

Public Meeting of Witless Bay Council  
Town Hall  
February 16, 2017

Attending: Mayor Sebastien Despres, Deputy Mayor Dena Wiseman, Councillors Maureen Murphy, Fraser Paul, Ralph Carey, and Vince Swain

Absent: Councillor Kevin Smart

Recording: Geraldine Caul & Barb Harrigan

1. The meeting was called to order by Mayor Sebastien Despres at 7:35 p.m.
2. **2017-017** Deputy Mayor Dena Wiseman/Councillor Ralph Carey  
Be it resolved that Council adopt the Agenda of February 16, 2017 as presented.  
**Motion carried unanimously.**
3. **2017-018** Councillor Maureen Murphy/Deputy Mayor Dena Wiseman  
Be it resolved that Council adopt the Minutes of January 10, 2017 as presented.  
**Motion carried unanimously.**

4. COMMITTEE REPORTS

**Finance and Economic Development**

- a. Payables – Presented for Council information only.
- b. Snow clearing invoices and logs for the period of January 1 to February 4, 2017 –

**2017-019** Councillor Ralph Carey/Deputy Mayor Dena Wiseman  
Be it resolved that Council pay the snow clearing contractor, Harbour Construction, for invoices for the period of January 1 to February 4, 2017.  
**Motion carried unanimously.**

- c. Mobile Central High School – Senior’s Outreach Dinner

**2017-020** Deputy Mayor Dena Wiseman/Councillor Ralph Carey  
Be it resolved that Council contribute to the Senior Outreach Dinner for a maximum of \$1500.  
**Motion carried unanimously.**

- d. Motion to accept budget cost overruns for Southside Track Phase 2 (\$24,375) – Geraldine informed Council that the Department of Municipal Affairs notified the Town Office that the cost of overrun must be paid, and a motion needs to be made to process the payment. The Department stated that Council had the option of applying for the extra funding to offset the cost of the overruns.

**2017-021** Deputy Mayor Wiseman/Councillor Carey

Be it resolved that Council accept the budget overruns of \$24,375 for Southside Track Phase 2.

Discussion: Councillors Swain and Paul expressed their issue with paying an extra cost since the completed work was inadequate, and several issues still remain. Mayor Despres explained that the office was told by the Department of Municipal Affairs that the Town cannot withhold payment from Capital Works project.

For the motion: Mayor Despres, Deputy Mayor Wiseman and Councillor Carey

Against: Councillor Murphy, Councillor Paul and Councillor Swain

**Motion failed.**

- e. Southside Track Stabilization Tender Results – Councillor Carey explained that there were two bidders for this tender, O’Brien’s Trucking for \$9,635.85 and Harbour Construction for \$4,688.55.

**2017-022** Councillor Ralph Carey/Deputy Mayor Dena Wiseman

Be it resolved that Council accept the bid from Harbour Construction for \$4,688.55 for the Southside Track Stabilization work.

**Motion carried unanimously.**

**Planning & Development**

- a. Witless Bay Fire Station – Mayor Despres reported that Council will be setting up a meeting with the architect on this project for next week, and no decisions will be made until after this meeting.

**Public Works & Infrastructure**

- a. Status Report – 54 Gallows Cove Road. Councillor Fraser Paul declared a conflict of interest due to his brother-in-law being the listing agent in the sale of this property, and left the chamber at 7:50 pm.

**2017-023** Deputy Mayor Wiseman/Councillor Carey

Be it resolved that Council go In Camera at 7:50 pm to hold discussions on 54 Gallows Cove Road.

**Motion carried unanimously.**

The public meeting reconvened at 7:57 pm.

**2017-024** Councillor Carey/Councillor Swain

Be it resolved that a removal order be given whereas the structure was not built in accordance with the required development criteria for accessory buildings in our Town Plan Development Regulations, Schedule C (4), and the structure interferes with the pre-existing watercourse and the maintenance of this watercourse, and also, the structure was not built in accordance with the application that was submitted and approved by Council.

**Motion carried unanimously.**

Councillor Paul returned to the Chamber at 7:59 pm.

- b. Extension to garage on 481 O'Brien's Road

**2017-025** Councillor Carey/Deputy Mayor Wiseman

Be it resolved that Council deny the application for extension to existing garage on 481 O'Brien's Road because the 70 sq. metre maximum is exceeded for this property.

**Motion carried unanimously.**

- c. Application to operate a Home Based consulting business on 21 Andrew's Lane –

**2017-026** Councillor Carey/Councillor Murphy

Be it resolved that Council approve a virtual home based consulting business on 21 Andrew's Lane.

**Motion carried unanimously.**

- d. Application to operate a Spa on 367 Southern Shore Highway –

**2017-027** Councillor Carey/Councillor Swain

Be it resolved that Council approve an application to operate a Spa on 367 Southern Shore Highway subject to approvals from Services NL and any other government departments having jurisdiction.

**Motion carried unanimously.**

- e. Application to operate Tim Horton's on 44-54 Southern Shore Highway –

**2017-028** Councillor Carey/Councillor Murphy

Be it resolved that Council approve an application to operate a Tim Horton's on 44-54 Southern Shore Highway subject to approvals from Services NL and any other government departments having jurisdiction.

**Motion carried unanimously.**

- f. Crown Land referral for Mullowney's Lane – Councillor Murphy asked that Council determine whether or not she is in a conflict of interest for this item. Councillor Murphy left the chamber at 8:05 pm.

**2017-029** Councillor Carey/Deputy Mayor Wiseman

Be it resolved that Councillor Murphy is in a conflict of interest given that the applicant is to build a road into her brother's property.

For the motion: Mayor Despres, Deputy Mayor Wiseman and Councillor Carey

Against: Councillors Paul and Swain

**Motion carried.**

It was noted that in June 2016 Council applied to the Department of Municipal Affairs for a Crown Land Reserve in the Ragged Beach area [motion #2016-115], and a motion was also made not to accept any further Municipal Recommendations for Crown Land in that area, [motion #2016-117].

Councillor Murphy returned to the Chamber at 8:14 pm.

**2017-030** Deputy Mayor Wiseman/Councillor Carey

Be it resolved that Council adjourn the public meeting at 8:14 pm.

**Motion carried unanimously.**