

## **REGULAR GENERAL MEETING, DECEMBER 18, 2014**

A Regular General Meeting of the Council of the Town of Stephenville was held in the Council Chambers at 12:14 p.m. on December 18, 2014.

Present:

Mayor Tom O'Brien,  
Deputy Mayor, Mike Tobin  
Councillors: Laura Aylward  
John Finn  
Don Gibbon  
Justin House  
Darlene Oake

Also Present:

Town Manager, Mike Campbell  
Town Clerk, Carolyn Lidstone

### **MINUTES**

#### **REGULAR GENERAL MEETING, December 4, 2014**

Motion – Gibbon/Aylward

No. 14-262 That the Minutes of the Regular General Meeting of December 4, 2014 be adopted as circulated.  
Carried Unanimously

### **COMMITTEE REPORTS**

#### **FINANCE COMMITTEE**

##### **ACCOUNTS PAYABLE FOR NOVEMBER 2014**

Motion - Gibbon/House

No. 14-263 That the recommendation of the Finance Committee be accepted and the Accounts Payable for November 2014 totaling \$178,442.52 be approved.  
Carried Unanimously

**WESTERN NEWFOUNDLAND  
DESTINATION MANAGEMENT  
ORGANIZATION 2015  
WAYFINDER**

Motion - Gibbon/Finn

No. 14-264 That the recommendation of the Finance Committee be accepted and The Town of Stephenville contribute \$550.00 to the summer of 2015 Wayfinder Project being undertaken by the Western Newfoundland Destination Management Organization.

Carried Unanimously

**REVISED DEFINITION OF  
BUSINESS IMPROVEMENT  
AREA**

Motion - Gibbon/Tobin

No. 14-265 That the recommendation of the Finance Committee be accepted and as per the original defined area, that "east side of Queen Street from Main Street to St. George's Avenue" be included in the Revised Definition of the Business Improvement Area as adopted at the December 4, 2014 Regular General Meeting.

Carried Unanimously

**ADOPTION OF 2015 BUDGET**

Councillor Gibbon, Chairperson of the Finance Committee presented his Preamble to the 2015 budget, a copy of which is attached to and forms a part of these minutes.

## **2015 BUDGET ADOPTION**

Motion - Gibbon/Aylward

No. 14-266 That the recommendations of the Finance Committee be accepted; and in accordance with Section 77 of the Municipalities Act, Chapter M-24, the 2015 Budget containing in all total Revenues of \$8,456,376 and total Expenditures of \$8,456,376 be hereby adopted.

Carried Unanimously

## **DUE DATE**

Motion - Gibbon/Oake

No. 14-267 That the recommendations of the Finance Committee be accepted; and in accordance with Section 101, Sub-section 2, of the Municipalities Act, Chapter M-24, the due date for taxes for the Town of Stephenville for the year 2015 be March 31, 2015.

Carried Unanimously

## **PROPERTY TAX**

Motion - Gibbon/Tobin

No. 14-268 That the recommendations of the Finance Committee be accepted; and in accordance with Sections 112, 113 and 114 of the Municipalities Act, Chapter M-24, the Town of Stephenville impose a Real Property Tax on the owners of real property within the Town of Stephenville at a rate of

- a. 8.0 mills per \$1,000 of assessed value for Residential property;
- b. 8.5 mills per \$1,000 of assessed value for Commercial property,

with effect January 1, 2015.

The minimum Property Tax per parcel shall be \$150.00 per annum.

Carried Unanimously

## REMISSION OF TAX

Motion - Gibbon/House

No. 14-269 That the recommendations of the Finance Committee be accepted; and in accordance with Section 111 of the Municipalities Act, Chapter M-24, remission of taxes for the year 2015 be granted subject to the following conditions:

A. Based on previous year's income on a sliding scale as follows:

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<b>If your combined household gross earnings before deductions for 2014 were:</b>	<b>Your 2015 Property Tax will be</b>
Below \$14,750.00	\$100.00 Property Tax
\$14,750.01 - \$15,750.00	\$100.00 Property Tax or 20% of annual property tax rate, whichever amount is greater
\$15,750.01 - \$16,750.00	\$100.00 Property Tax or 30% of annual property tax rate, whichever amount is greater
\$16,750.01 - \$17,750.00	\$100.00 Property Tax or 40% of annual property tax rate, whichever amount is greater
\$17,750.01 - \$18,750.00 rate,	\$100.00 Property Tax or 50% of annual property tax rate, whichever amount is greater
\$18,750.01 - \$19,750.00	\$100.00 Property Tax or 60% of annual property tax rate, whichever amount is greater
\$19,750.01 - \$20,750.00	\$100.00 Property Tax or 70% of annual property tax rate, whichever amount is greater
\$20,750.01 - \$21,750.00	\$100.00 Property Tax or 80% of annual property tax rate, whichever amount is greater
\$21,750.01 - \$22,750.00	\$100.00 Property Tax or 90% of annual property tax rate, whichever amount is greater
\$22,750.01 and over	Full amount of annual Property Tax rate

- B. Total 2014 gross earnings of all residents at the property must be within the preceding scale to apply.
- C. Proof of Income - Certified copy of previous year's income tax return and/or statement of earnings from source of income satisfactory to Council.
- D. Affidavit - Must be witnessed by a Justice of the Peace or Commissioner of Oaths.
- E. All 2015 applications must be received before December 31, 2015 and apply to the year 2015 only.
- F. These requirements apply to personal residence only; and it must be occupied by applicant.
- G. Liable amount of Property Tax must be paid by taxpayer prior to approval.

Carried Unanimously

## **BUSINESS TAX**

Motion - Gibbon/Finn

No. 14-270            That the recommendations of the Finance Committee be accepted; and in accordance with Sections 120, 121, 122, 123, 124, and 125 of the Municipalities Act, Chapter M-24, with effect January 1, 2015:

- (i)    a **BUSINESS TAX** shall be imposed on all individuals, partnerships, associations, and corporations carrying on business in the Town and the rate of Business Tax so imposed for each class of business shall be fixed at:
  - a.    2.0% (20.0 mills) Rent-A-Car Agencies
  - b.    5.1% (51.0 mills) Rent-A-Car Agencies in Kiosks
  - c.    8.0% (80.0 mills) Banks, Credit Unions, Finance Companies
  - d.    3.1% (31.0 mills) Mail Order Companies, Pole Yards
  - e.    2.1% (21.0 mills) Automotive Sales Lots, Broadcasting Companies, Newspapers, Concrete Plants, Department Stores/Dispensaries, Warehousing with no employees on site; Grocery Store/Dispensaries

- f. 1.6% (16.0 mills) Airline Ticket Offices, Barber Shops, Beauty Shops, Jewelry Stores, Drug Stores, Grocery Stores, Funeral Homes, Restaurants, Lounges, Hotels, Salvage Yards, Service Stations with Auto Sales, Travel Agencies, Video Shops
- g. 1.1% (11.0 mills) Fitness Centres
- h. 0.4% (4.0 mills) Service Clubs
- i. 0.65% (6.5 mills) Industrial Manufacturing Companies
- j. 6.0% (60.0 mills) Oil Companies, Tank Farms
- k. 3.0% (30.0 mills) Service Stations with Convenience Store
- l. 2.5% (25.0 mills) Professional Offices, Insurance Offices
- m. Businesses which operate less than 1 month, where the real property tax is not applicable to the business because it has no fixed place of business, the business tax shall be set at the greater of \$500.00 or 0.5% of the gross revenue of the business.
- n. 1.2% (12.0 mills) All Other businesses, including but not limited to:  
Bed and Breakfasts, Construction Companies, Day Care Centres, Flower Shops, Hospitality Homes

per annum of the assessed value of real property used by all individuals, partnerships, associations and corporations carrying on business, trade, or profession in respect of which a tax is imposed as determined by the Assessor, using the Town assessment for real property assessed from time to time under The Municipalities Act, Chapter M-24, and the Assessment Act.

- (ii) The business tax shall be set at the rate of 2.5% of gross revenue for Cablevision Companies, Utility Companies, Power Companies, and Telephone Companies.
- (iii) Where the amount of tax calculated under (i) or (ii) above is less than \$150.00, the minimum business tax shall be set at \$150.00.

New businesses operating in the Town are required to notify the Town Office and register for business tax prior to operating.

All business tax is due January 1st, or from the date the businesses commence.

Carried Unanimously

## **POLL TAX**

Motion - Gibbon/Aylward

No. 14-271 That the recommendations of the Finance Committee be accepted; and in accordance with Section 126 of the Municipalities Act, Chapter M-24, Council impose a poll tax amounting to \$150.00 per annum, with effect January 1, 2015.

Carried Unanimously

As he is responsible for paying the water and sewer rates for Provincial Buildings, Councillor House declared himself in conflict of interest on the next item and left the Council table.

## **WATER AND SEWER RATES**

Motion - Gibbon/Oake

No. 14-272 That the recommendations of the Finance Committee be accepted; and in accordance with the provisions of Sections 130 and 131 of the Municipalities Act, Chapter M-24, Water and Sewer Rates with effect from January 1, 2015 be set as follows:

Residential:

Water and Sewer \$ 28.00 per month

Commercial:

Category I - Commercial General \$ 54.00 per month

Category II - Restaurants, bars,  
public toilets, garages  
with car wash

\$105.00 per month

Category III – Hotels

\$1,000 flat rate plus 2 mills of assessed Value

Ships' Water

\$5.53 per cubic meter of water; labour costs and HST extra

Provincial Government Buildings 6.5 mills of assessed value

Connection Fees

Residential \$1,500.00

Commercial \$1,250.00

Carried

Councillor House abstained from voting

Councillor House returned to the Council table at the conclusion of discussion on this item.

## PERMIT FEES

### Motion - Gibbon/Tobin

No. 14-273 That the recommendations of the Finance Committee be accepted; and in accordance with the provisions of Sections 194, 195, 196, 197, 198, and 199 of the Municipalities Act, Chapter M-24, permit fees with effect January 1, 2015 be set as follows:

New Residences: \$ 75.00

Residential Alterations, Additions,  
Accessory Buildings, Fencing and  
Demolitions

\$ 10.00

Industrial or Institutional

\$ 8.00 per \$1,000 of value of  
work being carried out

#### Commercial :

Signs \$ 10.00

Minor Repairs, ie. painting Complimentary

Value up to \$25,000.00 \$100.00

Value \$25,000.01 to \$50,000.00 \$200.00

Value over \$50,000.01 \$ 4.00 per \$1,000 of value of  
work being carried out

Permit Renewal Fee \$ 5.00

Mobile Canteen Operators

\$200.00 per year or \$50.00  
per month or \$10.00 per day



Roadside Vendor \$ 20.00 per day or \$300.00 per year

Occupancy Permits:

Residential \$ 10.00  
Commercial \$ 25.00

The first \$25.00 of all permit fees is non-refundable.

Carried Unanimously

## **TOWING CHARGES AND IMPOUNDMENT FEES**

Motion - Gibbon/House

No. 14-274 That the recommendations of the Finance Committee be accepted; and in accordance with Section 414 (2) (nn) of the Municipalities Act, Chapter M-24, Vehicle Impoundment Fees with effect January 1, 2015 be set as follows:

1. Towing and storage charges as a result of impoundment equivalent to amount charged by towing company.

Carried Unanimously

## **DOG/CAT LICENCES**

Motion - Gibbon/Finn

No. 14-275 That the recommendations of the Finance Committee be accepted; and in accordance with Section 414 (2) (m) of the Municipalities Act, Chapter M-24, and regulations made thereunder, Dog and Cat Licenses with effect January 1, 2015 be set as follows:

Dog or Cat License (for life of animal and non-transferable): \$ 5.00

Carried Unanimously

## **DOCUMENTS, NON-CONSTRUCTION RELATED INSPECTIONS, AND RESEARCH REPORTS**

Motion - Gibbon/Aylward

No. 14-276 That the recommendations of the Finance Committee be accepted; and in accordance with the provisions of Section 215 of the Municipalities Act, Chapter M-24, Fees for Documents, Non-construction Related Inspections, and Research Reports be set at \$25.00 each, with effect January 1, 2015.

Carried Unanimously

## **CHEQUES RETURNED BY THE BANK**

Motion - Gibbon/Oake

No. 14-277 That the recommendations of the Finance Committee be accepted; and a fee to recover expenses incurred as a result of cheques being returned by the bank be set at:

\$20.00 plus the current bank service charge per cheque returned with effect January 1, 2015.

Carried Unanimously

## **INTEREST ON TAXES**

Motion - Gibbon/Tobin

No. 14-278 That the recommendations of the Finance Committee be accepted; and in accordance with Section 107 (1) of The Municipalities Act, Chapter M-24, compound interest in the amount of 1% monthly be charged on all taxes that remain unpaid after the Due Date; that is, March 31, 2015.

Carried Unanimously

## **TAX CERTIFICATE/MUNICIPAL COMPLIANCE CERTIFICATE**

Motion - Gibbon/House

No. 14-279            That the recommendations of the Finance Committee be accepted; and in accordance with Section 136 of the Municipalities Act, Chapter M-24, Tax Certificates and Municipal Compliance Certificates be set at \$100.00 per residential certificate and \$200.00 per non-residential certificate, with effect January 1, 2015.

Carried Unanimously

Mayor O'Brien commented that this budget is reflective of what the town is doing as a community. It reflects an approximate \$400,000 increase in revenues and expenditure over the 2014 budget.

He highlighted some of the aspects of the newly adopted budget as follows: the increased revenue for 2015 is as a result of new properties being added to the Assessment Roll and the half mill increase.

Council has put together a very active Municipal Capital Works Program for 2015 and the Town's 20% contribution is included in the budget. He noted in particular the implementation of the Waste Management Strategy across the province which has resulted in an increase of fees at the St. Georges Landfill Site for 2015. Based on that increase the Town of Stephenville Landfill fees will increase by \$84,000.00 in 2015.

Mayor O'Brien thanked Councillor Gibbon, the Finance Committee, and the management staff for their input into the budget process.

Deputy Mayor Tobin commented that Council has budgeted for an aggressive Municipal Capital Works Program. He noted that there was a modest

increase in Property Taxes which would result in a \$50.00 increase on a property assessed at \$100,000.00. He noted the increased utility cost in all sectors and hoped that the citizens of Stephenville will realize that the operating costs have increased and therefore this small increase is necessary.

## **PERMITS AND MUNICIPAL PLAN**

### **LORNE & JENNIFER DRAKE, 22 CRANE PLACE**

DATA: Request for permission to consolidate land at 22 and 24 Crane Place into one parcel of land, 22 Crane Place.

It was the recommendation of the Planning and Traffic Committee that permission be granted subject to compliance with all Town Regulations.

Motion - Aylward/Gibbon

No. 14-280 That the recommendation of the Planning and Traffic Committee be accepted and Lorne & Jennifer Drake be granted permission to consolidate land at 22 & 24 Crane Place into one parcel of land, 22 Crane Place, subject to conditions as outlined in the agenda data.

Carried Unanimously

### **HEALTH & PERFORMANCE CENTRE, 165 MAIN STREET**

DATA: Request for Outline Planning Permission to utilize space in the building located at 165 Main Street to accommodate a physiotherapy clinic.

It was the recommendation of the Planning and Traffic Committee that Outline Planning Permission be granted subject to the approval of Service NL and compliance with all Town Regulations.

Motion - Aylward/House

No. 14-281 That the recommendation of the Planning and Traffic Committee be accepted and Health & Performance Centre be granted Outline Planning Permission to utilize space in the building located at 165 Main Street to accommodate a physiotherapy clinic, subject to conditions as outlined in the agenda data.

Carried Unanimously

**WAYNE RIBERDY,  
1 FOWLOW DRIVE**

DATA: Request for a permit to occupy space in the residence located at 1 Fowlow Drive to accommodate a home-based business doing kitchen cabinet refurbishments.

It was the recommendation of the Planning and Traffic Committee that a six month temporary permit be granted subject to the proposed development maintaining reasonable noise levels and traffic volume which do not negatively affect the neighborhood and compliance with all Town Regulations.

Motion – Aylward/Tobin

No. 14-282 That the recommendation of the Planning and Traffic Committee be accepted and Wayne Riberdy be granted a six month temporary permit to occupy space in the residence located at 1 Fowlow Drive to accommodate a home-based business doing kitchen cabinet refurbishments. Subject to conditions as outlined in the agenda data.

As the engineer for the proposed development referenced in the next 2 items, Councillor House declared himself in conflict of interest and left the Council Table.

**COMMISSIONER'S REPORT,  
MUNICIPAL PLAN AMENDMENT  
NO. 10, 2014 AND  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 26, 2014**

DATA: It was the recommendation of the Planning and Traffic Committee that the Commissioner's Report with respect to a Hearing regarding Town of Stephenville Municipal Plan Amendment No. 10, 2014 and Development Regulations Amendment No. 26, 2014, dated December 12, 2014, be accepted.

Motion – Aylward/Oake

No. 14-283 That the recommendation of the Planning and Traffic Committee be accepted and the Commissioner's Report with respect to a hearing regarding Town of Stephenville Municipal Plan Amendment No. 10, 2014 and Development Regulations Amendment No. 26, 2014 dated December 12, 2014 be accepted

Carried

Councillor House abstained from voting

**APPROVAL, STEPHENVILLE  
MUNICIPAL PLAN AMENDMENT  
NO. 10, 2014 AND DEVELOPMENT  
REGULATIONS AMENDMENT  
NO. 26, 2014**

DATA: The purpose of these amendments is to accommodate tourist cabins and other selected commercial uses on a property located off West Street and Kin Court.

It was the recommendation of the Planning and Traffic Committee that under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Stephenville approve

Municipal Plan Amendment No. 10, 2014 and Development Regulations Amendment No. 26, 2014 as adopted.

Motion- Aylward/Finn

No. 14-284 That the recommendation of the Planning and Traffic Committee be accepted and under the authority of Section 23 of the Urban and Rural Planning Act 2000 the Town Council of Stephenville approve Municipal Plan Amendment No. 10, 2014 and Development Regulations Amendment No. 26, 2014 as adopted

Carried

Councillor House abstained from voting

Councillor House returned to the Council Table at the conclusion of discussion on this item

## **NEW BUSINESS**

### **HOLIDAY WISHES**

Mayor O'Brien wished his Council colleagues and the residents of Stephenville a Merry Christmas and Prosperous New Year.

### **2014 YEAR END REPORT**

Councillor House asked that the 2014 Year-end Report be placed on the Town's website as it contains information which residents may find interesting.

### **5<sup>TH</sup> ANNUAL GLEN TOBIN CHARITY ICE HOCKEY GAME**

Councillor House reported that the 5<sup>th</sup> Annual Glen Tobin Charity Ice Hockey Game will be held Friday December 19<sup>th</sup> at 2:45 PM at the Stephenville Dome. All proceeds will be shared between the Heart and Stroke Foundation of Newfoundland and Labrador and the Bay St. George Sick Children's Foundation.

**PASSING OF FORMER  
MAYOR KEVIN WALSH**

Deputy Mayor Tobin commented on the recent passing of former Mayor Walsh, noting he had served this community for a lengthy time on Council.

Mayor O'Brien noted that Mr. Walsh had served for six terms on Council, four as Mayor and two as a Council member.

**THANKS TO STAFF**

Councillor Aylward thanked all Town staff for the work they do on behalf of Council and the residents of Stephenville throughout the year and wished all a Merry Christmas and Happy New Year.

**2015 BUDGET COMMENT**

Councillor Aylward noted the small increase in Property Tax which has been adopted in the 2015 budget and commented on the increased fees at the Waste Management Site in St. George's.

Mayor O'Brien outlined ongoing deliberations to ensure that the service delivery under this program is more cost effective.

**ADJOURNMENT**

Motion – Aylward/Gibbon

No. 14-285 That the meeting adjourn at this time,  
12:43 p.m.

Carried Unanimously

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**CHAIRPERSON**

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**DATE CONFIRMED**