

**MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS, CITY HALL
MONDAY, 19 JUNE, 2017 AT 7:00 PM**

PRESENT:

Mayor	C. Pender	M. Wiklund, City Manager
Deputy Mayor	B. Staeben	D. Park, Director of Finance and Administration
Councillors:	T. Buckle	S. May, Director Community Engineering Development and Planning
	L. Chaisson	T. Flynn, Director of Protective Services
	K. Cormier	D. Burden, Director of Public Works, Water and Waste Water Services
	M. Murphy	T. Brisson, Assistant City Clerk
		B. Tibbo, Sergeant-at-Arms

Absent with regrets: Councillor J. Carey

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m.

17-172 Approval of Agenda

On motion by Councillor T. Buckle, seconded by Councillor K. Cormier, it is RESOLVED to approve the agenda as circulated **MOTION CARRIED.**

17-173 Approval of Minutes

On motion by Deputy Mayor B. Staeben, seconded by Councillor M. Murphy, it is RESOLVED to approve the Minutes of the Regular Council Meeting of **MOTION CARRIED.**

17-174 Confirmation of Minutes

On motion by Deputy Mayor B. Staeben, seconded by Councillor T. Buckle, it is RESOLVED to ratify minute CC17-050 - Approval of Agenda with waiver of twenty-four hour time limit. **MOTION CARRIED**

On motion by Deputy Mayor B. Staeben, seconded by Councillor K. Cormier, it is RESOLVED to ratify minute CC17-051 - Temporary Washroom - Jubilee Field **MOTION CARRIED**

On motion by Deputy Mayor B. Staeben, seconded by Councillor L. Chaisson, it is RESOLVED to ratify minute CC17-053 - GIS Infrastructure Students **MOTION CARRIED**

On motion by Deputy Mayor B. Staeben, seconded by Councillor M. Murphy, it is RESOLVED to ratify minute CC17-054 - Marble Mountain Development Corporation Nominee **MOTION CARRIED.**

2017-18, to New Horizon Car (Discount Car & Truck Rentals) for 1/2 ton pick-up trucks, mini-vans (7 passenger), cars and Enterprise Rent a Car for vans at the prices indicated below (HST Included). **MOTION CARRIED.**

17-181 Corner Brook Port Corporation Annual General Meeting

Mayor Pender provided a report on the Corner Brook Port Corporation's Annual General Meeting. Each year an annual report is published that outlines the Corporation's activities and achievements during the previous year. The work completed by the Corner Brook Port Corporation contributes significantly to local business and the regional economy.

The refurbishment project at 85 Riverside Drive has been completed and the port is seeking industrial tenants for this property. The port is also focused on proactive actions to position itself to take advantage of the development of an offshore wind industry in Newfoundland and Labrador. This private sector initiative has the potential to create jobs and significant economic growth to diversify the economy of the western region. The port will continue to concentrate on all three lines of business: industrial activity, real estate and cruise tourism.

17-182 PS Stats for May 2017

Councillor K. Cormier read the protective services statistics for May 2017.

17-183 Municipal Plan Amendment 17-04 and Development Regulation 17-04 - 47 Clarence Street

On motion by Councillor M. Murphy, seconded by Councillor T. Buckle, it is RESOLVED, under Section 16 of the Urban and Rural Planning Act, that the Corner Brook City Council adopt Municipal Plan Amendment MP17-04 to change the land use designation of a portion of the lot at 47 Clarence Street from Community Service to Residential. **MOTION CARRIED.**

17-184 Municipal Plan Amendment 17-04 and Development Regulation 17-04 - 47 Clarence Street

On motion by Councillor M. Murphy, seconded by Councillor T. Buckle, it is RESOLVED under Section 16 of the Urban and Rural Planning Act, that the Corner Brook City Council adopt Development Regulations Amendment DR17-04 to change the land use zoning of a portion of the lot at 47 Clarence Street from Community Service to Residential Medium Density. **MOTION CARRIED.**

17-185 Municipal Plan Amendment 17-04 and Development Regulation 17-04- Appointment of a Commissioner

On motion by Councillor M. Murphy, seconded by Councillor L. Chaisson, it is RESOLVED, in accordance with Section 19 of the urban and Rural Planning Act, to appoint Mr. Adam Crocker as Commissioner, and Ms.

Margaret Bowater Park building as per the agreed upon terms and conditions attached.

Councillor L. Chaisson declared a conflict of interest and abstained from the vote as she is a member of the board. **MOTION CARRIED.**

17-191 Cleaning Contract - Bartlett's Point

On motion by Councillor M. Murphy, seconded by Councillor K. Cormier, it is RESOLVED to approve the execution of the custodial agreement between the City of Corner Brook and Blair Holdings LTD. for supplying custodial services at the Bartlett's Point Park building as per the agreed upon terms and conditions attached. **MOTION CARRIED.**

17-192 Prime Consultant Agreement Amendment No. 2- Sewer Separation Project A - Phase 1

On motion by Councillor K. Cormier, seconded by Councillor L. Chaisson, it is RESOLVED to approve Amendment Number 2 to the Prime Consultant Agreement with Newfoundland Design Associated Ltd. to cover the Horticulturalist services associated with Phase 1 of the Combined Sewer Separation Project "A", for the amount of \$10, 000 (plus HST). **MOTION CARRIED.**

17-193 Multi-Year Capital Works Program 2017-2020

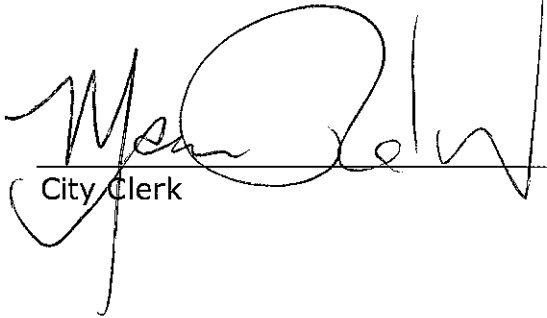
On motion by Councillor L. Chaisson, seconded by Councillor K. Cormier, it is RESOLVED to approve the execution of the 2017-2020 Multi-Year Capital Works Agreement with the Provincial Government for funding in the amount of \$4,567,513 for the projects listed in the letter from the Minister of Municipal Affairs dated June 2, 2017. **MOTION CARRIED.**

17-194 Prime Consultant Agreement Amendment No. 2 for Sewer Separation Project A - Phase 2

On motion by Councillor K. Cormier, seconded by Councillor L. Chaisson, it is RESOLVED to approve Amendment No. 2 to the PCA with NDAL to cover the additional Engineering services for the Sewer Separation Project "A" - Phase 2, for the amount of \$20,144.55 including HST. **MOTION CARRIED.**

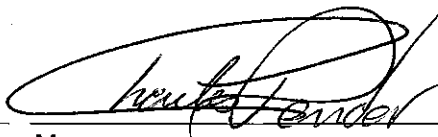
17-195 Project Management Approval -Sewer Separation Project A - Phase 2

On motion by Councillor L. Chaisson, seconded by Councillor K. Cormier, it is RESOLVED to approve the execution of the Project Management Agreement with Vigilant Management for the Combined Sewer Separation Project A, Phases 2 and 3, for a maximum upset cost of \$301,300 including HST. **MOTION CARRIED.**



A handwritten signature in black ink, appearing to read 'Megan', written over a horizontal line.

City Clerk



A handwritten signature in black ink, appearing to read 'Paul Fender', written over a horizontal line.

Mayor

INCREMENTAL TAX GRANT PROGRAM

A. PROGRAM DESCRIPTION

The intent of the Corner Brook Incremental Tax Grant Program (the “Program”) is to provide an economic catalyst for development and redevelopment of existing vacant buildings.

Properties that may be considered under this program must have previously been vacant for a minimum of twelve (12) months. To be considered vacant, at least 75% of the property must have not been occupied for any purpose for any duration of time.

The development or redevelopment must be:

1. for commercial purposes with the intent of increasing economic or business activity within the City.
2. the conversion of a commercial property to a residential property with at least 20 units.

Government, institutional, religious and community services building uses are not eligible.

This Program authorizes for each approved grant application, a five year grant, which is subject to Council approval, in an amount not exceeding the increase in municipal property taxes. The increase in municipal property taxes will be calculated as the difference between the post-development reassessed property tax (new tax) and the pre-development property tax. This is also subject to conditions set out in Paragraph 6 herein.

The pre-development property tax is the applicable tax during earlier of:

(subject to taxes being paid in full and no pending appeal or confirmation that the assessment will not be appealed). An applicant has the option of receiving the grant at the end of the first year of reassessment, however they will forfeit the grant for the months of the year the reassessment does not apply i.e. if reassessment occurs on the 1st of March of a year, the first year of the grant will be based on March - December (ten months) of the year only.

3. Without limiting the requirements set out in Paragraph 1(a) here above, the grants may be received by an owner in conjunction with any other available municipal program in support of development. The approved grants are not assignable by the owner to anyone.
4. The total of each property's five years of approved grants shall not exceed the costs of the property's development.
5. The applicant will be required to enter into an Agreement with the City of Corner Brook that sets out the conditions of the annual grant.
6. Development will commence no longer than 2 years following City Council's approval of the grant or the grant will be cancelled. This 2-year period may be extended by City Council at its absolute sole discretion. If due to reassessment done between the period of Council's approval and commencement of development the value of the property changes, the new value will be the actual pre-development value of the property and the resulting new tax, the actual pre-development tax. Any increase in tax due to this revision in value will be borne by the Applicant and this might also have an implication on the actual grant amount to be disbursed. Such increase in property value and the resulting tax may be ignored if the commencement of development occurs within 12 months of City Council's approval.
7. In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the Property, any remaining grants will be cancelled.
8. Change of Corporate Control:

11. Without limiting the discretion as set out in paragraph 9 herein, City Council, whether or not an Applicant otherwise satisfies the requirements of the Program, may reject any application where there are property tax arrears owed on the subject property or other properties owned by the Applicant within the City of Corner Brook.
12. The City reserves the right to cancel the grant or its approval and recall the grant already disbursed, and resort to legal means to recover the money at its sole absolute discretion, if the applicant abandons the project before completion, declares bankruptcy or is being investigated by law enforcement agencies.
13. Works commenced prior to submitting an application are ineligible for consideration under the Program. Works commenced after submitting an application but prior to approval of the application may be eligible for funding. An applicant shall assume the risk of commencing work after an application has been submitted but prior to approval, should the application be rejected.

B. GRANT CRITERIA

Projects that include developing, redeveloping or renovating buildings for commercial use or buildings for residential use with at least 20 (twenty) individual self-contained units within the city boundaries of Corner Brook, are eligible under the Program. Total investment must be at least \$50,000 (excluding HST), and the investment must be greater than 30% of the pre-development assessment value of the property from Municipal Assessment Agency.

Approval of the application and estimated grant amount is subject to City Council approval. Such application shall be submitted and only received if it is prior to the owner's commencement of improvements / rehabilitation to their property, subject to exceptions granted as in Paragraph 13 above, and shall include plans, estimates, contracts and other details as may be required to satisfy the City as to the cost of the project and as to the conformity of the project with the objectives of stated plans.

Taxes Recovery Plan City of Corner Brook December 31, 2016

A. Status of 2015 Objectives

The City was able to recover 62.42% of the 2015 outstanding tax receivable balance by December 31, 2016.

The resolution of the Memorial University of Newfoundland account was key to the success of this objective. A ten year agreement on the payment of fees and taxes was achieved in 2016 and will run until 2015.

The Province of Newfoundland also passed amendments to the *City of Corner Brook Act* section 162.11 that allowed for greater recovery of outstanding taxes via tax sales.

B. 2016 Objectives

The City's objective is to recover 60% of the outstanding tax receivable by December 31st.

In order to ensure the availability of sufficient municipal services, it is important that residents and businesses make their payments to Council by March 31, or otherwise be placed on the City's arrears listing and held subject to the City's arrears recovery actions as presented in this report.

Under the Government of Newfoundland and Labrador's Community Sustainability Partnership (CSP), the City must implement and maintain a Tax Recovery Plan and Tax Receivable Summary by establishing objectives, timelines and procedures to recover unpaid taxes from the current and previous years.

The City is subject to these accountability measures in order to receive future shares of Provincial Gas Tax Revenue Sharing funding.

The City must also present municipal audited annual financial statements in compliance with Public Sector Accounting Board (PSAB) standards and an approved annual budget.

Moreover, the City will take all reasonable actions towards the recovery of taxes in arrears while ensuring the tax recovery process being followed is fair and reasonable to the tax payer and the City, and within the authority provided under the City of Corner Brook Act.

It is anticipated the City will conduct a tax sale on 2017 on properties that are suitable for a tax sale to recover otherwise uncollectible taxes.

E. Tax Recovery - Action Plan

Date / Timeline	Action
Mid-January	Annual invoices issued for the current year. Any arrears or outstanding balance is listed on the invoice.
May – June	Statements re-issued for all accounts with outstanding balances.
September	Statements re-issued for all accounts with outstanding balances.
May – December	Direct contact made with all material business tax accounts (phone, email or fax).
Continuous	Accounts are reviewed for follow-up and collection.
Continuous	Accounts that are 18 months or older without a payment plan are considered for water shut-off.
Continuous	Accounts that are 18 months or older without a payment plan are considered for rental seizure.
Continuous	Accounts that are 18 months or older without a payment plan are considered for legal action for collection.
Continuous	Account that are 25 months or older without a payment plan are considered for a tax sale.
Monthly	AR reports are compiled to identify accounts that are aged and in need of collection efforts.
Weekly	Review of AR at weekly meeting of Tax Collector, Manager of Treasury Services and Director of Finance & Administration

F. Arrears Monitoring Procedure

The Tax Collector, Manager of Treasury Services and Director of Finance & Admin will monitor the tax accounts in arrears using Great Plains.

The following measures will take place to monitor tax receivable accounts:

- Documenting issuances of invoices
- Maintaining receipt of payments
- Maintaining record of accounts payable
- Documenting all recovery actions taken on each account
- Maintaining a report on each tax recovery account
- Identifying accounts requiring a more active recovery approach

City of Corner Brook
TAX RECEIVABLE SUMMARY - OPTION 1
 Year End December 31, 2016

		Summary of Taxes Receivable as of December 31, 2016			
		Total Receivable		Accounts With Payment Plan	
		Tax Payers #	Amount \$	Tax Payers #	Amount \$
Taxes Receivable					
A	Owed for current tax year (2016)	674	\$1,131,840.60	75	\$195,106.09
B	Owed for preceding tax year (2015)	188	\$372,679.15	25	\$41,436.75
C	Owed for two years preceding (2014)	87	\$165,017.81	14	\$22,259.88
D	Owed for three years preceding (2013)	70	\$246,290.25	3	\$8,354.48
E	Owed for Four years preceding (2012)				
F	Owed for over four years (2011 and older)				
Total Taxes Receivable (Dec 31) (A + B + C + D + E + F)		1019	\$1,915,827.81	117	\$267,157.20
Allowance for Doubtful Accounts for Taxes Receivable			\$632,344.47		