

Public Meeting of Witless Bay Council
Town Hall - 7:30 p.m.
April 28, 2015

Attending: Mayor Sébastien Després, Deputy Mayor Dena Wiseman, Councillors: René Estrada, Kevin Smart, Albert Murphy, Ken Brinston, Ralph Carey

Recording: Geraldine Caul

1. The meeting was called to order by Mayor Sébastien Després at 7:35 p.m.
2. **2015-057** Deputy Mayor Dena Wiseman/Councillor Albert Murphy
Be it resolved Council adopt the April 28, 2015 Agenda as amended to include:
Under Public Works, (j) Engineering & Architectural Contract Agreement;
(k) Ditching - Call for quotes
(l) Asphalt repairs- Call for quotes
Under New Business, (d) Small Craft Harbours
Motion carried unanimously.
3. **2015-058** Councillor Ralph Carey/Councillor Albert Murphy
Be it resolved Council adopt the March 10, 2015 Minutes as amended:
Page 2, item c) should read: *"Mayor Després explained that the public is invited to present their concerns in writing for council to review. He said this process allows council time to prepare informed responses."*
Motion carried unanimously.
4. **New Business:**
 - a. Resident's request to meet with Council to discuss re-zoning private land on Bear's Cove Road - This request has been withdrawn by the application.
 - b. Kinsmen Cleanup - The cleanup is scheduled for May 9 and will start at the Knights of Columbus meeting where there will be snacks provided by Tim Horton's. Garbage bags will be provided by the Town and Witless Bay Home Hardware. The Town will have to provide for the final pick up. The Kinsmen will be responsible for delivering the garbage bags to the wharf.

2015-059 Deputy Mayor Dena Wiseman/Council Ken Brinston
Be it resolved the Town provide the transportation of garbage from the community cleanup to the dump.
Motion carried unanimously.

- c. Public comment session - Councillor Albert Murphy explained that the public deserves the right to ask questions and he wanted to reinstate the public question and answer period.

2015-060 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council reinstate the public question and answer period.

Amendment: Deputy Mayor Dena Wiseman/Councillor Ralph Carey

Be it resolved Council defer this request and commence the public comment session at the next public meeting.

Discussion: Mayor Després explained that Council held these sessions for over a year, but that it had been impossible to maintain the proper decorum, since the rules of order were not being respected. It was suggested Council sit at the next Planning Meeting to establish clearer rules for the public discussions.

For the amendment: Mayor Després, Deputy Mayor Wiseman, Councillors Carey and Smart.

Against the amendment: Councillors Albert Murphy, Ken Brinston, René Estrada

Amendment carried.

For the motion to reinstate the public comment session next month: Mayor Sébastien Després, Deputy Mayor Dena Wiseman, Councillors René Estrada, Kevin Smart, Ken Brinston, Albert Murphy, Ralph Carey.

Motion carried unanimously.

- d. Small Crafts Harbours - Councillor Albert Murphy said he would like to see upgrades done on the breakwater area.
Councillor Ralph Carey reported that Council met with the government officials in October 2014. Councillor Carey said the Federal Government wants to hand this over to the town and walk away from it.

Mayor Després added that the finger wharves and the bridge may be co-dependent and care must be taken to ensure the longevity of any new infrastructure. Because this is not the Town's project but the Federal Government's, Council has discussed the option of the government doing the restorations to the Town's requirements and then the Town would take ownership.

There was a meeting in October 2014 and the Town is waiting on the province to get back to us. Mayor Després said that what would be addressed are the finger wharves and bridge, dredging and blasting, repairs to the east and north side, creating a working slipway, and the parking area.

Mayor Després added that in 2005, Council had a multi-step plan that in part addressed this area; therefore, much of the conceptual work is already in the works.

Councillor Ralph Carey will follow up with the government for an update.

5. **Finance:**

- a. Income statement and payables - Presented for information purpose.
- b.(I) Auction Dinner & Dance - Councillor Ralph Carey explained the BBBA wanted to know if Council would be purchasing a table for the auction at \$500 for a table of 8, or buy and ad in support of the organization. He explained that the auction is the BBBA's major source of yearly income.

2015-061 Councillor Albert Murphy/Deputy Mayor Dena Wiseman

Be it resolved Council purchase a table at the BBBA Auction Dinner & Dance for \$500.

Motion carried unanimously.

- (ii) BBBA financial statement - Presented for information purpose.
- c. Request from business owner to meet with Council to review business tax - Geraldine will set up a meeting with the business owner for the next planning meeting once the date is determined.
- d. Snow clearing logs & invoices -

2015-062 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council pay snow clearing contractor for all invoices presented.

Motion carried unanimously.

- e. Purchase of asphalt - Mayor Sébastien Després announced that a motion was made last year that council would try a new permanent asphalt repair.

2015-063 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council purchase one pallet of permanent asphalt repair.

Motion carried unanimously.

6. **Community Enhancement Committee:**

- a. Tidy Towns/Communities in Bloom - Community judging schedule July 21-23 - Mayor Sébastien Després reported that Council recently received the list of communities participating in the 2015 edition of the national *Communities in Bloom* contest, so the Town is aware of who we are up against. In order to prepare for the contest we have a list of activities and events prepared which will be in the Spring Newsletter that is nearly completed. One important upcoming event is the annual Kinsmen cleanup. During the cleanup we will be officially launching the Adopt-a-Spot project. Mayor Després said

there are already a number of associations and residents who have expressed an interest in this project.

Mayor Després left the Chair at 8:15 p.m. to make a motion on this project.

2015-064 Mayor Sébastien Després/Councillor René Estrada

Be it resolved Council invest in the construction of signage aimed at recognizing the volunteer work undertaken by the participants in the Town's adopt-a-spot project.

Mayor Després returned to the chair at 8:20.

Discussion: Mayor Després explained that the signage will list the name of the individual(s), families, groups, organizations, or businesses who have adopted a particular spot. He said most towns and cities who participate in this project do this to recognize the efforts and time dedicated by those involved. He said this can attract sponsors and corporate monies as well.

Motion carried unanimously.

7. **Public Works:**

a. **2015-065** Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve in principle application for residential single family dwelling on 42 Country Path Drive subject to the 8 metre height restriction, and subject to approval from Services NL and any government agencies having jurisdiction.

Motion carried unanimously.

2015-066 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council approve in principle application for residential single family dwelling on 49 Country Path Drive subject to the 8 metre height restriction, and subject to approval from Services NL and any government agencies having jurisdiction.

Motion carried unanimously.

2015-067 Councillor Albert Murphy/Councillor René Estrada

Be it resolved Council approve in principle application for residential family dwelling on 65 Country Path Drive subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

2015-068 Councillor Ralph Carey/Councillor René Estrada

Be it resolved Council approve in principle application for residential family dwelling on 70 Country Path Drive subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

2015-069 Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council approve in principle application for residential family dwelling on 72 Country Path Drive subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

b. **2015-070** Councillor Albert Murphy/Councillor Kevin Smart

Be it resolved Council approve in principle application for residential family dwelling on Andrew's Lane/Carey's Road subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

c. **2015-071** Councillor Albert Murphy/Councillor Ken Brinston

Be it resolved Council approve in principle application for residential family dwelling, garage and fence on Gull Pond Road subject to approval from Services NL and any other government agencies having jurisdiction.

Motion carried unanimously.

d. Approval process for "pre-approved" subdivision lots - Councillor Albert Murphy said that all the subdivision lots are surveyed and all Council is doing is rubber stamping them. He said he didn't see why these applications couldn't be pre-approved by Public Works, with the developer coming to the office to pick up a permit and then Council can take it back to the meeting to vote on. He said if they built a house that is bigger than applied for, then Council could issue a stop work order or have it dismantled.

Mayor Després explained that there are many problems with this idea. Firstly, identifying problems after construction has begun is in no one's best interests. There is also the fact that no building application is simply a "rubber stamping" – Council ensures that all elements of the proposed development are in order. The key problem, however, is that the Municipalities Act does not give committees of council decision-making powers; these exist only to make recommendations to Council.

e. Standing offers - Mayor Després explained that this was a practice that Council began last year, where the Town invites quotes from local contractors for hourly rates for the various pieces of machinery which Council may need for emergencies or small jobs that don't require the regular call for tender of quote. Mayor Després thanked the operators who submitted standing offers for the period between May 1, 2015 to May 1, 2016.

f. NL Power request for meeting - It was agreed that a meeting would be set via email once a date and time was determined.

- g. Request to repair/upgrade road at the end of Northside Track - Councillor Albert Murphy said he spoke to NL Power on this and they have agreed to do this work since they will be in the area doing upgrades.
- h. Request for Council to redirect water from the town's culvert away from private property and into a ditch on Tuff's Road.

Deputy Mayor Dena Wiseman requested that Council determine if her and Councillor Ralph Carey are in conflict since the individual who owns the property had her niece inquire about this culvert on her behalf, and Councillor Ralph Carey does work for the niece.

Deputy Mayor Dena Wiseman and Councillor Ralph Carey left the chamber at 8:30 p.m. for Council to discuss the matter.

2015-072 Councillor Albert Murphy/

Be it resolved Deputy Mayor Dena Wiseman and Councillor Ralph Carey are in conflict pertaining to item h. on the agenda.

Mayor Després explained if there is no seconder, it can't be voted on and therefore the motion is lost.

Motion failed due to lack of a seconder. Deputy Mayor Dena Wiseman and Ralph Carey are not in conflict on item (h) and returned to the chamber at 8:32 p.m.

Council would meet with the individual to discuss the concern they have with the culvert.

- i. Request for Council to clean out the ditch on Carey's Road property - This has been included on the Town's ditching list.
- j. Engineer & Architect's contract agreement - Mayor Després explained that the Town received a contract agreement from the Town's new engineering and architecture firm which must now be signed.

2015-073 Councillor Ralph Carey/Councillor René Estrada

Be it resolved Council sign the contract agreement with the new Engineer and Architect.

Motion carried unanimously.

- k. Ditching - Mayor Després reported that a preliminary list of places that need ditching has been drawn up, but that it has not yet been finalized. Public Works is to present a list to Council for approval, and proceed to tender.

2015-074 Councillor Ralph Carey/Councillor Albert Murphy

Be it resolved Council finalize the ditching list and proceed to tender.

Motion carried unanimously.

I. Asphalt repairs –

2015-075 Councillor Albert Murphy/Deputy Mayor Dena Wiseman

Be it resolved Council invite call for quotes for asphalt repairs.

Amendment: Deputy Mayor Dena Wiseman/Councillor Albert Murphy

Be it resolved Council invite calls for quotes for asphalt repairs once a list is compiled.

Amendment carried unanimously.

Motion carried unanimously.

8. **2015-076** Deputy Mayor Dena Wiseman/Councillor Albert Murphy

Be it resolved Council adjourn at 8:54.

Motion carried unanimously.

Mayor: _____

Town Clerk/Manager _____