



**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
 March 20, 2018  
 Regular Public Council Meeting 7:00 p.m.

**IN ATTENDANCE**

Mayor  
 Deputy Mayor  
 Councillors

Carol McDonald  
 Jeff Laham  
 Dave Bartlett  
 Johnny Hanlon  
 Darryl J. Harding  
 Tina Neary  
 Madonna Stewart Sharpe

Town Manager/Engineer  
 Director of Public Works  
 Director of Recreation & Community Services  
 Planning and Development Coordinator  
 Deputy Town Clerk

Chris Milley  
 Gail Tucker  
 Dawn Sharpe  
 Les Spurrell  
 Claudine Murray

Mayor McDonald called the meeting to order, welcomed the gallery of 16 persons in attendance.

**ADOPTION OF AGENDA**

Motion Hanlon/Laham  
 2018-076 Resolved that the agenda dated March 6, 2018, be adopted as circulated.  
 Carried Unanimously

**DELEGATIONS/PRESENTATIONS**

- None for this meeting

**ADOPTION OF MINUTES**

Motion Bartlett/Hanlon  
 2018-077 Resolved that the minutes of February 20, 2018 be adopted as circulated.  
 Carried Unanimously

**BUSINESS ARISING**

Town Manager report:

1. Attended the UMC meetings with our representative which was held by MNL on Wednesday and Thursday of last week. There were a number of topics that you will here about from our representative later, if not today then in a Council meeting to follow. The focus was on asset management for municipalities. Currently the Town of Portugal Cove-St. Philip’s is considered the forerunner in the province as we already have our asset management plan done, take part in many asset management activities in the area and have a number of policies in place already.

The UMC in general, invited all the CAO’s/Town Managers to attend these UMC meetings on a regular basis, twice a year, on the opposite time frame as the Economic Development staff who have been going for a number of years to these meetings. These are a reflection of the advances they are able to attain by having both the CAO’s and elected staff in the same meeting.

2. Since the last Council meeting, a number of staff were able to get together and complete the asset management readiness scale. Similar to the last item, Town of Portugal Cove-St. Philip’s is currently the first and only municipality that has completed this critical tool in the province. Quite an achievement for us to get this far ahead with the Council’s work.
3. Director of Public Works last day is March 23, 2018. We wish her the best. With Council’s permission you may have seen the ads in the newspaper and on different sites. Due to the freeze on hiring, I will bring forward a motion to fill that position

**COMMITTEE REPORTS**

Planning & Development Committee Report of March 13, 2018 – presented by Councillor Harding

**1. Civic # 115-129 Bennett Road Single Dwelling**

Motion Harding/Laham

**2018-078 Resolved that the application to construct a single dwelling at Civic # 115-129 Bennett R oad be rejected as per Appendix A: Tabled Report.**

Carried For: Mayor McDonald, Deputy Mayor Laham, Councillors Bartlett, Harding, Neary and Stewart Sharpe

Motion: Councillor Hanlon

**2. Civic # 608-610 Old Broad Cove Road Accessory Building**

Motion Harding/Bartlett

**2018-079 Resolved that the application to construct an accessory building at Civic # 608-610 Old Broad Cove Road be granted approval in principle as per Appendix A: Tabled Report.**

Carried Unanimously

**3. Civic # 2-6 Emberley Road Business (Home Office)**

Motion Harding/Hanlon  
**2018-080 Resolved that the application to establish a home office as a home occupation at Civic # 2-6 Emberley Road be granted approval in principle as per Appendix A: Tabled Report.**  
 Carried Unanimously

**4. Civic # 1539A Portugal Cove Road Request to Change Civic Numbers**

Motion Harding/Stewart Sharpe  
**2018-081 Resolved that the request to change the civic numbers adjacent to Civic #1539A Portugal Cove Road so that this property would not have in the address and reflect frontage directly on a publicly maintained street be granted in accordance with the Town of Portugal Cove-St. Philip Civic Numbering Policy.**  
 Carried Unanimously

**5. Civic # 6 Thorpe Road Business at Civic # 1519-1523 Road**

The Planning Department is in receipt of correspondence regarding traffic concerns related to a take-out food service business (gourmet meals to go) approved at Civic # 1519-1523 Thorburn Road.

The Committee advises Staff to respond to the correspondence advising that the issuance of a permit to operate the business is subject to access approval from the Department of Transportation & Works.

**6. Civic # 244-254 Tolt Road and Civic # 69 Bradbury Road Property Boundaries**

The Committee discussed the common boundary line between Civic # 244-254 Tolt Road and Civic # 69 Bradbury Road and the location of a fence in relation to the boundaries.

The Committee advised Staff to correspond with both property owners advising that Council has looked into the matter as much as they could but that it is a civil matter between property owners. If any further research regarding the discrepancy in property surveys is to be completed it will be the responsibility of the individuals to complete.

**7. Crown Land Application Referral for Civic # 163 Witch Hazel Road**

Motion Harding/Laham  
**2018-082 Resolved that further to Motion # 2018-051, wherein Council recommended approval of an application for Crown Land at Civic # 163 Witch Hazel Road to the omission of an existing road reservation from Witch Hazel Road to Beachy Cove Ponds to maintain public access to the waterbody that it be resolved that Council amend the above Motion to read to the retention of 15 meters of the existing Crown land Road Reservation for public access from Witch Hazel Road to Beachy Cove Ponds.**  
 Carried Unanimously

Councillor Hanlon noted that the retention of the 15 meters of the existing Crown land Road Reservation will act as a buffer zone between two different properties.

**8. Items # 8 through 15 are other items that were discussed at the Committee meeting.**

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

**16. Permits Issued**

There were five (5) permits issued from February 23rd to March 8th, 2018 as per Appendix A: Tabled Report.

Recreation & Community Services Committee report for March 15, 2018 – presented by Councillor Stewart Sharpe

**1. East Coast Trails (ECT)**

The Recreation Committee had the opportunity to meet Mr. Randy Murphy, President of East Coast Trails and Mr. Patrick Ryan, Vice President. Mr. Murphy presented an overview of what the East Coast Trails Association was and the project that which they are requesting funding from the Town. As indicated in the correspondence received from East Coast Trails, the project scope is to re-develop the existing trail from Topsail Beach, through the Town of Paradise and through Portugal Cove St. Philip Total cost of the project is \$49,000 with a request of \$28,600. Attached is the map outlining the trail and the MOU between the Town and ECT. The Recreation Committee request that all council review the MOU and if you have any recommendations to please forward them to staff for the next committee meeting.

*Note: the referenced map outlining the trail and the MOU between the Town and ECT is available in the supporting documents package.*

**2. Voisey Brook Walking Trails**

The Recreation Committee discussed correspondence that was received from a resident regarding snowmobiles on Voisey Brook Walking Trails. Although the resident suggested that barricades be put in place to prevent access by the snowmobiles, this would cause fire and emergency access issues. However the Commissionaires will be notified of the concerns and be sure to look into this issue further.

**3. Programs and Special Events**

The Recreation Department has a number of programs and special events taking place over the next month. To keep council and residents aware of what upcoming schedules, please see those listed below:

- a. Seniors Paddy Day Event March 16th
- b. Clay Cafe Paint Night March 21st

- c. Easter Party and Sleigh Rides March 24th
- d. Easter Camp April 2nd 6th
- e. Rescheduled Snow and Stars Hike April 13th
- f. Best of PCSP April 16th

**4. Community Grants**

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

Motion        Stewart Sharpe/Neary  
**2018-083    Resolved that the Town donate \$50 per player for a total of \$300 to the Midget A Northeast Eagles Hockey Provincial Team members from Portugal Cove St. Philip’s listed; Carter Stevens, Adrian Stevens, Riley Wilkens, Lucas Heath, Naythan Stone, and Tyler Sheppard.**

Carried        Unanimously

Motion        Stewart Sharpe/Neary  
**2018-084    Resolved that the Town donate \$1000.00 to Lisa Oliver to assist with her fund-raising efforts to install a chair lift in her van for her daughter Holly.**

Carried        Unanimously

Public Works Committee Report for March 14, 2018 – presented by Councillor Bartlett

**1. Animal Control Partnership with Town of Torbay**

Committee reviewed the rates and proposed hours for animal control services at Council of Whole. Committee discussed the benefits of the service in providing a cost-effective solution to animal control for the Town and recommended a one-year trial period utilizing the minimum number of hours per week. Staff will forward correspondence back to the Town of Torbay.

Motion        Bartlett/Laham  
**2018-085    Resolved that Council grant approval of a partnership with the Town of Torbay for Animal Control services for five (5) hours per week and to be reviewed one (1) year from commencement.**

Carried        Unanimously

**2. Correspondence Drover Heights**

Correspondence was received from residents in Drover Heights with respect to storm water issues. Staff will assess the site and file history and report back to a future committee meeting on status.

**3. Quotes Fleet Diagnostic Equipment**

Three quotes were reviewed for the purchase of diagnostic equipment for the Town heavyduty fleet. This equipment will allow for the scanning, diagnosing and troubleshooting of heavy equipment codes, resulting in more efficient repair turnaround times.

Motion Bartlett/Hanlon  
**2018-086 Resolved that Council grant approval of the purchase of a Bosch ESI HD Diagnostics Tool from Carquest at a cost of \$9,195 plus HST.**  
 Carried Unanimously

**4. Seasonal Public Works Staff Recalls and Postings**

Staff presented a list of positions required for spring/summer/fall operations within the Public Works Division for the purpose of seeking approval for recall or posting. Where no call back is available, the appropriate recruitment process will be followed.

Motion Bartlett/Laham  
**2018-087 Resolved that Council grant approval to call back and/or post the following seasonal positions:**  
**Heavy Equipment Operator (x2)**  
**Municipal General Worker, Facilities (x4)**  
**Municipal General Worker, Streets (x2)**  
**Water/Wastewater Technician, Plant (x1)**  
**Water/Wastewater Technician, Field (x1)**  
**Collector Operator (x1)**  
 Carried Unanimously

**5. Snow Clearing Property Damage Claim**

A damage claim was presented to Committee for the following civic address: 4 Larkspur Lane.

This claim was submitted as per the claim process requesting replacement of sod and pipes from an irrigation system. The area of claim is within the Town street reservation therefore, as per Section 4 of the Town Snow Clearing Regulations, Town will not be responsible for any damage caused within the Street Reservation. The claim for the replacement of the irrigation system is recommended for denial.

Motion Bartlett/Laham  
**2018-088 Resolved that Council denies claim for damages to irrigation system as per the Town Snow Clearing Regulations.**  
 Carried Unanimously

**6. Heritage Display Cases:** Request was received to build display cases which will be placed at Brookside Intermediate to house the display of the Town heritage artifacts.

**7. Hazardous Waste Day:** Staff were asked to explore options that would allow the Town to offer a hazardous waste collection day for the residents.

Economic Development, Marketing, Communications & Tourism Committee report for March 15, 2018 by Councillor Neary

**1. Community Signage**

The City of St. John’s has completed a draft of their regional “hub and spoke” signage plan and have identified Portugal Cove – St. Philip’s as a potential pilot project for neighboring municipalities. They are finalizing the report and will share with us soon.

Town staff met ACOA regarding funding for our community and tourism wayfinding signage. Next steps and advice are being considered by ACOA and will be discussed with Council and Chamber of Commerce in the coming weeks.

**2. Heritage Committee**

The committee reviewed a request to join the Heritage Committee

Motion <b>2018-089</b> Carried	Neary/Bartlett <b>Resolved that George Withers be appointed to the Heritage Committee.</b> Unanimously
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Our Heritage Coordinator has been working with the Recreation Department in looking for options for new dories for the regatta. A proposal has been developed in conjunction with the Wooden Boat Museum that would see us purchase one dory and two dories that are incomplete. We would have public workshops to complete those two dories. Staff will finalize the plan for Councils consideration. This is a budgeted item.

**3. Advisory Committee on the Environment**

Councillor Neary updated the committee on the monthly ACE meeting including Green Team application, Millers Pond Study and Environmental Fair. ACE has been asked to provide input on steep slopes, a small development and wetlands.

The Director updated the committee on the Climate Adaptation projects. A tentative schedule has been developed by ICLEI and Conservation Corps for a mix of local and national workshops that will inform the town’s strategy.

**4. SharePoint**

As the Town is transitioning to a new iCompass platform for Council and committee minutes and reports discussions have started on how best to use SharePoint moving forward. The Director of

Economic Development will work with the Deputy Town Clerk to address the needs of Council from a records and information management perspective. The coming solutions will be user friendly to residents and Council.

## **5. Community Advertising**

The committee discussed two promotional avenues for the town:

a) Business View magazine was looking to profile the town. A requirement is to send a letter to businesses to ask them to advertise in the magazine at a high cost. The market is international. Committee determined this is not a good fit and an unreasonable expectation on local businesses. We will not proceed.

b) Horizons is a provincial publication administered by the Telegram. The exposure is great and many communities in Newfoundland and Labrador advertise here as a means of promoting their community. This was a budgeted item and we will proceed with his publication.

Councillor Neary noted the budget for this item was for \$3000.

## **6. Urban Municipalities Caucus (UMC) Meetings**

On March 14th and 15th MNL hosted UMC meeting with representatives of the 23 largest communities in Newfoundland and Labrador. The two-day event had three streams. CAO's and Town Mangers, Council Reps and Economic Development staff had three different agendas, with some overlap. The Director of Economic Development had training on an Economic Development Toolkit and its facilitation process. This process will be done with Chamber of Commerce.

## **7. Chamber of Commerce**

The Director of Economic Development attended the Chambers meeting on March 7th and assisted the facilitation of the Chamber SWOT analysis on March 14th. We continue to work closely with the Chamber on community signs and the business directory as well as general discussions on how better to position the town from a business and tourism perspective moving forward.

## **8. Service Level Review**

Council and senior staff had a workshop with Twells Con the draft of the Service Level Review on Monday, March 12th. Changes are being made and the final draft will be submitted to Council by the end of March.

## **9. Regional Transportation Plan**

Metrobus is bringing back a regional project that was planned for a couple years ago. The past



Council had budgeted \$10,000 to support a regional transportation plan. This plan was not completed in that budgeted year, therefore we never made a financial contribution. Metrobus is looking for the support of this Council to complete the work. The past proposal will be shared with Council for their review and consideration.

#### **10. Best of PCSP Community Awards**

Nominations have been extended to March 20th. Fred Hutton has confirmed that he will be emceeding again this year.

#### Protective Services Committee report for March 13, 2018 – presented by Councillor Hanlon

##### **1. Commissionaires – Municipal Enforcement**

The Municipal Enforcement Officer offered the following update on activity since the last Committee meeting:

4. Standard patrols and monitoring
5. Suspicious vehicle noted in Nearys Pond area at approx. 1 a.m., followed up Portugal Cove
6. Road and out to city limits.
7. 100 snow clearing warning tickets issued since the beginning of the season, the most issued in any season.
8. Increased patrols during lunch times for Rainbow Gully Park, reports of illegal activity.
9. 2 ongoing investigations for barking dogs after 11 p.m.
10. 3 ongoing investigations of roaming dogs.
11. Continued traffic monitoring of Blagden Hill and Newbury Street areas.
12. Research and continued development for Traffic regulations.

The MEO patrols will begin assessing properties throughout the community for compliance with the Civic Numbering Policy. This is a proactive approach to the upcoming compliance deadline in July 2018. An information card will be produced for the MEOs to leave with residents who are not currently compliant. The next edition of the Tickle newsletter will also contain a reminder of the deadline and a full article on the importance of Civic Numbering.

It was noted that the increase in patrols and visible MEO presence throughout the community is having a definite positive impact.

Note: The Town Manager/Engineer noted the Civic Numbering document is a Town regulation, not a Town policy.

##### **2. FES Updates - activity since last Committee meeting:**

Responses: 5

- 4 Medical calls
- 1 Chimney fire

**Training:**

- March 5th Pre-incident planning exercise
- March 12th no training scheduled due to prior scheduling of R2MR course on Saturday

FES-NL Annual Fire School schedule is out now and will be held in Grand Falls-Windsor from May 26th to June 1st. All information has been distributed to FD membership and the deadline for members to apply is set for April 6th.

Recruit training started on March 6th and there are a total of 10 new recruits.

**Other Activity:**

Department hosted a tour for the Beavers and a fire prevention presentation at station 2 on March 6th.

The Committee reviewed the letter to accompany the new pumper truck request to be submitted to the Province this week. It has also been reviewed by the Town Manager.

The FireSmart application has been submitted.

An application has also been prepared for bunker gear funding. The Committee gave direction for the Chiefs to proceed.

The Committee discussed the previous inquiry into the Town receiving fire services from St. John Regional Fire Department and the weighing costs associated. At the time, SJRFD was not interested in providing the service and the associated costs well outweighed the current costs of the PCSP Volunteer Fire Department. The Chair requested that the Chief contact

Gerry Peach of SJRFD to make an up to date inquiry on interest and costs.

**3. Traffic Regulations**

The draft PCSP Traffic Regulations have been posted to the Town website as of March 7th for residents to review and provide feedback. The deadline for community input is March 20th.

**AMENDMENT:**

The deadline has now passed and the Town has not received any input to date. We can consider the draft PCSP Traffic Regulations suitable for submission to the Department of Transportation to support a request to be granted authority to adopt and enforce municipal traffic regulation. Therefore:

Motion	Hanlon/Neary
<b>2018-090</b>	<b>Resolved that the Town of Portugal Cove-St. Philip's submit to the Minister of Transportation &amp; Works the draft PCSP Traffic Regulations and a request for an order to delegate authority under Section 189 and 190 of the Highway Traffic Act to adopt and enforce these regulations.</b>
Carried	Unanimously

Once the Town has received an order for delegated authority from the Minister, a Notice of Motion to adopt the regulations will follow. The regulations may be revised prior to adoption based on any input received during Ministerial review.

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

**1. Accounts for Payment**

Motion	Bartlett/Hanlon
<b>2018-091</b>	<b>Resolved that Council approve payment of regular accounts in the amount of \$32,625.34, and capital accounts in the amount of \$52,274.23, for a total of \$84,899.57.</b>
Carried	Unanimously

**2. Killick Coast Mayors Meeting**

On February 22, 2018 the Mayors from the six Killick Coast towns held their quarterly meeting and discussed sharing common services between the towns, such as, bulk purchasing and building inspector services to decrease over all costs. There was also a discussion on partnership with Torbay in regards to constructing the extension for Jack Burne Arena. Further discussion on all items will occur.

**3. Carried Forward Correspondence: Request for tax relief based**

The committee reviewed a letter received from Holy Rosary Parish requesting exemption from paying water and sewer tax on their properties, namely the Hall, Church and Rectory. The town will reply in a letter to grant a discount.

**4. Information Management**

The committee continued discussion on the process of receiving correspondence and access and control of records. Discussion on tabling documents verses including documentation in the minutes will be brought to a working group. Further discussion on all items will occur.

The possibility of changing the Council meeting schedule for July and August was discuss and was decided to remain status quo.

**5. Correspondence: St. John’s Regional Fire Department**

The committee received routine correspondence containing the 2018 Schedule of Fees for dispatch, response and stand-by services. Committee requested staff look into the availability and cost of using the Department services full time.

**6. Correspondence: Request for Tax Relief**

The Committee discussed a business that was not able to be open in 2016 and therefore is requesting a refund of their business, water and sewer taxes for 2016. Whereas the business had no activity in 2016 through no fault of their own, the committee has agreed with the request and will send a letter to the business.

**7. Water and Sewer Connection Fees**

Since this council has taken office, it has committed to re-evaluating the Water & Sewer Capital Works Cost Recovery Policy with a focus on a solution that uses fixed connection fees rather than local improvement assessments for properties fronting on existing streets. The A&F Committee has reviewed the connection fees, which have not changed since 2011, to consider the impact they will have on the cost recovery model and have proposed some updated fees. The recommended fees give the greatest benefit to existing home owners who receive new servicing followed by current vacant landowners and then future development. As the deadline for updating the 2018 fee schedule is March 31, 2018 the A&F Committee is bringing forward these fees for adoption tonight. The new fees would apply to all connections in 2018, including new and existing projects that have not yet been billed.

The committee will later recommend a revision of the Water & Sewer Capital Works Cost Recovery Policy to align with the adopted fees and address what should be done with the levy portion of the policy that deals with future subdivision development.

Motion Bartlett/Hanlon  
**2018-092 Resolved that the amended 2018 Schedule of fees with changes to the Water & Sewer Connection & Other Fee section be adopted.**  
 Carried Unanimously

Note: The committee should prepare and send clear communication to the residents explaining the fee structure.

**8. 2014-2017 Multi-Year Capital Works Projects**

Motion Bartlett/Hanlon  
**2018-093 Resolved that Council seek approval from Department of Municipal Affairs and Environment to borrow Town’s portion of the 2014-2017 multi-year capital works projects in the amount of \$755,050 for a 10 year term and 10 year amortization at a rate of 3.77% with the Royal Bank.**  
 Carried Unanimously

**9. Accounts Receivable Item**

The Director of Financial Operations presented information on outstanding accounts and committee recommends the following:

Motion        Bartlett/Hanlon  
**2018-086    Resolved that account DONSQ001 in the amount of \$7,338.92 and account ATLAN002 in the amount of \$1,560.00 be written off as uncollectable.**  
 Carried        Unanimously

**CORRESPONDENCE**

Council Correspondence for March 6 - 16, 2018

RECEIVED	CONTRIBUTOR	REGARDING	DISTRIBUTION
3/6/2018	St. John's Regional Fire Department	2018 Schedule of Fees	A&F Cmte
3/7/2018	Resident	Transport of Soil and Gravel	P&D Cmte
3/9/2018	Canadian Garden Council	Get the jump on Spring	RC Cmte
3/12/2018	Resident	Water runoff issues	PW Cmte
3/14/2018	Department of Municipal Affairs	Circular Use of Municipal Water, Sewer and Roads Master Construction Specifications	PW and P&D Committees
3/14/2018	Gary Summers Unlimited	Mental Health Workshop	Council
3/14/2018	Resident	Voisey's Brook walking trails	RC Cmte
3/15/2018	Fisheries and Oceans	Decline in Trout and Whitefish	ED Cmte
3/16/2018	DMAE	Training Opportunities	Council & Staff

**NEW/GENERAL/UNFINISHED BUSINESS**

**AGENDA ITEMS/NOTICE OF MOTION**

**ADJOURNMENT**

Motion Hanlon/Laham

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