

The Fifty-Fourth meeting of the Fourteenth Town Council was held in the Town Hall with the following in attendance :

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, Ms. Lillian Simmons (the Compass); Fire Chief Clarence Russell, Firefighter Ches Mercer, Firefighter Robert Seymour; Wes Stagg, Gus & Heather French; Susan Mercer, Melissa Jones & other Bay Roberts East landowners; Darren Butt, Senior Executive Officer of Solutions Canada & students of the Leaders of Tomorrow Program

Meeting commenced at 7:35 p.m.

Additions to the Agenda

Letter from Karen & Darrell Peddle seeking permission to open a franchise business.

It was moved by Councillor Seymour and seconded by Councillor Walsh that the letter of Mr. & Mrs. Peddle be included in the agenda.

Motion Carried.

D. M. Littlejohn asked if there were any errors or omissions to the minutes of September 28<sup>th</sup>, 2004, which has been circulated with the agenda.

Minutes stand approved as presented.

Councillor Greenland asked if the garbage collection schedule has been published.

Town Manager advised that this will be done after the next scheduled Public Works meeting

Councillor Brown advised that he will submit, at our next meeting, a report on the Economic Conference he attended in Halifax, N.S.

General Business

Ms. Susan Mercer addressed Council regarding the Conservation area of Bay Roberts East. She stated that she had two new points to add and they are: (1) If the Herder property is in the conservation area, why is construction allowed to go ahead and why hasn't a stop work order been issued? If a permit has been issued, then does this mean that a permit will be forthcoming for other applicants. (2) The landowners believed the conservation zone to be from French's Cove to the Points, however, the November 18<sup>th</sup>, 2003 minutes of Council state that a portion of the Shoreline Heritage Walk from Crane's Brook Wharf to French's Cove be included in the conservation zone.

Councillor Greenland advised that the line on the map was put there by Municipal & Provincial Affairs and due to drawing errors, the line could vary several feet from the actual conservation zone boundary. The Herder property was not intended to be included within the conservation zone boundary as it is indicated on the zoning map.

Town Manager advised that an extension permit was issued to Mr. Herder. An existing building is allowed to expand up to 50% under the Municipal Zoning Regulations.

Ms. Mercer expressed her disappointment with the issues as presented thus far and with the lack of available information. Mr. Pratt and Mr. Herder are enjoying the use of their land and other landowners in the area would like the same opportunity.

Town Manager advised that the walking trail from Crane's Brook Wharf to French's Cove is part of the Conservation area and includes a buffer zone which has not been defined on the zoning map.

Councillor Brown suggested that we get clarification from Municipal & Provincial Affairs regarding these matters.

Ms. Melissa Jones addressed Council on behalf of her family and father, Mr. Vince Jones. Ms. Jones asked if the conservation zoning in the Points area was done under the municipal level or the provincial level of government and also, are out-houses permitted in a conservation zone.

D. M. Littlejohn advised that the Town Council of Bay Roberts in 1995 declared the area in question an Heritage area. In a letter from Municipal & Provincial Affairs, dated April 12<sup>th</sup>, 1999, it was stated that the "Mad Rock Point peninsula" qualifies to be zoned as conservation, specifically, re-designate and re-zone conservation, move from Plan Rural to Conservation policies and conditions added to Conservation zone to identify heritage area and permit trails and accessory structures.

Copy of a letter to Mr. Vince Jones from Mr. Eric Jerrett regarding the Points area of Bay Roberts East.

Letter to be placed on file.

Letter received from Mr. Harold French regarding his desire for the Points area of Bay Roberts East to remain a conservation zone.

Letter to be placed on file.

Letter from Mr. R. David Moores, Harbour International Limited, seeking permission to build a small maintenance building for its forklifts.

It was moved by Councillor Bowering and seconded by Councillor Brown that permission be given to Harbour International Limited to construct a small maintenance building to house equipment, as per plans submitted.

Motion Carried.

Copy of a registered mailed letter to Mr. Ken House from Ms. Rondine Herla, Environmental Protection Officer, Dept. of Government Services, regarding waste material on Mr. House's Coley's Point property. The letter advises that Mr. House has been given 30 days of receipt of this letter, to remove all waste material and vehicle wrecks from his property and failure to comply with this directive will result in further action being taken under the Environmental Protection Act.

To date, it is unknown if Mr. House has accepted this letter from Canada Post.

Letter received from Graham & June Mercer regarding a problem of noise, dust and potential safety concerns with dirt bikes and quads using Station Road and Cross Road, since the closure of the railway track in the area of the Search and Rescue building.

It was moved by Councillor Brown and seconded by Councillor Greenland that Mr. & Mrs. Mercer be asked to contact the R.C.M.P. with their concerns, as this relates to an enforcement issue.

Motion Carried.

Letter received from Mr. Wes Stagg requesting permission to provide service work in the recreational, lawn and garden field from the Battens Warehouse Limited building. Also, seeking permission to move mobile classrooms on site, located behind present building.

It was moved by Councillor Seymour and seconded by Councillor Bowering that both requests be referred to the Public Works Committee.

Motion Carried.

Letter received from Mr. Lamonte Stagg requesting permission to move Recreational Parts & Accessories Limited from its current location of 286 Conception Bay Highway, to a new location in Battens Warehouse Limited.

It was moved by Councillor Walsh and seconded by Councillor Seymour that approval in principle be given, subject to recommendations of the Public Works Committee, for Mr. Stagg to relocate Recreational Parts & Accessories Limited to the Battens Warehouse Limited building, 312 Conception Bay Highway.

Motion Carried.

Letter received from Conception Bay North Junior Stars hockey team seeking financial support.

It was moved by Councillor Brown and seconded by Councillor Walsh that a \$500.00 donation be given.

Motion Carried.

Letter received from the Cee Bee Stars Hockey Club seeking financial support.

It was moved by Councillor Brown and seconded by Councillor Walsh that the request of the Cee Bee Stars Hockey Club does not comply with the Town's donation policy.

Motion Carried.

Letter received from Mr. Eric Jerrett on behalf of the Bay Roberts Heritage Society Inc. thanking Council for the use of the Council Chambers on the morning of September 26<sup>th</sup> to host the Decorative Arts Council of Canada Annual General Meeting and Conference.

Letter to be placed of file.

Letter received from the Municipal Assessment Agency advising of the election of municipal representatives on the agency's board of directors.

Letter received from the Municipal Assessment Agency advising that the assessment notices for 2005 have been mailed.

Both letters to be placed on file.

Minutes of the September 30<sup>th</sup>, 2004 meeting of the Conception Bay North Joint Councils Association were presented. The next scheduled meeting is Thursday, October 28<sup>th</sup> at the Town Council office in Spaniard's Bay.

Letter received from Karen & Darrell Peddle requesting permission to open a women's fitness centre franchise, Slender Lady Inc., in the former Flooring Centre commercial space next to Allen's Video in the Powell building, 2-8 Water Street.

It was moved by Councillor Greenland and seconded by Councillor Seymour that approval be given Mr. & Mrs. Peddle to open a fitness centre in the Powell building, 2-8 Water Street, subject to all other regulatory departments.  
Motion Carried.

Letter received from Augustus and Heather French regarding the letter they received from Ron Delaney, dated October 15<sup>th</sup>, and also, requesting Ron Delaney, Ian Flynn and pool staff attend meeting.

Mrs. French stated that the investigation carried out by Mr. Delaney is not satisfactory to them and they would like to have other pool staff be questioned.

D. M. Littlejohn advised that Council will discuss this issue and will arrange something or respond in writing to Mr. & Mrs. French regarding this matter.

#### Committee Reports

Councillor Greenland advised that the Tourism Committee met two weeks ago. There is a new set-up of the committee with two co-chairpersons, Mr. Clarence G. Mercer and Mr. Mike Flynn. New structure of the committee with three different sub-committees: (1) Beautification Committee, (2) Marketing and Promotion Committee and, (3) Small business sector sub-committee.

Councillor Walsh advised that the Bay Roberts 50+ Club will be holding their annual monthly meeting next week. Also, the Fire Dept. are into the fifth week of construction on the extension to the fire hall.

Fire Chief Clarence Russell requested an advance of \$10,000.00 from the 2005 budget due to the eight week time frame left with regard to labour.

It was moved by Councillor Greenland and seconded by Councillor Walsh that the Fire Dept. be advanced \$10,000.00 from the 2005 Fire Dept. budget.  
Motion Carried.

Councillor Seymour advised that he attended the Stewardship Association meeting in October and the minutes from that meeting will be presented at our next meeting

Director Ron Delaney gave a report from the Recreation Committee which included the establishment of a 5 year master plan, pricing of equipment for the various playgrounds and a meeting with local skateboarders on Friday, October 29<sup>th</sup> to discuss the possibility of a skateboard park within the area. Also, recruited a new member, Ms. Marlene Petten and met with Youth Advisory Committee on Monday, October 25<sup>th</sup> to discuss a variety of issues dealing with youth in the area. There will be a recreation night every Sunday starting in November from 6-10 p.m. (teens 6-8 p.m. & adults 8-10 p.m.) at Ascension Collegiate.

The Special Events Committee will be partnering with the Bay Roberts Fire Dept. who will be carrying out the Pumpkin Patrol on Halloween night which will be observed Sunday, October 31<sup>st</sup> and also, on Guy Fawkes night at the Gary French Memorial Speedway. We are entered into the Winter Lights Celebrations which takes place on December 14<sup>th</sup> and the Festival of Lights schedule is almost complete.

The Economic Development Association conference in Halifax was very informative. Met with Mr. Dave Coffin of Rural Renewal and Mr. Ernie Pynn on leads for existing buildings in Bay Roberts. Extended an invitation to a company to look at land for a Senior Retirement Living Complex and Town Manager and Ron met with another business who is interested in setting up in Bay Roberts. Mr. George Lee is in China meeting with our counterpart. Met with Mr. Andre Le Blanc, Counselor with the Canadian Embassy in China, who is interested in our project and will forward proposal when complete.

Mr. Darren Butt, Senior Executive Officer of Solutions Canada, and on behalf of the students of the Leaders of Tomorrow Program, thanked Council for the opportunity to attend and observe tonight's meeting

Mayor Wilbur Sparkes took the chair at 9 p.m.

D. M. Littlejohn presented a report of revenues and expenses covering January 2<sup>nd</sup> to September 30<sup>th</sup> and also, tabled a list of expenditures for August 1<sup>st</sup> to September 30<sup>th</sup>.

It was moved by D. M. Littlejohn and seconded by Councillor Walsh to accept payment of expenses for August 1<sup>st</sup> to September 30<sup>th</sup>.  
Motion Carried.

D. M. Littlejohn advised that research is being carried out regarding pensions for Council members.

Councillor Brown gave a report on pension allotment for Councillors having twelve years of service at the end of the present term (2005) and assuming all presently on Council who are eligible, will retire.

#### Councillor Concerns

Councillor Bowering inquired if the Fire Dept. had approached Mr. Ken House regarding an old building on his property.

Fire Chief Russell stated that he had taken pictures of the property and gave them to the Town Manager, however, the Fire Commissioner's office must take action through Municipal & Provincial Affairs.

Councillor Bowering spoke on the dilapidated buildings issue which included the Moores building on the corner of Water Street and the Klondyke, the Atkinson building on the corner of Neck Road and Love Street.

It was decided that the Town Manager will call Geoff Atkinson regarding his building.

Fire Chief Russell inquired if the condition of the Spring Valley Restaurant was being looked into. He advised that during the monthly visit by the Dept. of Health, they go the minimum. Also, there is another business in Town that appears to be in an unsafe condition and may be operating without proper licences.

Councillor Greenland suggested that any concerns be reported to the appropriate Government Departments.

It was moved by D. M. Littlejohn and seconded by Councillor Greenland that the meeting be adjourned at 9:30 p.m.  
Motion Carried.

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Wilbur Sparkes  
Mayor

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Shirley Hawe  
Town Clerk