



MINUTES

PUBLIC COUNCIL MEETING
March 23rd, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on March 9, 2009 at 7:35 p.m.

Members Present

Mayor Bob Codner
Deputy Mayor Thorne-Gosse
Councillor Peggy Roche
Councillor Mike Byrne
Councillor Jim Cantwell
Councillor Carol Ann Smith
Councillor Ralph Tapper

Staff Present

Dawn Chaplin, CAO/Town Clerk
Jacquie Berkshire, Executive Clerk
Brian Winter, Development & Planning Officer

Regrets

Ron Fleming, Director of Operations & Public Works

Meeting was chaired by Mayor Codner

078-09 Adoption of Agenda

Motion – Councillor Smith/Councillor Byrne

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

079-09 Adoption of Minutes – March 9, 2009

Motion – Councillor Cantwell/Councillor Smith

RESOLVED THAT the Minutes be adopted with the following changes:

Page 2 – Business Outstanding #5 – Forest Landing – Phase One/Phase Six issues – Councillor Tapper to confirm with TETC – B/F – Councillor Tapper advised that some language may have to be beefed up *within the Town's Municipal Plan*.

Page 6 – *Environment* – Councillor Tapper reported that there was a meeting last week. Mr. Hannaford *will be invited* to attend the next *TETC* meeting...

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS

080– 08 Motion – Councillor Roche/Deputy Mayor Thorne-Gosse

RESOLVED THAT the April 2009 be proclaimed Parkinson's Awareness Month Volunteer Week.

Question called. Motion carried unanimously.

CORRESPONDENCE

- 1) *Correspondence from Rod and Trina Roche re: Increase in Property Tax – March 13, 2009.* - FYI
- 2) *Newspaper Article – Urban Municipalities Committee boosts Daffodil Campaign.* - FYI
- 3) *Email from Randy Dawe re: Economic Development – March 17, 2009* - FYI
- 4) *Correspondence from Department of Justice regarding review of the NL Human Rights Code* - FYI
- 5) *Correspondence from Municipalities NL regarding 2009 Membership Kit – March 9, 2009* - FYI
- 6) *Correspondence from Municipal Affairs re: 2005-2008 Multi Year Capital Works Program Request to Reallocate Funding* - FYI
- 7) *Correspondence from Municipalities NL re: Cougar Helicopters – Flight 491*- FYI

BUSINESS OUTSTANDING

- 1) *Procedure for release of 155 future serviced lots – Referred to the Public Works Committee for input* – Development and Planning Officer reported that he and the Director of Operations and Public Works recently met however they will be meeting again on the issue and a report will be given to Council. B/F
- 2) *Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road – Development and Planning Officer to request clarification of timelines in writing from the Department of Municipal Affairs regarding East Coast Trail and Town Plan amendments* – B/F- CAO advised that a letter has been drafted and will be sent shortly.
- 3) *Tappers Cove Road ownership – Councillor Cantwell awaiting provincial clarification from MHA Kevin Parsons* –B/F- Councillor Cantwell advised that he has spoken with MHA Kevin Parsons and said that the road component of the budget is \$2.5 million. Logy Bay is taking the bulk of the money however he will look for other funding.
- 4) *Mayor Codner will speak with university representatives regarding the possibility of an archeological dig at the Battery site. Refer to Heritage Committee – Complete*

- 5) *Forest Landing – Phase One/Phase Six Issues – Councillor Tapper to confirm with TETC – B/F –*

081-09 Motion – Councillor Tapper/ Councillor Smith

RESOLVED THAT the Council accept Jonathon Sharp's recommendation Number 2 of his letter dated January 6th, 2009.

Question called. Motion carried unanimously.

- 6) *Jones Pond Trail – Mayor Codner advised that attempts are being made to schedule something formal. Councillor Smith asked when Motions have to be submitted for Conference. CAO advised they must be submitted by May. – B/F*

082-09 Motion – Councillor Tapper/ Councillor Smith

RESOLVED THAT the a Motion be drafted and provided for inclusion in the Annual Conference regarding Crown Lands whereby footpaths, etc. should fall under the Town's jurisdiction.

Question called. Motion carried unanimously.

- 7) *Correspondence regarding Killick Coast Regional Kiosk- Issue to be discussed at an association meeting in April – B/F – Councillor Roche advised that she has still not heard anything.*
- 8) *Request for Street Light on Indian Meal Line from Mr. Rodgers – March 2, 2009 –* Director of Operations & Public Works and Development & Planning Officer to do a review of all street lights in the Town. B/F
- 9) *Correspondence from Gerard Dunphy regarding rezoning of 52-122 Byrnes Lane – February 20, 2009. –* Development and Planning Officer has sent a correspondence to Mr. Dunphy to explain the ADA Process. – Complete
- 10) *Correspondence from Margaret Greene –* Development & Planning Officer has sent a correspondence to Ms. Greene to explain the ADA Process – Complete.
- 11) *Nature Conservancy & Ecological Gifts Programs. –* Councillor Tapper has made contact with the Nature Conservancy however has not been able to reach Mr. Chamberlain with the Ecological Gifts Program. B/F

COMMITTEE REPORTS

Capital Works/Public Works/Roads

Nothing to report.

Building Applications

083 –09 Motion – Councillor Cantwell/Deputy Mayor Mary Thorne-Gosse

RESOLVED THAT Council approve Building Application Report dated March 20, 2009 as presented.

Question called. Motion carried unanimously.

084-09 Motion – Councillor Cantwell/Councillor Tapper

RESOLVED THAT Council approve Building Application Report - *Addition* dated March 20, 2009 as presented.

Question called. Motion carried unanimously.

Financial Report

085-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche/

RESOLVED THAT Council approve the Financial Report for the period of March 9 - 20, 2009 as presented.

Question called. Motion carried unanimously.

086-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT all bills be paid to March 20, 2009 to avoid interest.

Question called. Motion carried unanimously.

Councillor Tapper asked about the issue of Minimum Tax. CAO advised a meeting is planned for next week to find a resolution to the issue.

Personnel & Training Committee - Nothing to report.

Recreation Committee

Councillor Tapper advised that the committee is looking at having smoke free grounds and Supervisor of Healthy Living is currently researching it.

Strategic Planning Committee

CAO advised there is a meeting scheduled Monday, March 30, 2009.

Development Committee - Nothing to report

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

Discussion around the recent blast whereby a fly rock hit a resident's home. Concerns of the dangers of these fly rocks. Council were advised that residents are telling them that they are not hearing the warning sirens prior to the blasts. Councillor Smith again asked that all communications regarding the bypass road be documented.

Communications

Councillor Byrne advised that the webpage is being worked on regularly. Any problems that arise with the new site are looked after and resolved as quickly as possible.

Regional Waste Management – Nothing to report.

Northeast Avalon Regional Plan (formerly known as the St. John's Region Regional Plan) –

Mayor Codner advised there is nothing new to report.

LIAISON COMMITTEES

Arena

Mayor Codner advised that the next meeting is scheduled for March 26, 2009. He also wanted to extend his thanks for Dawn for her efforts overseeing the opening of the new arena. He stated that he has nothing but positive feedback.

Capital Coast Development Alliance

Councillor Roche reported that the Regional Meetings will be held on March 27 – 28, 2009 at the Capital Hotel. Councillor Roche and CAO will attend.

Environment

Councillor Tapper reported that the next meeting was scheduled in 2 weeks.

Heritage/Tourism

Councillor Byrne advised that there has been no meeting however there is one being planned.

Hillside Festival

Councillor Smith advised that the Committee will be meeting on Monday, March 30, 2009. She reported that they have two (2) acts confirmed for the Saturday night dance. EDO is doing research on promotion.

North East Avalon Joint Council

Councillor Roche reported that the next meeting will be held in Harbour Main on March 18, 2009. The last meeting was cancelled due to weather.

School

Councillor Tapper advised both councils will be meeting next week.

Torbay Volunteer Fire Department – Nothing to report

Urban Municipalities Committee

Deputy Mayor Thorne-Gosse reported the minutes of the February UMC committee meeting were included in the council package.

NEW BUSINESS

Mayor Codner

Mayor Codner wanted to extend a thank you to everyone involved with the Arena opening.

Deputy Mayor Thorne-Gosse

Deputy Mayor Thorne-Gosse wanted to bring attention to Earth Hour which will be held on March 28, 2009. She encourages everyone to participate in the initiative by turning off their lights and non essential electrical appliances from 8:30 - 9:30 p.m. on Saturday, March 28, 2009.

Councillor Byrne

Councillor Byrne extended a thank you from both the Byrne and Power families to everyone involved with the planning of the opening of the new Arena. He stated that although the day was bittersweet he wanted to thank everyone on behalf of both families for sharing the day with them. He also asked about the municipal ticketing issue and where the town stood with it. Additionally he spoke to the condition of the road just past Liddy's whereby traffic must come to an almost standstill to get past the poor road conditions. He has requested that it be repaired. He was advised by Councillor Cantwell that cold patch is not working for that particular area however when the weather improved it should be repaired.

Councillor Cantwell

Councillor Cantwell wanted to extend his concern regarding the Northeast Avalon Times whereby he is quoted inaccurately. He stated that he has no problem being quoted as long as what he is being quoted accurately reflects what he has said.

Councillor Roche

Councillor Roche also wanted to extend her congratulations to everyone involved in the Arena opening. She advised that he has heard nothing but positive comments. She also asked about the status of Whiteway's Pond.

Councillor Smith

Councillor Smith wanted to acknowledge the efforts of everyone involved in the opening of the new Arena.

Councillor Tapper - Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 8:42 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



Mayor



CAO/Town Clerk