

**Town of Logy Bay-Middle Cove-Outer Cove
Regular Council Meeting
July 27, 2015
6:30 pm**

IN ATTENDANCE

Mayor John Kennedy
Councillor Bert Hickey
Councillor James Rose
Councillor Karen Todhunter

Deputy Mayor Craig Dyer
Councillor Bradley Power
Councillor Ryan Stack

Adele Carruthers, Town Manager
Richard Roche, Town Clerk/Treasurer
Wayne Langille, Administrative Support Clerk

REGRETS

Moved R.Stack/K.Todhunter: Resolved that the agenda of a regular meeting held on July 27, 2015 be adopted as circulated, corrected or amended. In favour 7. Carried.

Moved R.Stack/B.Power: Resolved that the minutes of a regular meeting held on July 6, 2015 be adopted as circulated, corrected or amended. In favour 7. Carried.

BUSINESS ARISING

1. Daniel Cadigan, 414 Marine Drive re: Single Family Dwelling with In-Law Apartment. **Moved C.Dyer/B.Power:** Resolved that Council approve an easement for his septic system with the adjoining property owner. In favour 7. Carried.
2. Jack Byrne Arena Board of Directors Minutes re: March 19, 2015. Town staff will forward a copy of the Town's resolution of the helmet policy to the Manager of the Jack Byrne Arena.
3. Public Works re: Outside Lighting. Councillor Rose will contact an electrician to have extra exterior lighting added to the rear of the Town Hall.
4. Mr. Jim Baker addressed Council in reference to his building line setback. **Moved C.Dyer/R.Stack:** Resolved that Council approve the reduced setback of 12 metres. In favour 7. Carried.

5. Mr. Doug Vicars, Eden Construction & Development Inc. addressed Council in reference to a building line setback. **Moved C.Dyer/R.Stack:** Resolved that Council approve the increased setback to 45 metres based on the established building line of other dwellings on Ivy's Way. In favour 7. Carried.
6. Mr. James Brokenshire addressed Council in reference to the glamping proposal. Mr. Brokenshire requested that Council reject the application for a glamping proposal on Marine Drive and leave the land intact. In addition, Council should entertain the possibility of the Town to purchase the land and create a municipal park.

CORRESPONDENCE

7. Dell Latitude 3550 Laptop re: Counter Use. It was a decision of Council to refer the quotation to the Personnel/Training/IT Committee for review.
8. Letter from Bill Brake, Parks Canada re: Outer Cove Bridge Mural. It was a decision of Council to request a meeting with all parties involved to explore funding options for a mural on Outer Cove Beach bridge.
9. Letter from Darin King, Department of Business, Tourism, Culture and Rural Development re: Outer Cove Bridge Mural. As previously discussed under # 8 July 27, 2015 Council Minutes.
10. Memo from the Department of Municipal and Intergovernmental Affairs re: Municipalities Act, 1999. Information Only.
11. Letter from Colleen Kelly, Kavanagh Associates re: New Standard Terms and Conditions. **Moved C.Dyer/R.Stack:** Resolved that Council approve the new standard terms and conditions for the reviewing of subdivision applications as tabled by Kavanagh Associates. In favour 7. Carried.
12. Memo from Juan Edwards, 62 Outer Cove Road re: Donation Request. **Moved B.Power/R.Stack:** Resolved that Council approve the donation of \$ 50.00 each to David, Phillip and Christopher Edwards to assist in their athletic travel to New Brunswick and Nova Scotia. In favour 7. Carried.
13. Memo from Norm Dimmell, 9 Ashkay Drive re: Walkway Path/Dangerous Road. Town staff will arrange a meeting with Mr. Dimmell and the Public Works Committee to discuss Snow's Lane and a Walkway Path to connect to St. John's.
14. Letter from Cluney Mercer, Department of Municipal and Intergovernmental Affairs re: 2015-2016 Municipal Capital Works Application. Information Only.

APPLICATIONS

15. Shawn Fudge, 89A Outer Cove Road, 79-83 Outer Cove Road re: Stage One Work. **Moved C.Dyer/B.Power:** Resolved that Council approve Stage One Work for JBRC Enterprises /Big Meadow Property Development for a subdivision located off Killick Drive as per conditions outlined in the letter from Kavanagh Associates and any further work completed outside the documented parameters will result in an immediate stop work order. In favour 7. Carried.
16. Kathleen Wheeler, 14-26 Kavanagh's Lane re: Request to Subdivide Land. **Moved C.Dyer/J.Rose:** Resolved that Council reject the request to subdivide land for Ms. Wheeler as the vacant lot has both insufficient frontage and area in the RLD zone. In favour 7. Carried.
17. Gary Caul, 89A Outer Cove Road, 79-83 Outer Cove Road re: Development Review. Information Only.
18. Gary Caul, Middle Ledge Drive re: Development Inspection. It was a decision of Council to refer the letter back to the next regular meeting of Council until it's determined if an inspection is completed on the asphalt of Middle Ledge Drive.
19. Jim Baker, 613 Marine Drive re: Building Line Setback. As discussed previously under # 4 July 27, 2015 Council Meeting minutes.
20. Eden Construction & Development Inc., 16 Ivy's Way re: Single Family Dwelling. As discussed previously under # 5 July 27, 2015 Council Meeting minutes.
21. Alive Adventures, 642 Marine Drive re: Business Proposal Rezoning. It was a decision of Council to defer the application to a future meeting of Council. Town staff will contact the applicant for a meeting and to obtain additional information relating to her business proposal.

Councillor Stack left the chambers at 7:09pm

22. Angela Power, 680-684 Marine Drive re: Glamping Units (3). **Moved C.Dyer/B.Power:** Resolved that the application be approved subject to the town development regulations, a regulation amendment for permitted use, Service Newfoundland and Labrador approval and the town to be given first right of refusal in any future sale of the land by Ms. Power. In favour 4. Councillor Hickey and Councillor Todhunter Against. Carried.

Councillor Stack returned to the chambers at 7:21pm

23. Public Consultation and Briefing re: Municipal Plan Amendment No. 17 and Development Regulations Amendment No. 23, 2015. Town staff will contact the Town engineer to review the letters of concern that require an engineering response and the Town lawyer will respond to the letter tabled with the concerns from Michael Crosbie.

24. Wayne Mahon, 701-703 Logy Bay Road re: Erect Fence. **Moved C.Dyer/R.Stack:** Resolved that Council approve the application for a fence utilising Section 10 of the town development regulations subject to the Public Works Committee review of the site. In favour 7. Carried.
25. Treena Boyde, 7 Roman's Drung re: Erect Fence. **Moved C.Dyer/R.Stack:** Resolved that Council approve the application for a fence utilising Section 10 of the town development regulations subject to the Public Works Committee review of the site. In favour 7. Carried.

FINANCES

26. Cheques issued from July 6, 2015 to July 24, 2015 were reviewed.
27. Quikstat and expense/income reports issued to July 24, 2015 were reviewed.

BILLS FOR REVIEW ONLY

BILLS TO BE PAID

28. Prime Creative re: Website Design \$ 5650.00. **Moved R.Stack/K.Todhunter:** Resolved that Council approve payment of the invoice in full, subject to the Personnel/Training/IT Committees review of the website and invoice. In favour 7. Carried.
29. Emco Corporation re: Culverts \$ 4445.42. **Moved C.Dyer/J.Rose:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.
30. Department of Transportation and Works re: Ice Control Materials \$ 23662.36. **Moved C.Dyer/J.Rose:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.
31. French & Associates re: Professional Services \$ 1703.47. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.
32. LW Consulting re: Professional Services \$ 11017.50. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.
33. MMSB re: Composter Bins \$ 1242.44. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried. Town staff will invoice the Town of Flatrock for 25 of the 50 units ordered.
34. Kavanagh Associates re: Red Cliff Upgrading/Culvert Replace/Doran's Lane/Depot \$ 7531.89. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoices in full. In favour 7. Carried.
35. Mask Security Inc. re: Security Services \$ 3031.23. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.

36. Harvey & Company Ltd. re: Kubota Repairs \$ 2291.75. **Moved C.Dyer/R.Stack:** Resolved that Council approve payment of the invoice in full. In favour 7. Carried.

COMMITTEE REPORTS

37. Personnel/Training/IT re: Outside Operations Supervisor. **Moved K.Todhunter/R.Stack:** Resolved that Council hire Patrick Dyer as Outside Operations Supervisor with the position to commence on September 8, 2015. In favour 7. Carried.
38. Planning/Development re: Meeting. The Planning/Development Committee will meet with MCE Developers Inc. to discuss their rezoning request.
39. Planning/Development re: Meeting. The Planning/Development Committee will meet with Kathleen Wheeler to discuss her building lot request.
40. Public Works re: Extra Ditching/Shouldering. **Moved J.Rose/B.Power:** Resolved that Council approve an additional cost of \$ 20000.00 for extra ditching/shouldering to the original quote for a new total of \$ 50450.00 plus HST. In favour 7. Carried.
41. Public Works re: Outer Cove Bridge Access. Town staff will contact the Town Engineer to review the site in question.
42. Public Works re: Justina Centre Repairs. Town staff will obtain a quote for the replacement of the siding and/or clapboard, vertical windows, fascia and soffit of the Justina Centre.
43. Public Works re: Berm Kelly Park Parking Lot. Town staff will have a contractor create a berm to prevent the water from flowing down the road access to the softball field and for the flow to enter the catchment basin.
44. Public Works re: No Parking Signs. Town staff will have four metal “no parking signs” placed on Marine Drive adjacent to Middle Cove Beach. Town staff will forward an invoice for the labour and materials to install the signs to the Department of Transportation and Works.
45. Special Events re: Meeting. The Special Events Committee will meet in the next few days in relation to the Festival of Friends.
46. Open Space Enhancement re: Beautification. The Open Space Enhancement Committee will meet with the Public Works Committee regarding the open space enhancement proposed.
47. Heritage re: Killick Repair. Councillor Hickey will contact Martin Boland to obtain the contact information for the individual who constructed the Killick that is located outside the entrance to the Museum.

48. Public Safety/OHS re: Speed Data Signs. **Moved C.Dyer/B.Power:** Resolved that Council approve the purchase of two speed data signs. In favour 7. Carried.
49. Public Safety/OHS re: Video Surveillance. Town staff will review the changes to the legislation and make any necessary adjustments to the cameras in order to be in compliance with the regulations.
50. Festival re: Festival 50/50 Tickets. Deputy Mayor Dyer will approach the Girl Guides to inquire if they are interested in selling 50/50 tickets at festival events this year.

NEW BUSINESS

51. Property Owner re: Haul Fill 64-72 Outer Cove Road. **Moved C.Dyer/B.Power:** Resolved that Council approve a permit for Devon Field to haul one hundred loads of fill subject to maintaining a 15 metre buffer from the overflow drain and to maintain the tree line. In favour 7. Carried.
52. Town Auditor re: 2016-2018. **Moved R.Stack/B.Hickey:** Resolved that Council tender auditing services for fiscal years 2016-2018. In favour 6. Deputy Mayor Dyer Against. Carried.
53. Town Auditor re: 2015. **Moved R.Stack/B.Hickey:** Resolved that Council approve Coombs and Associates for auditing services for fiscal year 2015. In favour 7. Carried.

NOTICE OF MOTION

Moved B.Power/R.Stack: Resolved that the Council meeting be adjourned at 9:02pm. In favour 6. Carried.

Richard Roche
Town Clerk/Treasurer

John Kennedy
Mayor