



TOWN OF PORTUGAL COVE-ST. PHILIP'S

July 14, 2009

Public Council Meeting called to order at 7:40 pm.

IN ATTENDANCE:

Mayor	Norm Collins
Deputy Mayor	Keith Mercer
Councillors:	Steve Andrews
	Bill Fagan
	Jon Seary
Town Manager	Rodney Cumby
Town Clerk	Judy Squires
Director External Operations	Roy Burry
Town Planner	Geralyn Lynch
Director of Finance/Admin	Terrilynn Smith

Also in Attendance: Mayor welcomed gallery of 16 persons in attendance

ADOPTION OF AGENDA

Motion: Seary/Mercer
09-171 Resolved that the Agenda dated July 14, 2009, be adopted.
Carried
Unanimously

ADOPTION OF MINUTES

Motion: Andrews/Seary
09-172 Resolved that the Minutes of the **Public Meeting of June 30, 2009**, be adopted.
Carried
Unanimously

BUSINESS ARISING

Town Manager's Report - Town Manager presented and responded to questions arising.

COMMITTEE REPORTS

Planning and Development Committee – July 6, 2009

1. Civic# 24 Jonathon Heights

Application to construct an accessory building

Zoning: Agriculture (AG)

Motion: Andrews/Seary

09-173

Resolved that the application for Civic# 24 Jonathon Heights be **conditionally approved**, permitting the construction of a 62m² accessory building. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Schedule C: Agriculture. This application shall be subject to all other regulatory government agencies.

Carried

Unanimously

2. Civic# 73 Maggies Place

Application to construct an accessory building

Zoning: Agriculture (AG)

Motion: Andrews/Seary

09-174

Resolved that the application for Civic# 73 Maggies Place be **conditionally approved**, permitting the construction of a 77m² accessory building. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Amendment 18 (2005), Regulation 11 Variances and Schedule C: Agriculture. This application shall be subject to all other regulatory government agencies. Notice of the Variance shall be given to all persons whose land is in the immediate vicinity.

Carried

Unanimously

3. Civic# 269 Tolt Road

Application to construct an accessory building

Zoning: Residential Infill (RI)

Motion: Andrews/Seary

09-175

Resolved that the application for Civic# 269 Tolt Road be **conditionally approved**, permitting the construction of an 84m² accessory building. Conditional approval shall be in accordance with the Municipal Plan and Development Regulations, with specific reference to Amendment 18 (2005), Regulation 11 Variances and Schedule C: Residential Infill. This application shall be subject to all other regulatory government agencies. Notice of the Variance shall be given to all persons whose land is in the immediate vicinity.

Carried

Unanimously

Note: The Town Planner advised that the word 'Variance' refers to a discretionary decision of Council.

**4. Civic# 45 Witch Hazel Road
Municipal Crown land application form
Zoning: Rural (RUR) & Agriculture (AG)**

Motion: Andrews/Mercer
09-176 Resolved that Council **reject** the application for Crown land as the proposal is contrary to the Municipal Plan and Development Regulations. Residential uses are considered a discretionary use within the Rural Use Zone Table, and will not be permitted except where they are necessary to support a permitted use.

Carried For: Collins, Mercer, Seary, Andrews
Against: Fagan

**5. St. John's Urban Region Regional Plan Amendment No. 3, 2009 and
Development Regulations Amendment No. 36, 2008**

Motion: Andrews/Mercer
09-177 Resolved that Council approve the St. John's Urban Region Regional Plan Amendment No. 3, 2009 and Portugal Cove-St. Philip's Development Regulations Amendment No. 36, 2008, which will allow the development of an 11 lot, serviced residential subdivision off Portugal Cove Road, in accordance with Section 23 of the Urban and Rural Planning Act.

Carried
Unanimously

6. General Discussion held by Committee on following items, for info only:
Civic# 1933–1945 Portugal Cove Road – Business proposal
Civic# 34 Wards Lane – Driveway access
Civic# 1439 Portugal Cove Road – Noise complaint
Civic# 606-650 Bauline Line – Noise complaint
St. John's Regional Plan – Scheduled meeting with consultants

7. Permit Register:

#	Permit #	Date Issued	Civic #	Road	Permit Type
1	09-190	6/19/2009	126-134	Olivers Pond Road	Occupancy Permit
2	09-191	6/19/2009	126-134	Olivers Pond Road	Accessory Building
3	09-192	6/19/2009	430	Dogberry Hill Road	Accessory Building
4	09-193	6/23/2009	56-58	Skidders Road	Single Family Dwelling
5	09-196	6/24/2009	10	Ursula Crescent	Accessory Building
6	09-197	6/24/2009	87	Bauline Line Extension	Accessory Building
7	09-198	6/24/2009	281	Bennetts Road	Single Dwelling
8	09-201	6/25/2009	17-19	Chesley-Van Heights	General Repairs & Maintenance
9	09-202	6/26/2009	725-727	Indian Meal Line	Accessory Building
10	09-203	6/26/2009	93	Tolt Road	Accessory Building
11	09-204	6/26/2009	93	Tolt Road	Dwelling Extension
12	09-205	6/30/2009	38	Windsor Heights	General Repairs & Maintenance
13	09-206	6/30/2009	38	Windsor Heights	Dwelling Extension
14	09-207	6/30/2009	961	Thorburn Road	General Repairs & Maintenance
15	09-208	6/30/2009	1731	Portugal Cove Road	Accessory Building
16	09-209	6/30/2009	14	White Ash Drive	Dwelling Extension
17	09-210	6/30/2009	6	Netherwood Street	Single Family Dwelling

Parks, Recreation & Community Services – July 8, 2009

Meeting held, no written report. Councillors Mercer and Fagan noted the items discussed were:

1. Finalization of Regatta Festival plans
2. Review of Canada Day events. Particular note was made by councillors of the comments they received about the Town's excellent fireworks display
3. Killick Coast Games – committee looking for suggestions for a 'patron' from the community
4. Update on Recreation Center renovations

Public Works Committee – July 9, 2009

1. Water Conservation Order – press release from City of St. John's, City of Mount Pearl, Town of CBS, Town of Paradise, Town of Portugal Cove-St. Philip's

Motion:
09-178

Seary/Andrews

Resolved that Council accept the recommendation to prohibit outdoor water usage until further notice that the Regional Water System water levels (Bay Bulls-Big Pond) are restored and that all residents on the Town's water services be notified of this order.

Carried
Unanimously

2. Correspondence from residents of Hilltop Lane regarding (a) Unsightly vehicles and (b) truck repairs

Motion:
09-179

Seary/Mercer

Resolved that the property owner of the unsightly vehicles on Hilltop Lane be given until Thursday, July 30, 2009, to have both vehicles removed from the site and the community; or, the Town will remove the vehicles and all associated costs will be charged to the property owner who will be responsible for payment.

Carried
Unanimously

Note: In the matter of the maintenance and repairs of the large trucks, the staff will further investigate the allegations and report back to committee.

3. Correspondence from Dept. of Transportation & Works – Road Salt

Pricing received for 2009/2010 winter season. Rate is \$85.90 per tonne which is up from last year.

4. Use of Municipex Poly Pipe for residential water services

Motion:
09-180

Seary/Andrews

Resolved that the Town make the appropriate changes to the Town's Water and Sewer Regulations to allow for the use of Municipex Poly Pipe for residential water services.

Carried
Unanimously

5. Posting of Waste Water Operator (new) position – for info

This is an internal posting for a new 2009 budgeted position.

6. Posting of Assistant Sewer Treatment Plant Operator – for info

This is an internal posting for an existing position.

**Public Relations, Economic Development & Tourism Committee –
July 14, 2009 meeting**

1. RFP for consulting services for Wind Generation Study

Two proposals received \$8, 200 (plus HST) from Gail Ryan Consulting Services and \$40,000 from Labrador Coastal Equipment.

Motion:
09-181

Seary/Andrews

Resolved that Council accept the proposal from Gail Ryan Consulting Services in the amount of \$8,200 plus HST for consulting services in reference to the Wind Generation Study.

Carried.

For: Collins, Mercer, Seary, Andrews

Against: Fagan

2. Safety Week August 1-7, 2009

At the request of Jeanette Holman-Price on behalf of the Jessica Campaign the town is asked to join with St. John's in proclaiming Safety Week.

Motion:
09-182

Seary/Andrews

Resolved that Council proclaim the week of August 1st to 7th, 2009 as *Safety Week*.

Carried
Unanimously

Finance & Administration Committee – July 9, 2009

1. Accounts for Payment

Motion:
09-183

Mercer/Andrews

Resolved that Council pay the accounts (over \$5,000) in the amount of \$41,385.65

Carried
Unanimously

Policy Review Committee – no meeting.

CORRESPONDENCE - None for this meeting.

GENERAL/NEW/UNFINISHED BUSINESS

(1) Speeding dumptrucks
Motion: Mercer/Andrews
09-184 Resolved that the Town forward a letter to the RNC requesting extra patrols for our Town in light of recent situations involving speeding vehicles.

Carried
Unanimously

(2) Rotary Park – cars parked on roadsides
In response to Councillor Mercer’s inquiry, Council requested the Town Manager to contact the City of St. John’s concerning the safety issues and concerns to our residents as a result of the increased parking on the roadsides in the Rotary Park Area.

(3) Residents inquiry regarding roadwork on Bennetts Road
In response to Councillor Fagan’s inquiry on behalf of the residents, the Director of External Operations advised that construction was stopped, however, the contractor is coming back to finish the work.

(4) Update on 899 Thorburn Road
In response to Councillor Fagan’s inquiry, the Mayor advised that this issue is still ongoing. He noted that the applicants have permission to renovate but not to expand.

(5) Concerns regarding recent vehicle accident near Town Hall
Councillor Seary voiced his concerns about this incident.

ADJOURNMENT

Motion: Seary/Andrews
09-185 Resolved that this meeting be adjourned. Time 8:30 pm.
Carried
Unanimously.

Mayor Norm Collins

Judy Squires, Town Clerk