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**Minutes of Council Meeting**

**February 1, 2022 7:00 PM. Via Zoom**

Present: Mayor Krista Freake

Deputy Mayor Brian Hooper

Councillor Rhoda Hannem

Perry Pond

Ken Tucker

Derek White

Town Manager Todd Champion

Town Clerk Coreen Colbourne

Recreation and Tourism Manager Ashley Ivany

Superintendent of Works Ivan Bridger

Regrets: Councillor John Mullett

Mayor Freake brought greetings to those watching on Facebook, to Council and staff.

She started the meeting with a Land acknowledgement.

1. **Call to Order**

The meeting was called to order at 7:05 pm

**2. Approval of Agenda**

**22-019** **White/Pond**

**Resolved to adopt the agenda as presented.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**3. Minutes for Approval**

**3.1 Regular Council Meeting December 7, 2021**

**22-020** **White/Pond**

**Resolved to adopt the minutes of the Regular Council meeting of December 7, 2021, as attached.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**3.2 Budget Adoption Meeting January 18, 2022**

**22-021** **Hooper/White**

**Resolved to adopt the minutes of the Budget Adoption Meeting of January 18, 2022, as attached.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**Mayor’s Report**

A thank you was given to Deputy Mayor Hooper for taking on the role of chair during the previous council meeting as she was not able to do so due to illness.

A thank you was given to council and staff for bringing forward a tight but promising budget.

A thank you was given to all town staff as they were able to pivot quickly to necessary accommodations, particularly regarding scheduling, to ensure the Town was able to continue operations and address/respond to emergencies during the transition to modified level IV.

A thank you was also given to those who reached out sending well wishes during the Mayor and families’ continued struggle with Covid 19. She said they are slowly showing improvements and continue to isolate while they are symptomatic. The kindness brightened their spirits.

The Mayor gave an update to Residents and Council on her endeavours.

1. **Wharf Infrastructure**
2. Communication with Chief of Staff Fred Hutton and MHA Bennett following the last regular council meeting was ongoing and a commitment to receiving a proposal prior to Christmas was the Government commitment.
3. January 6th - correspondence with MHA Bennett highlighting disappointment and reiterating expectations as a municipality both with communication and management of this file.
4. January 11th – correspondence from MHA Bennett indicating that the wharf proposal would be presented to the Town of Lewisporte no later than January 25th.
5. January 25th – received message from MHA indicating proposal would be ready, but then received

message from Minister Loveless indicating additional time was needed to complete the wharf proposal.

1. January 27th – private council meeting was held to determine next steps:

* Email sent to Minister Loveless, MHA Bennett, and Chief of Staff Fred Hutton clearly outlining disappointment and upset as well as concerns with failed communication and promise.
* Request for a meeting with MHA Bennett sent, agenda item is economic diversification.
* Received phone call from MHA Bennet stating that he understood our frustrations and that the proposal is near completion as he did preview as well as agreeing to meet with us.

1. January 28th – received telephone message from Minister Loveless indicating that he also understood our frustrations and position but reassured that the delay is necessary. He stated that we would be better able to update Sunday or Monday.
2. January 30th – received an email from Minster Loveless in response to me indicating wharf proposal is “days away”.
3. February 1st – sent an email both to Minister Loveless and MHA Bennett requesting an update on the status of the proposal.
4. **Marina Lease**

* January 13th – Economic Development committee met to discuss recent correspondence.
* January 14th The Town Manager with Transport Canada, Scott Jardine to discuss their position as well as direction from the Town.
* Meeting was held with on January 19th the MP Clifford Small to update him on the status of the marina lease.
* Following the meeting with MP Small, additional correspondence was sent attaching all relevant documents related to this file.

1. **Synergy**

* Registered for Environmental Assessment on January 10th.
* January 14th meeting with MHA Bennett, his assistant Brent and representatives from Council. Joanne Sweeney and Vicki Fiezere conducted a very informative presentation regarding the process of environmental assessment and responded to any questions.
* We have received numerous pieces of correspondence both in support of and challenging this proposed project. Please note that we do appreciate all correspondence and it is essential that the public is aware of the process and ensure that all correspondence is forwarded and directed to the appropriate government department
* Councillor Pond and I have conducted numerous media interviews to date.

1. **Additional Meetings/Correspondence**

* January 13th – joined MNL Women’s Caucus for a virtual coffee break, Minister Howell brought greetings, and all had the opportunity for introductions and highlight their experiences with municipal governance.
* January 20th – had a discussion with Dr. Deatra Walsh from MNL regarding Synergy and the process of environmental assessment.
* January 25th – attended Central Health Board of Trustees meeting.
* January 28rd - attended virtual meeting with Central Health - Health Emergency Management.
* February 3rd - registered for Wastewater System Regulation consultation with Environment and Climate Change Canada through MNL.
* Registered for Code of Conduct virtual information session on February 23rd - all Councillors would be expected to attend one of the offered sessions.
* Registered for Municipal Leadership Essentials: A Guide to Good Governance offered through a partnership of MNL and CNA. This is a 10-module course to begin in April (as the January session was full)

1. **Committee Appointments**

* LMAA Deputy Mayor Hooper, Councillor Tucker, Councillor Mullett.
* DieTrac Technical Institute, Town Manager Todd and Councillor Pond.

**4. Recreation/Tourism Committee**

* 1. **Update by Deputy Mayor Hooper**

Meeting held on January 31, 2022

**Stadium**

The Stadium reopened Friday, January 21 as new guidelines were passed by public health that allowed for some rentals to resume with tighter restrictions. Family skating and general skating will be taking place on Friday and Saturday while we are in alert level 4, if anyone is interested in attending, please check our Facebook page for weekly scheduled times.

The Stadium is also open for tight ten rentals (your household bubble and ten people), if anyone is interested in booking ice time, please contact the Town Hall and ask for Ashley.

The general contractor is finishing the commissioning of the stadium plant this week and our workers will be attending training on the new system in the coming days.

**Museum**

The recreation committee is disappointed to announce that on January 19th it was discovered that a pipe had burst in our museum and has done significant damage. We have been in contact with our insurance company and the museum artifacts have been moved to the lion’s club to be cleaned and dried. Winmar is currently stripping the damage in the building, and we are waiting to hear from our insurance company.

**Softball Field**

Plans are still progressing with the softball field; we have received the report from the percolation test, the Recreation Manager and the Town Manager will review the results and report to the recreation committee at the next meeting.

**Splash Pad**

During budget discussions we had decided that the Town of Lewisporte would start the process of constructing a splash pad. The Recreation Manager will be looking into pricing, researching the pros and cons of a recirculating system verses a flow thru system, will be reaching out to other towns to receive feedback regarding their systems, and will be reaching out to engineers and consultants to perform site surveys and request engineered drawings that contractors can use for installation. All of this will take time and we do not expect to have this completed by 2022, however we are hoping to have the splash pad ready for installation in the spring of 2023.

**Grant**

The Recreation manager has applied federal students grants and the green team project for summer 2022,

she has also applied for come home year funding for the Mussel Bed Soiree offered through the Provincial Government and is in the process of applying for the Active Transportation Fund offered through Infrastructure Canada for trail upgrades.

**Upcoming Special Events**

The recreation committee discussed the upcoming winter carnival in our last recreation meeting, at which it was decided that with the current restrictions and the lack of snow it is best to post pone the winter carnival until March 15 - March 21, hopefully we will be in a better position to offer more in person events. Please stay tuned to the Town of Lewisporte Facebook Page for upcoming virtual events.

**Games and Tournaments Motion**

A user group approached the recreation committee and asked that we review our stadium gate policy, which the recreation committee discussed at a meeting before Christmas.

**Motion**

**22-022 Hooper/Tucker**

**Upon review, the recreation committee recommends, and I motion to eliminate the gate rebate policy, which stated that “It is the policy of the Town of Lewisporte that all revenues from usage of the Lewisporte stadium will be handled in the following manner: Total balance, minus taxes and ice rental, will be split 60% team and 40% arena, for the first 400 attendees, after 400 the split becomes 50/50. The Town of Lewisporte will provide additional staffing, while the team will be responsible**

**for officials” and implement the Games and Tournaments Requiring Extra Staff Policy which reads: The Town of Lewisporte will charge a fee of $425 per game (HST Included) and $475 per playoff game (HST Included) as an affordable option for user groups to cover additional incurred cost by the Town of Lewisporte when facilitating tournaments and large games. These costs include ice rental**

**and one additional staff for extra security and janitorial services.**

The loss in revenue was a concern to some user groups who felt that it would be impossible to host large games and tournaments with the current gate rebate policy.

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**5. Economic Development**

**Update by Councillor Pond**

5.1 Occupancy Permit - 22-002C Cottage Lifestyle Properties Inc. (Mark Compton)

**22-023 Pond/Tucker**

**Motion to approve occupancy permit 22-002C for Cottage Lifestyle Properties Inc. for 28 Tizzard Street**.

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

* 1. Occupancy Permit - 22-001HBB Barbara Elliott/Elliott Academic Innovations Inc.

**22-024 Pond/Tucker**

**Motion to approve the home-based business occupancy permit 22-001HBB for Elliott Academic Innovations Inc. at 19 Evergreen Place.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

Councillor Pond spoke of the disappointment he’s felt over fact that it has taken so long to get a response from the Provincial Government regarding the wharf infrastructure, if a decision had been made four years ago when this first started, efforts could have been put into economic activity for the Town rather than continually pressing government for responses.

Councillor Pond spoke also of the Synergy Project, although job creation and economic development is at the forefront for Council, they would only consider this project if it is done in an environmentally sustainable manner. Council is placing their confidence in the environmental assessment process to determine if this is an environmentally sustainable project. He passed along to the public that if they had any complaints or concerns to let the Government of Newfoundland and Labrador know through email or by other means to the Minister or his staff.

Lastly Councillor Pond expressed his hope for a favourable reply from Government regarding the wharf by the end of the week. He’s hopeful for a proposal that Council can move forward on.

Mayor Freake also spoke of the frustration felt from feeling that there has been disrespectful communication and avoidance from Government.

Councillor Pond wanted to point out to residents the amount of time and effort, and correspondence that Council has put into this project, to secure the future of Lewisporte.

**Lands Committee**

**6.1 Update by Councillor White**

Councillor White brought forth 3 motions from the Lands Committee.

There has been an application received to construct a duplex at 58 Hillgrade Street, the zoning regulations permits this type of construction at that address, however the development regulations require a 26-meter frontage for this type of dwelling, the present frontage is 25 meters.

**22-025 White/Tucker**

**I move to apply the 10% variance as permitted under the Town’s development regulations and approve the application.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**22-026 White/Tucker**

**Motion and I move to direct the Town manager to proceed with the sale of a building lot at 17 Council Road, details of the sale including lot size, price, and survey to be publicly posted as per the Municipalities Act. Any individuals interested in purchasing this piece of property are encouraged to contact the Town Office.**

Councillor Pond asked the question when the notice of sale would be made public. Councillor White said it would be in the next few days.

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**22-027 White/Tucker**

**Motion to approve a permit to temporarily house horses at 17C-19 Stanhope Road.  The current zoning allows, at the discretion of council, of this temporary permit, this permit is only valid until August 31, 2022, at which time the horses must be moved out of the zoning area. I so move.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**7. Public Works**

* 1. **Update by Councillor Pond**
* The new uptown water tank is nearing the end of the permitting stage, the public works committee is hoping the tendering stage will soon follow, the funding opportunity will relinquish itself in another year.

* The sewer consolidation uptown has been tendered; we are waiting for the project to start this spring.
* Beaumont Street is in the engineering phase; we are hoping for a Spring start up.
* The road capping should be starting in the Spring.
* The outfall extension is in the engineering phase.
* The Town is moving forward with the engineering component to service the north end of the Industrial Park.
* There have been some infrastructure challenges for a proposed subdivision at the end of Ridgewood Drive, the public works committee is hoping to see if those issues can be resolved so that the project can be given the green light or not.
* Councillor Pond announced back in September that the Town would be moving forward with Central Newfoundland Waste Management for the collection of garbage as a cost savings measure, since that time the price of garbage trucks have come down in price, however, even with this decrease, the cost savings should still be in the $20,000.00 range. He wanted to be sure that the new Council still wanted to pursue this avenue of collection.

**22-028 Pond/White**

**Motion to have Central Newfoundland Waste Management take over garage collection of residential properties in the Town of Lewisporte as soon as possible (which will be 1 year – 16 months),**

**I so move to proceed with Council’s decision to have Central Newfoundland Waste Management take it over.**

Deputy Mayor Hooper asked if this decision would affect any staff employed with the Town. Councillor Pond told him that at the last negotiations with the public employees Council negotiated the ability to downsize staff by one individual if the Town were to use CNWM s a collector.

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

Councillor Tucker asked for an update on the water supply pumphouse project. Councillor Pond said there were some delays in material delivery, and the preconstruction meeting was supposed to happen in the next week. The Town Manager said the meeting was delayed due to covid regulations, and the pumps were delivered today, and the electrical panels were delivered some time ago, the meeting just needs to take place and the project will start shortly after.

**8. Protective Services**

* 1. **Update by Councillor Tucker**

There was a meeting held on January 24, 2022.

* An ongoing issue for the Protective Services Committee is the level of policing by the RCMP in the Town and surrounding areas, committee members were hoping to have a meeting with RCMP members to further discuss this, however covid protocols have gotten in the way, members felt an in-person meeting was needed. Committee members will pursue another meeting just as soon as government guidelines will allow.
* Some time ago the Town requested a speed reduction from the end of the houses in the east end of Lewisporte down toward the Old Briton Crescent, ending around the Mussel Bed turn. The Town Manager heard back from

the Department of Transportation, Works, and Infrastructure okaying the request for the speed reduction, they will work with the Town to get that implemented. The speed was requested to be reduces to either 50 or 60 kp.

* In the email received from the Department of Transportation, Works, and Infrastructure it was mentioned that they will be looking at reducing some speed zones around the schools in town. The speed zone around the middle school is one of those areas, they are suggesting the speed would be reduced while the classes are in session.
* Lewisporte Regional Fire Rescue January 2022 Council Report

• Due to the Covid restrictions all practices and group meetings have been suspended. However, both Lewisporte and Brown’s Arm stations are responding to all emergency calls.

• To ensure that all equipment is maintained and ready to go we are using small groups once a week to do equipment checks.

• We have responded to 3 calls in January, which have included chimney fire, security alarm and pole fire.

• The department has just received 8 new breathing apparatus and 16 cylinders and are in the process of getting them put into service.

• The Youth Fire Fighting Program that was supposed to go ahead in January has been postponed due to Covid19 protocol.

• Lewisporte Regional Fire Rescue are now accepting application for new recruits. Please pickup an application at the Town Hall or from any firefighter.

**9. Finance/HR**

**Update by Councillor Hannem**

There was a meeting was held on January 26, 2022.

**9.1 Cheque Register - Scotiabank**

**22-029** **Hannem/Hooper**

**Motion to approve the cheque register as presented from cheque numbers 001492 to 001551 for a total of $580,080.15.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

With the exception of cheque numbers 001499, 001513, 001541, 001529, 001533**.**

Deputy Mayor Hooper was in conflict and was removed from the virtual meeting through audio and visual disconnection.

**22-030 Hannem/Pond**

**Motion to approve cheque number 001499.**

In favour: Mayor Freake, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

Deputy Mayor Hooper re-entered the virtual meeting.

Councillor Pond was in conflict and was removed from the virtual meeting through audio and visual disconnection.

**22-031 Hannem/Hooper**

**Motion to approve cheque numbers 001513 and 001541.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Tucker and White.

Opposed: None

Decision: Motion carried.

Councillor Pond re-entered the virtual meeting.

Councillor Tucker was in conflict and was removed from the virtual meeting through audio and visual disconnection.

**22-032 Hannem/Pond**

**Motion to approve cheque number 001525.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond and White.

Opposed: None

Decision: Motion carried.

Councillor Tucker re-entered the virtual meeting.

Councillor Hannem was in conflict and was removed from the virtual meeting through audio and visual disconnection.

**22-033 Hooper/White**

**Motion to approve cheque number 001533.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

Councillor Hannem re-entered the virtual meeting.

Councillor Hannem updated residents on Home Based Businesses and Collections

Section 120 subsection (1) of the Municipalities Act states: A council shall impose an annual tax, to be known as "the business tax", on all businesses carrying on business in the municipality.

The finance committee wanted to make residents aware, that any resident that conducts a business on a residential property in the Municipality of Lewisporte, also falls under this section of the Act, this could be anything from making and selling crafts, quilts, jams and jellies, cakes and cookies, to building garbage bins or Adirondack chairs; a hair salon, insurance broker or a babysitting service operating in some part of your home, or maybe you are a Scentsy or Avon representative, if it is for profit, or you have to complete a business statement to complete your income tax return, you are considered a home-based business, residents are encouraged to make application for their business on the town website.

Notice to Residence - There are many residents that have outstanding amounts for taxes and other services from the Town, attempts have been made to collect these amounts through statements being sent out. Some of you have called in to make arrangements to pay off your account and we thank you for doing so. There are many however that have not, to those residents a 60-day water shut off notice will be issued, unless satisfactory arrangements have been made with the Town Clerk.

**9.2 Motions for Finance**

After adoption of the 2022 budget, a couple of items have surfaced that has influenced the 2022 proposed operating budget. These items have been recognized and adjusted for in the revision of the operating budget. The operating and capital budget revenue and expense totals have not changed in amounts.

**22-034 Hannem/Hooper**

**The finance committee rescinds motion 22-017 “The Committee recommends, and I move, adoption of the 2022 Operating & Capital Budgets, as presented.”** **and motions to accept the changes to the 2022 Operating & Capital Budget as presented.**

**9.3 Motion for Loan**

**22-035 Hannem/Hooper**

**As part of the Town’s commitment to our residents, the Town plans to borrow to be able to carry out some of our capital projects and purchase of capital equipment. The finance committee recommends, and I move to borrow from Scotiabank, the sum of $1,944,712.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

The following is a break down of the projects/equipment:

Condensers 100,000.00

Woolfrey’s Pond Upgrade 500,000.00

Splash Pad Start Up 300,000.00

Softball Field 260,000.00

New Dump Truck 210,513.00

Stadium Plant Retrofit - 17-MYCW-21-00141 120,000.00

Upgrade to Harbourview Terrace - 17-MYCW-19-00083 253,104.00

Upgrade to Pond Road - 17-GI-21-00036 111,710.00

Upgrade to the Pumphouse - 17-MYCW-21-00002 89,385.00

Total $1,944,712.00

This is a five-year term, 10-year amortization loan.

Decision: Motion carried.

**9.4 Motion for Insurance Payments**

To eliminate the added cost of interest and finance charges incurred by paying out the Town’s

Municipal General Insurance in 12 monthly installments.

**22-036 Hannem/Hooper**

**The finance committee recommends, and I move to pay for the Town’s Municipal General Insurance in 3 equal payments.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Opposed: None

Decision: Motion Carried.

**9.5 Appointment of Hardy Sparkes as Review Commissioner**

The Town has received correspondence from the Municipal Assessment Agency that they have a couple of businesses and a resident that are challenging their assessment value of their property, the regular process has been followed with no resolution. The Town must appoint a commissioner to make a ruling on these reviews.

**22-037 Hannem/Hooper**

**The finance committee recommends, and I move that the Town of Lewisporte appoint Mr. Hardy Sparkes as assessment review commissioner.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Mullett, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

**10. Correspondence**

**10.1** Municipal Assessment Agency News Release – Board of Director’s

**11. Adjournment**

**22-038**  **White/Hooper**

**Resolved that the meeting adjourn.**

In favour: Mayor Freake, Deputy Mayor Hooper, Councillors Hannem, Pond, Tucker and White.

Decision: Motion carried.

Time: 7:53 PM

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Krista Freake, Mayor Coreen Colbourne, Town Clerk/Treasurer