

TOWN OF PORTUGAL COVE-ST. PHILIP'S

August 26, 2008

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

IN ATTENDANCE: Mayor: Norm Collins
Deputy Mayor: Keith Mercer
Councillors: Steve Andrews
Bill Fagan
Adrienne King
Jon Seary
Town Manager: Rodney Cumby
Acting Town Clerk: Judy Squires

Also in Attendance: Gallery of 21 persons

ADOPTION OF AGENDA

Motion: Andrews/Seary
08-240 Resolved that the Agenda dated **August 26, 2008**, be adopted.
Carried
Unanimously

PRESENTATION Garden Competition Awards

On behalf of Council, Councillor King presented certificates/awards to the following winners:

Best Floral Design – Lynn Green, Ayres Lane

Best Garden – John and Debbie Tucker, Old Broad Cove Road

Best Kept Property – Jeff and Renee Parsons, Thorburn Road

ADOPTION OF MINUTES

Motion: Andrews/Seary
08-241 Resolved that the Minutes of the **Public Meeting of August 12, 2008**, be adopted with the following corrections: Motion 08-231 should read 'possible **land** acquisition' instead of 'possible road acquisition'; and, Motion 08-235 should show that Councillor Fagan voted against this motion.
Carried
Unanimously

BUSINESS ARISING

Town Manager's Report – was presented and read by the Town Manager who responded to questions arising. The Town Manager noted and will provide Councillor Fagan with items as requested.

COMMITTEE REPORTS

Planning and Development Committee – August 19, 2008

1. 19 Legion Road, single dwelling, Zoning: RMD
Andrews/King
Motion: 08-242 Resolved that the application to construct a single dwelling at 19 Legion Road be **conditionally approved** in accordance with the Municipal Plan and Development Regulations and all other regulatory bodies of Government. Furthermore, in considering the proximity of the proposed dwelling to the brook, that prior to any permits being issued, the applicant is to submit a detailed engineered drainage plan for the lot, for review and approval. The drainage plan shall also make reference to the brook. The proposal requires approval from both the Department of Environment and Conversation and the Department of Fisheries and Oceans.

Carried

2. Part of 853 St. Thomas Line - request regarding condition #3 on approval to subdivide and construct two residential dwellings with access on Wards Lane.

Applicant requested condition # 3 regarding lot frontage be waived. Committee held discussion on the matter and staff has responded. Councillor Fagan requested a copy of the response letter.

3. Eastern Regional Appeal Board – Tolerance letter

Letter received from the Board regarding the denial of a tolerance letter from the Town. Submitted for information.

4. Complaint referred from Government Service Center regarding backfilling at 1549 and 1551 Thorburn Road

Andrews/King
Motion: 08-243 Resolved that the owner of the property at 1549 and 1551 Thorburn Road be ordered to stop dumping fill and clean up the construction debris within the 15-meter buffer of Broad Cove River.

Carried. Voted for: Andrews, Collins, King, Mercer and Seary
Voted against: Fagan

Councillors expressed concerns regarding complaints letters not being signed and staff will review our policy regarding same.

5. Municipal Plan Amendment No. 12, 2006 & Development Regulations Amendment No. 26, 2006 (Lot Area & Street Design)

Municipal Plan Amendment No. 12, 2006, & Development Regulations Amendment No. 26, 2006, were submitted to and reviewed by the Planning Committee and the Committee found the Amendments to be unacceptable and, therefore, referred the Amendments to the Town Planner for further discussion with the Planning Consultant.

6. PERMITS ISSUED: (July 28 – August 04, 2008)

#	DATE:	CIVIC ADDRESS	DEVELOPMENT
1	Aug. 05/08	112-124 Oliver's Pond	Accessory Bldg.
2	Aug. 05/08	4 Princeton Place	General Repairs & Mtce.
3	Aug. 05/08	6-10 Dogberry Hill Rd. Ext. (part of)	Phase 2A & Rd. Const.
4	Aug. 06/08	29 School Rd.	Accessory Bldg.
5	Aug. 06/08	370 Dogberry Hill Rd.	Occupancy
6	Aug. 07/08	70 Churchill's Rd.	Accessory Bldg.
7	Aug. 07/08	1592-1594 Portugal Cove Rd.	Double Dwelling
8	Aug. 07/08	1596-1598 Portugal Cove Rd.	Double Dwelling
9	Aug. 11/08	4 White Ash Drive	Accessory Bldg.
10	Aug. 11/08	167B Beachy Cove Rd.	Accessory Bldg.
11	Aug. 12/08	1534 Portugal Cove Rd.	General Repairs & Mtce.
12	Aug. 13/08	46-48 Marion Place	Single Dwelling
13	Aug. 13/08	246-250 Dogberry	Occupancy
14	Aug. 14/08	2-4 Olympic Drive	Single Dwelling

Parks, Recreation, & Community Services - August 20, 2008**1. Garden Competition**

On Friday, August 22nd Councillor King and Deputy Mayor Mercer visited participants in the Garden competition and the following are the awards that the Town of Portugal Cove - St. Philip's would like to recognize:

- Best Floral Design – Lynn Green, Ayres Lane
- Best Garden – John and Debbie Tucker, Old Broad Cove Rd
- Best Kept Property – Jeff and Renee Parsons, Thorburn Rd

2. K-Rock Bike Tour

The 1st Annual "Cycle for K-Rock Kids" is scheduled to take place on Sunday, August 24th. This is a 100km charity bike ride that will be traveling through the Northeast Avalon of the province in support of the K-Rock Children's Trust Fund.

3. Canadian Parks and Recreation Conference

The Canadian Parks and Recreation Conference will be taking place in conjunction with the World Leisure Congress October 6th-10th in Quebec City. The Recreation Director will be organizing her registration, accommodations and travel for this event in the next couple of weeks.

4. Tagline and Logo Update and Voisey's Brook Plan

During the week of August 25th, the Recreation Director will be meeting with Mr. Neil Dawe of Tract Consulting to get further information on the projects that they are currently working on. The playground in Voisey's Brook Park must be repaired or parts replaced. A part of the project to be discussed is the new layout of the park and what that means for the playground. It may be an option to relocate. Further details and updates will be given at the next meeting.

Public Works Committee

No meeting held.

Public Relations, Economic Development & Tourism Committee

No meeting held.

Finance & Administration Committee – August 21, 2008**1. Accounts for Payment**

Motion: Mercer/Andrews
 08-244 Resolved that Council pay the accounts (over \$5,000) for \$134,714.61
 Note: Pardy's Waste Management & Industries invoice is approved but subject to review.

Carried
 Unanimously

2. New Administration Support Clerk

Sean Power has been hired to fill the 6-month position for Administration Support Clerk.
 His employment commenced August 18, 2008.

3. Parking – Thorburn Road in vicinity of Sunshine Rotary Park

Town Manager will contact Mr. Ron Penny of the City of St. John's regarding the unsafe practice of vehicles owners parking in a NO Parking area without being ticketed. These Owners/Operators of vehicles illegally park to gain access to the Sunshine Rotary Park.

4. Ms. E. Dobbin/Center for Autism – donation

Motion: Mercer/Seary
 08-245 Resolved that Council donate \$50.00 to the Center for Autism.

Carried.
 Unanimously Mayor and councilors will look at his item in budgetary process as an ongoing donation.

5. Private Member's Bill

Motion: Mercer/Andrews
 08-246 Resolved that Council write a letter in support of Bill C-568 An Act to amend the Motor Vehicle Safety Act (Speed Limiters) first reading House of Commons on June 17, 2008.
 In Summary: This enactment amends the Motor Vehicle Safety Act to include prohibitions against the manufacture, importation, sale lease, operation and release after repair of motor vehicles manufactured after January 1, 2010, if they are not equipped with a speed limiter that is engaged and set to a maximum speed that is not greater than 150 Kilometers per hour.

Carried
 Unanimously.

6. Donation Request for the 175th Anniversary of Holy Rosary Parish

Motion: Mercer/Andrews
 08-247 Resolved that Council donate \$100.00 to the Holy Rosary Parish to aid in the celebration of this very special 175th Anniversary of the Parish of Holy Rosary, Portugal Cove.

Carried
 Unanimously.

7. Committee Structure – Existing and New:

Motion: Mercer/Andrews
 08-247 Resolved that Council adopt the following revised Standing Committee Structure:

Public Works	Planning & Development	Finance & Administration	Public Relations Economic Dev. & Tourism	Parks/Rec/& Community Services	Policy Development Bylaws/Regulations, Policies
<i>Butler-Chair</i>	<i>Andrews-Chair</i>	<i>Mercer-Chair</i>	<i>Seary-Chair</i>	<i>King – Co Chair</i>	<i>Fagan –Chair</i>
<i>Seary</i>	<i>Collins</i>	<i>Collins</i>	<i>Andrews</i>	<i>Fagan -Co Chair</i>	<i>Mercer</i>
<i>Collins</i>	<i>King</i>	<i>Andrews</i>	<i>Butler</i>	<i>Mercer</i>	<i>Collins</i>
<i>R. Burry</i>	<i>G. Lynch</i>	<i>Town Mgr. Town Clk.</i>	<i>S. Kent</i>	<i>D. Sharpe, Rec. Director</i>	<i>Town Manager S. Kent</i>

Carried.
 Voted for: Andrews, Collins, King, and Mercer and Seary
 Voted against: Fagan

Note: Councillor Fagan's questions regarding the term 'co-chair' are referred back to committee for discussion.

Additional item:

8. Organizational Review

Motion: Mercer/Searly
08-248 Resolved that Council accept the Organizational Review report prepared by AEM HR Consulting on August 26, 2008, and that the Town Manager be directed to set in motion the process to develop the upper layer structure as is shown in the Organizational Chart number 1.

Carried. Voted for: Andrews, Collins, King, Mercer, and Searly
Voted against: Fagan

Councillors expressed their views to support why they did or did not vote in favor of this motion. Councillor Fagan requested updated/current staff information.

CORRESPONDENCE` - None for this meeting.

GENERAL/NEW/UNFINISHED BUSINESS

(1) Request for financial assistance with Dispute Resolution costs

Councillor Searly requested status of our request to the Dept. of Municipal Affairs for financial assistance with the Dispute Resolution costs and was advised by Mayor Collins that we have not received a response to date, that he will follow up with a letter tomorrow. Councillor Andrews note that we have a budget amount set for legal services and we should not exceed that amount.

(2) MNL Infonotes

These are now being sent electronically. Councillor Fagan suggests that the Town respond to the Quiz in the August 22/08 MNL Infonote regarding lowering costs for financial services. He also referenced the article regarding 'Youth Retention', which involves dialogues being conducted on behalf of the provincial government by Canadian Policy Research Networks, an independent, public policy research organization. Participants will be paid an honorarium of \$100 and travel costs, if required, will be reimbursed. He suggests the Town ask the Churches to put this in their bulletin and that the article go on the Town website.

(3) Portugal Cove 3rd Annual Regatta

Mayor Collins offered congratulations for the successful Regatta held on August 16th which included 18 races. A congratulatory letter will be sent to the Greeley family for running this event.

ADJOURNMENT

Motion: Andrews/King
08-249 Resolved to adjourn this meeting.
Time: 8:40 p.m.

Carried
Unanimously

Mayor Norm Collins

Acting Town Clerk, Judy Squires