

Public Meeting of Council
April 12, 2022

Attending:

Mayor Trevor Croft
Deputy Mayor Lorna Yard
Councillor Jacob Hayden
Councillor Ralph Carey
Councillor Gerard Dunne
Councillor Alex Troake

Regrets: Councillor Nancy Burke

Staff: Shawn Kavanagh

1. Mayor Trevor Croft Called the meeting to order at 7:31PM.

2. Appt. of Acting Town Clerk (for meeting)
2022-087- Councillor Gerard Dunne/Deputy Mayor Yard
Move that council appoint Shawn Kavanagh Acting Town Clerk.
For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.
Motion carried.

3. Adoption of Agenda of April 12, 2022
2022-088 Councillor Hayden/Councillor Dunne
Motion to amend agenda to include a Heritage Committee Section and an update to the Heritage Committee.
For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.
Motion carried.

4. Adoption of amended agenda for April 12, 2022.
2022-089 Councillor Carey/Councillor Dunne
Motion to amend the agenda again to include under Correspondence and other Business, 7(c), Notice of Motion to review Development Regulations regarding accessory buildings
For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.
Motion carried.

5. Adoption of amended agenda for April 12, 2022.
2022-090 Councillor Hayden/Councillor Dunne
For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.
Motion carried.

6. Adoption of Public Meeting Minutes of March 8, 2022
2022-091 Councillor Hayden/Councillor Dunne
For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.
Motion carried.

7. **Business Arising from Minutes**

- a. Crown Land Application - 172-182 Dean's Road
2022-092 Councillor Dunne/Councillor Carey
Move that council deny the Crown Land Application for 172-182 Dean's Road

Discussion: Councillor Dunne

The piece of land in question takes in a Right of Way from the Town and there is no information from Crown Land or at the Town office how it got this far.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion carried.

- b Crown Land application – Lot 1, O'Brien's Road

2022-093 Councillor Hayden/Councillor Carey
Move that council reject the application.

Discussion: Councillor Hayden

The information as sent to the Town Planner, and the Town Planner contacted the applicant. We have not since received the appropriate paperwork from the applicant, so therefore we will deny the application. The applicant is free to re-submit the application to the Town with the appropriate paperwork.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion carried.

c. 49-51 Butler's Road- Application to build a shed

2022-094 Councillor Carey/Councillor Hayden

Move to defer this application pending review of the development regulations.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion carried.

8. **New Business:**

a. **Notice of Appeal**

Discussion: Councillor Carey

Information only: The town has received notice of appeal from the Eastern Newfoundland Regional Appeal Board, and we will inform residents when this works its way through the system and the outcome is declared.

b. Tender- Town Planning Services

2022-095 Councillor Troake/Deputy Mayor Yard

Move to issue a tender for Town Planning services.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft

Motion carried.

c. Tender- Line painting for the Town's parking lots.

2022-096 Councillor Hayden/Councillor Dunne

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion carried.

d. Tender- New speed bumps for the Town

2022-097 Councillor Hayden/Councillor Carey

Discussion: Councillor Hayden

the current speed bumps are too aggressive and have the possibility of damaging vehicles. We will be looking into purchasing better speed bumps that do the same job but are less abrasive on your vehicle.

Discussion: Councillor Troake

That was one issue we heard a lot about during the election. People have signed a petition seeking more speed bumps and there is money built into the budget for this so now is the time to get it.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion carried.

e. Request for Standing Offer- Public Works

Councillor Dunne declared a conflict on this matter due to the fact his employer will likely be bidding on it. Councillor Dunne left the Chambers at 7:39pm.

Deputy Mayor Yard declared a conflict on this matter due to the fact her brother works for a contractor in the Town who will likely be bidding on it. Deputy Mayor Yard left the Chambers at 7:39pm.

2022-098 Councillor Carey/Councillor Hayden

Motion to send a request to our contractors for standing offers.

Discussion: Councillor Carey

Standing Offers are typically used in emergency situations only, and we need to have it on file. If we need a backhoe tomorrow, this determines the price.

For the motion: Councillor Hayden, Councillor Carey, Councillor Troake, Mayor Croft.

Motion Carried.

Councillor Dunne and Deputy Mayor Yard stepped back into Chambers at 7:41pm.

f. Tender- Public Works

Councillor Dunne declared a conflict because his employer may bid on the contract. Councillor Dunne left the Chambers at 7:41pm.

Deputy Mayor Yard declared a conflict because her brother's employer may bid on the contract. Deputy Mayor Yard left the Chambers at 7:41pm.

2022-099 Councillor Hayden/Councillor Carey

Motion to issue a public works tender for outstanding issues in the Town

Discussion: Councillor Hayden

We are looking to get a few potholes filled and resolving the current issues with the swimming pool area where flood damage occurred.

For the motion: Councillor Hayden, Councillor Carey, Councillor Troake, Mayor Croft.

Motion Carried.

Councillor Dunne and Deputy Mayor Yard stepped back into Chambers at 7:42pm.

9. Correspondence and Other Business:

a. Councillor- Leave of Absence

2022-100 Deputy Mayor Yard/Councillor Carey

Motion to approve 3 month Leave of Absence for Councillor Burke.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

b. Request to rescind motion 2012-140

Councillor Dunne declared a conflict of interest due to farmland bordering on his brother's property. Councillor Dunne stepped out of the Chambers at 7:43 pm.

Discussion: Councillor Hayden

This motion is regarding agricultural land in the community, and Councillor Dunne's brother's land does border on agricultural land in the community, there is no real conflict.

Discussion: Councillor Carey

Right now we are just considering a request to rescind a motion pertaining to the size of agricultural land in the community. If Councillor Dunne were to vote on something after we rescind a motion, then that may be a conflict.

2022-101 Councillor Hayden/Councillor Carey

Motion to declare that Councillor Dunne is not in a conflict in considering the request to rescind motion 2012-140.

For the motion: Councillor Hayden, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

Councillor Dunne stepped back into Chambers at 7:45pm.

2022-102 Councillor Carey/Councillor Hayden

Motion to rescind motion 2012-140.

Discussion: Deputy Mayor Yard

Myself and the Town Manager and the Fire Chief met with the applicant regarding his Crown Land application to make sure it does not impede future development of the Fire Department's training grounds. The Fire Department had no issues with the application. It was brought back to council and at that time the Planning Committee made us aware of the previous motion limiting agricultural

Crown Land grants to half an acre. This issue is a smaller piece of a bigger issue, and will be dealt with when the Town Plan is up for renewal.

For the Motion: Councillor Carey

Against the Motion: Councillor Hayden, Councillor Dunne, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Defeated.

c. Notice of Motion

2022-103 Councillor Carey/Councillor Hayden

Motion to move forward in reviewing the development regulations regarding accessory buildings.

Discussion: Councillor Carey

We will be reviewing development regulations with regard to accessory buildings. There are many people in the Town with needs that exceed the development regulations permitted at the moment. We will review the issue and get feedback from other jurisdictions. There are also possible issues with people who move in to the community and require more storage space than our regulations currently allow.

Discussion: Councillor Hayden

The current regulations cap accessory buildings at 70m² in total, and this doesn't leave much space for storage or otherwise. I can understand where the people I've discussed this issue with are coming from.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

10. Committees

Public Works and Infrastructure

a. Application to operate a mobile food truck

2022-104 Councillor Carey/Councillor Dunne

Motion to approve the application.

Discussion: Councillor Hayden

This application will still be subject to any other regulatory agencies that regulate the operation of mobile food trucks.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

- b. 82 Country Path Drive- Application to amend previous garage permit
2022-105 Councillor Hayden/Councillor Dunne
Motion to approve application to amend previous garage permit.
Discussion: Councillor Hayden
The amendment to his garage permit will require a notice of variance so there will be a notice to the residents in the area and a public notice.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

- c. 16 Country Path Drive- Application to build a detached garage
2022-106 Councillor Carey/Councillor Hayden
Motion to approve application

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

- d. 202d Gallows Cove Road- Application to build a house and garage
2022-107 Councillor Hayden/Councillor Dunne

Discussion: Councillor Hayden
According to our development regulations, the house has to be shelled in before the garage can be constructed.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

- e. 436 Southern Shore Highway- Application to renovate exterior of property.
2022-108 Councillor Hayden/Councillor Dunne
Motion to approve application

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

Recreation Committee:

- a. Town of Witless Bay Easter Event
Discussion: Deputy Mayor Yard
We are delighted to partner with the BBBA for an Easter event at the recreation area by the swimming pool in Witless Bay at Easter Sunday at 3pm. There will be an Easter Egg hunt for prizes, there will also be chalk provided and a section of the pavement will closed off for kids to draw on. The budget for the event is \$900 with the BBBA contributing \$700 and

the Town contributing \$200. The support of the BBAA gives us the resources we need to host a fun family event for the region and we thank them for their support. There will also be a colouring contest for children and the winners will be announced on the Town Facebook page on the Friday or Saturday before the event.

b. ATV Committee:

Discussion: Councillor Hayden

There was a delay in receiving the funds from the MMSB. The funds have been required and we will issue a tender to the contractors within the Town to try and get some problem areas in the Town cleaned up. We have also been awarded funding from the ActiveNL Fund and have been approved for a grant of \$7500. We will use this to upgrade the railbed from Dean's Road to Bears Cove to make that portion of the trail more accessible for people of all ages and abilities.

Heritage Committee:

a. Request for funding

2022-109 Councillor Troake/Deputy Mayor Yard

Motion to ratify the Heritage Committee for 2023 and provide an annual grant for 2023 in the amount of \$2000.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

b. Heritage Committee update

Discussion: Councillor Hayden

We've had our book, Bygone Days of Witless Bay printed for a 2nd copy. 300 were printed and to date over 200 books have been sold with requests coming in, and we expect more increased sales as the Come Home Year events get closer. The Council has purchased a few books as well to donate to the schools in the area and to the Center for Newfoundland Studies at Memorial University. The Committee is planning on having another 300 printed in time for Come Home Year so there should be lots available.

c. Come Home Year Committee:

a. Request for funding

2022-110 Councillor Troake/Deputy Mayor Yard

Motion to ratify the Come Home Year Committee and issue one-time funding of \$2500.

Discussion: Councillor Troake

Myself and a few other councillors have had a chance to sit down with the committee- council in the past has provided \$500 in the past, we thought it appropriate to include additional funding.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

d. Fire Department Liason Report

1). During the pandemic Eastern Health had many volunteer Fire Departments - including Witless Bay - on limited dispatch for medical calls in order to protect the volunteers as well as the public. They recently contacted many of these departments to see if they are in a position to go back to full dispatch service and were notified that the Witless Bay Volunteer Fire Department are in a position to go back to full service.

2) An update on the bunker gear the department recently purchased second hand in an effort to make their dollars go further: the department are extremely pleased with the quality of suits and all have been cleaned and put into service. There were two additional sets of gear provided at no extra charge with minor tears - these were sent to a tailor to be repaired and put into service. As well - the seller provided other equipment - such as new boots - at no extra charge.

3) Since November of last year the department has had a major increase in applicants to volunteer. They currently have 4 new recruits going through the training process, and 6 more going through the interview process. These recruits bring the number of volunteer fire fighters to the department's highest levels in at least 7 years - likely longer - but this is the data I have right now.

3). Myself and Jack Gatherall, with input from the department, recently designed a new logo that incorporates a lot of regular fire department imagery you'd see - as well as imagery local to Witless Bay such as a Whale's tail in the center of the logo. We hope to unveil this to the public soon.

4) In the first quarter of 2022 the Fire Department had 50 calls from January 1 to March 31 - and this will put them on track to answer more than 200 calls in 2022.

11. Payable Charts:

a. Fire Department Payables

2022-111 Deputy Mayor Yard/Councillor Troake

Motion to pay the Fire Department Payable charts.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Mayor Croft.

Motion Carried.

b. Town of Witless Bay payables

Deputy Mayor Yard Declared a conflict because there is an item for the Deputy Mayor in the payables regarding registration for a conference.

Deputy Mayor Yard left the Chambers at 8:08pm.

2022-112 Councillor Troake/Councillor Carey
Motion to approve Town of Witless Bay payables

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Councillor Troake, Mayor Croft.

Motion Carried

Deputy Mayor Yard stepped back into Chambers at 8:10pm.

12. Adjournment:

2022-113 Councillor Hayden/Deputy Mayor Yard

Motion to adjourn this meeting.

For the motion: Councillor Hayden, Councillor Dunne, Councillor Carey, Deputy Mayor Yard, Councillor Troake, Deputy Mayor Yard.

Motion Carried.

Meeting adjourned at 8:11pm.