

The Forty Fifth meeting of the Fourteenth Town Council was held in the Town Hall with the following in attendance:

Mayor Wilbur Sparkes  
Deputy Mayor Glenn Littlejohn  
Councillor Gerald Greenland  
Councillor Perry Bowering  
Councillor Dennis Brown  
Councillor Melvin Walsh  
Councillor Bill Seymour  
Town Manager Edwin Fradsham  
Town Clerk Shirley Hawe

Also, present, Mr. Lillian Simmonds (the Compass).

Regular meeting commenced at 7:35 p.m.

Mayor Sparkes asked if there were any errors or omissions to the minutes of the privileged and regular meetings of May 11<sup>th</sup>, 2004 which had been circulated with the agenda.

Minutes of May 11<sup>th</sup>, 2004 meetings stand approved.

#### Business Arising from Minutes

D.M. Littlejohn asked if there had been any correspondence received from the Targa Rally representatives.

Councillor Bowering advised that the concerns Fire Chief Russell had regarding fire hydrants have been looked into by Mr. Foley and suggested that in future, Fire Chief contact Mr. Foley if any further problems arise.

Councillor Brown inquired if the meet and greet with RCMP is arranged. Due to summer holiday schedules, meet and greet may be postponed until this fall.

It was moved by Councillor Seymour and seconded by Councillor Bowering that the request of the Avalon West School District Board for financial support for the maintenance of the Ascension Collegiate proposed sewerage treatment system, be referred to the Finance Committee.

Motion Carried.

D.M. Littlejohn will present at the next regular meeting of Council, information regarding the Waste Management meeting of the Stakeholder Mayor's on May 10<sup>th</sup>.

Conception Bay North Joint Councils Association letter and minutes were tabled for discussion. Information pertaining to Safety Courses applies to smaller towns.

Sharing Dog Control Officer not applicable to us.

Town Manager will represent Council at the Mid Term Annual Dinner on June 3<sup>rd</sup>.

Councillor Brown drew attention to the Waste Management situation and the associated cost with the proposed Dog Hill site.

It was moved by Councillor Greenland and seconded by D.M. Littlejohn that approval be given Mr. Tracy Butler to operate a Computer Drafting business from 214-216 Shearstown Road. Motion Carried.

It was moved by D.M. Littlejohn and seconded by Councillor Seymour that the request of Ms. Beatrice Parsons to open an Arcade at Butlerville, be referred to the Public Works Committee for further review.

Motion Carried.

Ms. Beatrice Parsons and her daughter were in attendance and later in meeting asked to speak on her behalf. She stated that in 1994 she applied to open a snack bar in Butlerville the same time Mr. George Seymour applied to open a snack bar. Mr. Seymour was given permission but closed his snack bar after a short time. There is still no place in Butlerville for the children to go to and she would like the opportunity to provide such a place. She feels that this will be an improvement in the area and asks Council to look favourably upon her request.

### General Business

Letter received from Mr. Arthur Dominix, Canadian Training Institute, dated May 13<sup>th</sup>, 2004, clarifying issues stated in his correspondence of May 7<sup>th</sup> and indicating renewed effort to bring closure to this issue.

Council authorized Mr. Dominix to complete all work within eight working days over a maximum of a two week period. All work is to be carried out in accordance with discussion and including:

1. Removal of excess material from site.
2. Excavation and grading as required.
3. Sodding or grassing of areas including buffer zones.
4. Complete sloping and benching of banks.
5. Install guard fence at top of banks.
6. Place stone material over site to minimize dusting.

Also, Council advises that any adverse effect to neighbouring properties resulting from Mr. Dominix's work will be his responsibility and corrected at his cost.

Also, qualified operators are to be used to complete this work in a professional and timely manner. All work must be completed within eight days prior to June 15<sup>th</sup>, 2004.

Letter received from Mr. Arthur Dominix stating that Councillor Bill Seymour entered the Canadian Training Institute property and ordered them to immediately cease operation of a loader. Mr. Dominix is asking to be informed if Mr. Seymour was authorized by the Town Council to perform this order.

Statement received from Councillor Bill Seymour stating that he did enter the property of Canadian Training Institute and asked that the loader be stopped from creating a lot of dust. He said that he was advised by Ms. Alice Smith that it was O.K. because they were closing for the day.

Mayor Sparkes advised Council that individual Councillors have no power outside the Council Chambers and are responsible to act as a body when making any decisions and paid staff are then instructed to carry out those decisions.

D.M. Littlejohn suggested that if Mr. Dominix wishes to pursue this issue further with Council, then he should provide a statement from Ms. Smith contravening what Councillor Seymour said. Also, D.M. Littlejohn extended an apology to Mr. Dominix for any inconvenience caused.

Letter received from Mr. William Morrow, Q.C. providing information regarding water front property west of Royal Canadian Legion on Water Street. A privileged meeting will be arranged with Mr. Morrow regarding same.

Letter received regarding concerns with the filling in of a marsh/wet lands area in the vicinity of Coley's Point and Mercer's Road. (Author of letter requested his name not be printed)

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that the owner of the above noted land, Mr. Shawn Batten, be informed that he is to make proper application before he proceeds any further with his plans.

Motion Carried.

Mr. Shawn Batten was in attendance and asked to speak on his behalf. Mr. Batten bought the land from Mr. Calvin Mercer with the intention of building a storage garage for his heavy equipment. He did not know that the land in question was within the Town of Bay Roberts Planning area and consequently was not aware that the area was zoned residential.

Letter received from Mr. Roger Winsor and Mrs. Debbie Winsor regarding barking dogs at Fitzgerald's Place.

It was decided that this issue would be looked into by the Town Manager and Mr. Max Mercer who would then report their findings back to the Public Works Committee.

Letter received from Mr. S. E. Moores, Welding Engineering Specialist, regarding an inspection on the wooden bridge accessing the United Church Cemetery in Shearstown. Based on the deterioration of some beams and deck, Mr. Moores recommends a maximum gross vehicle weight of sixteen thousand pounds (16,000 lbs.) on this bridge.

It was moved by Councillor Greenland and seconded by Councillor Seymour that a sign be posted near bridge advising a "Maximum Weight of 16,000 lbs."  
Motion Carried.

Letter received from Mr. Eric C. Snow, Avalon West School District, requesting written confirmation regarding the condition of the Klondyke bridge and whether it is up to standards for the purpose of school bus travel.

It was moved by Councillor Walsh and seconded by Councillor Greenland that Mr. S.E. Moores be requested to carry out an inspection on the Klondyke bridge.  
Motion Carried.

Letter received from Mr. Keith Dwyer and Mrs. Joan Dwyer regarding purchasing the former playground area at Delaney's Ave., Shearstown.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that the request of Mr. & Mrs. Dwyer be referred to the Public Works Committee.  
Motion Carried.

Letter received from Mr. Geoffrey Roach requesting that a "Caution Duck Crossing" sign be erected on Water Street.

It was moved by D.M. Littlejohn and seconded by Councillor Brown that a "Caution Duck Crossing" sign will be installed.  
Motion Carried.

Letter received from Ms. Rosalind Drover requesting permission to operate a chip van in the Bay Roberts area.

It was moved by Councillor Seymour and seconded by Councillor Bowering that approval be given to Ms. Drover's request to operate a chip van, subject to all regulatory departments and as per the conditions outlined on the letter attached to the permit.

Motion Carried.

Letter received from Dr. Deanna and Dean Spicer requesting permission to open a Family Fitness by Pace in the basement of 337 Conception Bay Highway.

It was moved by Councillor Greenland and seconded by Councillor Brown that approval be given Dr. & Mr. Spicer's request to open Family Fitness by Pace, subject to all municipal regulatory departments.

Motion Carried.

Application received from Mr. William J. Brown seeking permission to build a non commercial storage garage at First Pond Road.

It was moved by Councillor Greenland and seconded by Councillor Bowering that Mr. Brown's request be referred to the Public Works Committee.

Councillor Brown and Councillor Seymour abstained from voting due to conflict of interest.

Motion Carried.

Letter received from Ms. Joyce Roach, Manager, Tim Hortons, seeking support for the Tim Horton's Camp Day by donating a prize for their annual fundraiser.

It was moved by Councillor Bowering and seconded by Councillor Brown that Ms. Roach's request be referred to the Finance Committee.

Motion Carried.

Letter received from Ms. Cindy Morrissey, Baccalieu Trail Tourism Association and pan Provincial Planning Team, requesting Council to cost share a dinner at the upcoming semi-annual conference of the Regional Economic Development Boards.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that Ms. Morrissey's request be referred to the Finance Committee.

Motion Carried.

Letter received from Mr. Derek deLouche, Chapter Director, Children's Wish Foundation, seeking financial support and also, for a representative of Council to bring greetings to the crew of the H.M.C.S. St. John's Run The Rock 2004 event when they pass through Bay Roberts on June 18<sup>th</sup>.

It was moved by D.M. Littlejohn and seconded by Councillor Seymour that Mr. deLouche's request be placed on file.

Motion Carried.

Letter received from Mr. G.M. Hussey, Secretary, Bay Arena, thanking Council for their donation towards the operation of the Bay Arena and requesting that future financial support be a regular budget item.

This letter to be placed on file.

Letter received from Ms. Amy Cumby, Youth Ventures Coordinator, Trinity Conception Community Development Corporation, announcing that the Youth Ventures Program is up and running for 2004 and asks Council to pass along her name to anyone within our community who would be interested in starting their own business.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that Ms. Cumby's letter be referred to Mr. Ron Delaney, Director of Economic Development.

Motion Carried.

Letter received from Mr. Haseen Khan, P.Eng., Dept. of Environment and Conservation, advising that regional consultation sessions with municipalities will be arranged regarding the proposed Canada-wide Strategy for the management of Municipal Wastewater Effluent.

It was moved by D.M. Littlejohn and seconded by Councillor Brown that this letter to be referred to the Public Works Committee for discussion with Mr. Pat Foley, Works Superintendent.

Motion Carried.

Letter received from Mr. James W. Knight, Chief Executive Officer, Federation of Canadian Municipalities, giving notice of the 2004 FCM Annual General Meeting to be held in Edmonton, AB, on Sunday, May 30<sup>th</sup>.

Councillor Greenland and Councillor Seymour will be attending on behalf of Council.

InfoNote received from NLFM advising of a media correction regarding NTV Evening News stating that Federation President Herb Brett believes all future Federation conventions should be held in the capital city and which President Brett denies saying.

InfoNote received from NLFM advising of the 2004 NLFM Leadership Forum, Memberships Fees are due and the 2004 Tidy Towns Competition is Monday, May 31<sup>st</sup>.

Members' Advisory received from the FCM regarding advocacy of an expanded international role for municipalities in the Government of Canada's International Policy Review.

Members' Advisory to be placed on file.

Letter received from Ms. Karen Leibovici announcing her intentions to run for the Third Vice President position of the Federation of Canadian Municipalities.

Mayor Sparkes will be voting on behalf of Council.

Letter received from Mr. Chris Dawe, Avalon Coal, Salt & Oil Limited requesting permission to proceed with a proposal to Husky Energy for a supply base, warehouse, tank farm and a subsea building.

It was moved by Councillor Greenland and seconded by Councillor Seymour that approval in principle be given to Mr. Dawe to proceed with the above noted proposal, subject to approval from all municipal, provincial and federal authorities. A stipulation is included in this approval which is as follows: A waterway must be provided that is 15 feet in width and it must have sloped banks. Also, greening must be placed on both sides of the waterway, running direct through from East to West and a 7 foot privacy fence must be installed to cover the Southern boundary of the property along the proposed development. Further stipulations may need to be put in place if their tender is successful, ie. working hours and noise levels. Proper design drawings must also be submitted for further approval. Also, Council can not guarantee a supply of water of approximately 250 to 1000 tons per week.

Motion Carried.

### Committee Reports

D.M. Littlejohn gave a report from the Recreation Committee recommending that a small increase in fees for the swimming pool be implemented to offset operating costs. Also, recommended a pay increase as follows:

Lifeguard (Bronze Cross/Instructor) \$7.00

Lifeguard (Nationals/Instructor) \$7.50

Supervisor (Nationals, Instructors & Examiners, among other required training) \$10.00

It was moved by D.M. Littlejohn and seconded by Councillor Bowering that increases for swimming passes and lessons, as well as, recommended pay increases be accepted.

Motion Carried.

D.M. Littlejohn advised that there is no recommendation coming forward from the Recreation Committee regarding the former playground at Delaney's Avenue and it wasn't part of the overall plan at this time, however, a decision should be made as to the future use of this area. Continued progress is being made with regard to the former St. Mark's School land. Also, everything seems to be in order with regard to assuming ownership of the Butlerville Playground.

Councillor Greenland gave a report from the Tourism Committee advising that there were three new members at last week's meeting. Meetings are every second week and plans are proceeding with the official opening of the Visitor's Pavilion.

Councillor Bowering presented the new poster for the 2004 Klondyke Concert. He also advised that tickets are going well for the Spring Into Summer Concert.

Mr. Ron Delaney gave a briefing on the Chinese project and requested permission to move forward with plans for a proposed exchange trip.

It was moved by Councillor Greenland and seconded by D.M. Littlejohn that an invitation be extended to representatives from Zhoushan.  
Motion Carried.

Councillor Walsh advised of a meeting with the Fire Department and a Relay for Life presentation was given to them at that time.

Councillor Walsh inquired if repair work will soon start on the ramp and lights at the 50+ Club.

Councillor Brown advised that the Heritage Advisory Committee will be meeting Wednesday, May 26<sup>th</sup> and a request regarding membership numbers will be tabled at the next regular meeting of Council.

Mr. Ron Delaney reported that the pool is open and registration is going well. Also, work remaining to be completed on the pool, will be done on Sunday.

#### Notices of Motion

D.M. Littlejohn asked that information regarding the Business Park and Aquatic Facilities be deferred to the next regular meeting of Council.

Councillor Concerns

Councillor Greenland advised that he had received a number of calls and also, a nine page petition regarding the former playground at Delaney's Avenue.

It was decided that this matter would be referred to the Public Works Committee.

Councillor Bowering gave an update on the clean up and a meeting with Ms. Rondine Herla, Environmental Protection Officer. Ms. Herla visited here on May 18<sup>th</sup> and identified sites that will be acted upon.

Councillor Bowering suggested that "No Dumping" signs be erected on both entrances to Muddy Hole.

Councillor Walsh inquired about the progress to date with improving our water supply.

It was suggested that the Town Manager check into the installation of water meters at previously specified businesses.

It was moved by D.M. Littlejohn and seconded by Councillor Walsh that the meeting be adjourned at 9:45 p.m.

Motion Carried.

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Wilbur Sparkes  
Mayor

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Shirley Hawe  
Town Clerk