

**TOWN OF TWILLINGATE
REGULAR MEETING OF COUNCIL
MONDAY - OCTOBER 5TH, 2020
7:00 PM**

PRESENT: Chairperson Mayor Grant White
Deputy Mayor Cyril Dalley
Councillor Janice Barnes
Councillor Lloyd Blake
Councillor Wayne Greenham
Councillor Melissa Blackler
Councillor Oliver Hynes
Town Clerk/Manager Marie Magnin

REGRETS: N/A

CALL TO ORDER

The meeting was called to order by Mayor White at 7:08 pm.

1. DELEGATIONS

N/A

2. APPROVAL OF AGENDA

Motion #20-242

It was moved by Deputy Mayor Dalley, seconded by Councillor Blackler, to make the following additions to the agenda:

-Request for tax adjustment 4-6 Back Harbour

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-243

Approval of Agenda

It was moved by Councillor Hynes, seconded by Councillor Barnes, that the Agenda for the Regular Meeting of Council be adopted.

In Favour: 7 Opposing: 0

Decision: Motion carried.

3. MINUTES FOR APPROVAL

Motion #20-244

Regular Meeting Minutes for Approval

It was moved by Deputy Mayor Dalley, seconded by Councillor Barnes, that the Minutes from the Regular Meeting of Council on September 14th, 2020 be adopted as presented.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-245

Special Meeting Minutes for Approval

It was moved by Deputy Mayor Dalley, seconded by Councillor Blackler, that the Minutes from the Special Meeting of Council on September 17th, 2020 be adopted as presented.

In Favour: 7 Opposing: 0

Decision: Motion carried.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

5. REPORTS - STANDING COMMITTEES:

A. Public Works

No reports for this meeting.

B. Tourism

No reports for this meeting.

C. Finance

No reports for this meeting.

D. Fisheries

No reports for this meeting.

E. Planning and Development

No reports for this meeting.

F. Fire Department

No reports for this meeting.

G. Regional Emergency Management Council Committee

No reports for this meeting.

6. CORRESPONDENCE

Minute #20-246

Correspondence concerning a shared water line servicing two homes on Church Lane, with the connection to the second home made under the first home, was discussed. It was agreed that the issue would be deferred to the Public Works Committee for a deeper review and discussion.

Motion #20-247

It was moved by Councillor Barnes, seconded by Councillor Blackler, to decline an opportunity to make a donation to the Royal Newfoundland Constabulary's 30th Anniversary Crime Prevention Guide.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Minute #20-248

In response to an invitation to engage in a discussion with the Town Council of Gander regarding the feasibility of jointly developing a region-wide ATV trail system that will link all the towns along the Kittiwake Coast, from Gander west to Lewisporte, north to Twillingate, east around the Shore to Gambo and along the TCH back to Gander, it was agreed that Mayor White would reach out to the Gander Councillor in charge of this initiative to have a discussion.

Minute #20-249

Correspondence was read from Bonnell Law regarding Crown Lands Application #156667. It was agreed that Council would welcome a meeting with Bonnell Law to discuss the issue. It was further agreed that the Town Clerk/Manager would arrange for the meeting.

Motion #20-250

It was moved by Councillor Barnes, seconded by Deputy Mayor Dalley, to adjust the full amount of 2020 business tax and water & sewer to the minimum for Alphabet Fleet Inn B&B as they did not operate at all in 2020.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-251

It was moved by Councillor Blackler, seconded by Councillor Barnes, to adjust the full amount of 2020 business tax and water & sewer to the minimum for Applewood Inn as they did not operate at all in 2020.

In Favour: 7 Opposing: 0
Decision: Motion carried.

Motion #20-252

It was moved by Deputy Mayor Dalley, seconded by Councillor Barnes, to approve in principle, subject to compliance with all applicable regulations, a proposal by 618 Entertainment Inc., for 54 Toulinquet Street to be occupied as a tattoo parlour/spa offering tattoos, basic spa services (i.e. manicure, pedicure, make-up) as well as the sale of related retail items, under the marketing name 'Poison Berry Ink'. It was noted that this property is in a Mixed Development zone and a 'personal service' business qualifies as a permitted use therefore no public notification is required.

In Favour: 7 Opposing: 0
Decision: Motion carried.

Motion #20-253

It was moved by Councillor Barnes, seconded by Councillor Hynes, to adjust the full amount of 2020 business tax and water & sewer to the minimum for Iceberg Quest Ocean Tours, Inc. as they did not operate at all in 2020.

In Favour: 7 Opposing: 0
Decision: Motion carried.

7. FINANCES

Motion #20-254

It was moved by Councillor Hynes, seconded by Councillor Barnes, that the attached accounts be passed for payment.

In Favour: 7 Opposing: 0
Decision: Motion carried.

Motion #20-255

It was moved by Deputy Mayor Dalley, seconded by Councillor Hynes, that the A/R adjustments for September, in the amount of \$28,401.46, be approved.

In Favour: 7 Opposing: 0
Decision: Motion carried.

8. REGULATIONS AND POLICIES

Minute #20-256

It was agreed that review of the proposed Harassment Policy and annual review of the Employment Policies be deferred to the Planning & Development Committee.

9. GENERAL BUSINESS

Motion #20-257

In response to correspondence tabled at the September 14th, 2020 Council Meeting raising concerns about the physical appearance of a business in the community, it was moved by Deputy Mayor Dalley, seconded by Councillor Barnes, not to take any action on this matter as they do not feel they have the authority under the Municipalities Act, 1999, to do so.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-258

Following the Town Clerk/Manager's confirmation that the Anglican Church has agreed to the proposed relocation of the old right-of-way to the Anglican Cemetery at 14 Durrell Street, it was moved by Deputy Mayor Dalley, seconded by Councillor Blackler, to approve in principle a proposal from the property owner at 14 Durrell Street to relocate the entrance to the old road to the Anglican Cemetery as per the following conditions:

- The width of the road will be 4m wide.
- The property owner will replace the existing 29-foot culvert with a new 29-foot culvert of 24 inches (600mm) diameter and rebuild the entrance to the road at their expense (materials & labour) to the satisfaction of the Town's Public Works Department.
- As noted on the attached drawing, the entrance to the road will be relocated to the eastern boundary of the property at 14 Durrell Street.
- A minimum distance of 1-foot is required from the property boundary to the edge of the relocated road.
- The current depth of the ditch must be maintained in order to ensure proper drainage.
- Under no circumstances may this road be blocked at any time.
- The Town of Twillingate does not maintain this road. It is an old road primarily used as access to an Anglican Cemetery.
- Granting of this permit in no way transfers ownership of this road to the property owners of 14 Durrell Street.
- Upon satisfactory completion of this project, the Town of Twillingate will assume responsibility for this culvert and ditch.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-259

In accordance with Regulation 45 of the Town of Twillingate's Development Regulations, it was moved by Deputy Mayor Dalley, seconded by Councillor Blake, to approve in principle subject to compliance with all applicable regulations, for 153 Durrell Street to operate as a vacation rental. It was noted that Regulation 45 is applicable in this case, as 153 Durrell Street is in an Industrial zone but pre-dates our Development Regulations as a residence. Furthermore, in accordance with Regulation 22 and 45, this application must be advertised publicly and any concerns raised by the public must be considered by Council.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Motion #20-260

It was moved by Deputy Mayor Dalley, seconded by Councillor Blake, to approve in principle for 1 Primmer's Lane and 153 Durrell Street to be re-zoned from Industrial to Residential and for this proposed re-zoning to be included in the draft Municipal Plan and Development Regulations currently under review.

In Favour: 7 Opposing: 0

Decision: Motion carried.

Minute #20-261

The Town Clerk/Manager reminded Council that the 2020 Municipal Capital Works Applications are due on November 13th. As previously discussed, the following estimates are currently being prepared/updated for Council's consideration: Two lift stations in Durrell, Bayview Water & Sewer Upgrades/Extension, North Side Main Waterline Replacement, Stadium, Dock Road Upgrades, and Fire Hall Roof Repair & Insulation.

Minute #20-262

The Town Clerk/Manager informed Council that at the pre-construction meeting for the Main Street Water Main Replacement Project on September 29th, 2020, attended by Stephen Locke (Meridian), Danny Bath (Meridian), Dennis Power (Southern Construction), Town Clerk/Manager (Town of Twillingate), Public Works Foreman (Town of Twillingate) and Wilf Maloney (Municipal Affairs), Municipal Affairs announced that despite having their approval of engineering plans for this project we run the risk of the Government not paying their portion of the lateral lines to within 1.5 metres of the homes but rather to the property lines. The Town Clerk/Manager expressed that this came as a surprise since this topic was discussed at length with Meridian and inclusion of the lines to within 1.5 metres of residences was deliberately included in the plans that were submitted by Meridian and subsequently approved by Municipal Affairs. The lateral lines in question are copper lines of the same age as the main line, and in some cases, they run up to 100 feet from the main line. Based on experience, she noted that we have good reason to believe that increased pressure resulting from the new main line will cause these lines to break. These lateral lines were never turned over to the property owners, therefore if the Government does not pay their portion of the funding towards these lines, the expense to upgrade the lines would fall to the municipality and ultimately the residents. Our approved funding for this project is \$2,868,370, with our portion being \$286,837. If the Government does not pay for these lateral lines to within 1.5 metres of the residences, the municipality would be looking at unforeseen expenses of approximately \$200,000, almost doubling our portion. Following some discussion, it was agreed that the Town Clerk/Manager would write a letter to the Minister requesting that the lateral lines to within 1.5 metres of the residences be included in the funding.

Minute #20-263

Mayor White asked whether or not Top of Twillingate Trail and Fraggie Rock Trail could be included in the Rockcut Trail System. The Town Clerk/Manager confirmed that today the only trails included under the Rockcut name are those that are approved for funding. The funding we've received to-date includes all coastal trails in the Town of Twillingate as well as Codjacks Cove to Purcell's Harbour and the Little Harbour trails. It's not to say that other trails could not

be included under the Rockcut brand but as of now we have not identified funding to upgrade these trails. Both Top of Twillingate and Fraggie Rock trails were included in the Trail Assessment so we do know what it would cost to upgrade these trails. It was agreed to defer this discussion to the Rockcut Trail Committee to see if there is any funding we can tap into to upgrade these trails and bring them under the Rockcut brand. It was further mentioned that any work happening on the Top of Twillingate (i.e. employment projects) should ideally align with the standards for Rockcut.

Motion #20-264

It was moved by Councillor Blake, seconded by Councillor Hynes, to write off the pre-2014 principle and interest for a property on Back Harbour Road (\$1,208.25 in principle and \$523.95 in interest) as this aged receivable is 6+ years old and no longer collectable. It was further moved to write off \$1,403.02 in interest associated with this property, inclusive of 2019.

In Favour: 7 Opposing: 0

Decision: Motion carried.

There being no further business at this time, it was moved by Deputy Mayor Dalley, seconded by Councillor Hynes, to adjourn the meeting. Meeting adjourned at 7:58 pm. Carried.

Grant White-Mayor

Marie B. Magnin-Town Clerk/Manager