



LABRADOR CITY

COUNCIL MEETING MINUTES

December 11th, 2018
1 pm

- In Attendance: Wayne Button, Mayor
Fabian Benoit, Deputy Mayor
Councillor John Penney
Councillor Junior Humphries
Councillor Ken Lawlor
Councillor Richard Fahey
Councillor Nick McGrath
- Staff Present: Cathy Etsell, CAO
Kim Conway, Director of Finance & Admin
Tom Mihajlovic, Director of Eng. & Public Works
Adam Smith, Director of Recreation
Craig Purves, Director of Planning & Development
Krista Hedlund, Executive Assistant
Shelley Lilly, IT/Communications
- Regrets: N/A

1. **Call Meeting to Order**

1.1. **Adoption and Approval of Agenda**

Moved By: Deputy Mayor Benoit

Seconded By: Councillor Humphries

Be it resolved the agenda for meeting of December 11th, 2018 be adopted as presented.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

2. **Delegations**

N/A

3. **Adoption and Signing of Minutes**

3.1. **Adoption and Approval of Minutes**

Moved By: Councillor Penney

Seconded By: Councillor McGrath

Be it resolved the minutes of the public meetings held November 13th, 2018 be adopted as presented.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

4. **Business Arising from Minutes**

4.1 All items from the previous meeting of Council have been actioned.

5. Correspondence

5.1 Appointments to New Labrador Appeals Board

Correspondence received from the Department of Municipal Affairs dated November 16, 2018 provides details on the newly appointed Labrador Appeals Board. Appointments were made based on the merit-based process as established through the Public Service Commission, the board includes: Karen Oldford (Chair), George Andrews, Reginald Hutchings and Nina Rumbolt-Pye.

5.2 IOC External Stakeholder Business Brief – October 2018

IOC issued their monthly External Stakeholder Business Brief for October 2018.

5.3 Labrador Grenfell Health – Community Health Needs Assessment

Regional Health Authorities within NL are tasked with assessing the health and community needs of residents on an ongoing basis. The Needs Assessment will help identify the strengths and needs of the community. It will aim to identify the health issues of greatest risk and work with our community partners to priorities these needs.

5.4 Labrador West Health Auxiliary

The Labrador West Health Auxiliary sends a thank you along for providing tables and chairs for their fall flea market fundraiser. Fundraising profits to toward enhancing the well being of residents of Labrador West, their most recent donation was over \$20,000.

5.5 Menihek Nordic Ski Chalet

Menihek Nordic Ski Chalet sends along a thank you for approving the installation of 10 new street lights along Smokey Mountain Road.

5.6 Labrador West Pride Committee

The Labrador West Pride Committee sends along a thanks you for supporting and participating in the 2018 Pride Week Celebrations.

5.7 Tamarack Golf Club

The Tamarack Golf Club sends along a thank you for the donation to the 2018 season.

5.8 Dept of Municipal Affairs & Environment

The Department of Municipal Affairs & Environment sends correspondence advising that the Town's Development Regulations and Municipal Plan have been registered and that the town must publish a notice in the NL Gazette within 10 days.

6. New Business

6.1 IOC Regional Trail Partnership Agreement

Moved By: Councillor Lawlor

Seconded By: Councillor Fahey

Be it resolved Council enter into a partnership agreement with IOC in the amount of \$20,000 in support of Phase I of the development of the Regional Trail Network.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

6.2 TCII – Regional Trail Network

Moved By: Deputy Mayor Benoit

Seconded By: Councillor Humphries

Be it resolved Council enter into a funding agreement with TCII in the amount of \$40,879.04 for the development of the Regional Trail Network.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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6.3 ACOA – Regional Trail Network

Moved By: Councillor McGrath

Seconded By: Councillor Penney

Be it resolved Council enter into a funding agreement with ACOA in the amount of \$57,230.65 for the development of the Regional Trail Network.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

6.4 Funding Applications

a) **Moved By:** Councillor Lawlor

Seconded By: Councillor Fahey

Be it resolved that Council with the Town of Labrador City applies for federal and provincial funding for Lifestyle Centre in the amount of \$36,544,700 (thirty-six million five hundred forty-four thousand and 700 hundred dollars) inclusive of HST.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

b) **Moved By:** Deputy Mayor Benoit

Seconded By: Councillor Humphries

Be it resolved that Council with the Town of Labrador City applies for federal and provincial funding for Public Works Depot Infrastructure upgrade in the amount of \$980,000 (nine hundred eighty thousand dollars) inclusive of HST.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- c) **Moved By:** Councillor Penney
Seconded By: Councillor McGrath

Be it resolved that Council with the Town of Labrador City applies for federal and provincial funding for Lifestyle Centre in the amount of \$36,544,700 (thirty-six million five hundred forty-four thousand and 700 hundred dollars) inclusive of HST.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

6.5 Budget 2019

- Moved By:** Councillor Humphries
Seconded By: Councillor Benoit

Be it resolved that the Town of Labrador City 2019 Municipal Budget as presented by the Finance and Administration Committee, showing total revenues of \$24,497,103 and total expenditures of \$24,497,103 for a balanced budget be adopted.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- a) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that that in accordance with provisions of Section 112(2) of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, a Real Property Tax be set at the rate of 5.3 mils for residential properties and 15.65 mils for commercial properties effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- b) **Moved By:** Councillor Fahey
Seconded By: Councillor Lawlor

Be it resolved that in accordance with provisions of Section 114(b) of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, the minimum Residential & Commercial Property Tax be set at the rate of \$500.00 per annum, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- c) **Moved By:** Councillor Humphries
Seconded By: Deputy Mayor Benoit

Be it resolved that in accordance with provisions of Section 114 (c) of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, the minimum Commercial Property Tax for Vacant Land be set at the rate of \$5,500.00 per annum, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- d) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that in accordance with provisions of Section 130 and Section 131 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, the annual Water and Sewage Tax be set at a rate of \$400.00 per residential unit, subsidiary apartment and serviced attached or detached accessory buildings, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- e) **Moved By:** Councillor Fahey
Seconded By: Councillor McGrath

Be it resolved that in accordance with provisions of Sections 120 to 124 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, Business Tax rates effective January 1, 2019 be set as follows:

| | |
|-----------|--|
| Class 1.0 | 75.00 mils of assessed value |
| Class 1.1 | 37.50 mils of assessed value |
| Class 10 | 55.00 mils of assessed value |
| Class 2 | 17.80 mils of assessed value |
| Class 3 | 17.80 mils of assessed value |
| Class 4 | 17.80 mils of assessed value |
| Class 5 | 4.30 mils of assessed value |
| Class 6 | 29.50 mils of assessed value |
| Class 8 | 3.55 mils of assessed value |
| Class 9 | Greater of \$300.00 or 3% of Gross Revenue up to a maximum of \$5,500 per annum |

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- f) **Moved By:** Deputy Mayor Benoit
Seconded By: Councillor Humphries

Be it resolved that in accordance with provisions of Section 5 of the Act Respecting the Taxation of Utilities and Cable Television Companies, Chapter T-0.1, SNL1992, a business tax (Class 7) be set at the rate of 2.5% effective January 1, 2019, on the gross revenue of the utility for the preceding year derived within the municipality of Labrador City.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- g) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that in accordance with provisions of Section 124 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, different classes of businesses shall be established in accordance with Schedule "C", effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- h) **Moved By:** Councillor Lawlor
Seconded By: Councillor Fahey

Be it resolved that in accordance with provisions of Section 125 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, the minimum Business Tax effective January 1, 2019 be set as follows:

| | |
|-------------------|-------------------|
| Class 3 | \$5,500 per annum |
| Class 6 | \$1,000 per annum |
| All other classes | \$ 300 per annum |

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- i) **Moved By:** Councillor Humphries
Seconded By: Deputy Mayor Benoit

Be it resolved that in accordance with provisions of Section 131 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, Water Rates for Special Users effective January 1, 2019 be set as follows:

| | |
|---------------------------|--|
| Industrial: | \$ 2.30 per 1000 gallons metered |
| Commercial: | |
| Regular | \$ 1.54 per 1000 gallons metered |
| Temporary Workers Housing | \$ 1.54 per 1000 gallons metered Minimum \$400 / unit |
| Institutional: | \$ 1.54 per 1000 gallons metered |
| Flat Rate: | \$ 400.00 per annum (fixed rate) |

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Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- j) **Moved By:** Councillor Penney
Seconded By: Councillor McGrath

Be it resolved that in accordance with provisions of Section 136 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, the fee for Tax Certificates and Letters of Compliance be set at \$100.00 each, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- k) **Moved By:** Councillor Fahey
Seconded By: Councillor Lawlor

Be it resolved that Municipal Fees shall be set in accordance with Schedule "A" and as described in the 2019 Budget, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- l) **Moved By:** Councillor Humphries
Seconded By: Deputy Mayor Benoit

Be it resolved that Recreational Recoveries shall be set in accordance with Schedule "B" and as described in the 2019 Budget, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- m) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that Emergency Response Recoveries, for responses outside of the Town of Labrador City Municipal Boundaries, and not otherwise covered through mutual aid or other partnership agreements, shall be set in accordance with Schedule "D" and as described in the 2019 Budget, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- n) **Moved By:** Councillor Fahey
Seconded By: Councillor Lawlor

Be it resolved that Equipment Rental Recoveries shall be set in accordance with Schedule "E" and as described in the 2019 Budget, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- o) **Moved By:** Deputy Mayor Benoit
Seconded By: Councillor Humphries

Be it resolved that in accordance with provisions of Section 101(2) of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, all taxes shall be due and payable thirty (30) days from the date invoiced, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- p) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that in accordance with provisions of Section 111 of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, that Council set the Total Family Income threshold for 90% Residential Property Tax Rebate at \$30,801 and \$6,125 per dependent, effective January 1, 2019. The Total Family Income threshold for 50% Residential Property Tax Rebate shall be set at \$30,801 – 35,764 and \$6,125 per dependent, effective January 1, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- q) **Moved By:** Councillor Fahey
Seconded By: Councillor Lawlor

Be it resolved that in accordance with provisions of Section 107(1) of the Municipalities Act, Chapter M-24, S.N. 1999 as amended, simple interest on taxes unpaid on or before the due date be set at prime plus 3% effective January 1, 2019, with the allowance to round to the nearest two decimal places for the monthly rate.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- r) **Moved By:** Councillor Humphries
Seconded By: Deputy Mayor Benoit

Be it resolved that sundry receivables unpaid after thirty days from date of invoicing shall be charged simple interest at the rate of prime plus 3% effective January 1, 2019, with the allowance to round to the nearest two decimal places for the monthly rate.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- s) **Moved By:** Councillor Lawlor
Seconded By: Councillor Penney

Be it resolved that a credit limit of \$61,000 be established at the US Bank Canada for the Town of Labrador City.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- t) **Moved By:** Councillor Fahey
Seconded By: Councillor Lawlor

Be it resolved that the borrowing arrangements for a temporary operating credit in the amount of \$500,000 be made with the Canadian Imperial Bank of Commerce, Labrador City for the 2019 fiscal year to assist with operating expenses pending receipt of revenues. Any and all advances made on the loan to be paid in full on or before December 31, 2019.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- u) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved that a 5th (fifth) unionized Arena Attendant position be approved as presented in the 2019 Budget.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor McGrath and Councillor Fahey in favor. Councillor Lawlor opposed. **Carried**

7. Committee Reports

7.1 Finance & Admin

- a) **Moved By:** Councillor Lawlor
Seconded By: Councillor Fahey

Be it resolved Council approve a donation in the amount of \$250.00 to Menihek High School for their annual Awards Night, \$1,000.00 HOWL for their annual donation, \$250.00 to USW, Local 6185 for the Community Christmas Day Dinner and \$10,000 to Lab West Rotary for their annual donation for Peace Park.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- b) **Moved By:** Councillor McGrath
Seconded By: Councillor Penney

Be it resolved Council approve Accounts Payable & Purchase Orders in the amount of \$2,971,809.20 as presented.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

- c) **Moved By:** Councillor Penney
Seconded By: Councillor McGrath

Be it resolved Council grant permission to payout loan #89-01155 at Canadian Imperial Bank of Commerce for Phase II of the Industrial Park Expansion in the amount of \$101,837.91.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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- d) **Moved By:** Councillor Lawlor
Seconded By: Deputy Mayor Benoit

Be it resolved Council approve amended Policy 2.4-1 Donation as presented.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

8. Applications for Permits

8.1 Approval in Principle Permit 18-316 General Assembly 500 Vanier Ave

Moved By: Deputy Mayor Benoit
Seconded By: Councillor Humphries

Be it resolved Council approve Approval in Principle Permit 18-316 for General Assembly at 500 Vanier Avenue, subject to no objections being received and stipulations outlined on the permit.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

8.2 BIRA Permit 18-317 842 Carol Drive

Moved By: Councillor Penney
Seconded By: Councillor Lawlor

Be it resolved Council approve BIRA Permit 18-316 for a home-based business located at 842 Carol Drive, subject to no objections being received and stipulations outlined on the permit.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

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8.3 Approval in Principle Permit 18-318 Land Assembly 135 Avalon Drive

Moved By: Councillor Fahey

Seconded By: Councillor Lawlor

Be it resolved Council approve Approval in Principle Permit 18-318 for Land Assembly at 135 Avalon Drive, subject to no objections being received and stipulations outlined on the permit.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

8.4 BIRA Permit 18-319 3022 Tanya Crescent

Moved By: Councillor Humphries

Seconded By: Councillor McGrath

Be it resolved Council approve BIRA Permit 18-317 for a home-based business located at 3022 Tanya Crescent, subject to no objections being received and stipulations outlined on the permit.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

8.5 Permit Ratification List #12

Moved By: Deputy Mayor Benoit

Seconded By: Councillor Fahey

Be it resolved Council approve Permit Ratification List #12 as presented.

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

9. Unfinished Business

N/A

10. Tenders

10.1 TLC-14-18 Reverse Tender

Moved By: Councillor Humphries

Seconded By: Councillor Fahey

Be it resolved Council award Reverse Tender TLC-14-18 for Used Equipment as follows: (all bids are exclusive of HST).

| | | |
|----------------------------------|---------------|-----------|
| Item #1 2005 GMC Sierra (TLC-05) | Peter Boland | \$626.00 |
| Item #2 2005 GMC Sierra (TLC-09) | Terry Smith | \$555.56 |
| Item #3 Garrier Forks | R&B Equipment | \$1501.00 |
| Item #4 Hewitt Forks | R&B Equipment | \$200.00 |
| Item #5 Wing Bucket (Large) | R&B Equipment | \$500.00 |
| Item #6 Wing Bucket | R&B Equipment | \$200.00 |

Question called; Mayor Button, Deputy Mayor Benoit, Councillor Penney, Councillor Humphries, Councillor Lawlor, Councillor McGrath and Councillor Fahey all in favor. **Carried**

11. Date of Next Meeting & Adjournment

The date of the next Council Meeting will be Tuesday, January 22nd at 1 pm. There being no further business to discuss, the meeting was adjourned at 1:57 pm by Deputy Mayor Benoit.

Kim Conway, Town Clerk

Wayne Button, Mayor