

**Town of Logy Bay-Middle Cove-Outer Cove
Regular Council Meeting
May 14, 2018
6:30 pm**

IN ATTENDANCE

Mayor Bert Hickey
Deputy Mayor James Cadigan
Councillor Andrew Boland
Councillor Brian Roche
Councillor James Rose

Adele Carruthers, Town Clerk/Manager
Elizabeth Whitten, Finance and Administrative Officer
Wayne Langille, Administrative Support Clerk

REGRETS

Councillor Bradley Power

PROCEEDINGS

Moved J.Cadigan/J.Rose: Resolved that the agenda of a regular meeting held on May 14, 2018 be adopted as tabled. In favour 5. Carried.

Moved J.Cadigan/B.Roche: Resolved that the minutes of a council meeting held on April 24, 2018 be adopted as tabled. In favour 5. Carried.

BUSINESS ARISING

(1) St. Francis of Assisi School re: Parking Lot. Deputy Mayor Cadigan will inquire with the principal of St. Francis of Assisi School regarding an update on the parking lot expansion and related issues.

CORRESPONDENCE

(2) Mr. Paul Ryan addressed Council at 6:45pm to discuss Middle Cove Road Traffic. Council has received the petition from area residents and Council will discuss the issues presented by Mr. Ryan at a later date.

(3) Memo from Logy Bay-Middle Cove-Outer Cove Development Association re: Middle Cove Beach Washroom Plan Update. **Moved A.Boland/B.Roche:** Resolved that Council issue a letter of support to ACOA for the next phase of the project. In favour 4. Councillor Rose Against. Carried.

(4) Memo from Jamie Chippett, Department of Municipal Affairs and Environment re: Recreational Cannabis Production. Information Only.

(5) Memo from Catherine Morgan, Municipal Assessment Agency Inc. re: 2018 Clar Simmons Scholarship. Information Only.

APPLICATIONS

(6) Pat Thompson, 2-44 Marine Lab Road re: Single Family Dwelling. **Moved J.Cadigan/A.Boland:** Resolved that Council approve the application for a single family dwelling subject to Service Newfoundland and Labrador approval and compliance with all Town regulations. In favour 5. Carried.

Deputy Mayor Cadigan left the meeting at 7:06pm

FINANCES

Cheques issued from April 24, 2018 to May 11, 2018 were reviewed.

Quikstat and expense/income reports issued to May 11, 2018 were reviewed.

BILLS TO BE PAID

(7) B & P Enterprises re: Public Works \$ 1173.00. **Moved B.Roche/A.Boland:** Resolved that Council approve payment of the invoices in full. In favour 4. Carried.

(8) Josh Gladney's Bus Service Ltd. re: Snowclearing/Ice Control \$ 8221.40. Council will review any property damages and have those estimates removed from the invoice.

COMMITTEE REPORTS

(9) Administration and Finance re: Banking Services. **Moved B.Roche/A.Boland:** Resolved that Council commence the transition of all town banking services from Scotiabank to RBC. In favour 4. Carried.

(10) Planning and Development re: Delegation of Authority to Issue Order. **Moved A.Boland/B.Roche:** Resolved that Council approve the delegation of authority to issue orders pursuant to Section 109 of the Urban and Rural Planning Act to the Town Manager and/or designate, and furthermore motion the following process: (a) If staff identify or are made aware of a property which is in non-compliance with the Occupancy and Maintenance Regulations, the Planning and Development Committee be advised of the non-compliance with the intended staff action. (b) The property owner of a non-compliant property will be issued a notice by staff identifying the non-compliance and requesting the property owner to comply within 30 days of the date of the notice. (c) If the non-compliance is of a nature that poses an environmental, health or safety risk that requires immediate attention or the 30-day notice period has expired and there is non-compliance with the notice, that the Town Manager and/or designate be delegated to issue an Order pursuant to Section 109 of the Urban and Rural Planning Act. (d) All Orders issued by the Town Manager and/or designate pursuant to the Occupancy and Maintenance Regulations and the Urban and Rural Planning Act be confirmed by a majority vote of the members of the Council present at the next meeting of that Council after the Order is made and if the Order is not confirmed in this manner, it shall be considered to be cancelled. In favour 4. Carried.

(11) Planning and Development re: Proposed Municipal Plan Amendment No 17, 2017 & Development Regulation Amendment No. 23, 2017 (Designated Flood Plains, Wetlands, Open Space/Conservation Policies, Regulations & New Land Use and Zoning Maps). **Moved A.Boland/B.Roche:** Resolved that Council withdraw the adopted amendment for Proposed Municipal Plan Amendment No 17, 2017 & Development Regulation Amendment No. 23, 2017 (Designated Flood Plains, Wetlands, Open Space/Conservation Policies, Regulations & New Land Use and Zoning Maps) and furthermore motion the following action items. (a) Those residents who made representations at the public hearing be advised in writing that the town is withdrawing the amendment for the purposes of further review and study. (b) A notice that the amendment is withdrawn be placed on the Town's website. (c) Staff meet with Water Resources Division to clarify designations and approaches relating to flood zones and wetlands within the Town. (d) Staff identify all waterways, waterbodies and wetlands in the town as a base map. This will require the employment of a GIS Technician to revise information on our electronic mapping. (e) Staff employ a consultant to review, consolidate and complete flood plain information on the town maps. (f) The amendment maps and policies be revised and brought forward to the Committee for review and consideration. (g) Upon acceptance by the Council and pursuant to the Urban and Rural Planning Act, the Town recommence the public consultation process. In favour 4. Carried.

(12) Public Works re: Beach Security. **Moved A.Boland/B.Roche:** Resolved that Council approve Eastgate Security for Beach Security as per the quote received. In favour 4. Carried.

(13) Public Works re: Advertising Signage. It was a decision of Council to have the advertising signage located on Jenny's Way removed.

(14) Public Works re: Line Painting Cadigan's Road/Logy Bay Road Intersection. Town staff will meet onsite with Mayor Hickey to discuss the line painting on Cadigan's Road where it intersects with Logy Bay Road. Town staff will contact the line painting contractor to ensure that the main roads as well as the arrows on Logy Bay Road turning onto Snow's Lane are completed first.

(15) Special Events re: Festival of Friends Fireworks. It was a decision of Council to have a family firework show instead of the regular show at the 2018 Festival of Friends. Town staff will inform the public of this change which was due to the safety of nearby properties.

NEW BUSINESS

(16) Rock re: Donation. **Moved A.Boland/B.Roche:** Resolved that Council approve the donation of twenty up to thirty pieces of town rock to St. Francis of Assisi School in order to build a garden. In favour 4. Carried.

(17) Council Meetings re: Time Change. **Moved B.Roche/A.Boland:** Resolved that Council modify the Council meeting schedule from 6:30pm to 5:30pm for all remaining meetings for 2018. In favour 4. Carried.

(18) Open Air Fire Regulations. Information Only.

NOTICE OF MOTION

(19) Councilor Boland gave notice that subject to the public notification process of the development regulations, at a future meeting of Council, a motion to amend the text of the Public Use (PU) Zone of the Town of Logy Bay-Middle Cove-Outer Cove Development Regulations which if adopted will add "Catering Use Associated with a Public Use" as a permitted use in the PU use zone. The purpose of the proposed amendment is to permit catering uses such as take-out restaurants, snack bars and lounges if they are associated with and form part of a public use within the PU Use Zone.

Moved B.Roche/A.Boland: Resolved that the Council meeting be adjourned at 8:42pm. In favour 4. Carried.

Adele Carruthers
Town Clerk/Manager

Bert Hickey
Mayor