

1Public Meeting of Witless Bay Council  
Town Hall - 7:45 p.m.  
November 13, 2014

Attending: Mayor Sébastien Després, Deputy Mayor Dena Wiseman, Councillors: René Estrada, Ralph Carey, Kevin Smart

Recording: Geraldine Caul

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1. Mayor Sébastien Després called the meeting to order at 7:45 p.m.
2. **2014-296** Ralph Carey/Kevin Smart  
Be it resolved Council adopt the November 13, 2014 Agenda to include under Public Works (I) Fence - Mallowney's Lane.  
**Motion carried as amended unanimously.**
3. **2014-297** Dena Wiseman/René Estrada  
Be it resolved council adopt October 14 Minutes of Meeting.  
Sébastien asked to make a change under "Community Enhancement Committee," to include all the names of the groups and associations who helped out with the Tidy Towns competition (as they had been listed during the meeting).  
**Motion carried as amended unanimously.**
4. Presentations:
  - a. Ed Vickers
  - b. Gary Churchill
5. Business Arising from Minutes:
  - a. Town Plan - Dena explained that because the Consultation process has passed, Council is not able to accept new requests, since this would further delay the Town Plan. She also explained that Council has decided to change the zoning in specific areas back to Rural.  
  
**2014-298** Dena Wiseman/René Estrada  
Be it resolved that Council amend its Land Use Zoning Map with the changes identified on maps 2014-11-13a and 2014-11-13b. (Appendix I)  
Discussion: A member of the public raised a concern about some councillors potentially being in a conflict of interest in relation to the adoption of the Town Plan. Given the uncertainty, the Chair invited Dena Wiseman and Ralph Carey to leave the chamber at

9:00 p.m. Council agreed to seek direction from Municipal Affairs before proceeding to a vote on the adoption of the Town Plan 2014-2024.

Dena Wiseman and Ralph Carey returned to the chamber at 9:05 p.m.

Sebastien reminded Council there was a motion on the floor unrelated to the adoption of the Town Plan itself and about which there is no conflict of interest.

**Motion carried unanimously.**

**2014-299** René Estrada/Kevin Smart

Be it resolved Council table adoption of the Town Plan pending direction from the Department of Municipal Affairs.

**Motion carried unanimously.**

- b. Fence off Mallowney's Lane - Dena recommended that Council forward the letter submitted by Ed Vickers to Crown Lands for their advice on this matter before making any decision on the application for the fence.

**2014-300** Ralph Carey/Kevin Smart

Be it resolved Council forward presentation submitted by Ed Vickers to Crown Land for their review.

**Motion carried unanimously.**

- c. Crown Land off Mallowney's Lane

**2014-301** Ralph Carey/René Estrada

Be it resolved Council decline Municipal Recommendation for Crown Land due to the fact that a portion of the land to be used is private land owned by someone other than the applicant.

**Motion carried unanimously.**

- d. **2014-302** Ralph Carey/René Estrada

Be it resolved Council approve fence on 27 Northside Track.

**Motion carried unanimously.**

- e. **2014-303** Ralph Carey/René Estrada

Be it resolved Council approve sub-grade road on Dean's Road for the purpose of Groundwater Assessment only.

**Motion carried unanimously.**

- f. Small Crafts & Harbours - Sébastien reported that he and Ralph met with three representatives from Small Crafts & Harbours regarding the town's plan for Upper Pond. He said there are several areas that are degrading such as the finger wharves, the slipway, the bridge, and as well, the retaining walls on the south side. The Federal

Government wants to divest themselves of the infrastructures, and the Council will consider ways in which the acquisition of this infrastructure could be beneficial to the Town.

- g. Upcoming by-election - Dena explained that two seats on Council are currently vacant, so a by-election must be called. Council discussed the fact that the Christmas season may not be an opportune time to hold an election, and therefore a request should be made to the Department of Municipal Affairs to allow an extension until the New Year.

**2014-304** Dena Wiseman/René Estrada

Be it resolved Council ask the Minister, under Section 6 (3) of the Municipal Elections Act, to defer the by-election and ask for an extension for early into the new year.

**Motion carried unanimously.**

**2014-305** Dena Wiseman/Ralph Carey

Be it resolved Council set the tentative dates of January 21, 2015 for the Nomination Day and February 25 for the town's by-election.

**Motion carried unanimously.**

6. Committees Reports:

**Finance:**

- a. Income Statement - Council information.
- b. Funding request from Kinsmen Club

**2014-306** Dena Wiseman/Ralph Carey

Be it resolved Council deny request for funding for the Santa Claus Parade due to donations being provided to the group already throughout the year for a separate event.

For the motion: 0

Against the motion: Sébastien Després, Dena Wiseman, Réne Estrada, Ralph Carey, Kevin Smart.

**Motion failed.**

**2014-307** - Dena Wiseman/Kevin Smart

Be it resolved Council provide a donation based on budget availability, and empower the Finance Committee to make the final decision.

**Motion carried unanimously.**

- c. Well cover - Ralph reported a quote of \$1208 was received to install a well cover, but that Council had since been directed by Service NL to fill in the well. The lowest bid received to fill in the well was \$678. Ralph then added that a quote of \$371.77 was also

received to cover the window well at the Puffin Centre and recommended this be done for safety reasons.

**2014-308** Ralph Carey/Kevin Smart

Be it resolved Council not accept a quote of \$1208 for a well cover, but that Council fill in the old well instead, at the quoted cost of \$678.00.

**Motion carried unanimously.**

**2014-309** Ralph Carey/René Estrada

Be it resolved Council purchase and install the window well cover at quoted cost of \$371.77.

**Motion carried unanimously.**

- d. Drain cleaning - Ralph explained that several culverts in the Town need to be cleaned out properly, and that he contacted vac truck companies. He said the lowest bid was from Afonso at \$140.00/hour plus HST.

**2014-310** Ralph Carey/René Estrada

Be it resolved Council hire Afonso at \$140/hour plus HST to clean drains identified by public works ASAP.

**Motion carried unanimously.**

**Community Enhancement Committee:**

- a. Tourism Economic Development Plan - Sébastien explained that Tourism Economic Development Plan is being finalized and will be delivered to Council within the next days.
- b. Vision Statement - Sébastien reported that about 20 participants attended the Community Enhancement Committee meeting last week. He explained that the participants participated in a brainstorming session, describing the town residents would like to live in 2030. The group then broke away into 3 groups, each of whom drafted a preliminary vision statement. He said the mediator will develop the ideas created by the 3 groups and present it to the committee into a coherent vision.
- c. Christmas Tree lighting - Sébastien said that at the last Community Enhancement meeting, the committee felt that Witless Bay should have a Christmas Tree Lighting Ceremony. It was decided that the potential project should be spearheaded by the members of the Community Enhancement Committee.

**Heritage Committee:**

Kevin Smart reported that the Sobol's were designing a Christmas card, that Barry Norris was doing a study on the history of the Fish Plant and the importance it has been to the

Town. He said that Bonnie Johnstone and Maureen Walsh were working on a book of recipes. They were interviewing community members and were collecting recipes and old pictures. Kevin added that the Heritage Committee was also interested in getting the old graveyard cleaned up.

Sébastien vacated the Chair and left the chamber at 9:35 p.m. for discussions on the clean-up of the graveyard.

Dena said she offered to meet with representatives of the Fish Plant and a nearby business and that a meeting was set up but got cancelled because one of the representatives couldn't make it. She said she is prepared to follow up on this in the New Year and will reschedule a meeting.

Sébastien returned to the Chair at 9:38 p.m.

**Public Works & Compliance:**

- a. **2014-311** Ralph Carey/Dena Wiseman  
Be it resolved Council approve in principle residential single family dwelling on New Line Road subject to approval from Services NL.  
**Motion carried unanimously.**
  - b. **2014-312** Ralph Carey/René Estrada  
Be it resolved Council approve in principle residential single family dwelling on 11-17 Dean's Road subject to approval from Services NL.  
**Motion carried unanimously.**
  - c. **2014-313** Ralph Carey/René Estrada  
Be it resolved Council approve in principle residential single family dwelling on 11-17 Dean's Road, subject to approval from Services NL.  
Discussion: Ralph said this development would include a basement apartment.  
**Motion carried unanimously.**
  - d. **2014-314** Ralph Carey/Dena Wiseman  
Be it resolved Council approve in principal residential single family dwelling on 217-227 Dean's Road, subject to approval from Services NL.  
**Motion carried unanimously.**
- 2014-315** Ralph Carey/Dena Wiseman  
Be it resolved Council approve shed on 217-227 Dean's road contingent on it not exceeding 70m sq.  
**Motion carried unanimously.**

- e. **2014-316** Ralph Carey/Kevin Smart  
Be it resolved Council approve extension to existing residence on 3 Gallows Cove Road contingent on there being no plumbing or septic alterations.  
**Motion carried unanimously.**
  
- f. **2014-317** Ralph Carey/René Estrada  
Be it resolved Council approve shed on 15 Green Hill Drive.  
**Motion carried unanimously.**
  
- g. **2014-318** Ralph Carey/Dena Wiseman  
Be it resolved Council approve fence off Mullowney’s Lane.  
**Motion carried unanimously.**
  
- h. **2014-319** Ralph Carey/Dena Wiseman  
Be it resolved Council approve fence on 301 Southern Shore Highway.  
**Motion carried unanimously.**
  
- i. **2014-320** Dena Wiseman/Ralph Carey  
Be it resolved Council deny the application for a fence off Mullowney’s Lane.  
Discussion: Dena explained that in the documentation, there is a reference to an “issue intervention” relating to a Quieting of Titles for this piece of property. She contacted Crown Lands to inquire about this, and forwarded to the Supreme Court. Dena said she was informed that there was an adverse claim on that land and nothing further has been done on it since 1992. Dena said if there is an adverse claim, Council cannot be certain of the boundaries, and therefore, Council should be careful about proceeding with this.  
**Motion carried unanimously.**
  
- 7. **2014-321** Dena Wiseman/Kevin Smart  
Be it resolved Council adjourn at 9:50 p.m.  
**Motion carried unanimously.**

Mayor: \_\_\_\_\_

Town Clerk/Manager: \_\_\_\_\_