

**TOWN OF PETTY HARBOUR/MADDOX COVE**  
**REGULAR MEETING**  
**MONDAY MAY 7, 2018**

1. Minutes of April 24, 2018
2. Business Arising
3. Request from Rick Stanley with regard to installation of temporary septic holding tank or septic tank. Request to speak if needed.
4. Application from Rick Stanley to construct a two story 50' x 80' commercial building (Adventure Centre, boathouse and restaurant/kitchen multi-purpose room at 56-58 Main Road. Petty Harbour.
5. Application from Chafe's Landing for approval to operate a take-out and souvenir shop at 20-22 Main Road, Petty Harbour
6. Re-zoning – Cribbies Road
7. Proposed amendments to the Town Plan & Regulations
8. Clarification to Motion # 96 of March 26, 2018 minutes with regard to proposed changes to the Town Plan and Regulations
9. Municipal Capital Works agreement – Water Valve Replacement.
10. Gas Tax – Capital Investment Plan Application
11. Request from Rob Carter of North Atlantic Ziplines for approval for liquor license
12. Request from T & D Enterprises to extend the snow clearing contact
13. Vehicle Nuisance Regulation/By-Law
14. Letter from resident with regard to curb side recycling, the condition of property at 1 Long Run Road and garbage on Southside Road
15. Expense Claim for Sam Stack – Municipal Symposium
16. Expense Claim Stephanie Stack - Mileage
17. CAO call log
18. Bills
19. New Business
20. Adjourn

### Bills

1. Bell Aliant (Telephone Expense)	\$539.07
2. CBCL (W & S Exp.)	\$284.05
3. Dicks & Co. (Office Expense)	\$548.47
4. GTC Training (OH&S Training)	\$115.00
5. Irving Oil (Gas Expense)	\$1,044.51
6. Modern Paving (Road Maintenance)	\$138.59
7. McDonald's Home Hardware (R & M Bldg & W &S)	\$43.26
8. North Atlantic Supplies (Garbage Exp.)	\$40.25
9. NF Power (Hydro Exp. & Street Lighting Exp.)	\$5,380.07
10. Rogers (Office Expense)	\$97.67
11. City of St. John's (Garbage Exp.)	\$1,910.39
12. Big Erics (Cleaning Exp.)	\$273.79
12. Staples (Office Expense)	<u>\$148.57</u>
 TOTAL	 \$10,563.69

**TOWN OF PETTY HARBOUR/MADDOX COVE**

**REGULAR MEETING**

**MONDAY MAY 7, 2018**

**PRESENT: Sam Lee, Sam Stack, Kimberly Orren, Rick Raymond, Lynn Hearn, Harry Chafe and Stephanie Stack**

**ABSENT: David Green**

#	ITEM
1	Mayor Lee brought the meeting to order at 6:31pm.
2	Minutes of April 24, 2018 were read. <b>Motion #139 Kim Orren/Lynn Hearn</b> Proposed minutes of April 24, 2018 be approved. All in favor, motion carried.
3	<b>Motion #140 Kim Orren/Harry Chafe</b> Proposed minutes of April 24, 2018 be approved with changes to # 5 (Retirement social). All in favor, motion carried.
	<b>BUSINESS ARISING</b>
4	#6 A quote from Eastern Siding in the amount of \$450.00 was tabled. <b>Motion #141 Harry Chafe/Rick Raymond</b> Proposed to accept quote from Eastern Siding in the amount of \$450.00 to repair siding on Town Office. All in favor, motion carried.
5	#7 The Tourist Accommodations Committee has now been set up. Councillor Orren will set dates for the committee to meet.
6	#9 The town has not received a response from a letter sent to Mr. Conway. This item will be placed on the next agenda.
7	# 15 Gas Tax Capital Investment Plan – Council will look into changing the proposed projects for this plan. This item will be placed on the next agenda.
	<b>TONIGHT'S AGENDA</b>
8	Request from Rick Stanley to place a temporary holding tank at 56-58 Main Road, Petty Harbour. Councillor Orren noted that she was going to remove herself as council voted her in conflict with regard to Mr. Stanley's proposal at the last meeting. There was some discussion with regard to why Councillor Orren would be in conflict. It was stated that it was due to the similarities of Mr. Stanley's business and Fishing for Success. Council took a vote if Councillor Orren was in conflict. Mayor Lee and Deputy Mayor Stack voted that Councillor Orren was in conflict, Councillor Chafe, Hearn and Raymond voted that Councillor Orren was not in conflict. Councillor Orren remained in chambers. Mr. Stanley was asked how long he would need the temporary holding tank. Mr. Stanley stated he would need it in place until the construction of his other building is complete and that it would be approximately a year to a year and a half. Mr. Stanley noted that it would be above ground, fenced in and covered. Access to the tank would be by key only. Deputy Mayor Stack and the CAO noted that there should be a stipulation on the permit that whether or not the additional building is constructed, Mr. Stanley would have to remove the holding tank within the timeframe councils agrees upon. Councillor Chafe asked about a lift station for the sewer. It was noted that the smaller building will have a lift station to pump the sewer to the larger building which would then be connected to the main sewer line. Mr. Stanley did have the shots done on the sewer to determine the grade. The sewer is currently 13" below grade. The new sewer would have to be built up to accommodate this grade. <b>Motion #142 Sam Stack/Kim Orren</b> Proposed to approve a temporary holding tank subject to the approval of Service NL. The tank would have to be removed by November 1, 2018 at owner's expense. All in favor, motion carried.

9	<p>Application to build a 50 X 80 commercial building (Adventure Centre, boathouse and restaurant/kitchen multi-purpose room) at 56-58 Main Road, Petty Harbour. Councillor Orren has some concerns over the right of way and traffic that use this area to access the slipway. It was noted that this is private property and that this is not an official right of way. The right of way to the slip way is next to Gerald Williams.</p> <p><b>Motion #143 Rick Raymond/Sam Stack</b></p> <p>Proposed to send out a public notice for comments or concerns. Mayor Lee, Deputy Mayor Stack, Kim Orren, Lynn Hearn, Rick Raymond in favor, Harry Chafe not in favor. Motion carried.</p>
10	<p>Application from Chafe's Landing for approval to operate a take-out and souvenir shop at 20-22 Main Road, Petty Harbour. Mr. Chafe presented a parking plan for the area. Councillor Orren asked if there would be any seating in the take-out. Mr. Chafe noted that there would be no seating.</p> <p><b>Motion # 144 Sam Stack/Kim Orren</b></p> <p>Proposed to approve the application in principle subject to the Inspections and Development Committee approving the parking spaces with regard to the 1.5 meter regulation. All in favor, motion carried.</p>
11	<p>An email from a property owner with regard to the rezoning of Cribbies Road was tabled. Deputy Mayor Stack noted that the Town's engineer stated that there were no design guidelines/regulations with regard to the chlorine station and a buffer zone. Deputy Mayor Stack also noted that a change to rezoning would have to be at the developer expense. Mayor Lee stated that when he was on council previously it was recommended that no homes be permitted past the last house that is currently on Cribbies Road as there may be issues with regard to the amount of time the chlorine has to mix with the water. It was noted that this could possibly be an issue if there is development in the area in the future. Council will send a letter to the property owner stating that council would consider rezoning the area but any costs associated with the rezoning would be at the property owner's expense.</p>
12	<p>Proposed amendments to the Town Plan – Public Notice. The public notices for the Telegram and for the resident's mail boxes were tabled. Mayor Lee noted that the council did not state that they would be making Motion Bay Road Extension a publically maintained road for vehicular traffic as it states in the proposed public notice drafted by Mary Bishop (town planner). Mayor Lee stated that council only agreed to maintain the road to protect the town's water line. Councillor Chafe asked why we are covering the cost of the amendment to the Town Plan when at a meeting the town planner noted that the developer should be covering the cost of the amendments. Stephanie Stack noted that the town should consider legal issues with allowing development to happen in an area where the road is not publically maintained. There was some discussion with regard to snow clearing and maintaining the road. Staff will check to see if there is a letter from the fire department as they did inspect the area a couple of years back.</p> <p><b>Motion # 145 Sam Stack/Harry Chafe</b></p> <p>Proposed to approve public notice with regard to the Town Plan Amendments for the residents with changes as follows:  "Council has considered this request and now wish to open up Motion Bay Road Extension for development (The Town will only maintain Motion Bay Road Extension to protect the water main that runs through the road)."</p> <p>The development proposed for Civic No. 51-59 can be permitted as the proposed lot meets the requirements for lot area and frontage on a publically maintained street in the Residential Land Use Zone."  All in favor, motion carried.</p> <p><b>Motion # 146 Rick Raymond/Lynn Hearn</b></p> <p>Proposed to approve public notice with regard to the Town Plan Amendments for The Telegram. All in favor, motion carried. Staff will contact the lawyer with regard to development on a road that the town does not publically maintain.</p>

13	<p>Proposed to defer clarification to Motion # 96 of March 26, 2018 minutes with regard to proposed changes to the Town Plan</p> <p><b>Motion # 147 Rick Raymond/Kim Orren</b></p> <p>Proposed to defer this item until the next meeting. All in favor, motion carried.</p>
14	<p>Capital Works Agreement – Water Valve Replacement</p> <p><b>Motion # 148 Sam Stack/Rick Raymond</b></p> <p>Proposed for the town to enter into an agreement with the Department of Municipal Affairs and Environment for the Capital Works Project – Water Valve Replacement in the amount of \$590,000. It was also motioned that the Mayor and the CAO will sign the agreement on behalf of the town. All in favor, motion carried.</p>
15	<p>Gas Tax Capital Investment Plan</p> <p><b>Motion # 149 Rick Raymond/Kim Orren</b></p> <p>Proposed to defer this item until the next meeting. All in favor, motion carried.</p>
16	<p>Request from Rob Carter of North Atlantic Ziplines for approval of a liquor license.</p> <p><b>Motion # 150 Rick Raymond/Lynn Hearn</b></p> <p>Proposed to send public notice to residents with regard to liquor license. All in favor, motion carried.</p>
17	<p>Request from T &amp; D Enterprises to extend the snow clearing contact.</p> <p><b>Motion # 151 Rick Raymond/Kim Orren</b></p> <p>Proposed to defer this item until the next meeting due to the fact that three councillors are in conflict and would be unable to vote, the remaining councillors did not form a quorum. All in favor, motion carried.</p>
18	<p>The Vehicle Nuisance Regulation was tabled with recommendations from the town's lawyer.</p> <p><b>Motion # 152 Rick Raymond/Kim Orren</b></p> <p>Proposed to approve the Vehicle Nuisance Regulation with recommendations from the town's lawyer. Mayor Lee, Kim Orren, Lynn Hearn, Rick Raymond and Harry Chafe in favor. Deputy Mayor Stack not in favor, motion carried.</p>
19	<p>Letter from resident with regard to curb side recycling, the condition of property at 1 Long Run Road and garbage on Southside Road. There was some discussion with regard to the expense of a curb side recycling program. Staff will call other comparable municipalities to see if they have a recycling program and the cost to run the program.</p> <p><b>Motion # 153 Rick Raymond/Kim Orren</b></p> <p>Proposed to send an order to the property owner to have the property repaired or removed. All in favor, motion carried</p> <p>Councillor Orren asked if the town would be interested in having a "Green" section in the Town's newsletter to promote conservation and environmental issues. Councillor Orren would provide material for this section of the newsletter. Council agreed to add this to the newsletter.</p> <p>Garbage on Southside – Mayor Lee noted that he visited the area and there is garbage in the area. Staff will visit the area to investigate. Councillor Chafe noted that there is a shed in the area that is in disrepair and ready to fall down. Staff will check into this. It was also noted that there may be someone living in a trailer in the area. Staff will also check into this. Councillor Chafe will go around with staff tomorrow if available.</p>
20	<p>Expense claim for Deputy Mayor Stack was tabled.</p> <p><b>Motion # 154 Rick Raymond/Lynn Hearn</b></p> <p>Proposed expense claim for Deputy Mayor Stack in the amount of \$912.70 be approved. All in favor, motion carried.</p>
	<p>Expense claim for Stephanie Stack was tabled.</p> <p><b>Motion # 155 Rick Harry Chafe/Rick Raymond</b></p> <p>Proposed expense claim for Stephanie Stack in the amount of \$40.00 be approved. All in favor, motion carried.</p>
21	<p>The after-hours call/inquiry log for the CAO was tabled.</p>
22	<p><b>Motion #156 Rick Raymond/Harry Chafe</b></p>

		Proposed bills in the amount of \$10,563.69 be approved for payment. All in favor, motion carried.
	<b>NEW BUSINESS</b>	
23		<p>Councillor Hearn asked is there a charge for a permit for greenhouses. It was noted that they would be considered a structure and there is a fee of \$50. It was noted by Stephanie Stack they she recently charged a resident \$50.00 for construct a treehouse. Ms. Stack noted that as per the fee schedule a structure requires a charge for a permit but council could look at making a change to the type of structure that would require a fee. Council will discuss the tax schedule for structures at the next meeting.</p> <p><b>Motion #157 Rick Raymond/Harry Chafe</b> Proposed to refund the permit fee for the resident that constructed a tree house. All in favor, motion carried.</p>
24		Councillor Raymond asked about speed bumps in Motion Bay Road Subdivision. Staff will get a price on speed bumps.
25		Councillor Raymond asked if the gate up by the Catholic Cemetery could be open for resident that are troutng. There was some discussion with regard to the area being a water shed area and that there may issues of garbage being left or dumped and/or cars being burnt in the area. It was noted that council could possibly send a notice to the public stating that council will temporarily open the gate but if there any issues of garbage then the gate would be close and locked again. Stephanie will ask Jack if he knows of any issues or concerns about having the gate open. This item will be placed on the next agenda.
26		Councillor Chafe asked if a person could place footing under an old home on the same footprint and then build up the house. It was noted that this could be done.
27		Councillor Orren presented pictures from Cribbies Park of a new shed that is stocked with equipment for the coming season.
		<p>Labour Management Meeting minutes of January 18, 2018 were tabled. There were a couple of action items for council at the meeting such as summer hours, staff training and working alone policy. Councillor Hearn asked why staff was working Monday hours on Tuesday when there was a holiday that fell on Monday. Stephanie Stack stated that it was in the hours of work policy that council implemented. Councillor Chafe noted that this was the case due to the meetings having to take place on Tuesday when there is a holiday on Monday. The action items from the Labour Management Meeting will be placed on the agenda for the next meeting.</p> <p>Councillor Orren noted that a working alone policy has to be developed along with staff training.</p>
28		<p>Deputy Mayor Stack attended a Municipal Symposium in Gander on May 4 – 6, 2018 and presented highlights as follows:</p> <ul style="list-style-type: none"> <li>- Discussions with regard to “regionalization”. Not all communities are in favor of this. Some towns that have already amalgamated stated that if they had their time back they would not have amalgamated.</li> <li>- Deputy Mayor Stack met with Chad Butt (Manager of accounts at ACOA). Chad is going to visit the town for a tour with the Deputy Mayor or anyone else on council who is interested. He is going to see if there are any areas where we could avail of funding.</li> <li>- CIF (Canada Investment Fund) 150 ended this past March, the town could have received money for upgrades to the community center.</li> <li>- Michelle Marley (customer Service Program Specialist from Newfoundland Power) said that she would visit the town and assess our buildings for energy efficiency, free of charge. The town could possibly qualify for \$50,000.00 for renovations such as changing of the lighting in the community centre. There is also a community email contest, based on per capita. If the town places a notice in the community newsletter and it in turn had a number of customers sign up to receive notices from Newfoundland Power by email, the town could win funds for the community. Staff will check into this.</li> </ul>

		<ul style="list-style-type: none"> <li>- Deputy Mayor Stack spoke to a councillor from Steady Brook. He noted that their town refers to Air BNB and other vacation rentals as "Informal Accommodations". For the purpose of taxation, their town pro-rates the taxes to the number of months a specific business is operating.</li> <li>- There was a session on Asset Management.</li> <li>- Hospitality Newfoundland and Labrador is asking the Government to enforce legislation to force Air BNB's to be licensed.</li> <li>- Deputy Mayor Stack spoke to Brian Peckford, President of Professional Municipal Administrators. He noted that if a town is looking for job descriptions (for any position) that they could contact their office.</li> </ul>
29		<p>Deputy Mayor Stack noted that there was discussion with regard to some property owner (namely stages) running sewer directly into the ocean and not through the town's sewer system. Mayor Lee noted that there is someone living in a building at 23 Southside Road. He also noted that they are not permitted to live in this building and that the owner was previously notified that if anyone lives in the property that the water to the property would be cut off.</p> <p><b>Motion #158 Sam Stack/Rick Raymond</b>  Proposed to send a letter to the owner stating that no one is permitted to live in this property and that if it continues water will be cut off to the property. All in favor, motion carried.</p>
30		<p>Deputy Mayor Stack wanted to thank Stephanie Stack for the detailed briefing notes that council receives before each meeting.</p>
31		<p>Mayor Lee noted that there is still an underground sewer holding tank located at the old North Atlantic Ziplines location and that it should be removed. There was some discussion with regard to sending a letter to have it removed and who to send it to. Currently there is a new owner of the old North Atlantic Ziplines building. It was also noted that the land is owned by the Harbour Authority.</p> <p><b>Motion #159 Harry Chafe/Rick Raymond</b>  Proposed to send a letter to Mr. Carter at North Atlantic Ziplines to have the sewer holding tank removed. Sam Lee, Sam Stack, Lynn Hearn, Harry Chafe and Rick Raymond in favor, Kim Orren not in favor. Motion carried.</p>
32		<p>Update on rodent problem at 33 Motion Bay Road. Garbage behind the building has been cleaned up and Orkin will be down in the next day or so to address the issue.</p>
33		<p>Expense claim for Mayor Lee was tabled.</p> <p><b>Motion #160 Rick Raymond/Harry Chafe</b>  Proposed to approve expense claim for Mayor Lee in the amount of \$197.53. All in favor, motion carried</p>
34		<p>Invoice from Stewart McKelvey in the amount of \$1,400.70 was tabled.</p> <p><b>Motion #161 Harry Chafe/Rick Raymond</b>  Proposed invoice from Stewart McKelvey in the amount of \$1,400.70 be approved. All in favor, motion carried.</p>
35		<p>A drawing and quote in the amount of \$90,063.40 from the town's engineer with regard to repairs to Skinner's Hill was tabled.</p> <p><b>Motion #162 Rick Raymond/Lynn Hearn</b>  Proposed to approve drawing and quote in the amount of \$90,063.40 with regard to repairs to Skinner's Hill. All in favor, motion carried.</p>
36		<p><b>Motion #163 Harry Chafe/ Rick Raymond</b>  Proposed the meeting be adjourned. All in favor, motion carried. Meeting adjourned at 9:50pm.</p>

Samuel Lee, Mayor \_\_\_\_\_

Stephanie Stack, Chief Administrative Officer \_\_\_\_\_