



MINUTES
PUBLIC COUNCIL MEETING
December 18, 2017

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on December 18, 2017, at 6:31 p.m.

Members Present

Mayor Craig Scott
Councillor Geoff Gallant
Councillor Justin Martin
Councillor Tony Pollard
Councillor Peggy Roche
Councillor Mary Thorne-Gosse

Staff Present

Dawn Chaplin, CAO/Town Clerk
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning and Development

Absent

Deputy Mayor Trina Appleby (*attended via Speaker Telephone for Item 4 only of the Public Works and Infrastructure Committee Minutes, dated December 12, 2017*)
Ross Houlihan, Communications
Bernie Manning, Director of Infrastructure and Public Works

Gallery

There were a total of 3 people in attendance.

Adoption of Agenda

245-17 Motion – Councillor Martin / Councillor Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

Adoption of Minutes

246-17 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Minutes of the December 4, 2017 Public Council Meeting be adopted with the following changes:

- Under New Business Section, Councillor Martin’s comments:
 - First paragraph, change road name Morris Avenue to Moore’s Valley Road.
 - Second paragraph, change, “... thanked Committee...” to thanked the Commissionaires.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Scott referred to the Gallery and asked if anyone would like to present to Council. There were no comments.

MAYOR’S REPORT

Mayor Scott discussed the below:

- Mayor advised that he recently attended the following events/meetings:
 - The Special Needs Christmas Party held by the Torbay Volunteer Fire Department at St. Nicholas Hall.
 - Presentation to Council proposing construction of tiny house in the Community.
 - Public meeting on the 2018 Budget. Budget will be brought forward in the New Year.
 - Public meeting at the Kinsmen Centre regarding pedestrian safety and cross walks. Councillors Gallant and Martin were also in attendance.
 - Meeting with City of Mount Pearl Mayor concerning the Northeast Avalon Region (NEAR) Plan.

BUSINESS ARISING

The Business Arising Report, dated December 18, 2017, was accepted as presented:

CORRESPONDENCE

1. Professional Municipal Administrators (PMA) – Letter to Councils regarding Training for Municipal Staff. ***For information.***
2. Municipal Assessment Agency (MAA) – Memo regarding Update on the MAA. ***For information.***
3. Stewardship Association of Municipalities Inc. (SAM) – Introduction and 2018 Budgetary Considerations relating to SAM Participation. ***Referred to the Planning and Land Use Development Committee.***

COMMITTEES OF COUNCIL REPORTS

- Minutes of the Community Services Committee Meeting, dated December 13, 2017

Items Discussed included:

1. Community Centre
 - A brief overview of the revenues and expenses for the new community centre was provided. Committee discussed and were pleased with the contents of the report.
2. Youth Council
 - Youth Council Policy and dates for election process was discussed.
3. Community Guide
 - Community Guide will go to the printer the week of December 18 – 22, 2017 and should be in the mail by January 3rd, 2018.
4. Programs
 - (a) Breakfast with Santa
 - (b) 65 + Social
 - (c) Fee Structures for Rentals of Facilities
 - (d) Community Group Follow up meetings

- Minutes of the Community Economic Development Committee Meeting, dated December 13, 2017

Items Discussed included:

1. Project Updates

a) Town App

- An easier option for residents and staff.
- The app will be launched to the public next week.
- Council will be provided with a version for review prior to launch.

b) Expressions Of Interest (EOI) Update

- Options for the Phase II Environmental Assessment for the Depot building are the priority. Senior staff are reviewing this project with hopes that it can begin as soon as possible once the scope of work is agreed upon and timelines discussed.

c) Community Profile

- Community Profile is in process of being updated for 2018 publication. A call for businesses to be involved in future photography will go out in this week's Torbay Talks and repeat again in a January edition to maximize exposure.

d) History House Tour

- A tour will be scheduled for Members of Council within the next month.
- Council requested that a light be installed over the doors of the building.

2. Highlighted Issues

a) Chamber of Commerce

- Some research into the Town facilitating the launch of a local chamber of commerce was being conducted and discussed at Committee level. A general call for interested members of the business community will be issued in early January to see if there's an interest.

b) Standing Items

- The following topics are to be included as future standing items for Committee to review and discuss.
 - Harris Centre/Council Collaboration
 - Municipal/Corporate Partnerships
 - Bill Manning Memorial
 - Municipal Sign Regulations
 - Town Centre ROI
 - Town Policy Development

Finance

➤ Corporate Services Report

Items discussed included:

- Payroll for the period of December 2nd to 15th, 2017 for 34 employees totaled \$84,848.62.
- For the two week period of December 2nd to 15th, 2017, invoices in the amount of \$112,947.51 were processed.
- The following four (4) invoices are presented for approval.
 - See motion below:

247-17 Motion – Councillor Pollard / Councillor Gallant

RESOLVED THAT the Town of Torbay approve payment of invoices totalling \$59,571.99 as presented.

Invoice Number	Vendor and Detail	Amount
November 17	CIBC Mellon – Pension Contributions	\$19,360.00
14293948	Newfoundland Power – Heat/Light & Streetlighting	\$8,380.27
Nov16-30	Receiver General for Canada – Payroll Remittance	\$25,528.25
10312017	Tapper’s – Fuel	\$6,302.87
	Total	\$59,571.99

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

➤ Minutes of the Corporate Services Committee Meeting, dated December 12, 2017

Items discussed included:

- Invoice approval, cheque register & expense report review
 - The Director circulated copies of the expense report, cheque register and copies of invoices greater than \$5,000.

Human Resources and Administration

➤ Human Resources and Administration Committee Update

Items discussed included:

1. Animal Control Officer Position
 - CAO will be bringing forth a recommendation regarding the most recent Animal Control Officer Position job competition at the next Committee meeting.
2. Compensation and Benefits Review
 - As per work with the HR consultant, CAO is currently conducting research regarding compensation and benefits for staff. Recommendations will be forthcoming once all research is complete. Deadline is set for February 1, 2018.
3. Respectful Workplace/Harassment Policy
 - Review of the draft policy has been completed by the HR consultant. Recommendations regarding implementation will be forthcoming in the early January 2018.
4. Strategic Plan
 - Next steps regarding Council's strategic plan will be discussed at the next Committee meeting.
5. Jack Byrne Regional Sports and Entertainment Centre Board of Directors
 - The expression of interest to serve as a community representative on the Arena Board of Directors closed on December 15, 2017. CAO will bring forth the list of interested candidates at the next Committee meeting, taking place on December 20th.

Planning and Land Use Development

➤ Minutes of the Planning and Development Committee Meeting, dated December 12, 2017

Items discussed included:

1. Development Proposals
 - a) Application to establish a Food Service/Catering Business at 7 Kennedy's Brook Road.
 - After some discussion with the CAO, it was determined that a Stop Work Order is no longer required.
 - The Planning Department will continue to monitor the building.
2. Amendment
 - a) Municipal Plan Amendment No. 2, 2017 and Development Regulations Amendment No. 3, 2017. An amendment to rezone land at the end of Barn

Marsh Road to accommodate a building lot. The property will be rezoned from Rural (RUR) to Residential Infill (RI).

- Director to proceed to the next step in the amendment process, which is to send the amendments to Municipal Affairs for review.
- Council questioned if the above was advertised or notices delivered to area residents.
- Director advised once back from the Department of Municipal Affairs, a public hearing will be held. Director to address before public hearing.

3. Correspondence

- a) Correspondence from property owner 5-7 Gosse's Lane in relation to hooking onto Town water.

From the November 28, 2017 Planning and Land Use Development Committee Meeting

- Committee reviewed correspondence received and the Director explained how the other homes in the area are connected to Town services.
- Committee agreed that there currently is no water allocated for this area. Until the final Water Alternatives Study is completed Committee cannot make a recommendation on the proposal.
- As per Committee Chair, Committee reviewed the request again. It was agreed that the Director would set up a meeting with the property owner and the Committee Chair to discuss options.

4. Other Items

- a) Torbay Environmental Advisory Committee.
- Committee agreed that the next step is to send a copy of the draft terms to the current chair of the TEAC for review and comments.
 - It was requested that if any Members of Council have comments, to provide as soon as possible.
- b) Email on flooding in the Anstey Cove Development Area.
- The Director gave Committee an overview of current and past flooding issues in the area.
 - Committee agreed that the Director of Planning and Development and the Director of Infrastructure and Public Works should review the area and the flooding issues to see what can be done in the area to help alleviate any potential problems.
- c) Presentation on Tiny Homes.
- Committee discussed the presentation that was given to Council last Monday evening.

- Applications Approved Report, dated December 15, 2017

The following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

Application	Location	Proposal
C2017-197	70 North Pond Road	Removal of existing accessory building and construction of new accessory building
C2017-198	8 Mary Manning's Place	Single Family Dwelling
G2017-021	13 Convent Lane	Signage
G2017-022	2 Convent Lane	Signage

- Business Application Report, dated December 15, 2017

Applications to be Deferred for Further Review

Application: D2017-196
Location: 7 Kennedy's Brook Drive
Proposal: Food service/catering business
Zoning: Public Buildings (PB)

248-17 Motion – Councillor Thorne-Gosse / Councillor Gallant

RESOLVED THAT the Town of Torbay defer Application D2017-196, under the Applications to be Deferred for Further Review section of the Business Application Report, dated December 15, 2017, for further review by the PLUD Committee.

Council discussed Public Buildings Land Use Zone. The Director advised the Arena is located within this zoning. The land around the arena is zoned as Commercial Main Street. An amendment would be required so the Town can change regulations to permit the business.

Council questioned if the Arena has a memorandum of understanding in place concerning sourcing business privately and the Regional Board in relation to the partnering towns as it pertains to relaying of information. The Mayor and Deputy Mayor are new Board Members and there will be two community representatives. The importance that Board Members understand the position of the Town and how decisions affect our Town was discussed, and a meeting will be held with Board Members to further discuss and inform all.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

Protective Services and Public Safety

➤ Update of the Protective Services and Public Safety Committee Meeting

Items discussed included:

1. Commercial Vehicles in Residential Areas
 - The legal letter was served to the bus company and bus driver, which resulted in the bus being parked elsewhere.
2. Indiscriminate Dumping
 - Commissionaires will meet with Committee members on December 20, 2017, to discuss implementation of measures to address indiscriminate dumping in our community.
3. Pedestrian Safety
 - A. Juniper Ridge Intermediate
 - The white paper on a Crossing Guard Program was circulated to Committee for review.
 - The public engagement session regarding pedestrian safety measures in the vicinity of Torbay Road and Juniper Ridge was held on December 13, 2017.
 - Committee members will provide a verbal update to Council – see below.
 - CAO is meeting with consultant tomorrow morning for an update on next steps and timelines from the project consultant.

An update was provided on the public engagement session regarding pedestrian safety held on December 13th.

- Consultants presented a plan to the public regarding pedestrian safety measures in the vicinity of Torbay Road and Juniper Ridge.
- First step was traffic and pedestrian counts. While pedestrian traffic doesn't warrant install of hardware, exceptions can be made for areas such as schools. There is a high volume of traffic on the road.
- Hoping for recommendation before end of the Winter season for installation of flashing lights, crosswalks and sidewalks.
- It was noted there was a low attendance turnout, even though correspondence was sent out to residents within the 1.6 km radius for those students who walk to school.

It was requested to not to lose sight of pedestrian safety for those students who attend the Elementary and High Schools as well. Pedestrian safety will be further discussed by Council at the upcoming strategic planning session in January.

B. Residential Traffic Calming

- CAO has requested a meeting with the project consultant to seek an update on:
 - Convent Lane, Patrick's Path, Mahon's Lane and Country Drive speed calming implementation.
 - Sidewalk Plan implementation.
 - Holy Trinity Elementary School Pedestrian Safety Measures.
 - Roundabout Proposal for Torbay Road in vicinity of Marine Drive and Convent Lane

4. Emergency Plan

- The Town has received the emergency plan sign off from Fire and Emergency Services. CAO needs to discuss with Committee and Fire Chief next steps in terms of training for Council and staff and the scheduling of a desktop exercise once training is complete.

5. Presentations to be Scheduled

- CAO will be discussing with Committee two meeting requests:
 - Supplier of speed calming equipment.
 - Lion's Club regarding support to Emergency Plan.

Public Works and Infrastructure

- Minutes of the Infrastructure and Public Works Committee Meeting, dated December 12, 2017

Items discussed included:

1. New Municipal Depot
2. Water Alternatives Study
3. Wastewater

Deputy Mayor Appleby joined the Public Council Meeting via speaker telephone at 7:23 p.m.

4. Community Centre Project

Committee discussed the status of the community centre project and next steps. It was agreed that a Request for Proposals (RFP) should be issued early in the New Year regarding refining the operational model. It was also discussed the need for additional project management as the Owner's Advisor is out of province. It was requested that the

CAO follow up with the Department of Municipal Affairs and Environment to determine process and also discuss with staff.

A motion of Council is required to award the project tender. Committee agreed to bring forth. See motion below:

249-17 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay award the Kinsmen Community Centre Renovation and Expansion base design build proposal, Project Number 17-MYCW-16-00115, to Marco Services Limited in the amount of \$8,170,000.00 plus HST. This price includes the base building design, a cash allowance for contract changes, an inclusive playground, a splash pad, the Skateboard Park and NL Power work. This award is subject to the approval of the Department of Municipal Affairs and Environment.

Council discussed the above project noting that there's been a lot of discussion and work gone into this project, especially over the previous term of Council. A breakdown of costs was copied to all Council. Council discussed costs and noted that the community centre is something residents have wanted for a long time. There is a lack of space for community groups in the Town and there is no space available to offer programs. Torbay is a family oriented community and growing; therefore, it is necessary for the Town to accommodate our residents and young families. It was also noted that if the Town does not meet the Department of Municipal Affairs and Environment's deadline date, the Town will have to start process all over again. The community centre will also generate income for the Town once it's completed.

Councillor Pollard discussed his concerns pertaining to financing of operations, costs of the project, and other priorities of the Town. He felt this Council had to make a decision in such a short period of time to get to the Department of Municipal Affairs and Environment for acceptance by the January deadline. Councillor Pollard advised he does want to see the project move ahead; however, wishes there was more time to review with a longer term plan and an operational plan in place.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Roche and Thorne-Gosse)

Against: 1 (Councillor Pollard)

Abstained: 0

Deputy Mayor Appleby left the Public Council Chambers (via speaker telephone) at 7:52 p.m.

5. Lower Street Trail and Trail Agreements
 - Committee confirmed that the Lower Street property owner will be back in Town on December 20, 2017. At that time Mayor Scott, will follow up with the resident to discuss trail development in the area and seek resolution.
 - Going forward, Committee has requested that the Director of Infrastructure and Public Works seek written agreements with property owners if their land is impacted. For any trails built in the river reservation, a license to occupy will be obtained. Committee requested that the Director discuss recommendations for trail development in 2018 with Committee at the next Committee meeting and a recommendation will follow to Council before proceeding with construction.

6. Multi-Purpose Court
 - Nearing completion with fencing to be installed.

7. Junior Pitch
 - Work continues on the construction of a minor softball field at Upper Three Corner Pond Park.

8. Waste Management
 - Committee discussed the proposed bag limit reduction (from ten to five). Before bringing forth a recommendation to Council, it was agreed that staff would propose a transition plan. Components would include, but not limited to, a discussion with the current contractor, means to identify shared garbage boxes and an education strategy. It was requested that the CAO review the AMEC waste management review study for recommendations and speak to the marketing firm for assistance with the education strategy.

9. Snow Clearing Agreements
 - The Director of Infrastructure and Public Works will identify the list of streets that require snow clearing agreements for turn arounds. Committee would like to review this list at the next Committee meeting. Two streets in particular require immediate attention: Anastasias Place and Thorne's Lane.

10. Food Drive
 - Food items collected from the recent drive be presented to the local Food Bank by staff.

11. Dumping at Great Pond
 - CAO confirmed that the Protective Services and Public Safety Committee are in discussions with the Commissionaires regarding a process to tackle indiscriminate dumping in the Community.

12. Skipper's Landing

- CAO confirmed for Committee that the Director has obtained one quote for the required work in Skipper's Landing. The Director is awaiting the two additional quotes before bringing forth a recommendation to Committee.

13. Fire Lane at Holy Trinity Elementary School

- CAO confirmed that she has requested that Harbourside Consultants review this matter as it pertains to pedestrian safety.

14. Roads Report

- Committee requested that the report be circulated to all Council for their review.

15. Ellard's Lane Improvements

- CAO to send a letter to the resident to advise of the road priority listing.

16. Anstey's Cove Drainage

- Matter to be discussed with the Director of Planning and Development.

17. Marine Drive Trail

- Committee requested that this matter be discussed with the Director of Planning and Development.

18. Resident Correspondence (Moore's Valley Road)

- Committee agreed to defer this correspondence to the next Committee meeting.

LIAISON COMMITTEES

➤ Jack Byrne Regional Sports and Entertainment Centre

- A meeting will be scheduled in the new year.

➤ Northeast Avalon Joint Council (NEAJC)

- Election of officers is scheduled to take place on this Wednesday evening. Next meeting will take place in January in the City of Mount Pearl.

➤ Torbay Harbour Authority

- No report.

➤ Torbay Volunteer Fire Department

- Future minutes will be forwarded to the Protective Services and Public Safety Committee.

- Urban Municipalities Committee
 - Mayor will be attending meeting in January.

NOTICES OF MOTION

There were none.

NEW BUSINESS

Mayor Scott

Mayor Scott thanked and congratulated those members of staff in recognition of years of service with the Town for the month of December.

He addressed recent issue over the weekend with a farm animal outside in the snowstorm, which was circulated on social medial. Mayor thanked staff who were following up on it and provided direction. An investigation was completed by the RNC as requested by the Town.

Mayor noted the importance that residents contact the Town directly with any issues, not social media venues as they're not always monitored by Town staff. He requested that this be sent as a public notice to residents in the New Year.

REMAX and town mayors will be delivering turkeys to the Food Bank tomorrow.

Mayor wished everyone a Merry Christmas.

Deputy Mayor Appleby - Absent

Councillor Gallant

Councillor Gallant wished everyone a Merry Christmas.

He thanked Councillor Pollard for his comments pertaining to the motion regarding the community centre.

Councillor Martin

Councillor Martin wished a Merry Christmas and Happy New Year to all.

He advised this Council has done quite a bit of work since September's election and looking forward to 2018. He thanked Staff for all their help and congratulated staff on their years of service.

Councillor Pollard

Councillor Pollard discussed social media suggesting the Town prepare for instant responses and suggested putting a communication policy in place.

He wished everyone a safe and Happy New Year.

Councillor Pollard advised he's enjoyed working with everyone as Councillor this past couple of months.

He wished all residents and Council a Merry Christmas. He thanked staff for their work and thanked all volunteers in the Community.

Councillor Roche

Councillor Roche thanked everyone who arranged the Special Needs Christmas party at the Fire Hall and to all involved in Christmas events.

She discussed social media and the matter that people have the right to free speech.

Councillor Thorne-Gosse

Councillor Thorne-Gosse wished Merry Christmas and Happy New Year to residents, staff, Council and their families.

QUESTION & ANSWER SESSION

Mayor Scott referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting. The following had comments:

- Resident and Former Mayor discussed the recent motion concerning the community centre, noting his appreciation to Council that it passed. He advised this Council is doing a great job.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting is scheduled to take place on Monday, January 15, 2018, at 6:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

250-17 Motion – Councillor Martin / Councillor Thorne-Gosse

RESOLVED THAT the meeting be adjourned at 8:13 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

Mayor

CAO/Town Clerk