

TOWN OF PORTUGAL COVE-ST. PHILIPS

February 27, 2007

Meeting was called to order at 7:30 p.m.

IN ATTENDANCE:

Mayor:	Norm Collins
Councillors:	Keith Mercer
	Jon Seary
	Steve Andrews
	Bill Fagan
	Adrienne King
Town Manager:	Rodney Cumby
Town Clerk/Treasurer:	Loretta Tucker

Committee of the Whole Meeting was held prior to the convening of this meeting.

Also in Attendance: Gallery consisted of approximately 12 persons.
Mayor Collins welcomed all to the meeting.

ADOPTION OF AGENDA

Agenda for February 27, 2007

Motion:	Andrews/King
#07-035	Resolved that the Agenda dated February 27, 2007 be adopted as presented.
Carried	
Unanimously	

ADOPTION OF MINUTES

Minutes of February 13, 2007

Motion:	Andrews/Seary
#07-036	Resolved that the Minutes of February 13, 2007 be adopted as presented with the following corrections: Page 2, Item #6 under the Town Manager's report remove the word "Rodney" and replace with "Town Manager advised that the information is being prepared" Page 6 – Item #4: (top of the page) 3 rd paragraph; delete the word "anyone". Item #7: 2nd last line; delete the word "One". Page 7 – Item #2 under New and Unfinished Business last item discussed "bridges" add for clarity " <i>prior to take over</i> ". For: Collins, Mercer, Seary, Andrews, and King Against: Fagan.

Councillor Fagan noted that he had some suggested corrections that he would like to present but would forward them to the Town Manager and the Minister for filing.

BUSINESS ARISING

Town Manager's Report dated February 27, 2007

Town Manager's Report from the meeting of February 13, 2007 was read by the Town Manager and is as reported.

Question Posed re: Public Works Committee Report – Page 4.
Councillor Fagan asked for a copy of the Regulations regarding:
Item # 1 [*Advertising Signs throughout the Town*]

Question Posed re: Public Works Committee Report – Page 4,
Item #3 [*Garbage Collection/Update on Truck*]
Town Manager will investigate and bring back a report regarding the initial \$30,000 from MMSB.

COMMITTEE REPORTS

Planning and Development Committee Meeting

Report dated February 20, 2007.

1. Civic # 1604 Thorburn Road

Demolish existing dwelling and Construct SFD [HC]
Held pending further review.

2. Civic # 327-331 Beachy Cove Road

Demolish existing dwelling and construct SFD with Apartment [RMD]

Motion:
#07-037

Andrews/King

Resolved that Council conditionally approve the application for the demolition of an existing dwelling and the construction of a 1279 sq. ft. single family dwelling with apartment at Civic #327-331 Beachy Cove Road, subject to the Town's Municipal Plan and Development Regulations, and all other regulatory bodies of Government.

In addition: Because the property is below grade the applicant is to be advised that any cost to hook up to the Water and Sewer, when and if it becomes available, will be at the direct cost of the applicant.

Carried
Unanimously

3. Civic #4 Honeysuckle Hill

Residential Storage Garage (87 SM) [RMD]

Motion:
#07-038

Andrews/King

Resolved that Council conditionally approve this application under discretionary use, to construct an 87 sq. m. residential storage garage at Civic #4 Honeysuckle Hill. The floor area size is greater than the maximum requirement of 70 sq. m. [Development regulation amendment No. 18, 2005 provides Council with the authority to approve a larger floor area in circumstances where the lot size is greater than 4050 sq. m.] This conditional approval is subject the Town's Municipal Plan and Development Regulation and all other regulatory bodies of Government. As this is a discretionary use it must be advertised.

Council also notes that in accordance with Regulation 49 subsections (f) & (g), where the non-conformity is with respect to development standards, a development shall not increase the non-conformity of the lot and any expansion must comply with the development standards applicable to the development. In this instance, the application to construction an accessory building would not increase the non-conformity of the building lot.

Carried
Unanimously

4. Civic #26 Bugden Drive

Construction of a SFD [RI]

Application is referred back to the Committee for further review.

5. Civic # 1525 Portugal Cove Road

Commercial Building at Civic # 1525 Portugal Cove Road [AG]

Application held for further review.

6. Civic #28 Ursula Crescent

Home occupation business (Hair salon) [RMD]

Motion:
#07-039

Andrews/King

Resolved that Council conditionally approve this application to develop a home occupation business (personal service, hair salon) at Civic #28 Ursula Crescent, in accordance with the Town's Municipal Plan and Development Regulations, and all other regulatory bodies of Government. The application is listed as a Discretionary Use and is required to be advertised, as per Regulation 90 of the Development Regulations.

Carried
Unanimously

7. Civic # 606A – 650A Bauline Line Extension

Municipal Recommendation Form for Crown Land [RUR]

Motion: Andrews/King
#07-040 Resolved that Council conditionally approve the request form from the Department of Environment and Conservation for Crown Land (39 hectares) located in the backland off Bauline Line Extension for the purpose of sod farming.

Carried
Unanimously

8. Conditional Approvals/Permits from February 7 – February 9, 2007

#	Date	Civic Address	Approval/permit
1.	February 7/07	80-82 Skinner's Road	Occupancy Permit
2.	February 8/07	28 Ursula Crescent	Basement Renovation
3	February 9/07	180 Old Broad Cove Road	Basement Renovation

9. Discretionary Use Ad – Wind Turbine

Councillor Andrews advised that Council had received several letters in response to the discretionary use ad regarding the wind turbine. Committee will review and bring forward a report.

Executive Committee Meeting: February 22, 2007

1. Accounts for Payment

Motion: Mercer/Andrews
#07-041 Resolved that Council pay the accounts as per the detailed listing which is attached:

Regular operating accounts in the amount of: \$245,312.03

Carried
Unanimously

2. International Awards for Livable Communities

Research is ongoing and is deferred to next Executive Committee Meeting.

3. CAMA (Canadian Association of Municipal Administrators)

Memo to Municipalities regarding the CAMA AWARDS OF EXCELLENCE for Municipal Workplace Literacy and Learning Achievements.

Councillor Fagan advised that he had won this award for his program; *Writing for the Workplace: Writing Process with Workplace Content*. The program was designed and delivered for the City of St. John's for workers and their workplace needs.

4. Internal Posting – Lead Hand Public Works

Motion: Mercer/Seary
#07-042 Resolved that Council concurs with the Superintendent of Works and recognizes the need for a lead hand; therefore, that an internal posting be placed at the Depot, for a Lead Hand for the Public Works Department. (Posting must be done in accordance the Collective Agreement).

Carried
Unanimously

Council advised this *would not* require the hiring of staff but the new staff title (position) would result in a small increase in pay.

5. CBDC

Town Manager will investigate and bring forward his findings to the next Executive Committee Meeting and will also advise how several of these similar organizations relate to each other.

6. NLAMA 2007 Convention to be held in St. John's 2007 Request for a donation.

Motion: Mercer/Andrews
#07-043 Resolved that Council donate \$100.00 to NALAMA for the Eastern NLAMA 2007 Opening Ceremonies.

Carried
Unanimously

Committee also advises it is carrying out an in-depth review of the Donations Policy.

7. InfoNote re: April 24-26 – The Community Prosperity Forum Town Manager will investigate and bring forward his findings to next Executive Committee Meeting.

8. Lions Club – request

Further investigation is necessary; will bring forward to next Executive Committee Meeting.

9. Business Tax

Motion: Mercer/Seary
#07-044 Resolved that Council amend its Business Tax Structure by making a change to the following: *"All approved businesses will be given a Tax Holiday from the date they start their business to the end of December in that calendar year"*

Change to read:

"All approved businesses will be given a Tax Holiday of one year from the date of the issuance of a permit to operate the business. Effective date of this change is July 1st 2006".

Carried
Unanimously

Councillor Fagan stated that he felt that Council should recognize Councillor Butler for initiating this change.

10. M. Jackman, R.C.L. Branch 10

Further investigation is necessary; will bring forward to next Executive Committee Meeting.

11. Tax Settlement – CLARG001

Motion:
#07-045

Mercer/Andrews

Resolved that Council settle the account numbered: CLARG001 in the amount of \$6,210.91 for full payment to December 2007, by removing/exempting old interest prior to 1997, in the amount of \$916.67.

Carried

For: Collins, Mercer, Seary, Andrews, and King
Against: Fagan.

12. Gas Tax

Committee held a discussion on the Gas Tax. Town Manager will investigate the process for applying for the gas tax rebate and will forward his findings to next Executive Committee Meeting.

Councillor Andrews vacated his seat and left the Council Meeting and the Chambers due to possible conflict of interest, prior to the introduction of the following item #13.

13. Dept of Transportation and Works – Road Takeover

Re: Follow up to a meeting with Town representatives on February 6, 2007, regarding a counter proposal for the town to take over jurisdictional control of several local roads in the Town. Roads as previously identified in a letter from Council dated October 26, 2006.

Motion:
#07-046

Mercer/Seary

Resolved that Council accept the contents of the letter dated February 21, 2007, from Deputy Minister R. Smart that:

(1) The Town takes full control of the following existing road, as is, effective March 31, 2007; Olympic Drive, Princeton Place, Power's Road, Oliver's Pond Road, Oliver's Pond Place, Hogan's Pond Road, Hogan's Pond Road Extension, Healy's Pond Road and Healey's Pond Extension.

(2) The Department will provide a \$150,000 lump sum payment for future maintenance costs on or before March 31, 2007 upon executing of a formal transfer Agreement

(3) The Department will commit to upgrading and paving the nine local roads over the next three years and will be in accordance with standards agreed upon by both, the Department and the Town but will not include curb, sidewalks and storm sewer

(4) subject to the review and acceptance of the formal agreement", and receiving a written schedule of when the upgrading and paving of the each of the nine local roads would take place during the next three year.

Carried
Unanimously

Councillor Andrews was advised that the item had been dealt with and returned to his seat in Council chambers.

Public Works Committee Meeting: February 22, 2007
Correspondence from Dept. of Transportation and Works regarding the take over of 9 the Provincial Roads within the boundaries of the Town. Committee reviewed the letter and the terms and referred to the Executive Committee to review the financial considerations.

2. Correspondence from the Department of Transportation and Works, Ken Powers, dated February 2, 2007, regarding (a) Damage to Mail boxes on Old Broad Cove Road and (b) Repairs to guard rail on Beachy Cove Road.

Section 12: Staff will undertake further research concerning Section 12 of the Transportation Act and report back to Committee.

Repairs to guard rails on Beachy Cove Road.
Committee acknowledges the written confirmation from the Dept. of Transportation and Works concerning the repair and replacement of the guard rails on Beachy Cove Road

3. Meeting with representatives of the Harbour Authority.
The Committee and representatives of the Harbour Authority, Paul Howell, Roy Meade, & Grant Young, discussed topics such as, the possible expansion of the Harbour in St. Philip's, trail system in the marina area, regatta boat launch in Portugal Cove, and other topics of interest. It was the consensus of both parties that in order to expand and develop either of the harbors it would be better accomplished by all concerned. There will be further research and discussion necessary. Questions from both parties will require further research and approvals from others. Once available another meeting will be arranged.

Parks, Recreation and Community Services Committee Meeting- No meeting was held.

1. Winter Carnival

Councillor King advised that several events were cancelled due to the weather. A full report will be brought forward to the next meeting.

Public Relations, Economic Development, and Tourism Committee Meeting - No meeting was held.

Councillor Seary noted that the Committee had met with S. Sherk and are looking at ways that Council can better to communicate with the public.

CORRESPONDENCE:

No Correspondence to report.

GENERAL/NEW/UNFINISHED BUSINESS

1. NLFM – updating their Web Site.

NLFM are planning to have a Community events calendar for all Communities to avail of. This should facilitate Town's not overlapping with other events.

2. Town Plan Revision

Town Planner will be asked to follow up with the consultants to investigate reasons for any delay and what is the anticipated time of completion.

3. Councillor Fagan posed a question regarding a resident's request regarding a rejection, why and how long does it take to obtain a response?

Short back and forth debate.

Point of Order

Councillor Fagan called a Point of Order.

Town Manager responded that the referenced information had been provided to the resident.

3. Rotary Park Meeting

Scheduled for March 27, 2007 at 7:30 p.m. at the beginning of the Meeting, at which The Town will present the Rotary Park representatives with a cheques for \$30,000.

ADJOURNMENT

Motion: Andrews/Seary
#07-047 Resolved that the meeting be adjourned.
Approximate time 8:35

Carried
Unanimously

Mayor Norm Collins

Town Clerk, Loretta Tucker