

Public Meeting of Witless Council

May 19, 2020

Attending: Mayor Derm Moran, Deputy Mayor Maureen Murphy, Councillors Fraser Paul, David Ryan, Dale O'Driscoll, Vince Swain

Staff: Geraldine Caul
Barb Harrigan

1. Mayor Derm Moran opened the meeting at 7:30 p.m.
2. **2020-54** Deputy Mayor Maureen Murphy/Councillor Fraser Paul
Moved that Council adopt the agenda of May 19, 2020.
Motion carried unanimously
3. **2020-55** Councillor Vince Swain/Councillor Dale O'Driscoll
Moved that Council adopt the Minutes of March 10, 2020 as presented.
Motion carried unanimously.
4. Business Arising from Minutes:
 - a. Application to construct residential dwelling on Dunn's Lane

2020-56 Councillor Fraser Paul/Councillor Vince Swain
Moved to approve in principle residential single family dwelling on Dunn's Lane subject to approval from Service NL and any other government agencies having jurisdiction.
Motion carried unanimously.
 - b. Application to demolish & rebuild barn, or refurbish

2020-57 Councillor Fraser Paul/Councillor Vince Swain
Moved for demolition of the barn as per application, per determination of 50% on the deterioration of the structure and under Regulation 10 for safety concern on one of the main intersection of the Town.
Be it further resolved the Town give a 60-day removal order on the structure.
Motion carried unanimously.

- c. Municipal Plan Amendment #1, & Development Regulations Amendment #1, 2019: Civic #12 Dean's Road and Civic #14-24 Dean's Road.

2020-58 Deputy Mayor Maureen Murphy/Councillor Vince Swain

Moved that Council approve the Resolution to adopt the Town of Witless Bay Municipal Plan Amendment #1, 2019 and Town of Witless Bay Development Regulations Amendment #1, 2019 to re-designed and re-zone property at Civic #12 Deans Road and Civic #14 -24 Dean's Road to the Commercial Land use Designation and the Commercial Highway Land use Zone.

I further move that Council approve the appointment of Wayne Thistle as Commissioner for a Modified Public Hearing to be held in accordance with the requirements of the Urban and Rural Planning Act, 2000 and the recent advice received from the Department of Municipal Affairs and Environment concerning the holding of public hearings during the period of COVID-19 Pandemic.

Motion carried unanimously.

- d. Municipal Plan Amendment #2, & Development Regulations Amendment #2, 2019: Civic #22-40 Cemetery Road.

2020-59 Councillor Dale O'Driscoll/Councillor Fraser Paul

Moved that Council approve the Resolutions to Adopt the Town of Witless Bay Municipal Plan Amendment #2, 2019 and Town of Witless Bay Development Regulations Amendment #2, 2019 to re-designate and re-zone property at Civic #22-40 Cemetery Road to the Residential Land Use Designation and the Residential Land Use Zone.

I further move that Council approve the appointment of Wayne Thistle as Commissioner for a Modified Public Hearing to be held in accordance with the requirements of the Urban and Rural Planning Act, 2000 and the recent advice received from the Department of Municipal Affairs and Environment concerning the holding of public hearings during the period of the COVID- 19 Pandemic.

Motion carried unanimously.

- e. Notice of Motion - Town of Witless Bay Regulations Manual & Notice of Motion - Town of Witless Bay Benefits Manual

Under the Municipalities Act, Council shall make regulations. The Town of Witless Bay hired L.W. Consulting to compile these regulations as well as the Town of Witless Bay Benefits Manual and the Town of Witless Bay Policies and Procedures Manual to ensure compliance with the Municipalities Act, including subordinate legislation, the URPA and all other applicable legislation.

Notice of Motion - Town of Witless Bay Regulations Manual

2020-60 Deputy Mayor Maureen Murphy/Councillor David Ryan

Moved that Council adopt the following Regulations at the next public meeting of Council:

1. Building Regulations
2. Fence Regulations
3. Occupancy and Maintenance Regulation

Motion carried unanimously.

f. Notice of Motion - Town of Witless Bay Benefits Manual

2020-61 Councillor Dale O'Driscoll/Deputy Mayor Maureen Murphy

Moved that Council adopt the Town of Witless Bay Benefits Manual at the next public meeting of Council.

Motion carried unanimously.

g. Notice of Motion - Town of Witless Bay Policies and Procedures Manual

2020-62 Deputy Mayor Maureen Murphy/Councillor Vince Swain

Moved that Council adopt the Town of Witless Bay Policies and Procedures Manual at the next public meeting of Council.

Motion carried unanimously.

5. **Public Works & Infrastructure - Applications**

2020-63 Councillor Fraser Paul/Councillor Vince Swain

Moved that Council approve the following applications:

- a. Greenhouse - 63 Country Path Drive
- b. Garage - 35 Country Path Drive
- c. Garage - 43 Country Path Drive
- d. Garage - 45 Country Path Drive
- e. Garage - 50 Country Path Drive
- f. Garage - 28 Tamarack Drive
- g. Garage - 11-13 Gallows Cove Road
- h. i) Extend existing residence - 69 Bear Cove Road
- h.ii) Garage - 69 Bear Cove Road
- h.ii) Install Culvert - 69 Bear Cove Road
- i. Garage - 128 Bear Cove Road
- l. Extend existing shed - 134 Harbour Road
- m. Demolish & remove shed - 34 Dunn's Lane (removal within 60 days)
- n. Shed - 202 Dean's Road
- o. Upgrade septic system - 101 Fisherman's Road
- q. 432-434 Southern Shore Highway - Site grading & landscaping

440 Southern Shore Highway - Site grading & landscaping
Motion carried unanimously.

5j. Application to construct residential dwelling on 19 Irish town Road

2020-64 Councillor Fraser Paul/Councillor Vince Swain

Moved that Council approve residential dwelling on 19 Irish town Road. Service NL Certificate of Approval is dated April 2020 - April 2021. Applicant must re-apply if dwelling is not constructed by April 2021.

Motion carried unanimously.

5k. Application to construct residential dwelling on Lot 11, Dean's Road

2020-65 Councillor Fraser Paul/Councillor Vince Swain

Moved that Council defer application pending development plan from the developer.

Motion carried unanimously.

Public Works & Infrastructure - Other

a. Request for speed bump on 288 Dean's Road

2020-66 Councillor Vince Swain/Councillor Fraser Paul

Moved that Council deny placing speed bumps on 288 Dean's Road.

Motion carried unanimously.

b. Request to have culvert cleaned out on 10 Lower Loop Road - Deferred until June public meeting.

c. Request to have drain cleaned out by 220 Gallows Cove Road - Deferred until June public meeting.

d. Extension to Mallowney's Lane

Deputy Mayor Maureen Murphy asked Council to determine whether or not she is in a conflict of interest on this item because her brother owns land in the area.

Councillor Dale O'Driscoll declared a conflict of interest because he cannot vote on his mother-in-law. Councillor Dale O'Driscoll left the meeting at 7:56 p.m.

2020-67 Councillor Fraser Paul/Councillor Vince Swain

Moved that Deputy Mayor Maureen Murphy is not in a conflict of interest on the extension to Mallowney's Lane.

For the vote: Mayor Derm Moran, Councillor David Ryan, Councillor Fraser Paul, Councillor Vince Swain

Against: 0

Abstained: Deputy Mayor Maureen Murphy, Councillor Dale O'Driscoll
Motion carried.

Councillor Dale O'Driscoll returned to the meeting at 7:58

2020-68 Councillor Vince Swain/Councillor Fraser Paul

Moved that Council proceed to tender for road work to extend Mullowney's Lane from the turn around for 168 meters, and to upgrade the Right-of-Way to the existing standards of Mullowney's Lane under Regulation 10 and Section 58 of the Town of Witless Bay Development Regulations.

Motion carried unanimously.

e. Ragged Beach Turnaround

2020-69 Councillor Fraser Paul/Councillor Vince Swain

Moved to defer until a meeting with the sitting Deputy Minister.

Motion carried unanimously.

f. Ditch clean out, grading and shouldering - Deferred

g. Change rooms at pool area - Deferred pending site visit

h. Speed bumps vrs pavement marking - Deferred

i. Standing offers

2020-70 Councillor Fraser Paul/Councillor Dale O'Driscoll

Moved that Council proceed to tender for Standing Offer for the period 2020-2021

Motion carried unanimously.

j. Heating at Puffin Centre - Long standing issues with improper installation of heating system.

2020-71 Councillor Fraser Paul/Councillor David Ryan

Moved that Council approve labour cost of \$400.00 to investigate the heating system at the Puffin Centre.

Motion carried unanimously.

k. Safety barriers for end of Gallows Cove Road (Ragged Beach)

2020-72 Deputy Mayor Maureen Murphy/

Move that Council place safety barriers at the end of Gallows Cove Road.

Motion lost due to no seconder.

- l. Purchase & Install new playground equipment

2020-73 Councillor Vince Swain/Councillor Dale O'Driscoll

Moved that Council proceed with the plan to purchase playground equipment with full description and location plan for council's review before order is placed.

Motion carried unanimously.

- m. Fencing for playground around the new washroom/change rooms - Deferred pending site visit.
- n. Trench out overflow river for swimming pool - Deferred pending site visit.
- o. Ground work for recreation area - Deferred pending site visit.
- p. Clean up excess sand/torn sod on sides of roads - Deferred.
- q. 47-115 Dean's Road

2020-74 Deputy Maureen Murphy/Councillor Dale O'Driscoll

Moved that Council set up a meeting with the Town Planner before proceeding any further on this.

Motion carried unanimously.

- r. Approved under 5 (q) by Motion # 2020-63.
- s. Application to construct residential dwelling on Irish town Road

2020-75 Councillor Fraser Paul/Councillor Vince Swain

Moved to approve in principle residential single family dwelling on Irishtown Road subject to approval by Service NL and any other government agencies having jurisdiction.

Motion carried unanimously.

6. Finance

- a. O'Brien's snow clearing invoices & logs - March 31 - April 19, 2020 (Total: 48,418.76)

2020-76 Councillor Dale O'Driscoll/Deputy Mayor Maureen Murphy

Moved that Council pay snow clearing invoices & logs for March 31 - April 19, 2020 in the amount of \$48,418.76.

Motion carried unanimously.

- b. Payable chart for approval

2020-76 Councillor Dale O'Driscoll/Deputy Mayor Maureen Murphy

Move that Council approve Payable chart for payment.

Motion carried unanimously.

- c. Town I-pads & emails.

2020-77 Councillor Dale O'Driscoll/Councillor Fraser Paul

Moved that the Town purchase laptops for all councillors, to include all necessary software up to the amount of \$6000.00 with separate Town email addresses for all individual councillors.

Discussion: These laptops are to be returned to the Town of Witless Bay once councillors' terms are over.

Motion carried unanimously.

- d. Kinsmen request for donation

2020-78 Deputy Mayor Maureen Murphy/Councillor Dale O'Driscoll

Move that Council approve donation of \$300.00 for community clean-up project.

Motion carried unanimously.

- e. BBBAA Financials & minutes for period covering March 31 to April 2, 2020 - Information only.

7. **Other Business**

- a. Municipal Affairs & Environment Information Circular - Information only.

8. **Adjournment**

2020-79 Deputy Mayor Maureen Murphy/Councillor Dale O'Driscoll

Move that Council adjourn the public meeting at 8:32 p.m.

Motion carried unanimously.