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Minutes of Council Meeting

December 5, 2023 7:00 PM

Present:	Deputy Mayor (Chair)	Brian Hooper
	Councillors	Roxanne Haliburton
		John Mullett
		Perry Pond
		Ken Tucker
		Derek White
	Town Manager	Todd Champion
	Town Clerk	Coreen Colbourne
	Recreation and Tourism Manager	Ashley Ivany
	Superintendent of Public Works	Bruce Roberts
Regrets:	Mayor	Krista Freake

Deputy Mayor Hooper brought greetings to those watching on Facebook, fellow Councillors and Staff.

He brought forward a land acknowledgement.

1. Call to Order – 7:01 pm

2. Approval of Agenda

23-147 Mullett/Haliburton

Resolved to adopt the agenda, as presented.

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

Opposed: None

Decision: Motion carried.

Deputy Mayor's Notes:

Deputy Mayor Hooper passed along the Mayor's regrets for not attending the meeting. She had a prior commitment to the Happy Tree opening.

Deputy Mayor Hooper passed along Mayor Freake's thanks to Pam Mesh and her music students, Mr. Adam Baxter and the Junior and Senior High School Choirs for their wonderful performances at the Tree Lighting Ceremony on December 1st and a thank you was sent out to Olivia O'Keefe for her prayer. Thanks were offered to all those who participated in the Santa Clause Parade on Saturday, December 2nd. A thank you was also given to the Regional Fire Department for the collection of items for the local food bank at the parade.

Deputy Mayor Hooper passed along another update regarding the closure of Scotiabank. He said that the recently scheduled meeting with Scotiabank executives had to be cancelled, however another meeting is being scheduled for later this week.

The Town recently announced the purchase of the former Roman Catholic Church to be used as the Dinner Theatre and a Performing Arts Studio. The economic diversification committee has just heard back from Government officials that the economic diversification funds allocated to the Town can be utilized for that purchase. Deputy Mayor Hooper announced that himself, Councillors Haliburton and Mullett have formed a sub-committee that will be meeting with the Heritage Society to plan and develop the Dinner Theatre into the viable space that is needed for events to continue. He also noted that Heritage Society personnel were very excited upon their first look at the newly acquired facility, they have some great ideas for the space already.

3. Minutes for Approval - Regular Council Meeting November 14, 2023

23-148 White/Tucker

Resolved to adopt the minutes of the Regular Council meeting of November 14, 2023.

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

Opposed: None

Decision: Motion carried.

4. Recreation/Tourism Committee

Update by Deputy Mayor Hooper

Deputy Mayor Hooper thanked all public that attended the Tree Lighting Ceremony on Friday night past, he felt that there was a great turn out, and was nice to see so many individuals and families out for the event.

He thanked all those that participated in the Santa Claus Parade on Saturday past. He also noted it was nice to see so many children outside watching the parade. He said that the recreation committee will be taking away notes from the event that will aid them in the decisions for next year. Deputy Mayor Hooper took time to recognize the great contributions of the Town's special events co-ordinator, the recreation director, and the public works staff for their tireless efforts in making these special events happen. He thanked the office staff for their contributions in making the

Town Hall look festive, and mentioned the newest event being worked on by staff, the Train Park Trail. He said it all adds up to bring joyous festivities to the season.

5. Economic Development

Update by Councillor Pond

5.1 Vendor Permit - 23-006V (Seasonal - Fireworks)

23-149 Pond/Tucker

I so move to accept the permit application, 23-006V (Seasonal - Fireworks) for JPJC Holdings Inc. to occupy 405-413 Main Street, as presented.

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

Opposed: None

Decision: Motion carried.

Marina

Councillor Pond gave an update on the Marina purchase and transfer from Transport Canada, he said that the project was moving expeditiously, the documents for the transfer from Transport Canada was completed and currently in possession of the Town's lawyers. There is a caveat to the transfer, Transport Canada is proposing an "as is, where is" condition, which means that Transport Canada is exempting the transfer from any environmental due diligence process. Councillor Pond said that this is common for these types of transactions. He also pointed out that quite a lot of work has been done on the harbour over the past number of years, and the result of that work is what one would expect to see in a commercial harbour. The committee is happy to proceed with the "as is, where is" condition, Councillor Pond said that there have been no sources of contamination to the harbour. The Committee is confident that the Town is covered by any of those types of reports, and the "as is, where is" clause is not a stumbling block for the transfer.

To move forward in the process, a motion of Council is required to waive the Town's requirements for environmental review.

23-150 Pond/Tucker

I so move that we proceed with the acquisition of the Marina based on the "as is, where is" condition.

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

Opposed: None

Decision: Motion carried.

Port Development

The transfer of the commercial portion of the Port is progressing, however the end date is hard to determine, the process could still take eight to ten months. In the interim, the Department of Transportation and Infrastructure are willing to provide a management arrangement with the Town of Lewisporte to ensure the Town's interests are met during the transfer process. If there is any activity that the Town wants to pursue that would use that facility, the Town could do so. Transportation and Infrastructure will continue their operations of the site, but the Town can solicit business and have people visit the Port and operate under the Town's control.

23-151 Pond/Tucker

I motion that the Town of Lewisporte enter into a management arrangement with Transportation and Infrastructure in order to accommodate our interests in the interim, while the Port is being formally transferred.

Councillor White asked if this meant that the Coast Guard could now dock at the wharf, Councillor Pond responded by saying yes, if the Town agreed to it. He went on to say that the Coast Guard would fall under Transportation and Infrastructure, but the Town could approve other users that we would like to accommodate.

Councillor Tucker added that this gives the Town the opportunity to utilize the facility, fees could be applied; it will be worked out in the arrangement, who collects what fees, and how the process would go. Councillor Pond added that it does not give the Town the liabilities of it, and it gives the Town the ability to expeditiously accommodate people.

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

Opposed: None

Decision: Motion carried.

Upgrade of Railbed

A cost estimate of the upgrade of the approximately eight kilometers of railbed has been provided by Meridian Engineering in draft form. The committee must meet to see how they wish to proceed on that endeavour but will be doing so in the near future.

Scotiabank Closure

Councillor Pond reiterated the announcement by Deputy Mayor Hooper.

6. Lands Committee

Update by Councillor White

Councillor White noted that to date permits have been issued for four new residential dwellings, and 206 applications for other types of repairs or renovations. He took time to remind the public of the importance of having a permit. He joked that it would make a good stocking stuffer.

He mentioned that a couple of weeks ago, there was a problem with the sale of a house because of construction outside the boundaries of the property. This would not have happened if permits had been applied for before the construction took place.

Under the Municipalities Act, it is required that Town land sales must be publicly posted for seven days.

23-152 White/Mullett

I hereby motion that we advertise the sale of approximately 91 square meters of land adjacent on the West of 8 Wildwood Street at the accessory land rate of \$18.00 per square meter.

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

Opposed: None

Decision: Motion carried.

7. Public Works

Update by Councillor Mullett

Councillor Mullett brought forward the following motion:

23-153 Mullett/White

Be it resolved that The Town of Lewisporte wishes to enter a Prime Consultant Agreement with Exploits Engineering to provide a level of effort, price and breakdown for the scope of work required to complete the engineering design associated with project number 17-GI-24-00076, Water Tank By-Pass and Intake Repair in the amount of \$39,493.88 inclusive of HST.

Deputy Mayor Hooper asked Councillor Mullett to explain what this project involved. Councillor Mullett went on to explain that in the event there had to be a repair made to the water tank, it would mean that the water to the town would have to be turned off, this by-pass line will by-pass the water tank with the pressure from the pumping system currently in place, so there won't be any water pressure lost. He also answered the question as to what the intake repair was for, he said it is to replace older infrastructure to make it more efficient.

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

Opposed: None

Decision: Motion carried.

Councillor Mullett reminded the public that snow clearing regulations came into effect on December 1st and will remain in effect until April 30th. He highlighted a few important regulations. He pointed out for the interest of the public that the Town's snow clearing regulations are posted on the Town's website.

He took time to thank the public works staff in advance, for the work they will put into making our streets cleaner and safer this winter.

8. Protective Services

Update by Councillor Tucker

Regional Fire Service

At the regularly scheduled protective services committee meeting on November 23rd, members met with a delegation from the Local Service District of Brown's Arm regarding entering into a new agreement with the Town of Lewisporte to continue the regionalization of both fire departments, or whether a different option to continue fire protection services to Brown's Arm would be explored. Those in attendance discussed any concerns or issues with the agreement. The LSD of Brown's Arm was given time to review the agreement with their other members before getting back to us with their answer. Committee members are hoping to hear something back soon.

Councillor Tucker spoke of the upcoming meeting of the protective services committee members with the executive of the Lewisporte Regional Fire Rescue, it is an opportunity to discuss any ongoing concerns or issues.

With the Christmas season fast approaching, Councillor Tucker took time to remind the public to keep fire prevention in mind when putting up their Christmas decorations, namely, lights. Be cautious when lighting up your Christmas trees, especially real trees that tend to dry out as the season progresses, also the large amount of extension cords used can be a fire hazard.

9. Finance/HR

Update by Councillor Haliburton

Councillor Haliburton informed the public that the finance committee has been concentrating their last few meetings on the upcoming budget, she notified the public that the 2024 budget would be brought forward at a special meeting to be held on Tuesday, December 12th at 4:30 pm.

9.1 Cheque Register- Scotiabank (Operating Account)

23-154

Haliburton/Pond

I motion to approve the cheque register as presented, from cheque numbers 003306 to 003336, with the exception of cheques 003307 and 003309 for a total of \$136,248.06.

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

Opposed: None

Decision: Motion carried.

Deputy Mayor Hooper was in conflict and left Chambers at 7:29:47. Councillor Tucker assumed the role as Chair.

23-155 Haliburton/Pond

Motion to approve cheque number 003309.

In favour: Councillors Haliburton, Mullett, Pond, Tucker and White.

Opposed: None

Decision: Motion carried.

Deputy Mayor Hooper re-entered Chambers at 7:30:21 and resumed the role as Chair.

Councillor Tucker was in conflict and left Chambers at 7:30:38.

23-156 Haliburton/Pond

Motion to approve cheque number 003307.

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

Opposed: None

Decision: Motion carried.

Councillor Tucker re-entered Chambers at 7:31:04.

10. Other Committees and/or Business

Deputy Mayor Hooper reminded the committee chairs to start working on the newsletter write up that is included with the Town tax invoices.

Deputy Mayor Hooper took time to thank the finance committee, management, and office staff for their time to complete a balanced 2024 budget. Council was presented with a draft of the budget at a privileged meeting, he noted that Council was pleased with what was submitted. He reiterated the time and date of the 2024 budget adoption meeting.

He noted for the public's interest, that the public council meeting to be held on December 26th is cancelled, and the next meeting will be held on Tuesday, January 16th.

Mayor Freake asked Deputy Mayor Hooper to inform the community that she is in the process of reaching out to Staff Sargent Larry Turner of the Gander RCMP Detachment to get an update on when Lewisporte can expect the new Corporal.

Councillor Mullett expressed Merry Christmas wishes and Happy New Year to the community, this was reiterated by Councillor Tucker.

11. Adjournment

23-157 Hooper/Pond

Resolved that the meeting adjourn.

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

Opposed: None

Decision: Motion carried.

Time of adjournment: 7:36 PM.

Next Public Council Meeting to be held on December 12, 2023.



Brian Hooper, Deputy Mayor



Coreen Colbourne, Town Clerk/Treasurer