

## Minutes

### Item 1: Call to Order

Mayor R. Hobbs called the meeting to order at 7:00 pm on June 17, 2014 and presided with the following individuals in attendance:

Deputy Mayor D. Tremblett  
Councillor B. King  
Councillor K. McDonald  
Councillor P. Budgell  
Councillor R. Canning

Randy Drover, Town Manager (Acting Town Clerk)

Councillor B. Saunders was absent with regrets.  
Dan Oldford, Town Clerk/Land Officer, was absent with regrets.

### Item 2: Moment of Silent Reflection

A minute of silence was provided for a private reflection/prayer.

### Item 3: Adoption of the Agenda

Mayor Hobbs opened the floor for additions to the agenda. The following items were added: (1) Skateboard park relocation (sponsored by Deputy Mayor Tremblett) and (2) Hobbs Park speed bumps (sponsored by Councillor King).

#### **Motion 134/2014 – Deputy Mayor Tremblett/Councillor Canning**

To adopt the agenda for public meeting 1347 as amended.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.  
Nays: 0

#### **Motion Carried**

## **Item 4: Adoption of Minutes for Public Council Meeting No. 1345**

### **Motion 135/2014 – Councillor McDonald/Councillor King**

To adopt the minutes for public meeting 1345 as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Motion Carried**

## **Item 5: Business Arising from the Minutes of Public Council Meeting No. 1345**

Q1: Councillor King questioned the outcome of the two (2) land sale tenders.

A1: The Town Manager advised that a qualifying bid, totaling \$7,000 plus HST, deed, and survey, was received for the land at the rear of Kings Road/McDonald Drive/Rose Street. No bids were received for the other parcel of land.

Q2: Councillor King questioned if there was a response to the Town's letter regarding the Station Road development (R 105/2014).

A2: The Town Manager indicated he was not aware; however, the Clerk will provide Council with an update on June 18, 2014.

Q3: Councillor King questioned the progress of the Community Clean-up Grant Program.

A3: The Town Manager advised that one (1) submission was received and it appears to be in proper order. There has been a delay in awarding the agreement because of the midyear budget review. Furthermore, the Town Manager has been looking for a budget line to cover the expenditure of \$800. The agreement will, however, be awarded in the near future.

Q4: Councillor King sought an update regarding the ACOA/IBRD Exploits River tourism project.

A4: The Town Manager informed Council that agreements, totaling \$50,000, have been reached with ACOA (\$25,000) and IBRD (\$25,000). All contribution agreements have been received. The Town Manager also indicated that he recently held a meeting with ACOA, IBRD, and the Department of Tourism, Culture, and Recreation (TCR) to discuss the Terms of References (TOR)/Request for Proposals (RFP) that will be used to engage a consultant to complete the study. TCR recommended changes to the current TOR/RFP. The Town Manager will address those changes and revise the TOR/RFP in the coming days. The total budget for this project, including the municipality's share, is \$75,000.

## **Item 6: Adoption of Minutes for Public Council Meeting No. 1346**

### **Motion 136/2014 – Councillor Budgell/Councillor King**

To adopt the minutes for public meeting 1346 as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Motion Carried**

### **Item 7: Business Arising from the Minutes of Public Council Meeting No. 1346**

Q1: Councillor King questioned if there were any unanticipated expenses associated with the wastewater treatment project at this point.

A1: The Town Manager advised that, to date, there are only two (2) change orders that he is aware of. The first reduced the scope of work, and budget, by approximately \$93,000 to meet the funding threshold. The other totals approximately \$2,100 in survey/deed fees for easements. The Town Manager informed Council of a conversation he had with the Department of Municipal and Intergovernmental Affairs regarding the budget. The Department and municipality are constrained to find additional resources for this project; therefore, the engineers/project managers have been instructed to keep a close eye on change orders. The scope of work may need to be reduced to accommodate unanticipated expenses.

### **Item 8: Standing Committee Reports and Recommendations**

#### **8.1 PUBLIC WORKS STANDING COMMITTEE MEETING NO. 318 (JUNE 16, 2014)**

##### **8.1.1 Chairperson's Report**

Councillor King, Chairperson, presented the following report:

- The Committee held a special meeting on June 16<sup>th</sup>, 2014 with Deputy Mayor Tremblett (member), Councillor McDonald (member) and Mayor Robert Hobbs (ex-officio) in attendance
- The Committee reviewed a counterproposal from the developer for the Kings Road Subdivision. Each item of the counterproposal was considered with the intent to see if there was any value to continuing the negotiations with this developer.
- The Committee next met with the developer and discussed each of the items in the counterproposal. The developer also presented support information for his presentation. The Committee recommended that the developer meet with Senior Staff and DMG to clarify the proposed details. The Committee was able to supply the developer with the direction that Council wished to go with this proposal and would like to see some resolution in, and development commence, as soon as possible.
- The Committee reviewed the backhoe inspection as completed by Caterpillar on May 29, 2014. The Committee requested that a cost estimate be completed on items not covered by the supplier as quickly as possible in order to have this piece of equipment in service. The Committee is also recommending a two week time limit be placed on the supplier to have the agreed repairs completed.

### 8.1.2 Recommendations Arising

#### **Resolution 137/2014 – Councillor King/Deputy Mayor Tremblett**

Whereas council at a public meeting 1345 Council agreed by consensus to have the Town Manager meet with DMG to have a new RFP drafted for the Kings Road Subdivision; and whereas the developer previously being considered for the project has submitted a counterproposal; and whereas the counter proposal and subsequent meeting with the Public Works Standing Committee has shown a possible negotiated agreement, be it therefore resolved, that Council shall have the Town's Engineers and Senior Staff meet with the developer to consider a final proposal for Council's consideration, and be it further resolved, that the request for a new RFP shall be suspended until has such time a final proposal of the current RFP can be considered.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Resolution Carried**

#### **Resolution 138/2014 – Councillor King/Councillor Budgell**

Whereas Council in Resolution 11/2014 agreed to the purchase of a used rubber tire backhoe; and whereas such purchase was conditional on specific repairs be completed by the supplier prior to purchase; and whereas such repairs have not been completed, be it therefore resolved, that the supplier shall be issued a 2 week notice to have such repairs completed, and be it further resolved, that if such repairs are not completed, the purchase of the used rubber tire backhoe may be cancelled.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Resolution Carried**

#### **Resolution 139/2014 – Councillor King/Deputy Mayor Tremblett**

Whereas a consideration has been requested to have Council consider some esthetic improvements done to Main St. at the centre of Town, including the possible closing in of ditches; and whereas Council is currently completing a mid-year financial review; and whereas such considerations could affect the budget of the Town, be it therefore resolved, that Staff shall prepare an analysis of such esthetic improvements, and be it further resolved, that such improvements may be considered if costing considerations permit.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Resolution Carried**

## **Item 9: Financial Reports**

Mayor Hobbs and Councillor Canning, Chairperson of the Finance Standing Committee, asked the Town Manager to provide a summary of the following financial reports:

- AP Transaction Journal
- Budget Report (Income/Expense Statement)
- Capital/Grant Income Statement
- Capital Works Projects Reconciliations
- Cash Report
- Routine Payments

The Town Manager indicated the municipality is facing a budget issue. Recently, the first draft of the midyear budget review was completed, and the Finance Standing Committee will be meeting on June 24, 2014 to consider the revised estimates. The budget will be discussed and analyzed extensively over the coming weeks. He advised that meetings have occurred with the Public Works Supervisor, Summer Recreation Coordinator, and the Recreation Attendant-Lead hand to identify savings in the Departments. A similar meeting will be held with the Fire Chief in the coming days. In terms of the Capital/Grant Income Statement, the Town Manager advised that revenues and expenses have increased considerably since the last report. Two (2) contract claims were received by the wastewater treatment contractor, bringing total expenses to \$1,046,698.15 this fiscal year. The municipality has drawn a total of \$395,470.66 against its loan for this project. Finally, Council was advised the Town's cash position remains healthy.

### **Motion 140/2014 – Councillor Canning/Councillor Budgell**

That Council shall approve the routine payments for April/May/June 2014, totaling \$340,151.79, as presented.

#### **DISCUSSION:**

The following point(s) was/were raised during discussion: (1) Routine payments include approximately \$220,000 in internal transfers. These relate to a draw against the wastewater treatment project loan and a \$15,500 short term loan to the gas tax account until the funds are received from the Government.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Motion Carried**

### **Motion 141/2014 – Councillor Canning/Councillor King**

That Council shall approve the accounts payable transaction journal, dated June 12, 2014 and totaling \$68,171.08, for disbursement as presented.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

## **Item 10: Privileged Session**

### **Motion 142/2014 – Councillor Canning/Councillor McDonald**

That Council shall dissolve into a privileged session.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

**\*\*The privileged session commenced at 7:23 pm\*\***

### **Motion 143/2014 – Councillor Canning/Councillor McDonald**

That Council shall conclude the privileged session and resume the public meeting.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

**Motion Carried**

**\*\*The privileged session concluded, and the public meeting resumed, at 7:48 pm\*\***

## **Item 11: General Business**

### **11.1 HELEN TULK TEACHER DROP IN TEACHER ALLOCATION**

Council discussed the correspondence received from Helen Tulk Elementary School Council regarding the reduction in teaching capacity. It was agreed, by consensus, that Council would support the School Council's position that a reduction is unwarranted and send a letter of support, signed by the Mayor, to the Minister of Education, MHA Clayton Forsey, and the English School District Board.

### **11.2 ORGANIZED MOTORCYCLE GANGS (OMGS) – TOWN OF BOTWOOD LETTER**

The matter was considered information only. No action required; however, the Mayor suggested a meeting should be arranged between the PHSSC and the RCMP for the September sitting.

### 11.3 DOMINIC STREET REZONING PROCESS

In response to a public notice regarding the rezoning of an area on Dominic Street from commercial to residential, the Town received three (3) letters of opposition. One (1) letter was considered by Council and an extensive discussion ensued. The following point(s) was/were raised during discussion: (1) In general, the residents of Bishop's Falls are expressing dissatisfaction with the fact there are so many apartments (senior complexes) being developed. (2) There is a misconception that landlords have waiting lists for apartments. In many cases, renters simply move to the new development. Very few new renters are coming into the community. (3) The latter is not proven. It is simply conjecture. (4) Council must not become unnecessarily involved in restricting private sector development. The concept of a free market must prevail. (5) The development regulations, in some zones, permit apartments. This makes it difficult, but perhaps not impossible, for Council to reject permit applications; however, in the present case Council approved the rezoning process. There will be other opportunities in the process for Council to revisit the matter depending on the feedback from the community. (6) At this point, the Town does not know what development will occur in the area other than it will be residential.

The matter will be revisited as the rezoning process moves forward.

### 11.4 CROWN LAND RECOMMENDATION (13 MILE CROSSING)

#### **Motion 144/2014 – Councillor Canning/Councillor Budgell**

That Council shall approve the application for Crown Land near 41 Thirteen Mile Crossing and release it from municipal review.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Motion Carried**

### 11.5 FENCE PERMIT APPLICATION

#### **Motion 145/2014 – Councillor King/Councillor Canning**

That Council shall stand in opposition to a fence permit application dated June 6, 2014.

#### **DISCUSSION**

The following point(s) was/were raised during discussion: (1) Allowing the resident to connect to the municipality's fence may lead to problems in the future. A standalone fence will have to be constructed.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

#### **Motion Carried**

#### 11.6 INVOICE REGARDING BLOCKED SEWER LATERAL (MAIN STREET)

Council instructed the Town Manager to investigate the matter further and take the necessary action.

#### 11.7 REJECTION OF CROWN LAND APPLICATION (THIRTEEN MILE CROSSING)

The matter was determined to be information only. No action required.

#### 11.8 TRESTLE LIGHTS

Council discussed the damage to the Trestle lights. There was general agreement that structure is necessary to ensure repairs are completed. Currently, it is not clear who is responsible and who should be contacted to complete the required repairs. Council was advised that Newfoundland Power will provide equipment; however, volunteer labour is required. Councillor Canning provided the Town Manager with a contact number for an employee with Newfoundland Power who has, in the past, completed the repairs to the lights. The following action items resulted from the discussion:

- (1) The Town Manager, or his/her delegate, will contact the Newfoundland Power employee to determine if support can be received to repair the Trestle lights.
- (2) Councillor Canning will approach the Trestle Lights Committee to determine if there is any interest to continue providing volunteer support.

#### 11.9 APPLICATION FOR REZONING DOMINIC STREET

##### **Resolution 146/2014 – Councillor King/Councillor Budgell**

Be it resolved that Council shall approve the rezoning of 1 Dominic Street from residential to commercial and commence the appropriate process under the *Urban and Rural Planning Act*. Be it further resolved that the cost of rezoning shall be the sole responsibility of the proponent.

##### **DISCUSSION**

The following point(s) was/were raised during discussion: (1) This area was traditional commercial. It was rezoned approximately five (5) years ago to residential, but the property has largely retained a commercial nature.

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

##### **Resolution Carried**

#### 11.10 DEVELOPMENT APPROVAL REQUEST (STATION ROAD AND MAIN STREET)

Council redirected the matter to the Town Clerk/Land Officer's attention. The proponent will need to submit a proper application, compliant with regulations, before it can be considered.



#### 11.11 STREET NAMING REQUEST

A request was received to name the next street/road in town after the Dalton family. The matter will be taken into consideration when a street naming question is before Council.

#### 11.12 BUILDING INSPECTION REPORT (FIRE AND LIFE SAFETY) – HELEN TULK ELEMENTARY

The matter was determined to be information only. No action required.

#### 11.13 ORGANIZED MOTORCYCLE GANGS (OMGS) – TOWN OF GRAND FALLS-WINDSOR LETTER

Council decided, by consensus, to write a letter to the RCMP, Minister of Justice, and other appropriate institutions/individuals to support the position of the Town of Grand Falls-Windsor regarding the RCMP's response to OMGs. The letter will be signed by the Mayor.

#### 11.14 SNOW CLEARING STANDING POLICY AMENDMENT

##### **Resolution 147/2014 – Councillor King/Councillor McDonald**

Whereas in May 2014 the Town Council adopted the *Public Roads Snow Clearing Regulations* (hereinafter referred to as the 'regulations'); and whereas the *Snow Clearing Service Standard Policy* was adopted in February 2014 (hereinafter referred to as the 'policy'); and whereas the policy must be amended to ensure compliance with the regulations; therefore, be it resolved that Council shall, in accordance with the regulations, amend the policy as follows:

- (1) Section 4.1 is amended to read as follows:

*The following snow clearing route, listed in priority order, shall be assigned to the 936 CAT Loader:*

- (1) *Hampton's Hill*
- (2) *R02*
- (3) *Knights of Columbus Road*
- (4) *Newtown Road*
- (5) *R04*
- (6) *Junction Road and Turner's Road*
- (7) *Forest Road and Reid Place*
- (8) *Mayor Avenue*
- (9) *Riverside Drive (to Brown's Turn)*
- (10) *Sydney Street*
- (11) *Mill Road*
- (12) *Tucker Park and Powerhouse Road*
- (13) *Valleyview Road*
- (14) *King's Road, McDonald Crescent, Rose Street, and Butler Street*
- (15) *Kennedy Place*
- (16) *Country Road and Snow's Lane*
- (17) *Marshall's Drive*
- (18) *Lower Avenue*

- (19) *Circular Road*
- (20) *13 Mile Crossing and Sunset Drive*
- (21) *Bond Street, when time permits*
- (22) *Birch Street, Andrew's Lane and Aspen Street*
- (23) *McMahon's Lane (behind Irving)*

(2) Section 4.2 is amended to read as follows:

*The following snow clearing route, listed in priority order, shall be assigned to the 930 CAT Loader:*

- (1) *Riverside Drive (intersection of Kinsmen Drive to Trestle)*
- (2) *Riverside Drive (intersection of Kinsmen Drive to Brown's Turn)*
- (3) *Kinsmen Drive*
- (4) *Centennial Drive and Trestleview Place*
- (5) *Stanley Avenue (not including Stadium parking lot)*
- (6) *Town and Fire Halls (parking lots)*
- (7) *Cannings Lane*
- (8) *Dove's Lane*
- (9) *Riverside Drive (west of Trestle)*
- (10) *Station Road (to Helen Tulk Drive)*
- (11) *Farrell Place*
- (12) *Helen Tulk Drive*
- (13) *Station Road (west of Helen Tulk Drive).*
- (14) *Beaumont Heights (to Hynes Road)*
- (15) *Hynes Road*
- (16) *Beaumont Heights (north of Hynes Road)*
- (17) *McMahon's Lane*
- (18) *Exploits Avenue and Pine Place*
- (19) *Eltero Park*
- (20) *Greenridge Road*
- (21) *First Avenue*
- (22) *Second Avenue*
- (23) *Rewa Avenue*
- (24) *Adams Avenue*
- (25) *Lingard Place*
- (26) *Hobbs Park (south side and center road.*
- (27) *Bruce Place*
- (28) *Dominic Street*
- (29) *Morgan's Street*
- (30) *Hobbs Park (north side and centre road)*
- (31) *Davis' Lane*
- (32) *Heritage Building (parking lot)*
- (33) *Epstein Place*
- (34) *Vokey's Lane*
- (35) *Faulkner's Lane*
- (36) *R08*
- (37) *R09*

(38) R11

(39) Stadium parking lot

(3) Section 4.4 is amended to read as follows:

*The following snow clearing route, listed in priority order, shall be assigned to the F 550:*

(1) *Sanding/Salt all routes (pavement) that have been plowed*

(2) *R13*

(3) *R14*

(4) *Sand all routes (gravel roads) that have been plowed.*

Be it further resolved that Council shall deem the following as driveways as defined in the regulations:

- R01
- R03
- R05
- R06
- R07
- R10
- R12
- R15
- R16
- R17
- Simons Lane
- Earle's Turn
- Cobbs Lane
- Walkers' Lane

Be it further resolved that Council shall commence the process of assigning names to the following highways/public driveways:

- R02
- R04
- R08
- R09
- R11
- R13
- R14

## DISCUSSION

The following point(s) was/were raised during discussion: (1) The Town reviewed the roads on two (2) occasions to determine their classification under the new regulations. (2) In a few cases there is an alternate interpretation that can be drawn. While the road does not meet the definition of a public driveway, an argument could be advanced that it is a highway. (3) Letters will be sent to those affected in the coming days and the Town will include a copy of the regulations.

Question was called.

Yeas: 4 – Mayor Hobbs, Councillor King, Councillor McDonald, and Councillor Budgell.

Nays: 2 – Deputy Mayor Tremblett and Councillor Canning

### **Resolution Carried**

#### **11.15 SKATEBOARD PARK RELOCATION REQUEST**

Deputy Mayor Tremblett presented a request to Council, on behalf of the Skateboard Park Committee, to relocate the park to the opposite end of the tennis court. This new location will increase the distance between the park and residential properties. The Committee is concerned about the noise that will be generated by the park, although it is trying to mitigate that by purchasing equipment made from a special material. Some Councillors believed this was unnecessary, and may only further contribute to public displeasure that Council eliminated a section of the tennis courts for a skateboard park. While tennis is not a popular sport in the community, the courts are occasionally used. The current location is suitable and is known in the community. If the relocation was approved, a gate would need to be installed in that section of the fence to ensure the park is self-contained. A recommendation was presented to the Deputy Mayor that a sound barrier may be more suitable. In response, Deputy Mayor Tremblett indicated she would bring that before the Committee for consideration. There was general agreement among the Councillors to reject the relocation request.

The Deputy Mayor provided Council with an update on the project. She indicated that the necessary funds have been raised. The Committee is in the process of selecting equipment. Hopefully the latter will be ordered in the near future.

#### **11.16 HOBBS PARK SPEED BUMPS**

Councillor King shared two (2) complaints that he received from residents living in Hobbs Park. There is a request before the Town to reinstall the speed bumps. Also, there is a request to increase the number from two (2) to three (3). The Mayor advised that a work order has been issued to install the two (2) existing speed bumps. Councillor King felt a third is required because a child's stroller was recently struck by a speeding vehicle in the area. The additional speed bump, placed in the centre of Hobbs Park, will keep speeds down as vehicles travel the entire road. Councillor McDonald recommended placing the two (2) speed bumps closer together (further down the west and east entrances) to decrease the distance. This should help maintain low speeds.

#### **Motion 148/2014 – Councillor King/Councillor Budgell**

That Council shall approve the acquisition of a third speed bump for Hobbs Park.

#### **DISCUSSION:**

The following point(s) was/were raised during discussion: (1) The Town could first see if readjusting the speed bumps will solve the problem. (2) There is a minimum cost to acquire an additional speed bump. The third one is necessary.

Yeas: 3 – Deputy Mayor Tremblett, Councillor King, and Councillor Budgell

Nays: 3 – Mayor Hobbs, Councillor Canning, and Councillor McDonald

**Motion defeated**

## **Item 10: Adjournment**

### **Motion 149/2014 – Councillor Budgell/Councillor Canning**

That Council shall adjourn public meeting 1347,

Yeas: 6 – Mayor Hobbs, Deputy Mayor Tremblett, Councillor King, Councillor McDonald, Councillor Budgell, and Councillor Canning.

Nays: 0

### **Resolution Carried**

The meeting adjourned at 9:20 pm.

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Randy Drover, Town Manager  
Acting Town Clerk