed at the Committee's meeting.

Detailed information regarding these items can be found in Appendix A: Tabled Report.

23. Permits Issued

There were nine (9) permits issued from February 9th to February 22nd, 2018 as per Appendix A: Tabled Report.

Recreation & Community Services Committee report for February 28, 2018 – presented by Councillor Stewart Sharpe

1. Eat Great Participate

The Director of Recreation and Community has taken the information that was presented by East Great Participate and developed a Healthy Eating Policy. Attached is the document to review. After reviewing the policy, the Committee would like to put forward the following recommendation:

MOTION Stewart Sharpe/Neary
2018-068 Resolved that that the Town adopt the Health Eating policy.
 Carried Unanimously

Note: These are four wayfinding signs paired with mapping and are accessible for all.

Note: the referenced policy is available in the supporting documents package.

2. Bauline Line Trail Way

The Recreation Committee expressed interest in a piece of property located off Bauline Line. The Recreation Director will work with the Planning Department to find out the owner of the property and to see if this area would be good for a walking trail.

3. Recreation Newfoundland and Labrador Conference

Recreation staff expressed interest in attending the Recreation Newfoundland and Labrador Conference from May 9th to 12th in Gander. This conference combines education sessions, workshops, and networking opportunities between many of the recreation staff and volunteers in the province. The Recreation Committee would like to put forward the following recommendation:

MOTION Stewart Sharpe/Bartlett
2018-069 Resolved that the recreation staff attend the Recreation NL conference in Gander, NL from May 9th to 12th as allocated in the budget.
 Carried Unanimously

4. Atlantic Recreation and Facilities Conference

The Atlantic Recreation and Facilities Conference will be taking place in Prince Edward Island from May 29th to June 1st. The Recreation Director Dawn Sharpe and the Special Events Coordinator, Nicole Clark has expressed interest in attending the event. The agenda for the conference has been sent to the Recreation Committee to determine is a Council representative would like to attend. The Recreation Committee would like to make the following recommendation:

- MOTION Stewart Sharpe/Neary
2018-070 Resolved that the Recreation Direction Dawn Sharpe and the Special Events Coordinator, Nicole Clark attend the Atlantic Recreation and Facilities Conference in PEI from May 29th to June 1st as allocated in the budget.
- Carried Unanimously

5. Winter Carnival

Although the weather was not favorable for the Winter Carnival, it was an overall success. The Recreation Department would like to take the opportunity that thank all those individuals, groups and organizations that took part in the week-long festival. The Recreation Department is always looking to improve their special events. If a resident would like to email or contact us via telephone with any suggestions that would be greatly appreciated.

6. Community Grants

After reviewing the Community Grant Application, the Committee would like to put forward the following recommendation:

- MOTION Stewart Sharpe/Hanlon
2018-071 Resolved that the Town donate \$100 to Joseph Martin to support his travels to PEI with the Newfoundland and Labrador Soccer Association U13 Provincial Team.
- Carried Unanimously

Public Works Committee Report for February 28, 2018 – presented by Councillor Bartlett

1. Animal Control – Partnership with Town of Torbay

Correspondence was received from the Town of Torbay providing confirmation of rates and proposed hours for animal control services in 2018. Committee requested additional information on the proposed approach. Item is referred to Council of Whole for discussion.

2. Correspondence – 42 Knapps Road – Animal Control Regulations

Committee reviewed correspondence received from 42 Knapps Road requesting the Town revisit its Animal Control Regulations to include a limit on the number of animals, specifically dogs, which a homeowner is permitted to have. Committee asked that staff respond to the correspondence to advise Council would not be taking any action in that direction at this time.

3. Traffic Calming Reviews - Public Meetings

Staff inquired whether Committee would like to discuss the traffic calming reviews with the Town's consultants, Harbourside Transportation, prior to the public meetings. Staff will inquire with Harbourside on their availability.

4. Bradburys Road - Road Reservation

As follow-up to the last Public Works Committee meeting, staff advised that to their knowledge there has been no change to the road reservation of Bradburys Road. Staff provided information from historical files and from the Public Works perspective on issues being raised in this area.

5. Commercial Advertising Signage:

Staff advised that after conferring with the Planning & Development Department, the establishment of the commercial advertising signage within the Town is governed by the Town's Development Regulations. The Town Manager is investigating whether penalties, for those contravening the regulations with the miscellaneous placement of signs within the road reservation, can be addressed through traffic regulations currently being developed.

6. Portugal Cove Road Cross Culvert (Old Cart Road/Drovers Heights)

Committee inquired on the status of this issue. Staff advised a letter has been sent to the Minister of Transportation and Works requesting a remedy of this issue. No response had been received to date. Committee inquired as to whether staff can undertake alterations to the concrete block in the ditch. Staff advised that such direction would need to come from Council as the infrastructure is not owned by the Town but is under the responsibility of the provincial Department of Transportation and Works.

7. Tilt House Bakery driveway egress

Request was made to have the exit from Tilt House Bakery to Portugal Cove Road assessed for sight lines as concerns were raised regarding the safe exiting of vehicular traffic at this location.

8. Garbage Collection - Rons Road & Sharpes Road

Committee inquired whether garbage was being collected from the private lanes known as Rons Road and Sharpes Road. Staff advised there are a few areas throughout Town where garbage is collected on private lanes, contrary to Town policy, and that these areas had been "grandfathered in" under previous Public Works administration. Staff advised that these areas have been flagged for addressing through updates to the Town's solid waste management regulations with appropriate notice given to those impacted. Committee requested a list of areas where garbage and recycling is being collected from private lanes.

9. Correspondence Eastern Regional Service Board

Committee was provided with correspondence from the Eastern Regional Service Board regarding fees charged for waste collection services. No action is required as this was an informational piece of correspondence.

Protective Services Committee report for March 1, 2018 – presented by Councillor Hanlon

1. Commissionaires – Municipal Enforcement

The Committee reviewed the report as provided by the Municipal Enforcement Officer. This report has been tabled as Appendix A.

Note: the referenced appendix A is available in the supporting documents package.

2. FES Updates - activity since last Committee meeting:

Responses: 6

- 3 Medical calls
- 3 Residential alarm bells

Training:

- Feb. 19th – Cold water/ice rescue practical & pet oxygen familiarization
- Feb. 26th – vehicle/fuel tanker familiarization

Other Activity:

FD conducted a general meeting on Feb. 22nd; Co-chiefs cooked supper for all members.

Recruit training was to start up on Feb. 27th but was cancelled due to weather, start up now set for March 5th. 10 recruits in total.

The FD will be conducting Vulnerable Sector checks for all FD members. This was brought forward a while ago and it was the consensus of the chiefs, officer, and members, that this is a prudent action in the interest of the FD and the Town. There are a number of occasions through a year when FD members interact with children and other vulnerable persons. Wildfire Community preparedness day – Co-chiefs have completed application to FireSmart Canada for \$500.00 grant to conduct an awareness campaign for the community, and will submit.

The Committee reviewed the draft application package compiled by the Co-chiefs for the new pumper truck to be submitted to the Province. The Committee have given direction to submit the application once it is finalized.

3. Traffic Regulations

All members of the Committee have reviewed the PCSP Traffic regulations. Once the revisions have been made the final version will be circulated to all of Council. A notice of motion with regards to these regulations will be presented at the next Council meeting on March 6th, 2018.

Admin. and Finance Committee Report of March 1, 2018 - presented by Deputy Mayor Laham

1. Accounts for Payment

Motion Laham/Stewart Sharpe
2018-072 Resolved that Council approve payment of regular accounts in the amount of \$104,281.86, and capital accounts in the amount of \$833,349.99, for a total of \$937,631.85.
 Carried Unanimously

2. Carried Forward-Correspondence: Youth Parliament

Motion Laham/Bartlett
2018-073 Resolved that Council donate \$250 to Newfoundland and Labrador Youth Parliament (NLYP) in support of youth traveling to St. John’s to learn about politics and debate in the House of Commons.
 Carried Unanimously

3. Carried Forward Correspondence: Request for refund

The committee reviewed correspondence requesting a refund of development fees from a resident. Based on the established Tax Structure Rates committee cannot recommend approval. The Town will follow up with the resident.

4. Correspondence: Affordable Water as a Priority for Residents & responses

The committee reviewed correspondence we were copied on from Department of Municipal Affairs and Environment on January 31, 2018 to a resident of PCSP regarding the Drover Heights Water and Sewer project.

5. Information Management

The committee discussed the process of receiving correspondence, meeting as Committee of the Whole and accessing records. Staff will review any policies that need to be updated.

6. Appeals Hearing Commissioner

The Municipal Assessment Agency appeal hearings will take place in PCSP on April 10th, 2018. Appellants will be notified in the next two weeks.

Motion Laham/Neary
2018-074 Resolved that Mr. Tom Strickland of Business Logistics be appointed as the Property Assessment Review Commissioner for the Town of Portugal Cove-St. Philip’s for the year 2018.
 Carried Unanimously

7. Recruitment of Public Works Director

Director of Public Works has resigned from the Town and the committee discussed hiring a replacement. The Town Manager will begin the process.

8. Correspondence: Public Procurement Act (replaces Public Tender Act)

The committee reviewed correspondence from the Government Purchasing Agency regarding the newly published Public Procurement Act, which will replace the Public Tender Act. This item is for information only.

CORRESPONDENCE

Council Correspondence for February 19 to March 2, 2018

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
2/20/2018	Town of Torbay	2018 Animal Control Services rates	PW Cmte
2/21/2018	Resident	Drains on Indian Meal Line	PW Cmte
2/23/2018	Resident	Rezoning of Land	P&D Cmte
3/1/2018	Government of NL	Public Procurement Act to replace Public Tender Act	A&F Cmte
3/1/2018	Resident	Opposition to Cannabis Dispensary	P&D Cmte

NEW/GENERAL/UNFINISHED BUSINESS

Amendment to Protective Services Committee Report by Councillor Hanlon

After a review of the regulation adoption process following the Committee meeting, we have decided that the Notice of Motion is not required at this time. It will be done once the draft has been finalized.

In accordance with Section 189 and 190 of the Highway Traffic Act, the Town has developed a set of draft Municipal Traffic Regulations. As per Council’s public engagement commitment, we are seeking input from residents. Therefore:

Motion Hanlon/Neary
2018-075 Resolved that that the draft PCSP Traffic Regulations be posted to the Town’s website for a period of two weeks in an effort to garner feedback from residents prior to sending to the Minister of Transportation and Works with a request for an order to delegate authority.
 Carried Unanimously

The feedback received will be used to revise the regulations and will be brought back to a future Council meeting for a motion to send to the Minister of Transportation and Works.

When the Minister provides the delegated authority a Notice of Motion to adopt the regulations will follow.

AGENDA ITEMS/NOTICE OF MOTION

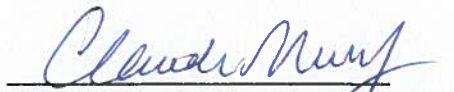
ADJOURNMENT

Motion Hanlon/Bartlett

Resolved that there is no further business and this meeting is adjourned. Time is 7:46 pm.



Carol McDonald, Mayor



Claudine Murray, Deputy Town Clerk