

TOWN OF PORTUGAL COVE-ST. PHILIP'S

July 3, 2008

Public Council Meeting was called to order at 7:30 pm.

IN ATTENDANCE: Deputy Mayor: Keith Mercer
Councillors: Steve Andrews
Bill Fagan
Adrienne King
Jon Seary
Town Manager: Rodney Cumby
Town Clerk: Loretta Tucker

Also in Attendance: Gallery of 12 persons

ADOPTION OF AGENDA

Motion: Andrews/King
08-177 Resolved that the Agenda dated **July 3, 2008**, be adopted.
Carried
Unanimously

ADOPTION OF MINUTES

Motion: Andrews/King
08-178 Resolved that the Minutes of the **Regular Public Meeting** of **June 17, 2008**, be adopted as presented and reviewed.
Carried
Unanimously.

Councillor Fagan requested that his questions relating to Business Arising be included.

BUSINESS ARISING

Town Manager's Report – was presented and read by the Town Manager.
Business Arising from the Minutes

a) Councillor Fagan tabled a document "*Supplementary to Questions re Selection of Roads/Paving and Upgrades*". Document will be referred to the Public Works Department for review.

Deputy Mayor Mercer advised that instead of a 3rd party response, it is advisable that residents contact the Town Office with their questions and/or concerns and that resident be responded to directly.

(b) Town Manager responded to a question from Councillor Fagan regarding the sound system for the Public Gallery and advised that it is the same ongoing issue.

b) Town Manager responded to Council Fagan's question regarding the Wind Generation Study and reference was made to a previous decision of Council. For information: following in-part is the contents of Motion #08-111 *"that the 2nd billing dated March 31, 2008 would be held until Council reviews and accepts the draft of the FGA report on Wind Energy. Further resolved that prior to any further work taking place on this study that an estimate of the cost, and a review of the proposed work will have to come back to Council for review and decision"*.

d) Hiring of Employee for Development Department

Motion: Seary/Andrews
#08-179 Resolved that staff proceed and hire the new employee for the Development Department as soon as the background checks are done. When the employee has been hired a report will be prepared for Council.

Carried
Unanimously

COMMITTEE REPORTS

Finance and Administration - June 11, 2008

1. Accounts for Payment

Motion: Andrews/King
08-180 Resolved that Council pay the accounts (over \$5000) which total \$8,034.64.

Carried
Unanimously

2. Draft Financial Statements

Circulated for information

3. Letter from resident of Mitchell's Pond Road Re: 1910 Portugal Cove Road

Motion: Andrews/Seary
08-181 Resolved that Council uphold the original decision of Council (written below).

Carried For: Mercer, Seary, Andrews, and King
Against: Fagan

Minutes of May 11, 2004

Original Decision:

"May 11, 2004 - Motion: #04-161 – Following a thorough review of all relative documentations in the property owners development file, and in consultation with the Town's Solicitor, Council has no other alternative and must deny the request from the property owner of 1910 Portugal"

Minutes of June 15, 2006 - E071306#1 (Legal)

"Committee carried out an indepth review of this file, based on the findings and the Town's legal advice, Committee will not be making any further recommendation on this issue and the previous decision of Council will stand. Committee also noted that they had provided an explanation on questions posed by Councillor Fagan who was in attendance for this item".

4. Urban Municipalities Committee – Resolution re Daffodil Place

The UMC of MNL has put forward resolution asking member towns to consider an allocation of .50 cents per capita in their 2009 budget for the Daffodil Place Campaign. This item will be dealt with in the Town's budgetary process. Councillors are asked to send comments if any, to the Finance/Administration Committee.

5. Royal Canadian Legion

Property and Business Tax Exemption 2008

Motion: Andrews/Seary
#08-182 Resolved that Council exempt the 2008 Business Tax of \$2,425.20 and Property Tax of \$1,717.85 for the RCL for 2008 tax year.

Carried
Unanimously

6. Owner/Address unknown properties to be advertised requesting Public Assistance

The Town is seeking the **public's assistance** in identifying a number of properties that are either identified on the assessment roll as (a) **owner unknown** or (b) **address unknown**.

As the next Town's newsletter is not due to be issued until September, when the list of properties is finalized an article will be included with the Town's next submission to the NEA Times and will also be placed on the Town's Website. It is also noted that this step is necessary should any of these properties eventually go to tax sale.

7. Playground update – Voisey's Brook & Rainbow Gully Parks. (Funding Request)

A safety audit completed in Nov. 2007 identified approximately \$60,000 of work necessary to be carried out on the playgrounds to meet the audited safety requirements.

This money will come from the allocated budgeted \$30,000, Town staff carrying out some of the work, leaving a shortfall of \$20,000 to complete the work.

Motion: Andrews/King
#08-183 Resolved that \$20,000 be used out of the Town's contingency budget for life safety improvements for Voisey's Brook Park and Rainbow Gully Park. The General Contingency Account #7580-7200 as per the adopted Budget is \$42,768.

Carried
Unanimously

Councillor Fagan was advised that *Recreation Reserved Funds in Trust* is approximately \$114,000.

8. Tract Consulting Inc. –information re signage for Recreation

A joint meeting will be set with Tract Consulting, Recreation, and PREDT Committee to discuss the Town Logo and Tourism Signage.

Planning and Development Committee – June 24, 2008

1. 509 Old Broad Cove Road - zoning RR

Residential dwelling and accessory building

Held for further information

Councillor Andrews vacated Council chambers prior to discussion on item, due to the possibility of conflict of interest. (Next door neighbor).

2. 112 Oliver's Pond Road - zoning RR - Accessory building

Motion: King/Seary
#08-184 Resolved that the application to construct an accessory building measuring 71sq.m (768 sq.ft.) with a maximum height of 5 metres be conditionally approved, subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government.

Carried
Unanimously

Councillor Andrews was advised that item #2 had been dealt with and returned to his Council seat.

3. 136 Old Broad Cove Road - zoning AG - Accessory building

Construction of a 24 sq. m. accessory building to house approximately 100 chickens. The application has been approved by the Department of Natural Resources.

Motion: Andrews/King
#08-185 Resolved that the application to construct a 24 sq. m accessory building to house chickens be conditionally approved subject to compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government. It was noted that the building is located quite some distance back from the Old Broad Cove Road.

Carried
Unanimously

3. Part of Civic 853 St. Thomas Line—Access on Wards Lane – RMD/CON.
Subdivide land and construct two residential dwellings

Motion: Andrews/King
#08-186 Resolved that whereas the general policies of the Municipal Plan require the preservation of prominent coastal features, Committee recommends that Council conditionally approve the application to subdivide land at part of Civic # 853 St. Thomas Line, off Wards Lane, for the purpose of constructing two residential dwellings with a building line setback of approximately 70 metres, in accordance with Regulation 10, Discretionary Powers of Authority and Regulation 42, Building Line and Setback, subject also to full compliance with the Municipal Plan and Development Regulations, and all other regulatory bodies of government. The Committee further recommends that the existing walking trail be maintained in order to provide public access to the coastline for the East Coast Trail. Furthermore, the Committee recommends that Council recognize the vacant land that fronts on St. Thomas Line as a potential building lot that may be developed, subject to Regulation 47 Lot Area and Size Exception.

Carried
Unanimously

Application for Crown Land

Municipal Recommendation Form for Crown Land, Indian Meal Line - Zoning AG

Motion: Andrews/King
#08-187 Resolved that Council refuse the application for 36 acres of Crown land on the north side of Indian Meal Line, as the proposed use (agriculture) is not compatible with the surrounding residential subdivisions located immediately adjacent to the site. Furthermore, it is recommended that all applications to develop large parcels of Crown land within the AG Zone be deferred until such time as the Province releases its report on the Agricultural Development Area boundary review.

Carried For: Mercer, Seary, Andrews, and King

Against: Fagan

6. Correspondence - Windsor Heights

Petition against Commercial Traffic in Windsor Heights

Staff will address the issues. The Planning and Development Committee will also Arrange to visit the site.

7. Street Name - New Cul-de-sac off Beachy Cove Road

Motion: Andrews/Seary

#08-188 Resolved that Council approve the name **Goat Cove Lane** for the new cul-de-sac Under construction off Beachy Cove Road.

Carried
Unanimously

8. PERMITS ISSUED: (June 06 – June 19, 2008)

#	DATE:	CIVIC ADDRESS	DEVELOPMENT
1	June 06/08	3 Dogberry Hill Road Extension	Single Dwelling
2	June 06/08	412-446 Beachy Cove Road	Road Development
3	June 06/08	39-41 Franklyn Place	Accessory Building
4	June 06/08	9-13 Jordan Place	Dwelling Extension
5	June 06/08	569 Old Broad Cove Road	General Repairs & Mtce.
6	June 10/08	69-77 Bradbury's Road	General Repairs & Mtce.
7	June 11/08	11 White Ash Drive	Single Dwelling
8	June 12/08	170-174 Old Broad Cove Road	Accessory Building
9	June 13/08	1838 Portugal Cove Road	Single Dwelling
10	June 13/08	15 North Point Road	General Repairs & Mtce.
11	June 16/08	1575 Thorburn Road	Accessory Building
12	June 19/08	354-358 Old Broad Cove Road	General Repairs & Mtce.
13	June 19/08	14-15 Larkspur Lane	Single Dwelling
14	June 19/08	26-30 Farm Road	Dwelling Extension

Public Works Committee – No Meeting

Parks, Recreation & Community Services Committee – June 26th 2008.

1. Ball Field Donation

Ms. T. Parrell has requested the use of the ballfield free of charge to have a fundraising tournament.

Motion: King/Seary

#08-189 Resolved that Council waive the rental fee for the Softball Field for a fund-raising tournament. The tournament is to raise funds for a diabetic insulin pump for Ms. T. Parrell scheduled for Saturday, August 9th. 2008.

Carried
Unanimously

2. Regatta Festival

Regatta Festival events have been confirmed and the schedule of events has been distributed to all the residents of the community in the newsletter, newspaper, posters, and through radio advertising. The line-up for the music festival is confirmed as well with a special performance by the Celtic Fiddlers. Please be advised that the Spirit of Newfoundland Dinner Theatre tickets are selling well. If anyone would like tickets, please note the deadline to obtain them is Friday, July 4th.

3. Voisey's Brook Park Development

Circulated was a draft scope of work from Tract Consulting for the Voisey's Brook Park Development. Members of PREDT Committee will be meeting with Tract Consulting to discuss Tract's offer to include in the scope of work the development of Town signage. An update on this issue will be given at the next meeting.

4. Playgrounds

A Playground Inspection Report was completed in November by a certified playground safety inspector. From this report it clearly indicated that the Town's existing playgrounds at Rainbow Gully Park and Voisey's Book Park were not up to standards. The 2008 budget allocated \$30,000 to playgrounds. These funds would be used to do any upgrades as well as construct the new playground on Joyce Crescent. However, due to the amount of repairs and maintenance needed for the existing facilities, the Parks, Recreation, and Community Services Committee would like to make the following request that all funding allocated in the 2008 budget for playgrounds be used to maintain and repair the already existing playgrounds.

Motion: King/Andrews

#08-189

Resolved that Council approve that all the funding allocated in the 2008 budget for playgrounds be used to maintain and repair the already existing playgrounds and that existing funds be allocated to this project as per Motion #08-183. (See page 2 of these minutes)

Carried

For: Mercer, Seary, Andrews, and King

Against: Fagan

4. Rotary Sunshine Park

The Mayor and the Recreation Director attended a meeting on Tuesday, June 24th for the Rotary Sunshine Park Committee. At the meeting there was an update on the completion of phase I of the park and discussions on what funding will be needed for phase II. During budget time for 2009 this item will be brought forward for discussion. The Sunshine Park is getting great usage from residents in the area since the new trails have been completed. A cardio fit boot camp takes place in the park every morning. At that time you will also see residents walking and enjoying this excellent facility.

At the Committee Meeting Councillor Fagan suggested that the City of St. John's survey users of the Park to determine the demographics of the users of the Park. The Recreation Director will contact the City with this suggestion.

Public Relations, Economic Development & Tourism

Councillor Seary gave a report on the Farmer's Market. He noted that although only one vendor had signed on it went really great. He extended a sincere thank you to our Volunteer Fire Department for their help. He also advised that the Committee would look at other suggestions so as to avoid conflicting with other markets.

Councillor Seary further advised that the Committee would be meeting with Tract Consulting to look at the proposed new Town Slogan.

CORRESPONDENCE

1. MNL Infonote – dated June 20th, 2008.
Circulated for information

2. Letter from Wayne Ledwell
Circulated for information

3. CUPW
Staff will request information from Canada Post to obtain further information on this letter from CUPW.

4. NLMEB
Circulated for information

5. Memorial University of NL
Circulated for information

6. MNL InfoNote –dated June 13, 2008

Directive: MNL Info Notes – Mostly stale dated
Deputy Mayor Mercer asked that MNL notes be scanned and emailed to all members of Council as soon as they are received at the Town Office.

7. MNL Annual Convention
Discussion took place on the availability of rooms.
Town Clerk to check with MNL to see if they have an accessible room available.

GENERAL/NEW/UNFINISHED BUSINESS

1. Mark Day – Canadian Idol Participant from our Town
Deputy Mayor Mercer expressed the Town's pride in having a Canadian Idol Participant who has achieved such status on the Canadian Idol Show. He advised that a **celebration and a rally** would be held (with CTV) this Friday at 4:00 at Voisey's Brook Park. Everyone is encouraged to come out and support Mr. Day and wish him well, let him know that everyone is cheering for him. From the posters "***Help Rock the Rock Vote Mark Day the #1 Canadian Idol***".

2. Councillor Fagan submitted two pieces of Correspondence from the PC-SP Rowing Team to the Town Clerk/Treasurer.

Referred to Finance and Administration Committee.

3. Water issues on Anglican Cemetery Road
Town Manager responded to questions from Councillor Fagan regarding water issues on Anglican Cemetery Road, advising that he had visited the site with the Superintendent of Works at least 4 times. He further advised that he would refer this item to Public Works and review with Mr. Burry so that it could be addressed in the next Public Works Report.

ADJOURNMENT

Motion: Andrews/Seary
08-190 Resolved to adjourn this meeting.
Time: 8:50 p.m.

Carried
Unanimously

Mayor Norm Collins

Town Clerk, Loretta Tucker