

**REGULAR MEETING**  
**TUESDAY NOVEMBER 14, 2023**  
**AGENDA**

1. Minutes of October 30, 2023
2. Business Arising
3. Application to re-route water runoff/drainage at 14 Big Hill Road (A2023-91). Request to speak from resident in the area.
4. Application to replace wooden shores with concrete footings on foundation at 14 Big Hill Road (A2023-92)
5. Application to build a retaining wall at 14 Big Hill Road (A2023-93)
6. Application to build a garage at 191 Main Road, Maddox Cove (A2023-94)
7. Application for an approval in principle to build a home at 124 Motion Bay Road (A2023-96)
8. Application to place a temporary storage shed on property at 56-58 Main Road, Petty Harbour(A2023-95)
9. 2024 Budget & 2024 Tax Schedule
10. Update from Accessibility Committee
11. Request for donation – RNC Association
12. Town Amendment - 11 Cribbies Road
13. Quote to repair Digital Traffic Sign
14. Quote for Audit for Recreation and Museum
15. Foreperson's Report
16. Expense Claims
17. Bills
18. New Business
19. Adjourn

## BILLS

November 14<sup>th</sup>, 2023

City of St. John's (Garbage Expense)	\$2,313.44
Bennett's Home Hardware (Tools & Hardware Expense)	\$59.72
Bell Mobility (Cell Phone Expense)	\$337.82
Crane Supply (Tools & Hardware Expense)	\$9.32
Babb Security (R&M Building Expense)	\$408.94
CIBC Mellon (Employee Pension Expense)	\$1,227.02
Grainger Canada (R & M Building Expense)	\$34.50
Formac 2002 (Community Revitalization Grant & Accessibility Grant)	\$31,814.75
Enviro Masters (Accessibility Grant and Tourist Info. Centre Exp.)	\$7,015.00
East Coast Roofing (Community Revitalization Grant)	\$6,785.00
Irving Oil Marketing (Gas Expense)	\$1,787.62
Holland Nurseries (War Memorial Exp.)	\$563.50
PBA Industrial (Water Expense)	\$1,058.40
Modern Printing (Election Expense)	\$228.85
Rodco (Gas Tax Expense)	\$98,779.25
Stewart McKelvey (Professional Fees Expense)	\$3,514.40
T&D Enterprises (Snow Clearing Expense)	\$21,791.67
Saltwire (Advertising Expense)	\$317.40
Triware (Office Expense)	\$103.50
NF Power (Hydro & Street Lighting Expense)	\$4,687.18
Orkin (Pest Control Expense)	\$71.60
CIBC Visa (Gas Expense, Postage Exp. Recreation Exp.)	<u>\$788.44</u>
<b>TOTAL</b>	<b>\$183,697.32</b>

**TOWN OF PETTY HARBOUR/MADDOX COVE**

**REGULAR MEETING**

**TUESDAY NOVEMBER 14, 2023**

**PRESENT: Ron Doyle, Ed Dyke, Rick Raymond, Irene Stack, , Agatha Stack Balsom and Stephanie Stack**

**ABSENT: Beatrice Burry**

#	ITEM
1	Mayor Doyle brought the meeting to order at 6:33pm.
2	Minutes of October 30, 2023, were tabled. <b>Motion #395 Agatha Stack Balsom/Ed Dyke</b> Proposed to accept minutes of October 30, 2023. All in favor, motion carried.
	<b>BUSINESS ARISING</b>
3	#3 The Development Corporation will be applying for a grant and will add the basketball nets to this grant. Councillor Stack wanted to inform council that the Development Corporation has also applied for an Active Living Grant. Two pieces of playground equipment (2 bays of swings and a slide) for Cribbies Park were submitted for this grant. The approximate cost is \$60,000.00. The committee is waiting to hear if they were successful in obtaining the grant.
4	#21 There was no update on CWP -Motion Bay Road Extension as the engineer is out of the office until November 21, 2023.
5	#23 The By-Election will take place on November 23, 2023. <b>Motion #396 Agatha Stack Balsom/Irene Stack</b> Proposed to pay the Returning Officer \$320.00 and the Poll Clerk \$250.00 for the By-Election. All in favor, motion carried.
6	#25 Fire hose <b>Motion #397 Irene Stack/Agatha Stack Balsom</b> Proposed to purchase fire hose at a cost of \$920.35. All in favor, motion carried.
	<b>TONIGHT'S AGENDA</b>
7	Application to re-route water runoff/drainage at 14 Big Hill Road (A2023-91). Councillor Dyke noted that the Inspections and Development Committee inspected the area. The application went out to surrounding residents and there were three letters of concern received. The three letters were tabled. The resident of Big Hill Road Caroline Koenig was present in chambers to speak on the application. Ms. Koenig noted that she had concerns over the application as noted in her letter to council. She asked if council would be responsible for any damages to her home and property if this application was to be approved. She also noted that her insurance may increase due to this. She asked council if this work would change the natural water course in the area. She also asked council if the applicant will be required to have a permit from the Department of Environment to alter a waterway. She stated that this application, if approved, could change the amount of water coming onto her property and neighbouring properties. She stated that the work should be required to have an engineering study completed. She noted that there had already been some work done in the area in previous years which included some piping that has caused an increase in water coming onto her property. She stated that this has undermined the steps on her property. Council Dyke noted that council also has some concerns with this application. <b>Motion #398 Ed Dyke/Agatha Stack Balsom</b> Proposed to defer this application until applicant provides an engineering report on the project to ensure that the project will not be invasive to surrounding residents. The applicant must also acquire any permits from the Department of Environment that are required or confirmation that a permit is not required for this work. The applicant must also provide a survey to the town for the property. All in favor, motion carried.  Councillor Dyke noted that this runoff may not be considered a waterway and may not be required to have a permit from the Department of Environment, but the motion will cover this as the applicant will have to confirm that with the department.
8	Application to replace wooden shores with concrete footings on foundation at 14 Big Hill Road (A2023-92). The Inspections and Development Committee inspected the area and signed off on the application. As this property is in the Heritage Zone, it went out to surrounding residents for comment. There were no comments received. Councillor Stack asked if a survey would be required for this. Councillor Dyke noted that this application is just to replace the current footings on the home and would not require a survey.

	<p><b>Motion #399 Ed Dyke/Rick Raymond</b> Proposed to approve the application to replace wooden shores with concrete footings on foundation at 14 Big Hill Road (A2023-92). All in favor, motion carried.</p>								
9	<p>Application to build a retaining wall at 14 Big Hill Road (A2023-93). The Inspections and Development Committee inspected the area and signed off on the application. As this property is in the Heritage Zone, it went out to surrounding residents for comment. There were no comments received.</p> <p><b>Motion #400 Ed Dyke/Rick Raymond</b> Proposed to approve the application to build a retaining wall at 14 Big Hill Road (A2023-93) with the stipulation that the retaining wall be made with the same material type as the current retaining wall and the applicant stay within his boundary. All in favor, motion carried.</p>								
10	<p>Application to build a garage at 191 Main Road, Maddox Cove (A2023-94). Councillor Dyke noted that the Inspection and Development Committee inspected the area and signed off on the application. The application meets all the requirements for an accessory building in the Residential Area.</p> <p><b>Motion #401 Ed Dyke/Rick Raymond</b> Proposed to approve the application to build a garage at 191 Main Road, Maddox Cove (A2023-94). All in favor, motion carried.</p>								
11	<p>Application for an approval in principle to build a home at 124 Motion Bay Road (A2023-96). Councillor Dyke noted that the Inspection and Development Committee inspected the area and signed off on the application. The application meets the lot requirements for the Residential Area.</p> <p><b>Motion #401 Ed Dyke/Agatha Stack Balsom</b> Proposed to approve the application in principle to build a home at 124 Motion Bay Road (A2023-96). All in favor, motion carried.</p>								
12	<p>Application to place a temporary storage shed on property at 56-58 Main Road, Petty Harbour(A2023-95). The applicant is requesting to place the container on his property until December 31, 2023. Councillor Dyke noted that the Inspection and Development Committee inspected the area and signed off on the application.</p> <p><b>Motion #402 Ed Dyke/Rick Raymond</b> Proposed to approve the application to place a temporary storage shed on property at 56-58 Main Road, Petty Harbour(A2023-95) until December 31, 2023, with the stipulation that it is approved by the Department of Environment and Climate Change. All in favor, motion carried.</p>								
13	<p>2024 Budget Councillor Stack Balsom presented a report from the Finance Committee for the 2024 Budget with revisions as per discussion from the meeting of October 30, 2023.</p> <p>2023 has seen an increase in the cost of goods and services in all realms of daily operations in Newfoundland and Labrador. Municipalities are not immune from these increases in goods and services. While budgeting for these increases can be challenging, the town did manage to deliver a balanced budget for 2024.</p> <p>Considering all aspects of the budget and the finances of the town, the committee is recommending council keep the mil rate at 6.5 mils for 2024. That being said, in order to balance the budget, the committee is suggesting the town increase the following fees: Proposed increases:</p> <p><b>Residential Garbage Fee</b> – from \$100.00 to \$125.00  <b>Commercial Garbage Fee</b> – from \$200.00 to \$300.0  <b>Tax Certificate &amp; Compliance Letter</b> –from \$100.00 to \$250.00  <b>New Film Crew Permit</b> – Fee Schedule</p> <table border="1"> <thead> <tr> <th><u># of cast and crew</u></th> <th><u>Cost of permit</u></th> </tr> </thead> <tbody> <tr> <td>1 - 10</td> <td>\$200.00</td> </tr> <tr> <td>11-20</td> <td>\$500.00</td> </tr> <tr> <td>20 – over</td> <td>\$1000.00</td> </tr> </tbody> </table> <p>It has been many years since there has been any increases in fees or mil rate in the town and the committee feels that with today’s cost of goods and services these increases are minimal.</p> <p>To balance this year’s budget, the town <b>did not</b> have to use any funds from their savings/operating surplus as they have done in the last two years. This is mainly because the property assessments have increased slightly. The committee feels that the town is in a good financial state but must be vigilant with spending.</p> <p>Below are the recommendations/highlights of the committee for the 2024 budget:</p>	<u># of cast and crew</u>	<u>Cost of permit</u>	1 - 10	\$200.00	11-20	\$500.00	20 – over	\$1000.00
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1 - 10	\$200.00								
11-20	\$500.00								
20 – over	\$1000.00								

- Mil rate will stay at 6.5 mils (No increase in Residential Property Tax).
- Mil rate for Commercial Property Tax will remain the same at 9 mils.
- Mile rate for Business Tax will remain the same at 10.5 mils.
- Increase in Residential Garbage Fee from \$100.00 - \$125.00 per year.
- Increase in Commercial Garbage Fee from \$200.00 - \$300.00 per year.
- Tax Certificate and Compliance Letters from \$100.00 - \$250.00.
- A new permit fee for Film Crews – Fee Schedule
 

<u># of cast and crew</u>	<u>Cost of permit</u>
1 - 10	\$200.00
11-20	\$500.00
20 – over	\$1000.00
- There is \$10,436.00 allocated for municipal enforcement (summer season). This covers 4 days a week (4 hrs. per day) for 12 weeks.
- Funds have been allocated for Chrome Books for councillors in the amount of \$3,000.00.
- Funds have been allocated for 1 summer students for the summer program for Recreation and a small grant in the amount of \$6,000.00. The Finance Committee is recommending the town look at Recreation’s Financial Statement and Bank Statement before issuing any grants.
- We have allocated \$20,000.00 for road repairs on Southside Road and \$15,000.00 for general road repairs (potholes, etc.).
- We also have a \$2,000.00 grant allocated for the museum if required.
- Allocated \$1,000.00 for a one-time grant for the Goulds Arena for their New Zamboni. Council would require a formal request and it would have to be voted on by council as with all other budgeted grants.

**The Finance Committee is recommending the town approve the 2024 budget in the amount of \$1,171,105.08.**

**Motion #403 Agatha Stack Balsom/Ed Dyke**

Proposed to approve the 2024 Budget in the amount of \$1,171,105.08. All in favor, motion carried.

**Motion #404 Irene Stack/Ed Dyke**

Proposed to approve the 2024 Tax Schedule. All in favor, motion carried.

14	<p>Accessibility Committee</p> <p>Mayor Doyle noted that the Accessibility Committee met on November 2, 2023. Councillor Burry chaired the meeting. Mayor Doyle noted that the committee is looking into sending out a survey to the public to see what accessibility issues residents may have.</p>
15	<p>Request for donation from the RNC Association.</p> <p><b>Motion #405 Ed Dyke/Agatha Stack Balsom</b></p> <p>Proposed not to donate to the RNC Association. All in favor, motion carried.</p>
16	<p>Town Amendment 11 Cribbies Road</p> <p>Councillor Dyke tabled the below letter to council regarding the proposal.</p> <p><i>“I thought long and hard on this, and it is probably one of the most difficult things that has come before this council for this term.</i></p> <p><i>I have over the last few weeks, talked and questions people from both sides off this proposal to gain a view on what is best for the area and what is best for the town/community. I have heard numerous concerns against and just as equal opponents for this proposal.</i></p> <p><i>One thought that keeps occurring in my head, over and over, is that if we don’t approve the amendments on the grounds that the local area doesn’t want it there, and the applicant decides to put in an application for <b>other uses</b>, then we are no further ahead in this process. We just eliminated one use but didn’t fix the problem or concerns that we initially had. WHAT IS BEST SUITED FOR 11 CRIBBRIES RD.</i></p> <p><i>Example of this:</i></p> <p><i>If we just eliminated the word brewery, and the applicant then puts in one for a restaurant, dinner theater, bowling alley, etc... are we any further ahead, we still have all off the same situations that will apply to the present possible proposal, all the studies</i></p>

	<p><i>will have to be done, that will also apply to the above proposal.</i></p> <p><i>The main point that we wanted to bring across here was for the council to look at 11 Cribbies Rd, and to see what is best suited for the property, and in doing this, not to have its hands tied with the present regulations of the town for that designated area.</i></p> <p><i>I personally think the commissioners report was flawed, he never explored all avenues in his report, never offered alternatives, he just did a narrative of what was presented that night. He literally took notes for that meeting and summed it up in a letter.</i></p> <p><i>If we proceed to see if the present proposal will work there, with the studies that needs to be completed by the applicant, then we can use those studies to what best suits the area.</i></p> <p><i>I WOULD LIKE to clearly note: <u>"That this amendment in no way supports that a brewery will work at 11 Cribbies Rd"</u>, and I want both sides of the proposal to know that I in no way in support off a brewery or is against a brewery, as off now, I just need more facts to base my decision. It is just one of the steps that we need to consider what is best for that property.</i></p> <p><i>We as council must base our decisions on facts and emotions, as of now, we have only emotions to go on. We need more facts to see what is best suited for 11 Cribbies rd. Let the process continue as it was meant to be, have the applicant do the studies, and then we decide what is best suited for the property.</i></p> <p><i>It could be, or not be what the applicant wants that best suites the surrounding area off our beautiful community."</i></p> <p>Councillor Stack noted that Councillor Dyke had touched off a number of things that she was going to bring forward. She stated that council needs to make a decision regarding 11 Cribbies Road based on facts about the business not on emotions. She stated she wanted to see specifics on the microbrewery proposal before she made a decision on that. She stated that right now she is in favor of the amendment being approved as adopted so that council are able to explore possibilities for 11 Cribbies Road. Councillor Stack Balsom also stated that she was in favor of the amendment being approved as adopted. Mayor Doyle stated that he was also in support of the amendment being approved as adopted. He stated that this amendment needs to move forward in order for council to consider options for 11 Cribbies Road and not to necessarily approve a microbrewery. He stated that he would just like to be able to consider it and right now we can't. Mayor Doyle stated that he believes that this is a tourist town and council needs to be able to look at options like this but doing so considering all the residents of the town and their ability to enjoy their properties.</p> <p><b>Motion #406 Ed Dyke/Agatha Stack Balsom</b> Be it resolved that the Municipal Plan Amendment No.2, and Development Regulations Amendment No. 3, 2023 be approved as adopted. All in favor, motion carried.</p>
17	<p>A quote to have the digital speed sign repaired was tabled in the amount of \$177.55.</p> <p><b>Motion #407 Ed Dyke/Irene Stack</b> Proposed to approve the quote to have the digital speed sign repaired in the amount of \$177.55. All in favor, motion carried.</p>
18	<p>Quotes to have the audit for Recreation and the Museum were tabled. The cost for Recreation's audit is \$1,060.00 plus tax. The cost for the Museum's audit is \$530.00 plus tax. Councillor Dyke noted that the Museum does not have many funds and he didn't feel that council would require an audit for them. He stated that Recreation does have a lot of activities with funds coming in and going out and should be audited. Councillor Stack noted that council should review the structure for committees. Councillor Stack asked if the Development Corporation needed to be audited. It was noted that this committee was inactive for a while and has not been audited. Councillor Stack noted that the Development Corporation also has very little activity/financial transactions.</p> <p><b>Motion #408 Ed Dyke/Rick Raymond</b> Proposed to approve the quote in the amount of \$1,060.00 to complete the audit for Recreation. All in favor, motion carried.</p>
19	<p>The Foreperson's Report was tabled.</p> <p><b>Motion #409 Agatha Stack Balsom/Irene Stack</b> Proposed to accept the foreperson's report. All in favor, motion carried.</p>
20	<p>Expense claim for Stephanie Stack in the amount of \$40.00 was tabled.</p> <p><b>Motion #410 Irene Stack/Rick Raymond</b> Proposed to pay expense claim for Stephanie Stack in the amount of \$40.00. All in favor, motion carried.</p> <p>Expense claim for Mandy Dinn in the amount of \$10.00 was tabled.</p> <p><b>Motion #411 Rick Raymond/Agatha Stack Balsom</b> Proposed to pay expense claim for Mandy Dinn in the amount of \$10.00. All in favor, motion carried.</p>

21		Bills in the amount of \$183,697.32 were tabled.  <b>Motion #412 Rick Raymond/Ed Dyke</b> Proposed to pay bills in the amount of \$183,697.32. All in favor, motion carried.
	<b>NEW BUSINESS</b>	
22		Councillor Dyke asked if staff could put out a reminder in the newsletter regarding permits. He stated that there have been incidents where people are completing work without a permit. Staff will add this to the newsletter and in future newsletters.
23		Councillor Dyke wanted to commend Mayor Doyle and the Museum Committee for a breathtaking Remembrance Day Service. He stated that for a small community, it was a great turn-out. Councillor Dyke stated that he would like to thank the Museum and all the volunteers that made this such a great service.
24		The 2023-2024 Site Specific Safety Plan was tabled. <b>Motion #413 Ed Dyke/Irene Stack</b> Proposed to approve the 2023-2024 Site Specific Safety Plan. All in favor, motion carried.
25		Councillor Dyke noted that there is a dispute regarding a right of way on Big Hill Road. Councillor Dyke stated that he spoke to the complainant with regard to this and stated that they would have to get the right of way pegged professionally from a surveyor in order for the town to be able to look into this any further.
26		<b>Motion #414 Rick Raymond/Ed Dyke</b> Proposed meeting be adjourned. All in favor, motion carried. Meeting adjourned at 7:59pm.

**Ron Doyle, Mayor** \_\_\_\_\_

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