



CITY OF CORNER BROOK

Dear Sir\Madam:

I have been directed by His Worship the Mayor to summon you to a Committee of the Whole Meeting of the Corner Brook City Council, to be held on **November 8, 2021 at 7:00 p.m. Council Chambers, City Hall.**

CITY CLERK

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**MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
MONDAY, 18 OCTOBER, 2021 AT 7:00 PM**

PRESENT:

Mayor	J. Parsons	R. Cumby, City Manager
Deputy Mayor	L. Chaisson	D. Park, Director of Finance & Administration
Councillors:	P. Gill	D. Charters, Director Community Engineering Development and Planning
	V. Granter	T. Flynn, Director of Protective Services
	B. Griffin	D. Burden, Director of Public Works, Water and Waste Water Services
	P. Keeping	J. Smith, Legislative Assistant
	C. Pender	B. Tibbo, Seargent-At-Arms

Absent with regrets: M. Redmond, City Clerk

21-136 Approval of Agenda

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to approve the agenda as circulated with the addition of:

- Notice of Motion - Recind Minute 21-79 - Application Approval for Proposed Crematorium.

MOTION CARRIED.

21-137 Approval of Minutes [October 3, 2021]

On motion by Councillor V. Granter, seconded by Councillor B. Griffin, it is **RESOLVED** to approve the Minutes of the Regular Council Meeting of October 3, 2021. **MOTION CARRIED.**

21-138 Business Arising From Minutes

No items were brought forward.

21-139 Proclamations and Events

The Mayor presented a list of proclamations that have been recognized in the City of Corner Brook, including National Day of Truth and Reconciliation, National Seniors Day and Wrongful Conviction Day.

21-140 NOTICE OF MOTION

Councillor C. Pender brought forward the following Notice of Motion:

Be it Resolved that the City of Corner Brook Council rescind Minute 21-79 dated Monday, May 31, 2021 approving the application for the proposed crematorium at 167 Country Road, Corner Brook.

Be it Further Resolved that the City of Corner Brook City of Council place an immediate moratorium on all application for the establishment of crematoria within the City of Corner Brook until such a time as the city establishes, through a public process, criteria for the establishment of crematoria within city limits and adopts any and all changes as required to zoning and development regulations with respect to said criteria.

- 21-141** **RFP#2021-19 Recreation Management Software Online Booking System**
On motion by Deputy Mayor L. Chaisson, seconded by Councillor P. Gill, it is **RESOLVED** to approve the Request for Proposal submission from Book King for recreation management online booking software and to authorize staff to negotiate an agreement. **MOTION CARRIED.**
- 21-142** **Bells Brook Culvert**
On motion by Councillor P. Keeping, seconded by Councillor B. Griffin, it is **RESOLVED** to approve the Consultant Fee Proposal from DMG Consultants Ltd. in the amount of \$63,070.20 (HST excluded), for consulting services related to the Bells Brook Culvert. **MOTION CARRIED.**
- 21-143** **Blackwood's Hill Culvert/Bridge Replacement**
On motion by Councillor P. Keeping, seconded by Councillor C. Pender, it is **RESOLVED** to approve the Consultant Fee Proposal from DMG Consultant Ltd. in the amount of \$95,041.90 (excluding HST), for consulting services related to Blackwood's Hill Culvert/Bridge Replacement. **MOTION CARRIED.**
- 21-144** **Citadel Drive Pressure Reducing Station Rehabilitation**
On motion by Councillor C. Pender, seconded by Deputy Mayor L. Chaisson, it is **RESOLVED** to approve the Consultant Fee Request from CBCL Limited in the amount of \$44,850.00 (HST excluded), for consulting services related to the Citadel Drive Pressure Reducing Station Rehabilitation. **MOTION CARRIED.**
- 21-145** **Intersection Improvements, Lewin Parkway and Griffin Drive & Lewin Parkway and Mill Road**
On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is **RESOLVED** to approve the Consultant Fee Proposal from Harbourside Transportation Consultants in the amount of \$82,980.00 (HST excluded), for consulting services related to the Intersection Improvements, Lewin Parkway and Griffin Drive & Lewin Parkway and Mill Road. **MOTION CARRIED.**
- 21-146** **Johnsons Avenue - Storm Sewer Improvements**
On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to approve the Consultant Fee Proposal from Anderson Engineering Consultants Ltd. in the amount of \$61,100.00 (HST excluded),

for consulting services related to Johnsons Avenue Storm Sewer Improvements. **MOTION CARRIED.**

21-147 **Approval of Proposed Municipal Plan Amendment MP 21-01 and Development Regulations Amendment DR 21-01 – Text Amendments to the IMSP and DR to Change a Storage Limitation**

On motion by Councillor B. Griffin, seconded by Councillor P. Gill, it is **RESOLVED** to:

1. Approve proposed amendment MP 21-01 to the City of Corner Brook's Integrated Municipal Sustainability Plan 2012, being a text amendment to increase the storage limit on the existing Superior Propane storage site at 24 White Lakes Drive, Corner Brook only;
2. Approve proposed amendment DR 21-01 to the City of Corner Brook's 2012 Development Regulations, being a text amendment to increase the storage limit on the existing Superior Propane storage site at 24 White Lakes Drive, Corner Brook only;
3. Authorize staff to submit the proposed amendment to the provincial government for ministerial approval and registration; and
4. Authorize staff to give statutory notice of registration of the amendments following ministerial approval and registration under (3). **MOTION CARRIED.**

21-148 **71 Humber Road / Discretionary Use (Apartment Building)**

On motion by Councillor B. Griffin, seconded by Councillor C. Pender, it is **RESOLVED** to approve the application for the proposed apartment building at 71 Humber Road, Corner Brook. **MOTION CARRIED.**

21-149 **Crown Land Application - Route 440 - North Shore Highway**

Councillor P. Gill presented an application to operate an animal use and an agricultural use on Crown land that is located in a rural zone.

On motion by Councillor C. Pender, seconded by Councillor P. Gill, it is **RESOLVED** to postpone the discussion and decision of the agenda item until more information is provided to council regarding the crown land application from Western Sno Riders. **MOTION CARRIED.**

21-150 **2 Windsor Street / Discretionary Use (Apartment Building)**

On motion by Councillor P. Gill, seconded by Councillor B. Griffin, it is **RESOLVED** to approve the application for the proposed apartment building at 2 Windsor Street, Corner Brook. **MOTION CARRIED.**

21-151 Revised Capital Investment Plan - Gas Tax Agreement

On motion by Councillor C. Pender, seconded by Deputy Mayor L. Chaisson, it is **RESOLVED** to approve the revised 2019-2024 Capital Investment Plan in the amount of \$6,135,329 as attached. **MOTION CARRIED.**

21-152 Civic Centre COVID Passport Update

Deputy Mayor L. Chaisson presented update on the Civic Centre COVID Passport. The Provincial Government COVID Passport Program will come into effect on October 22, 2021 and will require proof of vaccination before giving access to a venue for a non-essential and recreational services. Therefore, as of October 22, 2021 the Civic Centre will be requiring all customers, suppliers and contractors to provide proof of vaccination as well as identification with a soft launch of the program beginning on Tuesday, October 19th.

21-153 Committee Appointment 2021-2022

On motion by Councillor B. Griffin, seconded by Councillor C. Pender, it is **RESOLVED** pursuant to the power vested in it in accordance with Section 42 of the City of Corner Brook Act to approve the appointments for 2021-2022 Committees as presented below:

Topic Leads:

- Councillor Gill: Engineering, Development and Planning
- Councillor Griffin: Public Safety
- Councillor Granter: Public Works, Water and Wastewater
- Councillor Keeping: Community Services
- Deputy Mayor Chaisson: Recreation and Active Living

Standing Committee

- Councillor Pender: Chair, Finance and Administration

Community Advisory Committee:

- Deputy Mayor Chaisson and Councillor Granter: Accessibility and Inclusive Community Committee
- Councillor Gill and Councillor Keeping: Community Partners Committee
- Deputy Mayor Chaisson and Councillor Gill: Youth Advisory Committee

Special Committees

- Councillor Pender: Regional Aquatics Centre Governance Committee Outside Appointments
- Councillor Gill and Deputy Mayor Chaisson: Western Regional Waste Management
- Councillor Granter: Rotary Arts Centre
- Mayor Parsons: Corner Brook Port Corporation (continuing)
- Councillor Griffin: Deer Lake Airport Authority (continuing)

MOTION CARRIED.**ADJOURNMENT**

The meeting adjourned at 8:10 p.m.

City Clerk

Mayor



Request for Decision (RFD)

Subject: Confirmation of Minutes

To: Marina Redmond
Meeting: Committee of the Whole - 08 Nov 2021
Department: City Manager
Staff Contact: Jessica Smith, Legislative Assistant
Topic Overview: To approve Minutes from Council in Committee Meetings

BACKGROUND INFORMATION:

In accordance with section 41 (3) of the City of Corner Brook Act, *“Where a decision is made by the Councillors at a privileged meeting, the decision, in order to be valid, shall be ratified at a public meeting of the council.”*

PROPOSED RESOLUTION:

Council in Committee Meeting - August 9, 2021

It is RESOLVED to ratify minute CC21-013- Approval of Agenda

It is RESOLVED to approve the agenda as circulated.

It is RESOLVED to ratify minute CC21-15 - Approval of Relocation Expenses

It is RESOLVED to approve the relocation expenses of up to eight thousand dollars for relocation of the new Corner Brook Fire Department Training Officer to the City of Corner Brook.

Council in Committee Meeting - August 23, 2021

It is RESOLVED to ratify minute CC21-026 - Approval of Agenda

It is RESOLVED to approve the agenda as circulated.

Council in Committee Meeting - October 18, 2021

It is RESOLVED to ratify minute CC21-024 - Approval of Relocation Expenses

It is RESOLVED to approve the relocation expenses of up to ten thousand dollars, for relocation of the new Corner Brook Fire Department Assistant Deputy Chief to the City of Corner Brook.

Council in Committee Meeting - October 25, 2021

It is RESOLVED to ratify minute CC21-026 - Approval of Agenda

It is RESOLVED to approve the agenda as circulated.

It is RESOLVED to ratify minute CC21-028 - Approval and Execution of Agreement - Investing in Canada Infrastructure Program - 17-CCR-22-00000 - Great Trail Enhancement (Phase 1)

It is RESOLVED to accept cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated July 19, 2021, Project No. 17-CCR-22-00000 Great Trail Enhancement (Phase 1) Project with a total value of \$1,707,500 (including HST).

It is FURTHER RESOLVED to provide the Ultimate Recipient share value of \$516,088 in funding for this project and to authorize the Mayor and City Manager to sign the Investing in Canada Infrastructure Program agreement with the Department of Transportation and Infrastructure on behalf of the City of Corner Brook.

GOVERNANCE IMPLICATIONS:

Legislation

City of Corner Brook Act

41(3)

City Clerk

Approved - 04 Nov 2021

Legislative Assistant

Approved - 05 Nov 2021

City Manager



Information Report (IR)

Subject: Proclamations and Events

To: Marina Redmond
Meeting: Regular Meeting - 18 Oct 2021
Department: City Manager
Staff Contact: Jessica Smith, Legislative Assistant
Topic Overview: The City of Corner Brook often receives requests from various organizations to recognize significant days, weeks and months.
Attachments: [Rett Syndrome Awareness Month 2021](#)
[DEAM Proclamation](#)

BACKGROUND INFORMATION:

The City of Corner Brook would like to recognize the following proclamations and events:

- The month of **OCTOBER** is declared as **RETT SYNDROME AWARENESS MONTH**;
- The month of **OCTOBER** is declared as **NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**;

in the City of Corner Brook.

Legal Review: No

City Clerk
 Legislative Assistant

Approved - 03 Nov 2021

Approved - 04 Nov 2021

City Manager



PROCLAMATION

October as Rett Syndrome Awareness Month

WHEREAS Rett syndrome is a rare genetic neurological disorder that occurs almost exclusively in girls and leads to severe impairments, affecting nearly every aspect of the individual's life. Rett syndrome occurs worldwide in 1 of every 10,000 female births and is even rarer in boys, but not impossible. Rett syndrome is usually recognized in children between 6-18 months of age as they begin to miss developmental milestones or lose abilities they had once gained;

AND WHEREAS throughout their lives these courageous individuals will need total care and constant support from their family; they will combat many medical challenges. They may have seizures, osteoporosis, scoliosis, breath holding, hyperventilation, nutritional problems and so much more. Apraxia, which is the inability to motor plan, is one of the most challenging aspects of Rett Syndrome along with loss of speech;

AND WHEREAS in 1999 it was discovered that Rett Syndrome is primarily caused by a sporadic mutation in the MECP2 gene on the X chromosome, and since this discovery there are many research projects taking place across Ontario and Canada;

AND WHEREAS as there is no Canadian Rett Syndrome Association, the Ontario Rett Syndrome Association (O.R.S.A.) has members from many provinces across Canada and through donations and fundraising efforts have been able to fund finances the Canadian Rett Syndrome Registry, has funded over \$600,000 in Canadian Rett syndrome research, and support three Rett clinics in Ontario. The Rett syndrome clinics located at the Children's Hospital of Eastern Ontario, Ottawa, Holland Bloorview Kids Rehabilitation Hospital, Toronto and Thames Valley Children's Centre, London, provide direct critical support to the families and their loved one on care and management issues.

NOW THEREFORE, I, Jim Parsons, Mayor of the City of Corner Brook, DO HEREBY PROCLAIM October 2021 as RETT SYNDROME AWARENESS MONTH in the City of Corner Brook. I urge all citizens to make an effort this month to learn more Rett Syndrome, fight stigma, light Canada purple and wear a purple ribbon to show support.

Mayor

Dated _____

Proclamation

October 28, 2021

WHEREAS: Disability Employment Awareness Month (DEAM) is an annual awareness campaign that takes place during the full month of October. It recognizes and celebrates the varied contributions of workers with disabilities. DEAM also recognizes the leadership of inclusive employers who promote employment inclusion and educate Newfoundlanders and Labradorians about disability employment issues; and,

WHEREAS: The Supported Employment of Newfoundland & Labrador Network (SENL) is committed in its work to increase employment inclusion for Newfoundlanders & Labradorians through the provision of leadership, resources, and ongoing opportunities for dialogue and engagement; and,

WHEREAS: Local members of Supported Employment Newfoundland & Labrador will partner with employers and other community stakeholders to plan varying activities and events that celebrate the many contributions of workers with disabilities in the workplace. These events will also educate Newfoundlanders and Labradorians about disability employment issues and the benefits of inclusion to all of its citizens; and,

WHEREAS: The awareness of said benefits and the innumerable success stories of employment inclusion serve to positively promote inclusion of people with disabilities in the provincial workforce, while also educating the people of Newfoundland and Labrador on the benefits of inclusion for persons with disabilities in the workplace.

THEREFORE: I, Mayor Jim Parsons, do hereby proclaim October, as Disability Employment Awareness Month (DEAM) in the City of Corner Brook.

Signed at City Hall, Corner Brook, NL on this 28 day of October, 2021.

Jim Parsons, Mayor



Request for Decision (RFD)



Subject: Notice of Motion - Crematorium Application

To: COUNCIL AND MAYOR

Meeting: Committee of the Whole Meeting - 08 Nov 2021

From: City Manager

Topic Overview: **NOTICE OF MOTION - CREMATORIUM:** At the Public Council on 18 October 2021, Councillor C. Pender presented a Notice of Motion which is now being brought forward for consideration.

BACKGROUND INFORMATION:

At the Public Council Meeting of 18 October 2021 a Notice of Motion was presented to rescind minute 21-79, wherein Council approved the application for a crematorium at 167 Country Road. A further motion was issued to place a moratorium on all applications for the establishment of crematoria within the City Of Corner Brook until such a time as the city establishes, through a public process, criteria for the establishment of crematoria within city limits and adopts any and all changes as required to zoning and development regulations with respect to said criteria.

Staff have conducted a legal review of the Notice of Motion. With respect to the motion to rescind approval of the crematorium application it is staff's interpretation that Council does not have the legal authority to rescind approval of the crematorium application. Section 24(6) of the City of Corner Brook Development Regulations sets out the circumstances under which the City can revoke a development permit. It allows revocation only where the permit holder breaches a condition of the permit or where the permit was issued in error or on the basis of incorrect information. Council's decision to approve the application for a crematorium was upheld by the Western Regional Appeal Board. The Board ruled that Council acted properly and within its discretion with regard to the application to build and operate a crematorium at 167 Country Road.

With regards to placing a moratorium on all future applications for the crematorium, it is recommended that Council also withdraw that motion and introduce alternate motions to conduct a review of all non-residential permitted and discretionary uses that have a potential to cause air pollution, or other noxious concerns, for adjacent or abutting residential properties (either through amending the City's zoning and development regulations or through the IMSP process currently underway); and to ensure that in the interim any new applications for crematoria, whether permitted or discretionary, will be brought to council for consideration.

The proposed motions are outlined below:

Proposed Amended Motions

"Be it resolved that as a component of the current review of the Integrated Municipal Sustainable Plan and Development Regulations that the City of Corner Brook review all non-residential permitted and discretionary uses that have a potential to cause air pollution, or other noxious concerns, for adjacent or abutting residential properties."

“Be it resolved that until the City of Corner Brook has enacted new Integrated Municipal Sustainability Plan and Development Regulations, all applications for development of crematoriums in any zone whether the use is permitted or discretionary in the zone, shall be referred to Corner Brook City Council for consideration pursuant to Section 11 of the City of Corner Brook 2012 Development Regulations.”

ALTERNATIVES/OPTIONS

- 1. Vote on the Notice of Motion as presented at the 18 October 2021. There may be legal implications rescinding the motion and placing a moratorium on all applications for a crematoria in the city.
- 2. Withdraw the Notice of Motion.
- 3. Introduce the alternativemotions proposed above.

NOTICE OF MOTION PRESENTED AT 18 OCTOBER 2021 PUBLIC MEETING

IT IS RESOLVED that the City Of Corner Brook City Council rescind minute 21-79 dated Monday, May 31, 2021 approving the application for the proposed crematorium at 167 Country Rd, Corner Brook, NL.

Be it **further resolved** that the City Of Corner Brook City Council place an immediate moratorium on all applications for the establishment of crematoria within the City Of Corner Brook until such a time as the city establishes, through a public process, criteria for the establishment of crematoria within city limits and adopts any and all changes as required to zoning and development regulations with respect to said criteria.

GOVERNANCE IMPLICATIONS:

City of Corner Brook Development Regulations- Section 24(6)

s.24(6) The Authority may revoke a permit for failure by the holder of it to comply with these Regulations or any condition attached to the permit or where the permit was issued in error on the basis of incorrect information

Urban and Rural Planning Act .12(a)

- 12. A plan and development regulation are binding upon
 - (a) Municipalities and council within the planning area governed by that plan or those regulations

[Redacted Signature Block]
City Manager

Pages 17-25 redacted for client solicitor privilege

Memo

Community Services Department

To: Rodney Cumby, City Manager
Darren Charters, Director of CEDP
From: Deon Rumbolt, Manager of Development and Planning
Date: Oct 22, 2021
Re: Discretionary Use (Crematorium)/Country Haven Funeral Home.

In 2017, council considered a motion to add a crematorium to an existing funeral home located at 167 Country Rd. This area on Country Rd is designated in our Integrated Municipal Sustainable Plan and subsequent Development Regulations as a Community Services Zone. This zone does not list a Crematorium as a permitted use however it is permitted as a discretionary Use. This means that it is permitted at the sole discretion of council, provided that the area residents are notified of the proposed development and proper time is given for resident feedback and Consultation. The use was recommended for approval by Staff and council rejected the motion at that time.

In 2021, the motion was again brought forward to Council. The residents were notified and consultation took place as per the City's Regulations. A petition was circulated which garnered 185 signatures and a number of letters of discontent over the proposal were sent to council. The City also received several letters/comments in support of the proposed crematorium. The City of Corner Brook received an engineered report from AMEC Environmental outlining air quality testing. This report was provided to the Provincial Governments Environmental Department as they are experts in air quality. The Provincial Environmental Department concluded that the proposed crematorium would have no effect on the ambient air quality in the area. Given this information staff recommended that council approve the use and council subsequently voted to approve the development application.

Next, an appeal was submitted to the provincial appeals office requesting that the appeals office review the approval granted by council. The appeal was heard on October 13th, 2021 and a decision was provided by the appeal board. The appeal board concluded that "the authority acted properly and within its discretion with regards to the application to build and operate at crematorium at 167 Country Road."

If required, staff is willing to meet with Council to provide a complete technical briefing and answer any questions Council may have.

Sincerely,


Deon Rumbolt

167 Country Road

Crematorium Approval





Information Report (IR)

Subject: Adopt a Hydrant Contest 2021-2022

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Protective Services
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: Protective Services is planning to run an "Adopt-a-Hydrant" contest again this winter season.

BACKGROUND INFORMATION:

The Adopt-a-Hydrant contest will be run for from December 15th, 2021 through to March 31st, 2022. Residents, businesses, families, community organizations can become involved to ensure a safer neighbourhood by keeping fire hydrants clear of snow and easily accessible to the Fire Dept. in case of emergencies. To kick-off the program, the 2020-21 grand prize draw will be held at City Hall on December 15th. Participants will need to register and will be assigned one or more of the City's 735 fire hydrants either on the website, filling out the paper form at the City Hall front desk, or calling 637-1616.

Participants no longer have to report after cleaning their hydrant. Actual clearing of the hydrants will be monitored and randomly inspected by the Fire Department and City Hydrant Clearing staff. Prizes will be given out on a weekly basis for inspected and cleared hydrants.

FINANCIAL IMPACT:

In 2018, this contest was run and resulting in 25% of the City's hydrants being cleaned by residents. The budget was \$5000.00 which was spent on a flyer mail out, 17 weekly \$50.00 gift certificates and the grand prize of a new snow blower. It is estimated that the program saved the City in the area of \$10,000.00 for hydrant snow clearing. The recent years has not seen an increase of participation due to the little promotion by the City and COVID limitations.

A total of \$5500.00 to be spent as follows:

16 weeks for contest x \$50.00 gift cards = \$800.00;

Snowblower = \$3500.00;

Advertising= flyer distribution through Western Star = 1090.85 + HST (includes printing)

Budget Code: 01-600-2100-50000

Finance Type: Budget

RECOMMENDATION:

The objective of this program is to create awareness among our residents as to the need to keep fire hydrants clear of snow so to be readily accessible by the fire department in the event of a fire. This translates to a savings for the City given that a portion of the City hydrants are cleared by residents and staff resources can be applied to other work.

Options:

- 1. Not run the program resulting in staff resources needing to be deployed to clear all hydrants. No opportunity for savings or public engagement will be realized.
- 2. Run the program with an increased goal of having residents clear 35% of the City's hydrants. This has created community awareness and winter community spirit competing for weekly gift certificates and the grand prize. The contest should translate to savings for the City for hydrant clearing budget.

Director of Protective Services
Legislative Assistant

Approved - 04 Nov 2021
Approved - 04 Nov 2021

City Manager



Information Report (IR)

Subject: Protective Services Statistics for month of September 2021

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Protective Services
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: Protective Service Report for month of September 2021

BACKGROUND INFORMATION:

On a monthly basis the Protective Services compiles its statistics to report them out to council and residents.

The objective is to inform the residents of Corner Brook of the work that is being done by the Protective Services Department.

1. Our Municipal Enforcement Officers received 93 calls for services is as follows:

By-law Enforcement:

- 3 - Untidy property;
- 9 – Election Sign Permits issued;
- 8 - Election Sign Complaints;
- 2 – Rodent;
- 1 – Water Shut-Off;
- Various other routine complaints.

Taxi Regulations:

- 5 - Taxi Driver Permits;
- 6 - Taxi Vehicle Permits issued

Animal Control:

21 Calls for Service were received that included:

- 9 - Roaming Animals;
- 10 - Injured/Dead Animals;
- 2 - Violations issued

Parking Enforcement:

105 Parking related violations were issued that included:

- 82 - Expired Meters;
- 2 - Accessible Parking;
- Various other parking violations (Loading Zone, Wrong Direction, Unattended Vehicle, etc.).

ATV Permits:

- Total of 352 permits have been issued to date
- **NOTE: SEASON ENDS NOVEMBER 15th.**

2. The Corner Brook Fire Department received 35 calls for service that included:

- 9 - commercial fire alarms;
- 4 – residential smoke alarms;
- 1 –garbage fires;
- 1 – tree on power wire;
- 2 – structure fire residential (Armstrong St.- apartment fire, Centennial Place – Att. Arson);
- 11 – traffic collisions (4 of which incurred injuries);
- 2 - non-emergency (ambulance medical lift assists);
- 2 – vehicle fires;
- 2 - Odour
- 1 – water rescues (Humber River - 1 persons pulled to shore before Cbfd arrival)

The Fire Prevention Inspector conducted:

- 30 – commercial inspections;
- 0 - home oxygen inspection.

3. . The total volume of calls received by the Corner Brook PSAP for October was 5662. The calls are broken out as follows:

Primary Agency	Number of Transferred Calls
Police	1,019
Ambulance	1,410
Fire	192
Crisis	10
MRSC	1
Northern 911	2
Parks Canada	1
Poison Control	1
RoCP	7
Total	2,643

The volume of Non-transferred calls: 3019 (hang-ups, wrong numbers, misdials, etc.)

Director of Protective Services
Legislative Assistant

Approved - 04 Nov 2021
Approved - 04 Nov 2021

City Manager

SIDEWALKS

Condition Assessment Survey
November 8, 2021

PRESENTATION OVERVIEW

- Introduction
- Condition Assessment Methodology
- Findings
- Costing
- Recommendations
- Public Concerns
- Questions



INTRODUCTION

- City of Corner Brook has approximately 44 km of sidewalk
- Sidewalks are constructed of either concrete, asphalt, or brick pavers
- Historically concrete has been the material of choice
- 2021 budget for concrete curb and sidewalk repairs is \$211,000
- Approximate cost to replace concrete sidewalk is \$155/linear meter
- [REDACTED] – College of North Atlantic Civil Engineering Technology
Work Term Student
 - ArcGIS Software, iPad, and Bad Elf

CONDITION ASSESSMENT METHODOLOGY

- Sidewalk Classification
 - Based on traffic volume to assess the need for repair and level of risk associated with having substandard sidewalk
 - High Traffic Areas – downtown core including Broadway, Main Street, West Street, Park Street, and Herald Avenue
 - Standard Traffic Areas – areas not designated as High Traffic Areas

CONDITION ASSESSMENT METHODOLOGY

- **Priority Rating**
 - Priority 1 – Locations that have a condition of Very Poor or any location which is considered to be an immediate serious safety concern. Problem area is marked with orange paint and Superintendent of PW is notified immediately.
 - Priority 2 – Locations that have a condition of Poor or Average or where it is determined that the problem is not an immediate safety concern. Problem area is marked with orange paint and Superintendent of PW is notified through a report once scheduled inspections are complete.
 - Priority 3 – Locations that have a condition of Fair or New or where it is determined that the problem is not a safety concern. Superintendent of PW is notified through a report once scheduled inspections are complete.
 - Rating system also considers whether the sidewalk is in a High Traffic Area, school area, as well as accessibility when establishing priorities

CONDITION ASSESSMENT METHODOLOGY

- **Condition Rating**

Overall Condition	Faulted edge	Spalled	Cracking	Priority
New	5 mm or smaller	5% or less	Little to none	3
Fair	5 mm or smaller	5% to 10%	60% or less	3
Average	5 mm to 10 mm	10% to 20 %	60% to 80 %	2
Poor	10mm to 20 mm	20% to 50 %	80% or greater	2
Very Poor	15mm or greater	50 % 100 %	80% or greater	1

CONDITION ASSESSMENT METHODOLOGY

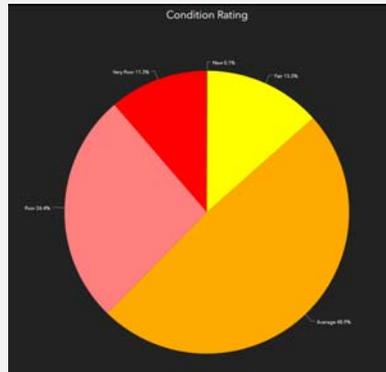
- Repairs
 - Priority 1: Problems, as confirmed by the Superintendent of PW , will be repaired as soon as practical, considering weather and crew availability. If there is a substantial delay, the hazard will be clearly marked so it is easily identified, or the sidewalk will be closed.
 - Priority 2: Problems, as confirmed by the Superintendent of PW, will be repaired as soon as practical based on crew availability and budget constraints. These repairs may be delayed until a crew is working in the area.
 - Priority 3: Problems, as confirmed by the Superintendent of PW, will be repaired as soon as practical based on crew availability and budget constraints. These repairs may be delayed for several years if an area is scheduled for reconstruction.
 - Engineering notified of all repairs and will adjust the GIS system.

CONDITION ASSESSMENT METHODOLOGY

- Repair Options
 - Crack Filling – Crack filling is done primarily to seal concrete cracks to prevent moisture from penetrating the base, causing additional crack widening and uneven settlement. Crack filling is appropriate for longitudinal cracks where separation is less than 12 mm and differential settlement has not occurred. Cracks are cleaned and filled with a sealant. Crack filling to be done on an area basis as crews and budget are available.
 - Asphalt Overlay – Asphalt overlays to be used as a temporary measure to smooth the surface of the concrete if the concrete is severely spalled or cracked. While not the best aesthetic treatment, an asphalt overlay does provide a reasonably safe walking and wearing surface.
 - Replacement – Sidewalk replacement is appropriate if severe damage has occurred to the sidewalk which cannot be corrected by one of the methods described above. Replacement is most cost effective when done on an area basis, but replacement at individual locations is sometimes necessary.

FINDINGS

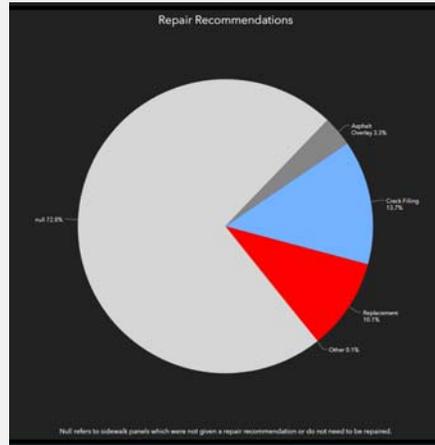
- Approximately 44 km of sidewalk was surveyed or 15,000 sidewalk panels



FINDINGS



FINDINGS



COSTING

- Replacement – 10 % or 1,800 panels
- Panels are approximately 2.4 meters in length
- Approximately 4,400 meters of sidewalk need to be replaced
- @ \$155 / linear meter
- \$682,000
- This cost doesn't include the concrete curb and sidewalk we replace each summer from Water and Wastewater repairs.



RECOMMENDATIONS

- More asphalt in standard low traffic areas to save on cost and still maintain appearance and functionality.
- Annual monitoring and assessment of sidewalk condition.
- Acknowledging public complaints and concerns in a timely fashion.
- Maintaining the most crucial areas for seniors, accessibility, and children.

PUBLIC CONCERNS

- Seniors in Curling upset at sidewalk condition, making it challenging to go for a walk
- Some roads only have sidewalk on one side
- Snow clearing concerns

QUESTIONS





Information Report (IR)

Subject: Property Markers

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Public Works
Staff Contact: Donald Burden, Director of Public Works, Water & Wastewater
Topic Overview: Property markers are available to residents from the Public Works, Water, and Wastewater department to mark the edge of their properties to avoid snow clearing damage.

BACKGROUND INFORMATION:

For the past couple years, Public Works, Water, and Wastewater have increased the number of property markers it has installed around the City in an attempt to reduce damage to both private property and City infrastructure due to snow clearing operations. In a further attempt to help residents, PWWW has also started dropping off wooden markers to residents who call 637-1666 and request them for their property. This initiative helps both the residents and the City reduce costly damage to property. The property markers delivered by the City will be wooden and we ask that if residents erect their own property markers that wooden or plastic markers are the City's preference for safety of the snow clearing crews. Steel markers are not allowed and must be removed. Fiberglass markers, although not preferred by the City, are allowed, however, if you have fiberglass markers and would like them replaced with wooden markers, please call 637-1666.

FINANCIAL IMPACT:

Financial impact minimal, the reduction in snow clearing damage far exceeds cost of reusable markers.

GOVERNANCE IMPLICATIONS:

Bylaw/Regulations

Legal Review: No

Director of Public Works, Water & Wastewater Approved - 04 Nov 2021

Legislative Assistant Approved - 04 Nov 2021

City Manager



Information Report (IR)

Subject: Engineering, Development and Planning Updates

To: Rodney Cumby

Meeting: Committee of the Whole - 08 Nov 2021

Department: Engineering

Staff Contact: Darren Charters, Director of Community, Engineering, Development & Planning

Topic Overview: This report is intended to serve as an update to Council regarding the various Engineering, Development and Planning projects. The current project updates are as follows:

BACKGROUND INFORMATION:

Engineering

City Hall Repair of Concrete Sills

Project is nearly complete with only final inspection of the work remaining.

City Hall Heat Pumps

Two (2) units have been ordered but delivery is taking longer than expected

Storm Sewer Assessment – SNC Lavalin

The consultant has carried out a condition assessment of the storm sewer system by investigating over 115 of the 1000+ manholes in the City. From the study, the consultant has recommended a course of action to address the aging and often undersized system.

Corner Brook Regional Recreation Centre

Staff is now prepared to recommend that the City enter in to a Design Build contract with the preferred proponent, however, we are not able to do so until the land is officially transferred to MUN from the Province and a land lease agreement is reached with MUN.

2021 Asphalt Program

The \$1.7 Million program is now complete.

St. Mary's Brook Culvert – Phase 2

The project is now 40% complete and should be done in the next few weeks.

Retaining Walls

The walls (3) are now being designed (80%) and will be tendered next spring for construction.

Multi Year Capital Projects

Prime Consultant Agreements (PCA) are being executed with the design for all projects being completed over the winter.

- Johnsons Avenue Storm Sewer
- Retaining walls
- Intersection Improvements (Griffin at Lewin, Mill Road at Lewin)
- Bells Brook Culvert
- Blackwoods Hill Culvert
- Citadel Drive PRV Upgrades

Steady Brook Water Study

Draft report was submitted to staff for review and comments have been returned to the consultant. The final report is expected in the coming days.

Waste Water Co-Treatment Study (CBPP)

Study is now complete and staff are waiting for the draft report.

Mt. Bernard Avenue Rebuild Project

The Request for Proposals (RFP) for engineering services has been issued and closes on November 16th. The application for funding has been submitted to the Province for review.

Development and Planning

CB Acute Care Hospital (Healthcare Crescent)

Project Progressing on schedule for completion in fall 2023 to summer 2024
Downstream Servicing Upgrades Required

Research & Innovation Hub – (1 Mill Road)

Full permit issued and project is progressing

Pro Choice Auto Glass – (396 O’Connell Drive)

Permit issued for foundations, site works and architectural

New Vet Clinic – (25 Poplar Road)

Permits issued for Structural Steel and Civil Site works with review of Mechanical, Electrical and Architectural ongoing

Justin French – Medical Building (Grenfell Drive)

Majority of Building is now occupied.

Shoppers Drug Mart Expansion – (Millbrook Mall):

Construction is complete, deficiency list being corrected for Final Occupancy.

Barry’s Seafood Expansion – (Griffin Drive)

Permits have been issued for the replacement of three large buildings (approx. 31000 ft2). Work is continuing on this project.

New Subway Building: (Union Street)

Permit issued for building, project is progressing.

SPCA Building: (Lundrigan Drive)

Final permit issued for the building.

New IMSP and Development Regulations:

Consultation and review is underway, consultant is reviewing feedback from Council, businesses, residents and special interest groups. A draft report is expected in early winter.

Director of Community, Engineering, Approved - 04 Nov 2021
Development & Planning

Legislative Assistant Approved - 05 Nov 2021

City Manager



Information Report (IR)

Subject: Community Services Project Update

To: Rodney Cumby

Meeting: Committee of the Whole - 08 Nov 2021

Department: Community Services

Staff Contact: Darren Charters, Director of Community, Engineering, Development & Planning

Topic Overview: There are many things happening in the Community Services world and here is a taste of what is going on in the City.

BACKGROUND INFORMATION:

Tourism

Strategic Tourism for Areas and Regions (STAR)

Staff have completed a funding application for ACOA to undertake the implementation phase of the project (pending budget approval).

- Branding and Marketing
- Trail Development
- Geopark

Aspiring Cabox Geopark

Dr. Waldon (geologist) visited the area this past summer and is now preparing a report on the geological formations of the area which is a critical step towards the area becoming designated as a Geopark.

DMO Photo Project

Staff continue to work with Western DMO to produce an inventory of photos and videos that will be used to promote the area

Christmas 2021

Traditional Parade- The parade will take place this year on Saturday December 4th and will feature the Mill Whistler as the *Polar Express*.

Light up City Hall. The Christmas tree, City Hall and the Square will be lit up to kick off the Christmas season – December 4th

CNA – Tourism Course

Staff is working with CNA students to develop tourism content (itineraries, etc.) for the region

Deer Lake Airport YDF) – Sense of Arrival Project

Staff is working with YDF to have a better presence at the airport through photos, videos, and information packages for the Bay of Islands / Humber Valley / Corner Brook areas.

Business

World Council on City Data (WCCD) 2020

Staff continue to work on submitting all of the data required for another ISO Platinum certification.

Downtown Urban Design Plan (DUDAP)

Working on final claims for Phase I of the project and beginning to work on a potential Phase II of the project.

Special Tax Assistance for New Commercial Enterprises (STANCE) Program

Staff are moving forward with the development of a tax relief / deferment program that is intended to assist new businesses and to attract others to the City.

Sustainability

Community Gardens

Staff continues to work with Western Environment Centre (WEC) to develop a plan for the very successful garden program moving forward.

Trans Canada Trail Project

Staff is working with Engineering to develop the engineering design RFP for the recently funded \$1.7 million project.

Urban Forestry Project

In partnership with CNA, Grenfell, Canadian Forestry Services (CFS) and Mitacs, staff are working to develop an urban forestry partnership and better policies to help sustain and protect the urban forest.

Fall Leaf Collection Program

Staff are coordinating the annual program that will take place from November 15th to 19th.

Grenfell Environmental Protection Institute (EPI) Lab

Staff are working with EPI Lab to develop a City Studio style course with a focus on the environment, while at the same time, working with a student who is investigating Electric Vehicle (EV) best practices for municipalities.

Director of Community, Engineering, Development & Planning Approved - 04 Nov 2021
Legislative Assistant Approved - 05 Nov 2021

City Manager



Request for Decision (RFD)

Subject: COVID-19 Vaccination Policy

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Human Resources
Staff Contact: Dale Park, Director of Finance & Administration
Topic Overview: The City is interested in following the lead of other government bodies by implementing a COVID-19 vaccine policy
Attachments: [Vaccine Policy DRAFT revised](#)

BACKGROUND INFORMATION:

The health and safety of our employees and our residents is a top priority for the City. The City is committed to taking every reasonable precaution in the circumstances for the safety of workers from the hazard of COVID-19. Vaccination is a key element in the protection of City employees against the hazards to COVID-19. This policy is designed to maximize vaccination rates among City employees as one of the critical control measures for the hazard of COVID-19. Many other government bodies have implemented mandatory vaccination policies for COVID-19, and the City is interested in doing the same.

Effective December 31, 2021, City employees, Council members, students, volunteers, on site vendors, suppliers, consultants and contractors are required to be vaccinated against COVID-19 in order to attend the workplace. This time period allows any employees that are not yet fully vaccinated an opportunity to arrange for their 1st and/or 2nd shots.

Employees who are not compliant by December 31, 2021 will not be able to attend the workplace. The City will evaluate each situation uniquely, but employees who do not comply are subject to being placed on an unpaid leave of absence.

PROPOSED RESOLUTION:

It is RESOLVED that the Corner Brook City Council approve the COVID-19 Vaccination Policy as attached.

GOVERNANCE IMPLICATIONS:

Policy

Legal Review: Yes

RECOMMENDATION:

Staff recommend the approval of this policy.

Director of Finance & Administration Approved - 01 Nov 2021

Legislative Assistant Approved - 02 Nov 2021

City Manager



CITY OF CORNER BROOK

Policy & Procedure

Index	Human Resources		Section			
Title	COVID-19 Vaccination Policy		Policy Number		Authority	Council
Approval Date	November 13, 2021	Effective Date	November 13, 2021	Revision Date		

Purpose:

In maintaining its commitment to the health and safety of all employees, the City of Corner Brook shall provide a workplace that safeguards employees, council, volunteers, and the community as a whole. City of Corner Brook employees work in an environment where social distancing is often difficult to maintain and public interaction is a regular occurrence.

Employees working in certain divisions may have obligations in addition to, or outside of the timelines included herein this policy, under division-specific policies regarding COVID-19 vaccination or under regulations, legislation or guidelines applicable to them.

Policy Statement:

The health and safety of City employees is a priority. The City of Corner Brook is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers from the hazard of COVID-19. Vaccination is a key element in the protection of City employees against the hazard of COVID-19. This Policy is designed to maximize COVID-19 vaccination rates among City employees as one of the critical control measures for the hazard of COVID-19. Effective Friday, December 31, 2021, City employees, members of Council, Students, Volunteers, and On-site Vendors, Suppliers, Consultants and Contractors are required to be vaccinated against COVID-19 in order to attend the workplace.

This policy is temporary; however, will remain in effect as long as it's required to ensure the health and safety of employees and other third parties. The policy may be revoked at any time that the City deems it is safe to do so based on public health advice and only once the risks of COVID-19 have subsided.

Definitions:

Accommodation

Any change in the working environment that allows a person with a disability or limitation to properly carry out their job duties. This includes changes to physical workspace, adaptations to the equipment or tools used, change in work hours, change in responsibilities or duties, or job

sharing. Accommodations can be temporary, periodic, or long term depending on the employee's medical condition. All accommodations must be supported with appropriate medical documentation.

Employee

Any individual working for, or receiving compensation from, the City of Corner Brook; including those in part-time, seasonal or contractual positions.

This definition also applies to any work term student and/or student undergoing on the job training with the City, whether they are in receipt of remuneration or not.

Exemption

Exemptions will be considered for individuals that cannot get a COVID-19 vaccine due to specific medical reasons. The College of Physicians and Surgeons of Newfoundland and Labrador (the medical regulator in NL) has outlined the few acceptable medical exemptions to the COVID-19 vaccination as follows: 1. An allergist/immunologist-confirmed severe allergy or anaphylactic reaction to a previous dose of COVID-19 vaccine or to any of its components that cannot be mitigated; and, 2. A diagnosed episode of myocarditis/pericarditis after receipt of an mRNA vaccine.

A request for a vaccination exemption may be accommodated if the employee cannot be vaccinated for medically supported reasons.

Fully Vaccinated

A person is considered fully vaccinated when at least two weeks have passed since an individual's second dose of COVID-19 vaccine or first dose where an individual has received a one-dose COVID-19 vaccine.

Medical Documentation

Documentation outlining medical reason(s) for not being fully vaccinated against COVID-19 provided by an appropriate health care provider, in line with guidance from the College of Physicians and Surgeons of Newfoundland and Labrador.

New Employee

New employees will be advised of this policy when an offer of employment is made and must be fully vaccinated at the time of their employment start date. In the event that the candidate fails to comply with the vaccination requirement and are not approved for a policy exemption, the job offer will be revoked.

Unvaccinated Individual

Any individual who has not received any dose of COVID-19 vaccine and includes individuals who have received only one dose of a COVID-19 vaccine, where the vaccine consists of two doses.

Vaccine or Vaccination

Recognized COVID-19 vaccine intended to provide acquired immunity against severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), the virus that causes coronavirus disease 2019 (COVID-19). Vaccines recognized by the City of Corner Brook are those approved by the World Health Organization (WHO) and/or Health Canada.

Workplace

A workplace refers to any indoor or enclosed space in which employees perform the duties of their employment, and includes any adjacent corridor, lobby, stairwell, elevator, lunchroom, washroom, company vehicle, or other common area frequented by such employees while they are at work. Workplace examples include, but are not limited to Public Works Depot and Garage, Storage Buildings, Fire Hall, City Hall, Water Treatment Plant, Civic Centre, Margaret Bowater Park, PRV stations, City owned vehicles, and any grounds associated with these workplaces.

For the purpose of this policy and definition an employee's home/place of residence is not considered a workplace.

DETAILED ACTION REQUIRED

Responsibilities:

All levels of management are responsible for the administration of this policy.

Mayor, Deputy Mayor, and Council (or its designated committee) will:

- Review, amend, and adopt changes to this policy; and,
- Adhere to this policy

The City Manager will:

- Bring recommended changes of this policy forward to Council for consideration and approval;
- Adhere to this policy;
- Address any breaches of this policy; and,
- Ensure disciplinary action is imposed for contraventions of this policy

The Directors will:

- Recommend to the City Manager changes to this policy;
- Adhere to this policy;
- Address any breaches of this policy; and,
- Ensure disciplinary action is imposed for contraventions of this policy

The Human Resources Manager will:

- Adhere to this policy;
- Ensure declaration forms are received and filed in accordance with appropriate deadlines;
- Maintain an accurate record of vaccine verification; and,
- Destroy declaration forms in accordance with this policy.

Managers & Supervisors

- Adhere to this policy;
- Ensure employees complete any required education and/or training regarding the COVID-19 vaccination policy; and,
- Ensure employees are not entering the workplace if they are not permitted to do so in accordance with this policy.

Employees

- Follow all health and safety protocols and policies; and,
- Complete any required education, training and or documentation regarding the COVID-19 vaccination policy.

Procedures

Vaccine Requirement

Employees and Council must provide proof of full COVID-19 vaccine or to obtain an approved exemption on or before December 31, 2021. After December 31, 2021, employees who have not provided proof of full vaccination, and who have not been granted an exemption, will be deemed as non-compliant. Non-compliance is covered below.

Employees and members of council will be required to present their QR code and one piece of photo identification for verification. The QR code will be scanned by the NLVaxVerify app which can only read:

1. Your name
2. If you are fully vaccinated or have an approved medical exemption

NLVaxVerify does not store any personal information about you or your COVID-19 vaccination record.

The City will **NOT** keep a copy of your QR code on file; however, a record will be created and stored on file to acknowledge that your QR code was verified.

Privacy

The proof of vaccination compliance form will remain with the Human Resources division. This compliance form will remain on file until such a time as it is a) requires updating and/or b) is no longer required. Personal information such as date of vaccination, vaccination type, MCP number, etc. will not be recorded nor kept on file.

Paper copies of vaccination records will be accepted as proof of vaccination; however, due to privacy reasons is not the preferred method of vaccine confirmation. If a paper copy is presented as proof the employer will verify the information and complete the vaccination compliance form. The vaccination record is to remain with the employee and the employer will not take a copy to confirm vaccination status.

Support for Vaccinations

The City supports employees in obtaining their COVID-19 vaccination. If operationally feasible and with the permission of their immediate supervisor, City employees can be released on work time to be vaccinated while on-duty, without loss of compensation or the requirement to use banked time, to a maximum of four hours.

Compliance

Unless a legislated or regulatory exemption applies, all City employees and members of council are expected and required to continue to comply with applicable health and safety measures to reduce the hazard of COVID-19, including but not limited to compliance with established workplace access controls (example: daily screening), wearing a mask or face covering, using provided PPE, maintaining appropriate physical distancing and self-monitoring of potential COVID-19 symptoms when at work or otherwise engaged in City business.

Employees and members of council who remain unvaccinated due to substantiated accommodation may be required to take additional infection and prevention control measures.

Employees and members of council who are not compliant with this policy, or who are found to have submitted fraudulent proof of vaccination, fraudulent documentation supporting an accommodation, or any fraudulent COVID-19 related documentation/information may be subject to discipline, and/or non-disciplinary suspension, unpaid leave of absence, prohibition from attending the workplace and/or work related events.

Other individuals who contravene this policy (volunteers, contractors, etc.) may be banned from City facilities and/or property at the discretion and duration as determined by the City.

Reference:

IN WITNESS WHEREOF, this policy is sealed with the Common Seal of the City of Corner Brook.

MAYOR

CITY CLERK



Request for Decision (RFD)

Subject: Expression of Interest - Assessment Review Commissioner 2022

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Finance and Administration
Staff Contact: Dale Park, Director of Finance & Administration
Topic Overview:

BACKGROUND INFORMATION:

Pursuant to Section 31(1) of the *Assessment Act*, the City of Corner Brook is required to appoint a person to the position of Assessment Review Commissioner for 2022. The City has solicited expressions of interest in the position of Assessment Review Commissioner and one submission was received.

Mr. Waterman has held a number of positions in his career in which he was responsible for property acquisition and disposition. He has served on several panels and hearing in relation to statutes and regulations. He has served as the City's commissioner for the past eight years.

PROPOSED RESOLUTION:

It is **RESOLVED** to appoint Mr. Dennis Waterman as the Assessment Review Commissioner for 2022.

FINANCIAL IMPACT:

The cost is variable based on the number of hearings and prep that is required. The proposed rate for 2022 \$650 per day and includes all administrative and secretary support. This rate is the same as 2021. It is proposed that \$10,000 be carried in the 2022 budget for this service.

Budget Code: 01-300-1050-65700

Finance Type: Budget

GOVERNANCE IMPLICATIONS:

Policy
 Other
 Assessment Act
 Section 31(1)

ENVIRONMENTAL IMPLICATIONS:

RECOMMENDATION:

It is staff recommendation to appointment Mr. Waterman as the Assessment Review Commissioner for the 2022 tax year.

ALTERNATIVE IMPLICATIONS:

- 1. Approve the appointment of Mr. Waterman as Assessment Review Commissioner
- 2. Reject the appointment, and advertise again

Director of Finance & Administration Approved - 01 Nov 2021
Legislative Assistant Approved - 02 Nov 2021

City Manager



Request for Decision (RFD)

Subject: Revised Capital Investment Plan - Gas Tax Agreement

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Finance and Administration
Staff Contact: Dale Park, Director of Finance & Administration
Topic Overview: The City's Capital Investment Plan (CIP) requires an update for the new 2021 allocation.
Attachments: [2019-2024 revised ultimate Recipient Gas Tax Amendment letter August 2021](#)
[CIP application gas tax 2019-2024 revised Oct 2021](#)

BACKGROUND INFORMATION:

The Federal Government provides funding to municipalities under the Federal Gas Tax Fund on a 5 year basis. The current 5 year program is from 2019-2024. In August the City was advised of an additional one time top-up to the fund in the amount of \$839,340. In order to receive and utilize these funds the City is required to submit a Capital Investment Plan (CIP) that outlines how the City will utilize these funds. A revised CIP is required to be updated based on the new allocation of \$839,340 being approved in August 2021. The City has been using funds received for its annual road paving program and it is proposed to continue this with the incremental funding. The CIP that was brought forward at the October 18th, 2021 meeting had an error in the total amount of the CIP (it was understated by \$8,867.09).

PROPOSED RESOLUTION:

It is RESOLVED to approve the revised 2019-2024 Capital Investment Plan in the amount of \$6,144,196.09 as attached.

FINANCIAL IMPACT:

The incremental funding of \$839,340 allows for a larger investment in road improvements.

RECOMMENDATION:

Staff recommend approval of this CIP.

Director of Finance & Administration Approved - 01 Nov 2021
 Legislative Assistant Approved - 02 Nov 2021

 City Manager



Government of Newfoundland and Labrador
 Department of Municipal and Provincial Affairs

AUG 06 2021

Jim Parsons, Mayor
 City of Corner Brook
 P.O. Box 1080 5 Park Street
 Corner Brook, NL A2H 6E1

Dear Mayor:

Ultimate Recipient Gas Tax Amendment

As announced in the recent 2021 Federal Budget I am pleased to inform you of an increase in the funding for the Federal-Provincial Administrative Agreement on the Federal Gas Tax Fund for 2019-2024.

Please be advised that this Amendment letter rescinds and replaces the original letter sent in June 2019.

We invite you to review the below allocations for 2019-2024. Please note, the allocation formula for the Amendment uses the same base plus per capita formula as before however the allocations are based on the updated 2016 census population data. Also, these allocations do not include any unused Gas Tax funds that you may be carrying forward from previous agreements.

The Top-up Allocation amount of \$839,340.00 is included in the 2021-2022 Allocation below.

Distribution of Gas Tax with Base Allocation + Per Capita					
2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	Total
\$1,786,021	\$839,340.00	\$1,716,832	\$877,492.00	\$915,644.00	\$6,135,329.00

We ask that you sign the letter below in the space indicated and return it, along with a Resolution of Council accepting the funding to the Gas Tax Secretariat, Department of Municipal and Provincial Affairs by **September 30, 2021**. If the town chooses not to avail of this Gas Tax funding, please return the letter unsigned with a Resolution of Council indicating the refusal of Gas Tax funds.

The Gas Tax Secretariat must be in receipt of your signed letter and the supporting Resolution of Council before application approval can be considered.

Please note that all funding is subject to the availability of provincial budgetary appropriations for the fiscal year in which a payment is to be made.

P.O. Box 8700, St. John's, NL, Canada A1B 4J6 ☎ 1 877 729 4393 📠 709 729 3605 E-Mail: gastax@gov.nl.ca

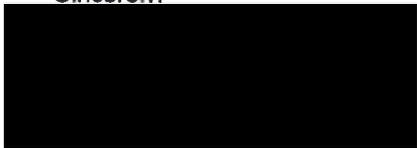


Government of Newfoundland and Labrador
Department of Municipal and Provincial Affairs

Should you have any questions or concerns regarding this, please contact the Gas Tax Secretariat at 1-877-729-4393 or by email: gastax@gov.nl.ca.

The Department of Municipal and Provincial Affairs is committed to working with gas tax recipients to fulfill the economic goals of the Gas Tax Program by supporting long term planning and municipal infrastructure in Newfoundland and Labrador. We look forward to receiving your signed letter and completed applications.

Sincerely,



HON. KRISTA LYNN HOWELL, MHA
Minister

Date: AUG 06 2021

In Right of the Ultimate Recipient of: _____

As Represented by the Mayor (or Angajukkak)

Date: _____

2) Proposed Project Financing

(A) Gas Tax Funding	(B) Municipal Funding	(C) Provincial Funding	(D) Other Federal Funding	(E) Other Funding	(A)+(B)+(C)+(D) +(E) Total Estimated Project Cost
\$6,135,329.00					\$6,135,329.00

- Does this project require signage, as per the Infrastructure Project sign Design and Installation Guidelines (<http://www.mae.gov.nl.ca/for/gta.html>.)

Yes
 No

If yes, please ensure the cost is included in the Total Estimated Project Cost and a quote is attached.

- Will this project receive (or has the project received) funding from other provincial/federal programs? Y N

- If yes, please indicate the name of the provincial/federal program(s), as well as the associated project number:

The City is also anticipating completing other asphalt and paving programs separate from the Gas Tax allocation, however they would be funded separately under MYC or other approved funding programs.

- What is the estimated starting date of the proposed project? June 2019
- What is the estimated completion date of the proposed project? November 2024

3) How will this project provide a beneficial impact on your community?

The improvements in the City paving and road infrastructure will result in more efficient transportation routes and lowering of greenhouse gases.

- 4) Does this project relate to infrastructure owned by the municipality/ICG? Y N
 If no, who owns the infrastructure? _____

REMINDER: Attach the cost estimate and resolution of council for your proposed project.

Submit completed application to:

Gas Tax Secretariat
 Department of Municipal Affairs and Environment
 Confederation Building, West Block
 P.O. Box 8700
 St. John's, NL
 A1B 4J6

Facsimile: (709) 729-3605
 E-mail: gastax@gov.nl.ca

Questions:
Please call 1-877-729-4393 or E-mail: gastax@gov.nl.ca



Information Report (IR)

Subject: Council Remuneration overview

To: Rodney Cumby

Meeting: Committee of the Whole - 08 Nov 2021

Department: Finance and Administration

Staff Contact: Dale Park, Director of Finance & Administration

Topic Overview: This information report is intended to provide an overview of the current remuneration for Mayor & Council, and the process required in order for their to be a change in that remuneration.

Attachments: [Council-Remuneration-and-Reimbursement-Regulations-2018](#)
[Corner Brook Councillor Remuneration Confidential Report Jan 25 Revised](#)

BACKGROUND INFORMATION:

The City of Corner Brook provides remuneration to its Mayor and Council. The process in which this remuneration is approved is controlled by both Provincial legislation and City regulation.

The City of Corner Brook Act in paragraph 17 outlines that remuneration can be paid to mayor and council subject to a 2/3 vote of the total number of councillors, and in accordance with the regulations. Paragraph 18 requires the City to have regulations that set out the scale of remuneration and the rules in which reimbursement of expenses may occur.

The City has *Council Remuneration and Reimbursement Regulations, 2018* that were approved by Council in 2018 and effective January 1, 2019 . The remuneration that is contained in that regulation is:

Mayor - \$39,300
 Deputy Mayor - \$27,120
 Councillor - \$25,380

The rate of remuneration that is stated above is the rate of remuneration that was paid in 2019, 2020 and in 2021.

The regulation in paragraph 15 states:

"In the third year of each Council's term, Council shall conduct a comparative benchmarking exercise to review the current Council remuneration with other municipalities in the Province and those of similar size and circumstances. The benchmarking review shall be conducted by an external and

independent third party. Any recommendation for a change in the Council remuneration from such a review shall be implemented not prior to the first month of office for the next elected Council."

The regulation requires the independent third party review, and does not allow it to be optional ("shall" conduct a review as opposed to "may" conduct a review). If as a part of that review, there was a recommendation for an adjustment in remuneration (either increase or decrease), it would not be implemented for the current Council members, but would only take effect for the next Council after the general election.

While the independent third party review is a requirement, there is no requirement for Council to accept the recommendations, or to implement any changes. If there was a desire from a councillor, or a group of councillors to implement a change to the remuneration of Council, there is a formal process to follow. Paragraph 39 and 40 of the *City of Corner Brook Act* state:

Notice prior to regulations

39. A regulation or an amendment or repeal of the regulation, shall not be considered by the council without written notice having been given at a previous meeting.

1985 c15 s39

Publication

40. (1) Where a regulation is passed by the council under this Act, there shall be published in a newspaper having general circulation in the city either a copy of the regulation or a notice setting out concisely the object and the date of passing of the regulation and a statement that a person who wishes to view the regulation may do so at the office of the city clerk of the Corner Brook City Council at City Hall.

(2) A person who wishes to obtain a copy of the regulation may obtain it at that office upon the payment of a reasonable charge, as established by the council.

(3) Upon publication of the notice referred to in subsection (1) in a newspaper, the regulation shall come into force on the date of publication or on an earlier or later date that may be noted in the regulation.

Before there is any change in a regulation (including the Council Remuneration and Reimbursement Regulations, 2018), a Notice of Motion must be presented at a public meeting. This Notice of Motion is not debated when it is first presented, but must outline the changes that are being proposed. At the following Public Meeting, the Notice of Motion is able to be debated, discussed, and if seconded, put forward for a vote. Paragraph 17 of the *City of Corner Brook Act*, requires that a regulation change for council remuneration must be agreed upon by 2/3 vote of the total number of councillors.

Therefore, in order for there to be any change in Council Remuneration, it must be agreed by 5 out of the 7 members of Council. Any less than 2/3 approval means the motion is defeated, and the existing remuneration regulations would continue.

With the existing regulations in place, the remuneration for members of Council could only take place after the 2025 general election. With the current regulations in place, there is not an opportunity for there to be any change in the remuneration during this term of Council.

Council does have the authority to make changes to the current Council Remuneration and Reimbursement Regulations, 2018, however, any change in the remuneration, or any other clauses would require a notice of motion, and subsequent 2/3 vote of Council in order to be implemented.

FINANCIAL IMPACT:

⌘

Director of Finance & Administration Approved - 05 Nov 2021
Legislative Assistant Approved - 05 Nov 2021

City Manager

Council Remuneration and Reimbursement Regulations, 2018

Pursuant to authority conferred by Section 18 of *The City of Corner Brook Act*, Chapter C-15, RSN 1990, the Council of the City of Corner Brook, in a session convened on the 19th day of November 2018, hereby passes and enacts the following Council Remuneration and Reimbursement Regulations:

Regulations

1. These regulations may be cited as the City of Corner Brook Council Remuneration and Reimbursement Regulations 2018.
2. Interpretation: In these regulations, unless the context otherwise requires:
 - a. "Act" means The City of Corner Brook Act;
 - b. "City Clerk" means a City Clerk appointed as such pursuant to the provisions of the Act;
 - c. "Council" means a City Council pursuant to the provisions of the Act;
 - d. "Leave of Absence" means a period of time during which a Councillor is not involved with the activities of Council with the approval of Council and without remuneration for the period of the approved leave of absence;
 - e. "Councillor" includes the Mayor, Deputy Mayor and Councillors.
3. Council may, by two-thirds vote of the Councillors as determined in accordance with Section 18 of the Act, pay an annual remuneration to the Mayor, Deputy Mayor and Councillors, and shall fix the amount to be paid to each of them. The amount of annual remuneration to the Mayor, Deputy Mayor and Councillors shall be listed in Appendix A of this Regulation.
4. The annual remuneration referred to in section 3 shall not be adjusted without an amendment to these regulations and an amendment to Appendix A.
5. The annual remuneration package will include:
 - a. group life insurance coverage in the amount of \$30,000;
 - b. accidental death and dismemberment benefits and enrollment;
 - c. if desired by a Councillor, participation in the City of Corner Brook health and dental insurance program.

All premiums for the coverage included in this section shall be 100% paid by the City of Corner Brook, provided the Councillor meets the terms and conditions of the program.
6. Remuneration paid pursuant to Section 3 shall be:
 - a. Paid on the last Thursday of each month by direct deposit to an account at a chartered bank as designated by each Councillor;
 - b. Identified on a statement of earnings and deductions to be made available to each Councillor each month.
7. In the event of a leave of absence being approved for a Councillor by Council, the Councillor will be entitled to a pro-rated share of remuneration for the month or part month work prior to the leave of absence being approved.

City of Corner Brook
Council Remuneration and Reimbursement Regulations, 2018

8. Notwithstanding section 7, upon the resignation of a Councillor, the departure from the Office Councillor during the general election process, or the election of a Councillor during a by- election or general election, a Councillor will be entitled to a pro- rated share of remuneration for the applicable month.
9. A Councillor assuming the Office of Mayor or Deputy Mayor due to the resignation of the incumbent, will be entitled to a pro-rated share of remuneration at the Mayor/Deputy Mayor rate as applicable from the date of assuming the office.
10. Subject to Section 11, the Council shall reimburse a Councillor in accordance with these regulations for expenses incurred in the conduct of municipal business authorized by the Council.
11. Notwithstanding Section 11 the expenses for which a Councillor may be reimbursed shall be as follows:
 - a. for accommodation, the actual cost as verified by receipt, or for private accommodations at a rate to be fixed by Council in the *Travel Expenses – Accommodations Policy*;
 - b. for transportation
 - i. in the case of the use of a personal vehicle, at a rate per kilometer as approved by Council in the *Travel Expenses – Automobile Usage Policy*;
 - ii. or a fixed car allowance of \$200 per month for the Mayor for use of his/her personal vehicle in carrying out the duties of the office of Mayor;
 - iii. in the case of the use of other transportation, costs as verified by receipt;
 - c. for per diem including meals, at a rate to be fixed by Council in the *Travel Claim – Council Policy*;
 - d. other expenses as provided in the *Travel Claim – Miscellaneous Policy*.
 - e. loss of substantiated income or vacation leave for a normal work day when they are required to take time from their jobs for City business obligations or responsibilities. Claims must be based on the following criteria:
 - i. the City business obligation and responsibility must be prior approved by Council;
 - ii. travel must be funded from the Council budget allocation;
 - iii. a maximum of \$250 per diem will be reimbursed to the employer or Councillor;
 - iv. the maximum number of days that may be claimed and reimbursed in a calendar year is five (5) days. The five (5) days will be prorated for any Councillor joining Council during a calendar year.
12. A Councillor may be reimbursed for the expenses referred to in Section 11 by submitting to the City Clerk or his/her designate a claim in such form as the Council may authorize.
13. A claim submitted pursuant to section 12 shall be certified by the City Manager or his/her designate and shall be paid by Council cheque or direct deposit as determined by the City.
14. A summary of Council travel expense by Councillor will be provided to Council semi-annually and reported on at a public meeting.

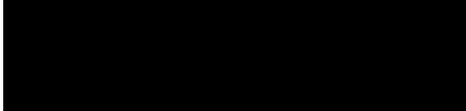
City of Corner Brook
Council Remuneration and Reimbursement Regulations, 2018

- 15. In the third year of each Council’s term, Council shall conduct a comparative benchmarking exercise to review the current Council remuneration with other municipalities in the Province and those of similar size and circumstances. The benchmarking review shall be conducted by an external and independent third party. Any recommendation for a change in the Council remuneration from such review shall be implemented not prior to the first month of office for the next elected Council.
- 16. All previously adopted regulations pertaining to Councillors’ remuneration and reimbursement are hereby repealed.
- 17. These regulations were adopted by resolution at a meeting of Council held on the 19th day of **November, 2018** and will come into effect on the 1st day of January 2019.

IN WITNESS WHEREOF, this Regulation is sealed with the Common Seal of the Corner Brook City Council and subscribed by and on behalf of Council by Jim Parsons, Mayor, and Marina Redmond, City Clerk, at the City of Corner Brook, this **22th** day of **November, 2018**.



Jim Parsons, Mayor



Marina Redmond, City Clerk

November 19, 2018
Date

November 19, 2018
Date

1st reading: 05 November 2018

2nd reading: 19 November 2018

Approved by Council: 19 November 2018

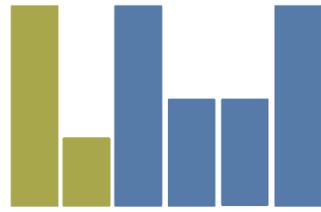
Published in Western Star: 24 November 2018

Letter sent to: Minister, Dept. of Municipal Affairs and Environment: November 22, 2018

City of Corner Brook
Council Remuneration and Reimbursement Regulations, 2018

Appendix "A"
Schedule of Remuneration

	<u>2019</u>
Mayor	\$39,300
Deputy Mayor	\$27,120
Councillor	\$25,380



LW Consulting

“Preparing Municipal Officials For The Future”

CONFIDENTIAL REPORT
TO
CITY OF CORNER BROOK
RE:
REVIEW
OF
COUNCILLOR REMUNERATION

January 23, 2021

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

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CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

ENGAGEMENT

LW Consulting was engaged to undertake a review of the level of compensation paid to Councillors of the City of Corner Brook through remuneration and other reimbursements in accordance with the terms included in the Proposal dated November 25, 2020. Notification of the approval of LW Consulting's Proposal was provided in a telephone conversation between Gerard Lewis, LW Consulting's Senior Partner and Rodney Cumby, City Manager for the City of Corner Brook.

REQUIREMENT TO REVIEW

The terms under which the elected officials of the City of Corner Brook are remunerated are included in the City of Corner Brook *Council Remuneration and Reimbursement Regulations, 2018 (the Regulations)*. Section 15 of these Regulations state:

“In the third year of each Council’s term, Council shall conduct a comparative benchmark exercise to review the current Council remuneration with other municipalities in the Province and those of similar size and circumstances. The benchmarking review shall be conducted by an external and independent third party. Any recommendation for a change in the Council remuneration from such review shall be implemented not prior to the first month of office for the next elected Council.”

In accordance with the requirements of Section 15, the Council initiated the review resulting in this analysis and Report.

PROJECT OBJECTIVE

As noted above, Section 15 requires that the analysis of the current remuneration be “with other municipalities in the Province and those of similar size and circumstances.” Therefore, the objective of this analysis is to determine whether the Councillors of the City of Corner Brook are being appropriately compensated in comparison to other similar municipalities. It was determined that the analysis would focus on three (3) areas in which a relevant comparison would be made. These are:

- Compensation on a per capita basis
- Compensation as a percentage of total revenue
- Compensation as a percentage of that which the legislation authorizes Council to compensate its Councillors.

The basis of the first two (2) criteria are self-explanatory. To ensure the basis of the third criteria is clear, elaboration on the use of the criteria is hereby provided. In undertaking the analysis of the remuneration authorized in this Province, the formula included in the *Councillor Remuneration and Reimbursement Regulations, 2001* will be used. This formula will be used even though two (2) municipalities, the City of Corner Brook, and the City of Mount Pearl, are not subject to the restrictions provided by this legislation.

It should also be noted that the formula in the *Councillor Remuneration and Reimbursement Regulations, 2001* refers to “fixed revenue”. As all municipalities included in the analysis are included in the “large” municipalities group as determined by the Department of Environment, Climate Change, and Municipalities, the actual amount used for this calculation is the “total revenue” budgeted by the municipality.

Further elaboration is included in the “Legislative Authority” section of this Report.

Finally, reference to “total remuneration for Councillors” does not include the amount paid to the Mayor and Deputy Mayor unless specifically noted.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

SCOPE OF WORK

The scope of work for the Council Compensation Review as contained in the Proposal includes:

1. Hold discussions with the City Manager, via Zoom, telephone, or in person to obtain any relevant information pertaining to existing compensation, expenses, and benefits per the City of Corner Brook *Council Remunerations and Reimbursement Regulations, 2018*, and to clarify the City’s expectations for the Review.
2. Develop a survey instrument to be provided to the Mayor, Deputy Mayor and Council for their confidential completion to obtain information on their workload, including;
 - a. Required attendance at Council, Committee, other internal and external meetings
 - b. Attendance at community ceremonies and events
 - c. Speaking requests from community organizations to represent the City
 - d. Responsibilities during emergencies
 - e. Communications with residents
 - f. Responses to inquiries from media
 - g. Attendance at conventions, conferences, workshops, and other professional development forums
 - h. Other events or requirements that may require the time and attention of the Mayor, Deputy Mayor and Council.
3. Develop and conduct a survey to obtain information from comparative municipalities within the Province and other Atlantic Provinces and any other municipalities that may be suggested by the City Manager. Information to include:
 - a. Municipalities’ annual budget
 - b. Council remuneration rates, formats, and benefits
 - c. Were adjustments made to offset the 2017 decision by the Federal Government to eliminate the tax-exempt component of remuneration paid to elected provincial and municipal officials
 - d. When reviews of remuneration are conducted and the method of such reviews
 - e. Frequency and method of adjustment to remuneration
 - f. Policies, if any, on Council attendance at internal committee(s)/external body meetings, conferences, and workshops
 - g. Suggested comparative municipalities to be surveyed with any changes or additional municipalities that maybe suggested:

Municipality	Province	2016 Population
Mount Pearl	Newfoundland & Labrador	23,120
Conception Bay South	Newfoundland & Labrador	26,199
Paradise	Newfoundland & Labrador	21,389
Pictou, County Municipality	Nova Scotia	20,692
East Hants, District Municipality	Nova Scotia	24,863
Dieppe, City	New Brunswick	25,384
Charlottetown, City	Prince Edward Island	35,094

4. Conduct confidential individual discussions via Zoom, telephone, or in person with the Mayor, Deputy Mayor and Council following receipt of their survey to clarify any information and to provide an opportunity for further input on an individual basis.
5. Review current and past remuneration and any Council Compensation Reviews previously conducted for the City on remuneration for the Mayor, Deputy Mayor and Councillors.
6. Review of 2020 Budget for the City including pertinent data relating to Council compensation, benefits, and reimbursement for meeting expenses.
7. Review population for the City.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

8. Review City of Corner Brook Act and its legislated requirements for the payment of remuneration and reimbursement of expenses incurred in the conduct of City business by the Mayor, Deputy Mayor and Councillors.
9. Review Council Remuneration and Reimbursement Regulations, 2018.
10. Submit bi-weekly status reports pertaining to the progress on the contract.
11. Obtain any other information deemed appropriate for the Review
12. Analysis of all information and data obtained; drafting a Report with recommendations for the consideration of Council with information pertaining to the remuneration paid on a per capita basis, percentage of total revenue, other method(s) that may arise out of discussions with the City Manager of Corner Brook or methods used in the surveyed comparative municipalities.
13. Present Report to City Manager and to Council, if requested, with recommendations for changes, if any, to the City of Corner Brook *Council Remuneration and Reimbursement Regulations (Regulations)*; suggestions to address and improve any weakness or areas of concern in Regulations, if deemed required, for the elected Council to take office in September of 2021; recommendations, if any, for policies for attendance at internal committee/external body meetings, conference and workshops; recommendations, if any, on when reviews of Council remuneration should be conducted; and the method of such reviews and recommendations, if any on the frequency and method of adjustments to remuneration
14. Finalize Report considering any changes that may arise from discussions/presentation and to submit Final Report.

On review of the Proposal by the City Manager it was determined that the Towns of Gander and Grand Falls-Windsor would also be included in the assessment as comparative municipalities.

This Scope of Work was to be accomplished in three (3) phases.

Phase One (1) was the Project Initiation which involved discussing the objectives of the review with the City Manager, obtaining appropriate documents pertaining to previous Councillor Remuneration Reviews, and preparing a survey to be completed by Councillors. As included in the Proposal, the purpose of the survey was to obtain the views of Council members with respect to their current remuneration levels, the level of effort required of Councillors including the time spent on Council and Committees, and time spent in dealing with requests from citizens, businesses, and media. This survey was provided to Council and the information contained in the replies to the survey were used in the analysis.

As indicated, the objective of this analysis is to determine whether the Councillors of the City of Corner Brook are being appropriately compensated in relation to other similar municipalities. The analysis focuses on three (3) areas in which a relevant comparison would be made. These are:

- Compensation on a per capita basis
- Compensation as a percentage of total budgeted revenue
- Compensation as a percentage of that which the legislation authorizes Council to compensate its Councillors.

To achieve these comparisons the following information was compiled from online searches and direct contact with the subject municipalities.

- Current population
- Current budget
- Current remuneration paid to Mayor, Deputy Mayor and Councillors.

Phase Two (2) was a Leading Practices Review that involved the development of a survey which was conducted with selected municipalities of a reasonably similar population size and

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

circumstances to the City of Corner Brook (19,806). Given the population and magnitude of its budget it was decided to include municipalities located in Newfoundland and Labrador, Nova Scotia, New Brunswick, and Prince Edward Island.

The municipalities included in the survey are included in Table 1 below. As previously indicated, after consideration of the Proposal by Council it was decided to also include the Towns of Gander and Grand Falls-Windsor in the analysis. Even though the population of these municipalities are smaller than Corner Brook, it was deemed that the responsibilities of the Councillors of these municipalities required a comparable level of effort as those in the City of Corner Brook. In addition, they were also deemed appropriate to be included as the basis of the analysis is not absolute, but relative, in that the three (3) criteria are remuneration per capita, as a percentage of fixed revenue, and as a percentage of that authorized by the respective remuneration legislation.

Table 1

Municipality	Province	2016 Population
Mount Pearl	Newfoundland & Labrador	23,120
Conception Bay South	Newfoundland & Labrador	26,199
Paradise	Newfoundland & Labrador	21,389
Gander	Newfoundland & Labrador	11,688
Grand Falls-Windsor	Newfoundland & Labrador	14,171
Pictou, County Municipality	Nova Scotia	20,692
East Hants, District Municipality	Nova Scotia	24,863
Dieppe, City	New Brunswick	25,384
Charlottetown, City	Prince Edward Island	35,094

Phase Three (3) of the project was the analysis of the data collected and the drafting of the Report. The data collected for the Report includes:

- The population of the municipality;
- The total revenue budget by each municipality;
- Amount of remuneration paid by the subject municipalities to their Mayor, Deputy Mayor, and Councillors;
- Whether adjustments were made as the result of the 2017 decision by the Federal Government to eliminate the tax-exempt component of remuneration paid to elected provincial and municipal officials;
- The impact of this Federal legislative change on the after-tax compensation for provincial and municipal elected officials upon its implementation on January 1, 2019; and
- The amount of remuneration paid to Councillors in comparison to that which is permitted by the *Councillor Remuneration and Reimbursement Regulations, 2001* imposed by this Province, or the *City of Corner Brook Councillor Remuneration Regulations, 2018*. It is noted that while the Cities Regulations identifies a fixed amount of remuneration as opposed to a formula as provided for in the provincially imposed Regulations provided for municipalities under the authority of the *Municipalities Act, 1999*, a comparison on this criterion was deemed to be appropriate and relevant.

From this data collected an analysis was undertaken with respect to:

- The amount of remuneration on a per capita basis;
- The amount of remuneration paid as a percentage of total revenue;
- A summary of the expectations/workload of the Mayor, Deputy Mayor and Councillors;
- Whether adjustments were made because of the elimination of the tax-free component in 2017;

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

- Appropriate levels of remuneration based on a per capita analysis and as a percentage of total revenue;
- A recommendation of the remuneration to be paid to the Mayor, Deputy Mayor and Councillors;
- A recommendation on when the new recommendations on remuneration should take effect;
- A recommendation on how the remuneration should be adjusted annually, if it is so recommended;
- A recommendation on when remuneration should be reviewed and how it should be reviewed; and
- Any other issues that may arise from the Review.

LEGISLATIVE AUTHORITY

The legislative authority provided to municipalities in the Province of Newfoundland and Labrador (NL) is under four (4) separate Acts, the *Municipalities Act, 1999* and the three (3) Cities Acts. As previously referenced, municipalities established under the *Municipalities Act, 1999* are authorized to compensate their elected officials under the terms of the *Councillor Remuneration and Reimbursement Regulations, 2001*. This legislation provides a formula under which remuneration to Councillors can be provided as a percentage of the “total fixed revenue” collected by the municipality.

Section 4. of the Regulations states:

The total remuneration paid by a Council to its Councillors in a year shall not exceed:

- 2% of a total fixed revenue of more than \$1,000,000 in the approved budget for the financial year of the Council; or*
- 3% of a total fixed revenue of \$500,000 to \$1,000,000 in the approved budget for the financial year of the Council but shall not exceed \$20,000; or*
- 4% of a total fixed revenue of \$250,000 to less than \$500,000 in the approved budget for the financial year of the Council but shall not exceed \$15,000; or*
- 5% of a total fixed revenue of less than \$250,000 in the approved budget for the financial year of the Council but shall not exceed \$10,000.*

This legislation is significantly different than that of the City of Corner Brook, the City of Mount Pearl, and the other three (3) Atlantic provinces. While the legislation in Corner Brook, Mount Pearl, and the Atlantic provinces are enabling, that provided to municipalities under the *Municipalities Act, 1999* is prescriptive.

Despite the authority under which remuneration is paid, the principal of the authority is that all municipalities can compensate individuals who serve as elected Councillors. It is generally seen as compensation to the individuals for their contribution to Council for time served at Council and Committee meetings. While the method and the terms vary depending on the jurisdiction, it also authorizes Council to reimburse a Councillor for personal expenses incurred in the conduct of municipal business.

As indicated, in the City of Corner Brook, City of Mount Pearl, and the other Atlantic provinces the respective provincial legislation enables the Councils to approve remuneration to their elected officials but does not restrict the amounts through a formula as with municipalities in NL established under the *Municipalities Act, 1999*.

Regulation 3. of the City of Corner Brook *Council Remuneration and Reimbursement Regulations, 2018* authorizes Council, “by two-thirds vote of the Councillors as determined in accordance with section 18 of the Act, pay an annual remuneration to the Mayor, Deputy Mayor, and Councillors, and shall fix the amount paid to each of them.” This is aligned with the authority provided to the City of Mount Pearl and municipalities in other Provinces.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

In the Province of New Brunswick, Part 4 of the *Local Governance Act, R.S.N.B., 2017(the LGA)* defines the powers and duties of Councils in that province. Section 49 of the *Act* requires that, if a Council chooses to provide remuneration to its elected officials, it must pass a by-law to that effect. The by-law is to specify the amounts paid in annual salaries or other remuneration, as well as any amounts paid as allowances for expenses resulting from the discharge of their duties including attendance at meetings. The passing of this by-law requires the majority vote of Councillors.

In the Province of Nova Scotia, the authority to pay remuneration is like that in New Brunswick. Through the *Municipal Government Act (the MGA)*, Council is authorized to pay remuneration but must specify the amounts paid through a policy of Council.

In the Province of Prince Edward Island, the *Municipal Government Act (the MGA)*, the authority to compensate Councillors is through the adoption of a by-law as in New Brunswick. Through the by-law Council is to establish levels of compensation for attending meetings and other municipal functions as well as reimbursement for expenses incurred during the undertaking of these duties.

It was noted that in Prince Edward Island, unlike either of the other provinces, there is specific reference to the provision of pensions and severance pay.

It is acknowledged in this Report that the terms “by-law” used in New Brunswick and Prince Edward Island and “policy” used in Nova Scotia are often used interchangeably.

ANALYSIS

The primary analysis undertaken in this Report pertains to the remuneration paid on a per capita basis, that paid as a percentage of fixed revenue, and the amount paid as a percentage of what the respective legislation authorizes. It is important to note that the amounts used include remuneration and other allowances and benefits (Group Benefits, Pension/RRSP contributions, Cell Phone packages, and other benefits).

The analysis will also include any action taken as the result of the change in Federal policy with respect to the elimination of the tax exemption component of remuneration, as well as an analysis on feedback received from Councillors of the City of Corner Brook.

Through the compilation and analysis of the respective legislation and data collected from the subject municipalities it was decided to divide the analysis into two (2) components. It is noted that the comparison to municipalities in the other Atlantic Provinces provides a good perspective on the level of compensation paid to other municipalities in their jurisdictions. That comparison is provided in Table 2 below. A brief analysis of this data follows. However, it is believed that a more relevant comparison would be with other municipalities in this Province.

In addition, Section 15 of the *Regulations* under which this review was commissioned specifically states that the comparison be “with other municipalities in the Province and those of similar size and circumstances.” Given the geographic proximity to the municipalities in the other Atlantic Provinces there is some merit to assessing the level of remuneration paid by these municipalities with that paid in Corner Brook. However, the recommendations resulting from this analysis will be limited to the comparison with municipalities in this Province.

Atlantic Province Municipalities

As is evident from the data collected, the City of Corner Brook is relatively comparable to most of the municipalities in the other Atlantic Provinces. While it has the smallest population, it places fourth in the annual fixed revenue.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

The information collected also confirms that all subject municipalities took measures to allow for an adjustment of the remuneration due to the 2017 Canada Revenue Agency Income Tax amendment.

To enable for an accurate comparison of the data contained in Table 2, the following information must be considered.

- The number of Councillors in each municipality are:
 - Corner Brook – 7
 - Pictou County – 12
 - East Hants – 11
 - Dieppe – 9
 - Charlottetown – 10 (Mayor Full Time Position)
- While both East Hants and Pictou County are municipalities incorporated to deliver services to their residents, they are structured as regional entities covering a large geographic area encompassing smaller rural communities.
- Other Allowances/Benefits included such expenditure as Group Benefits, Pension/RRSP contributions, Cell Phone packages, and other benefits but did not include funds received by Councillors as reimbursements for personal expenditure.
- For consistency and comparison purposes, the “Amount Permitted” is calculated as 2% of the Total Revenue budgeted by each municipality.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Table 2

CITY OF CORNER BROOK
COUNCILLOR REMUNERATION REVIEW

	Municipality					Average
	Corner Brook	Pictou County	East Hants	Dieppe	Charlottetown	
Population	19,806	20,692	24,863	25,384	35,094	25,168
Total Revenue	36,558,400	18,258,166	31,776,795	58,900,000	59,684,248	41,035,522
Year	2020	2020	2020	2020	2020	
Tax Free Adjustment	YES	YES	YES	YES	YES	
Annual Reviews Conducted	NO	YES	YES	NO	YES	
Remuneration Policies	YES	YES	YES	YES	YES	
Mayor Remuneration	39,300	59,256	55,503	59,300	74,899	57,652
Deputy Mayor Remuneration	27,120	27,360	35,579	24,355	41,997	31,282
Councillor Remuneration	25,380	22,994	28,463	21,560	38,450	27,369
Total Councillor Remuneration	126,900	229,940	142,315	107,800	346,050	190,601
Other Benefits / Allowances	18,984	31,815	82,830	72,520	56,711	52,572
Total Remuneration	212,304	348,371	316,227	263,975	519,657	332,107
Amount Permitted	731,168	365,163	635,536	1,178,000	1,193,685	820,710
% of Permitted	29.04%	95.40%	49.76%	22.41%	43.53%	48.03%
\$ per capita Mayor	1.98	2.86	2.23	2.34	2.13	2.31
\$ per capita Deputy Mayor	1.37	1.32	1.43	0.96	1.20	1.26
\$ per capita Councillor	1.28	1.11	1.14	0.85	1.10	1.10
\$ per capita Total	10.72	16.84	12.72	10.40	14.81	13.10
% of fixed revenue Mayor	0.11%	0.32%	0.17%	0.10%	0.13%	0.17%
% of fixed revenue Deputy Mayor	0.07%	0.15%	0.11%	0.04%	0.07%	0.09%
% of fixed revenue Councillor	0.07%	0.13%	0.09%	0.04%	0.06%	0.08%
% of fixed revenue Total	0.58%	1.91%	1.00%	0.45%	0.87%	0.96%

Primary Analysis Criteria

It is noted that Dieppe and Charlottetown are Cities and provide municipal services like the City of Corner Brook. However, both the Municipality of Pictou County and the Municipality of East Hants are regional or district municipalities which provide services to smaller rural communities. Based on this information, it is concluded that these municipal organizations are not appropriate to be utilized as comparisons for the City of Corner Brook and therefore, as previously indicated, the primary analysis of the data compiled from the municipal entities located in other Provinces will not form the basis of any recommendations contained in this Report.

However, for comparison purposes, the following analysis is provided.

It is important to note that the data collected pertaining the amount authorized by the *Councillor Remuneration and Reimbursement Regulations, 2001* is contained in this Table although it has no legal relevance. It is merely included for information and comparison purposes.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Comments on the data collected from the Atlantic Province municipalities are limited to remuneration on a “per capita basis” and remuneration as a “percentage of local revenue”.

Per Capita Basis

The Total Per Capita remuneration paid to Councillors in Corner Brook is lower than their Atlantic counterparts with the exception of Dieppe. Table 2 shows that Corner Brook is below the average, and well below the highest. It is interesting to note that the municipal entity providing the highest per capita remuneration (Pictou County) is not providing the highest total remuneration (Charlottetown). This data is impacted by, among other factors, local revenue, population, and the number of Councillors.

The average of the data included shows that Councillors are compensated in the amount of \$13.10 per resident. Currently, at \$10.72, the total Councillor remuneration for the City of Corner Brook is \$212,304. The following Table contains the amount of compensation that is currently being received or would be received at the various rates at the current population of 19,806.

Table 3

Position	Current	Low	Average	High
Rate	10.72	10.40	13.10	16.84
Compensation	\$212,304	\$205,982	\$259,459	\$333,533

Percentage of Fixed Revenue Basis

As with the per capita comparison, an analysis on this criterion shows that the Councillors of the City of Corner Brook are receiving remuneration below the subject municipality average. This is depicted in the following Table.

Table 4

Position	Current	Low	Average	High
Rate	.58	.45	.96	1.91
Compensation	\$212,304	\$164,513	\$350,961	\$698,265

As depicted in Table 4, at .58%, the remuneration paid as a percentage of total revenue to the Councillors in Corner Brook is not the lowest of the Atlantic Province municipalities, but it is considerably lower than the average.

When considering the methods of comparison, this method demonstrates that the Councillors in Corner Brook are further below the average than with the per capita method.

To reiterate, the details provided in this section are for information purposes only and will not be factored into any recommendations contained in the Report.

Within Province Municipalities

Throughout the following analysis several Charts will be used to illustrate the results of the data collected. To enhance the legibility of the charts the names of the respective municipalities have not been included. Instead, the municipalities are referenced by number. This applies to the Charts only. Therefore, for information purposes, the following Table contains the municipality and the associated Chart number. A component of the analysis includes a comparison to the average of the data compiled and the number “7” on the Charts contains this average.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Table 5

Municipality	Chart Number
Corner Brook	1
Mount Pearl	2
Conception Bay South	3
Paradise	4
Gander	5
Grand Falls-Windsor	6
Average	7

The subject municipalities included in this Report are established by three (3) separate pieces of legislation. They are the *City of Corner Brook Act*, the *City of Mount Pearl Act*, and the *Municipalities Act, 1999*. Accordingly, the authority provided to the subject municipalities to compensate their Councillors is also contained in three (3) separate pieces of legislation. While governed by separate legislation, the authority contained within is similar enough to arrive at appropriate and defensible comparisons.

A significant distinction in the remuneration legislation is that while the Cities of Corner Brook and Mount Pearl authorize its Council to establish a “fixed” amount of remuneration to be paid to its elected officials, the other municipalities are provided a formula, included previously in this Report, whereby the amount of remuneration paid is dependent on the amount of local fixed revenue generated by the municipality. As previously indicated, for the purpose of this analysis, the total revenue of the municipality will be used rather than the local fixed revenue.

Also worthy of note is that all municipalities included in the analysis have a complement of seven (7) elected officials except for Conception Bay South which has nine (9) elected officials.

While this distinction provides a different mechanism through which levels of remuneration are determined, the analysis of the data collected will not factor in this mechanism. The analysis will focus on the result of the mechanism, that being the amount of remuneration paid, and not the mechanism itself.

Table 6 contains the primary data on which the analysis is undertaken.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Table 6

CITY OF CORNER BROOK
COUNCILLOR REMUNERATION REVIEW

	Municipality						Average
	Corner Brook	Mount Pearl	CBS	Paradise	Gander	GFW	
Population	19,806	23,120	26,199	21,389	11,688	14,171	19,396
Total Revenue	36,558,400	53,318,000	36,456,806	37,971,665	18,633,850	20,054,152	33,832,146
Year	2020	2020	2020	2020	2020	2020	
Tax Free Adjustment	YES	YES	NO	NO	YES	YES	
Annual Reviews Conducted	NO	NO	NO	NO	NO	YES	
Remuneration Policies	YES	YES	YES	YES	YES	YES	
Mayor Remuneration	39,300	57,974	46,079	45,252	45,460	47,558	46,937
Deputy Mayor Remuneration	27,120	43,086	32,085	36,684	33,353	32,426	34,126
Councillor Remuneration	25,380	38,646	30,142	35,736	30,779	27,238	31,320
Total Councillor Remuneration	126,900	193,230	210,994	178,680	153,895	136,190	166,648
Other Benefits / Allowances	18,984	49,000	54,000	35,000	12,169	58,444	37,933
Total Remuneration	212,304	343,290	343,158	295,616	244,877	274,618	285,644
Amount Permitted	731,168	1,066,360	729,136	759,433	372,677	401,083	676,643
% of Permitted	29.04%	32.19%	47.06%	38.93%	65.71%	68.47%	46.90%
\$ per capita Mayor	1.98	2.51	1.76	2.12	3.89	3.36	2.60
\$ per capita Deputy Mayor	1.37	1.86	1.22	1.72	2.85	2.29	1.89
\$ per capita Councillor	1.28	1.67	1.15	1.67	2.63	1.92	1.72
\$ per capita Total	10.72	14.85	13.10	13.82	20.95	19.38	15.47
% of fixed revenue Mayor	0.11%	0.11%	0.13%	0.12%	0.24%	0.24%	0.16%
% of fixed revenue Deputy Mayor	0.07%	0.08%	0.09%	0.10%	0.18%	0.16%	0.11%
% of fixed Revenue Councillor	0.07%	0.07%	0.08%	0.09%	0.17%	0.14%	0.10%
% of fixed revenue Total	0.58%	0.64%	0.94%	0.78%	1.31%	1.37%	0.94%

Primary Analysis Criteria

The criteria on which the analysis contained in this Report is based is:

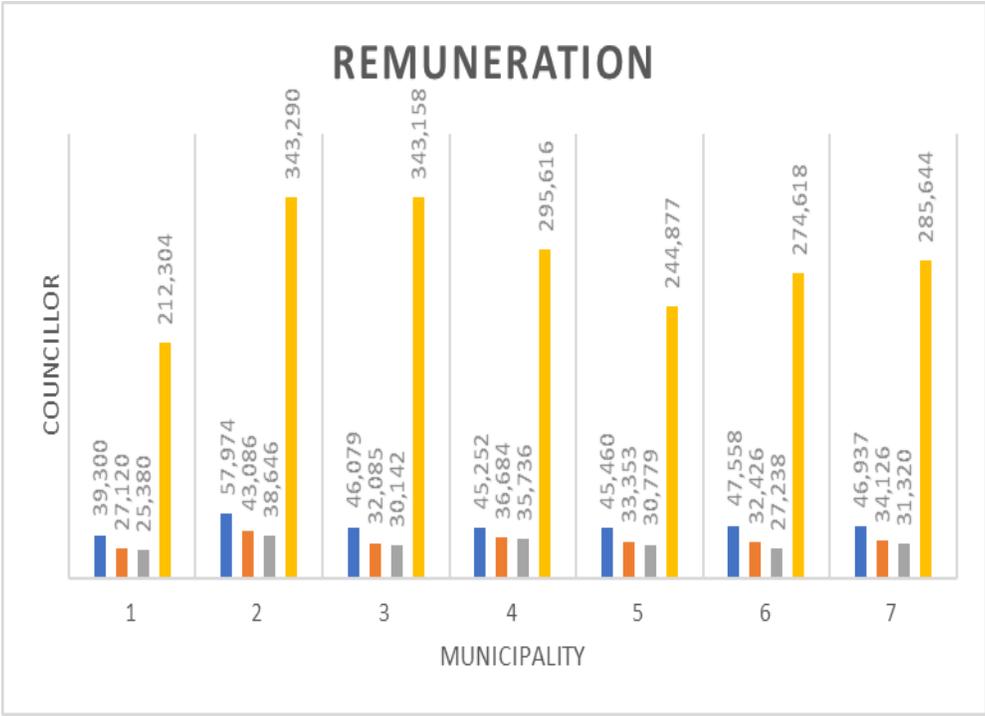
- Remuneration on a per capita basis
- Remuneration as a percentage of total budgeted revenue
- Remuneration as a percentage of legislative authority

It is important to note that the figures included in the various Tables may vary slightly from those appearing in other Tables due to rounding of the figures used in the calculations. The differences are minor and in no way negatively impact the analysis or recommendations.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Chart 1 below contains the amount of remuneration paid to the Mayor, Deputy Mayor, individual Councillors, and the total paid by the respective municipality. The amount paid to the Mayor is illustrated in blue, the Deputy Mayor in orange, the Councillors in grey, and the total in yellow.

Chart 1



As the Chart illustrates, the total remuneration paid to elected officials by the City of Corner Brook is lower than all other subject municipalities. This data will be reflected throughout this section of the analysis.

To better illustrate this data, the following Charts are included depicting the specific offices, as well as the total remuneration paid. This information is provided to demonstrate that the elected officials in all positions with the City of Corner Brook receive lower compensation than their counterparts. No further analysis of this data will be provided in this section as the following detailed evaluation is based on the three criteria previously noted.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Chart 2

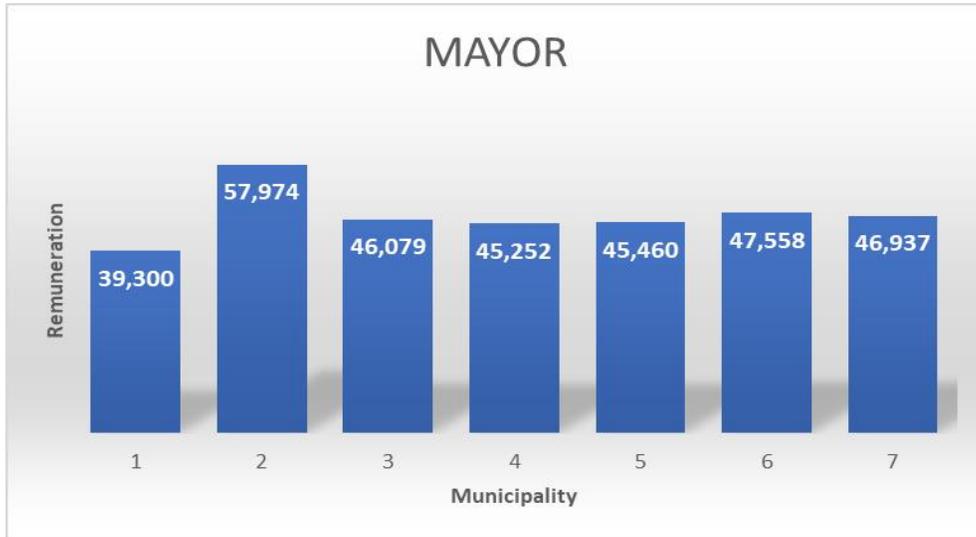
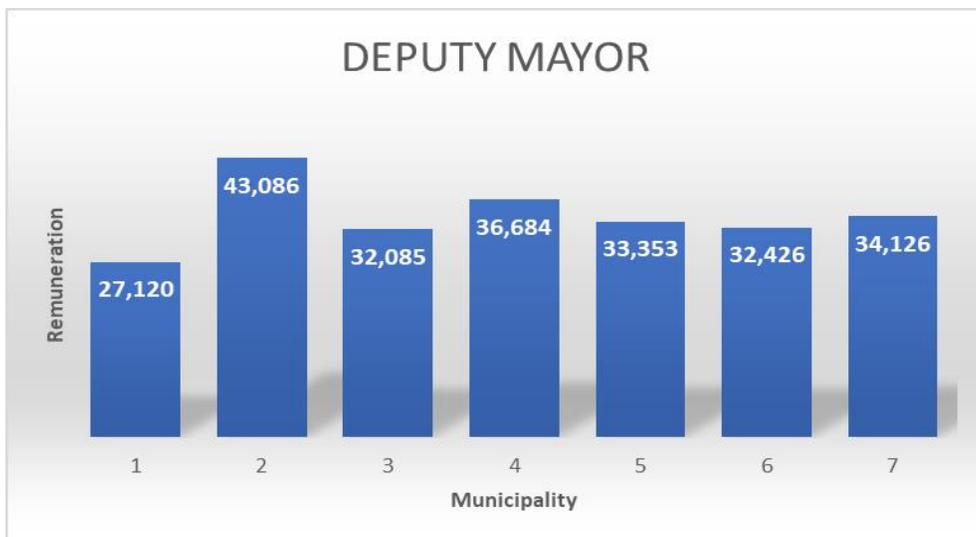


Chart 3



CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Chart 4

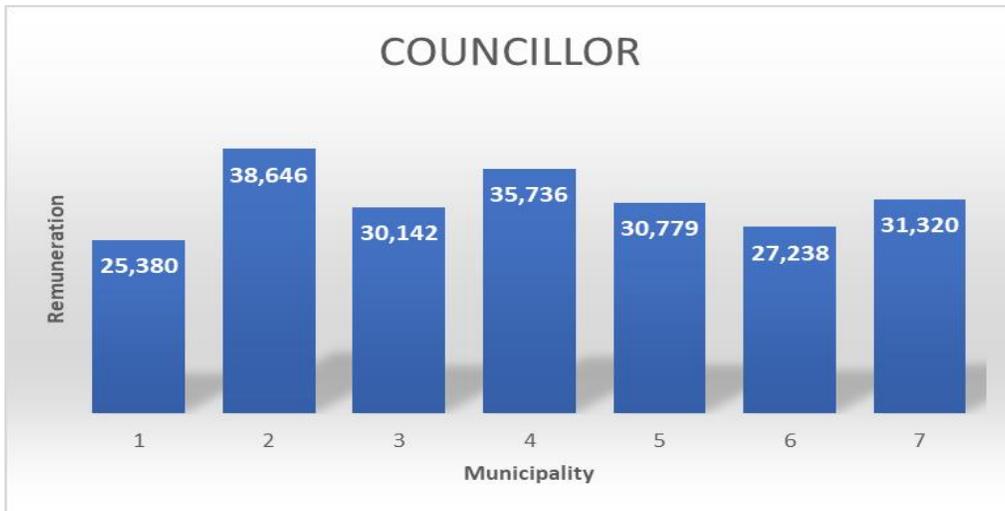
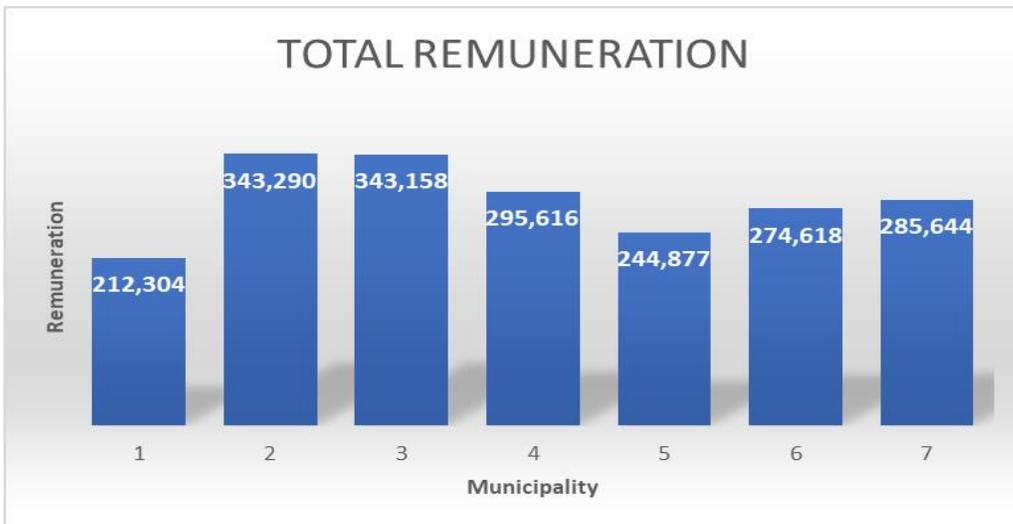


Chart 5

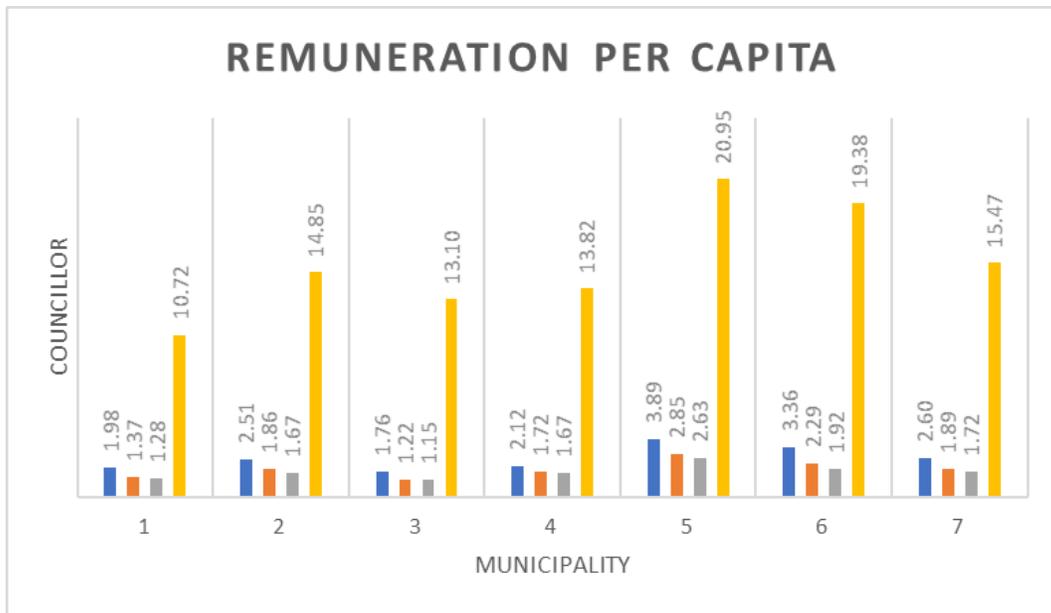


CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Per Capita Basis

The results of the Per Capita analysis are contained in Chart 6 below. As in the previous Charts, this illustrates that the remuneration paid on a per capita basis in Corner Brook is lower than that paid in the other municipalities except for the Town of Conception Bay South. For the analysis and determining appropriate recommendations, an evaluation is undertaken on a position basis. While it is recognized that a division between offices within a municipality is important, determining the level of remuneration in relation to the counterpart office will form the basis of this analysis.

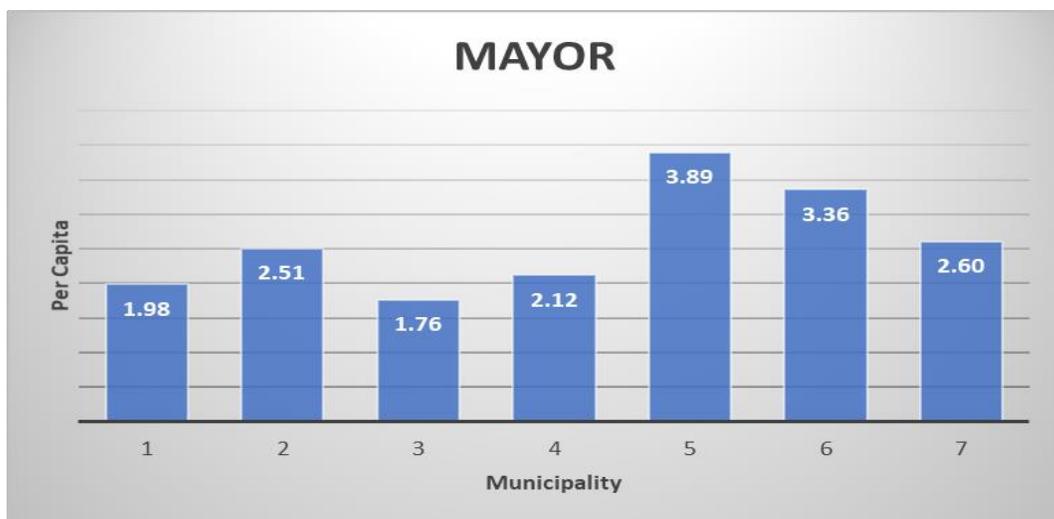
Chart 6



Mayor

The comparison of the remuneration paid to the Mayor of Corner Brook on a per capita basis is illustrated in Chart 7. This demonstrates that the Mayor receives lower remuneration per capita than all other comparable Mayors except for Conception Bay South.

Chart 7



CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

As the Chart indicates, the Per Capita remuneration paid to the Mayor of Corner Brook is lower than all other subject municipalities except for Conception Bay South.

The average of the data included shows that while the Mayor of Corner Brook is compensated in the amount of \$1.98 per resident, the average remuneration for Mayors is \$2.60 per resident.

The following Table contains the amount of compensation that is currently being received or would be received at the various per capita rates at the current population of 19,806.

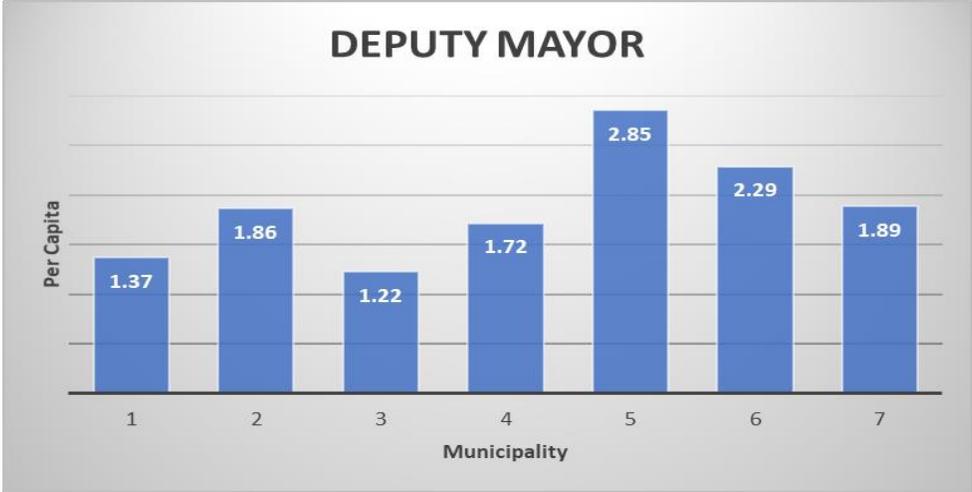
Table 7

Position	Current	Low	Average	High
Rate	1.98	1.76	2.60	3.89
Compensation	\$39,300	\$34,859	\$51,496	\$77,045

Deputy Mayor

The comparison of the remuneration paid to the Deputy Mayor of Corner Brook on a per capita is illustrated in Chart 8. As with the Mayor, this demonstrates that the Deputy Mayor receives lower remuneration per capita than in all other comparable municipalities except for Conception Bay South.

Chart 8



As the Chart indicates, the Per Capita remuneration paid to the Deputy Mayor of Corner Brook is lower than all other subject municipalities except for Conception Bay South.

The average of the data included shows that while the Deputy Mayor of Corner Brook is compensated in the amount of \$1.37 per resident, the average remuneration for Deputy Mayors is \$1.89 per resident.

The following Table contains the amount of compensation that is currently being received or would be received at the various per capita rates at the current population of 19,806.

Table 8

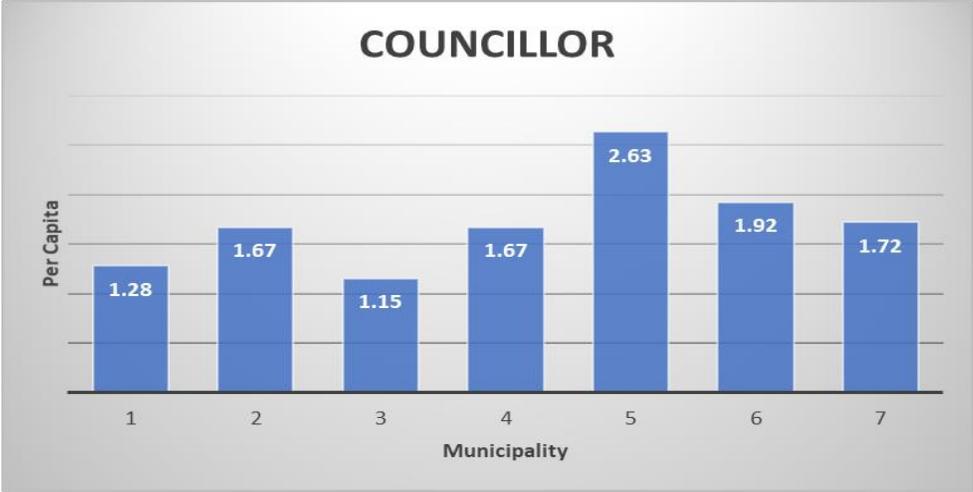
Position	Current	Low	Average	High
Rate	1.37	1.22	1.89	2.85
Compensation	\$27,120	\$24,163	\$37,433	\$56,447

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Councillor

The comparison of the remuneration paid to the individual Councillors of Corner Brook on a per capita basis is illustrated in Chart 9. As with the previous two (2) positions, this demonstrates that the Councillors receive lower remuneration per capita than in all other comparable municipalities except for Conception Bay South.

Chart 9



As the Chart indicates, the Per Capita remuneration paid to the Councillors, as with the Mayor and Deputy Mayor of Corner Brook, is lower than all other subject municipalities except for Conception Bay South.

The average of the data included shows that while the Councillors of Corner Brook are compensated in the amount of \$1.28 per resident, the average remuneration for Councillors is \$1.72 per resident.

The following Table contains the amount of compensation that is currently being received or would be received at the various per capita rates at the current population of 19,806.

Table 9

Position	Current	Low	Average	High
Rate	1.28	1.15	1.72	2.63
Compensation	\$25,380	\$22,777	\$34,066	\$52,090

Percentage of Total Budgeted Revenue Basis

The second criteria on which an analysis of the remuneration being paid in Corner Brook is as a percentage of the total budgeted revenue. As in the analysis undertaken on a per capita basis, the following Chart illustrates that the elected officials in Corner Brook are compensated lower than their counterparts.

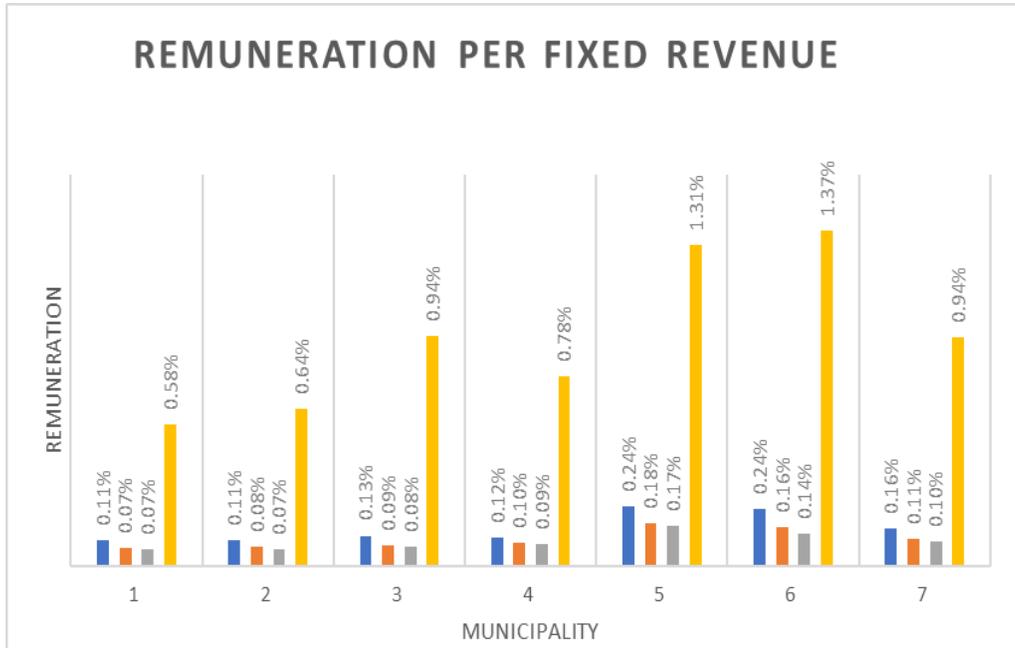
The results of the analysis will also be depicted on each position as with the per capita comparison.

The calculation as the percentage of total budgeted revenue is based on revenue in the amount of \$36,558,400.

As with the previous analysis, there will be slight differences in the resulting values that are contained in Table 6 due to the rounding of figures.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

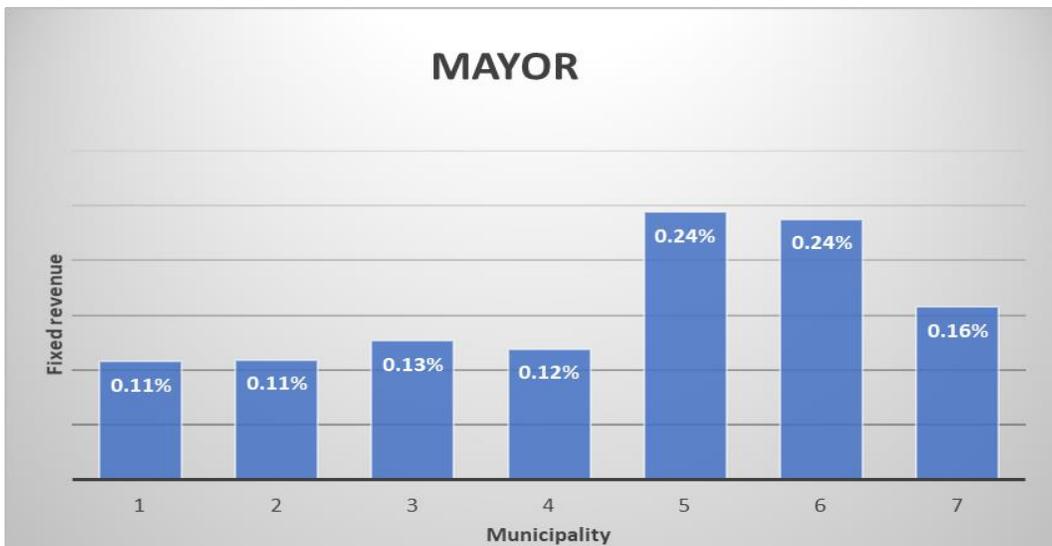
Chart 10



Mayor

As with the per capita comparison, the comparison of the remuneration paid to Mayors as a percentage of total revenue shows that the Mayor of Corner Brook is below the comparison municipalities average. This is depicted in the following Chart.

Chart 11



As depicted in Table 10, at .11%, the remuneration paid as a percentage of total revenue to the Mayor of Corner Brook is lower than that of their counterparts except for Mount Pearl.

The average of the data included shows that while the Mayor of Corner Brook is compensated in the amount of .11 as a percentage of total revenue, the average remuneration for Mayors is .16%.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

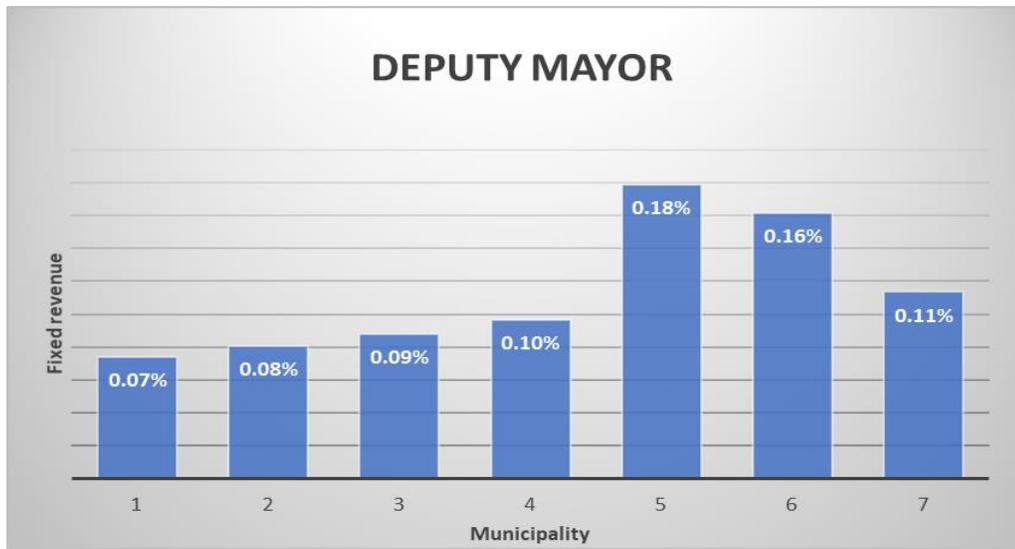
Table 10

Position	Current	Low	Average	High
Rate	.11	.11	.16	.24
Compensation	\$39,300	\$39,300	\$58,493	\$87,740

Deputy Mayor

The comparison of the remuneration paid to Deputy Mayors as a percentage of total revenue shows that the Deputy Mayor of Corner Brook is below the comparison municipalities average. This is depicted in the following Chart.

Chart 12



As depicted in Table 11, at .07%, the remuneration paid as a percentage of total revenue to the Deputy Mayor of Corner Brook is lower than that of their counterparts. For calculation purposes the value used is .074%. This is to distinguish the value used for the Councillor calculation which is .069%. Due to rounding the values in the Tables for the Deputy Mayor and Councillor both show as .07%.

The average of the data included shows that while the Deputy Mayor of Corner Brook is compensated in the amount of .07 as a percentage of total revenue, the average remuneration for the Deputy Mayors is .11%.

Table 11

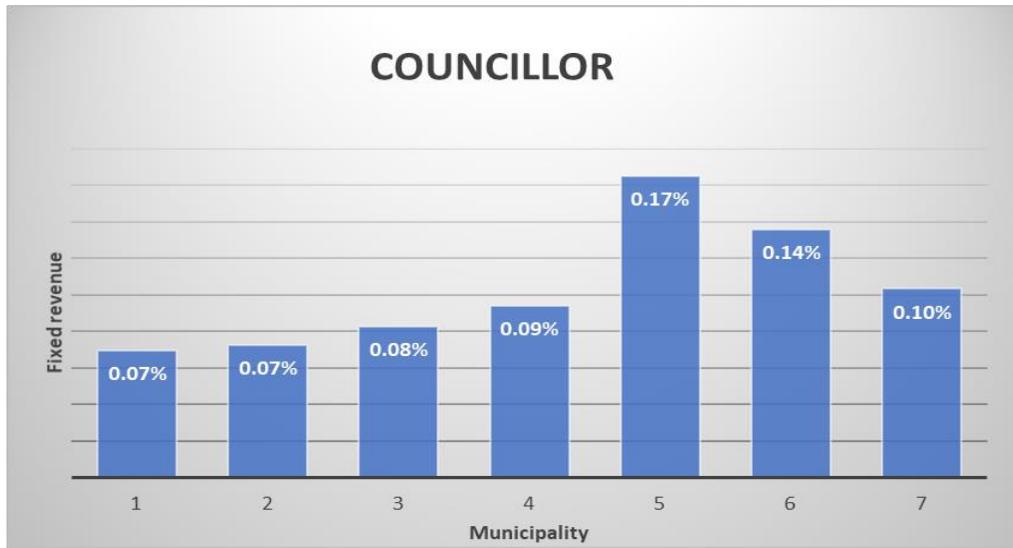
Position	Current	Low	Average	High
Rate	.07	.07	.11	.18
Compensation	\$27,120	\$27,120	\$40,214	\$65,805

Councillor

As with the previous offices, the comparison of the remuneration paid to individual Councillors as a percentage of total revenue shows that the Councillors of Corner Brook are below the comparison municipalities average except for Mount Pearl. This is depicted in the following Chart.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Chart 12



As depicted in Table 12, at .07%, the remuneration paid as a percentage of fixed revenue to the Councillors of Corner Brook is lower than that of their counterparts except for Mount Pearl. As previously noted, the value used for the calculation is .069%.

The average of the data included shows that while the Councillors of Corner Brook are compensated in the amount of .07 as a percentage of total revenue, the average remuneration for Councillors is .10%.

Table 12

Position	Current	Low	Average	High
Rate	.07	.07	.10	.17
Compensation	\$25,380	\$25,380	\$36,558	\$62,149

Percentage of Legislative Authority

As previously indicated, it recognized that the City of Corner Brook and the City of Mount Pearl are not subject to the restrictions imposed by the *Councillor Remuneration and Reimbursement Regulations*. Therefore, the significance of this component of the analysis is lower than that of the comparison on the former criteria. However, to facilitate for this comparison, the principals of these *Regulations* will be used in this analysis.

The *Councillor Remuneration and Reimbursement Regulations, 2001* defines the formula to be used by municipalities established under the *Municipalities Act, 1999* in determining the level of remuneration to be paid to its elected officials. While it does not specify the amount to be paid, it does provide a maximum compensation based on the amount of fixed revenue collected by the municipality. “Fixed revenue” is defined as “revenue raised from municipal taxes, municipal operating grants, grants in lieu and other assured revenues other than subsidies paid by the province to a Council”. As previously noted, all municipalities included in this analysis are deemed to be within the “large” municipality category by the Department and financially supported on the same basis. Therefore, the revenue used in this method of evaluation is the total revenue included in each municipality 2020 budget.

The formula identifies revenue levels with the greater the level of fixed revenue, the lower the percentage of this revenue to be paid in remuneration. As all subject municipalities have a fixed revenue greater than \$1,000,000, they are all subject to the cap of 2% of this fixed revenue in

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

determining an appropriate level of remuneration. This factor is also taken into consideration in determining that the evaluation on this criterion is relevant.

The following Table illustrates that of the amount of remuneration permitted, or would be permitted, by the *Regulations*. It shows that the City of Corner Brook pays only 29.04% of that authorized.

Table 13

	Municipality						Average
	Corner Brook	Mount Pearl	CBS	Paradise	Gander	GFW	
Population	19,806	23,120	26,199	21,389	11,688	14,171	19,396
Fixed Revenue	36,558,400	53,318,000	36,456,806	37,971,665	18,633,850	20,054,152	33,832,146
Total Remuneration	212,304	343,290	343,158	295,616	244,877	274,618	285,644
Amount Permitted	731,168	1,066,360	729,136	759,433	372,677	401,083	676,643
% of Permitted	29.04%	32.19%	47.06%	38.93%	65.71%	68.47%	46.90%

It is evident from the data in this Table that the remuneration paid in Corner Brook falls below the provincial average for comparable municipalities, and significantly below its permitted level. While the total remuneration is \$212,304, the *Regulations* permit as much as \$731,168.

As with the other comparison criteria, Table 14 below identifies where the City of Corner Brook is with respect to other municipalities in the province. As the municipality availing of the lowest percentage of that permitted, remuneration in the amount of \$212,304 is being paid to its elected officials. Applying the highest would result in payments totaling \$500,631. The average of 46.90% would increase payments to Councillors by approximately \$130,614 to \$342,918.

Table 14

Position	Current	Low	Average	High
Percentage	29.04%	29.04%	46.90%	68.47%
Compensation	\$212,304	\$212,304	\$342,918	\$500,631

Tax Law Impact

As previously stated, the objective of this analysis is to determine whether the Councillors of the City of Corner Brook are being appropriately compensated in comparison to other comparable municipalities in the province. One of the factors to be considered in the analysis is whether an adjustment was made to the amount of remuneration paid as the result of the abolition of the tax-free remuneration component paid to elected officials in Corner Brook.

It was noted that the Finance and Administration Committee recommendation to Council dated November 13, 2018 addressed the abolition of the tax-free remuneration component and amended the amount paid to elected officials in Corner Brook.

Since 1953 municipal and provincial office holders were exempt from paying taxes on one-third of the remuneration paid to them.

Effective January 1, 2019, all remuneration paid to such officials were subject to taxation. This had a significant impact on municipal Councillors in this province, and in the other provinces, many of whom felt they were undercompensated for the significant time contributed to governing their municipalities without the elimination of the tax relief.

Of the six (6) municipalities included in this analysis, four (4) indicated they did take measures to offset the impact resulting from the tax policy change. Corner Brook was one of these municipalities. Therefore, as measures were taken as the result of the elimination of the tax-

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

exempt component by the City, this factor cannot be used to support an adjustment to the levels of remuneration paid.

It is noted that all municipalities contacted in the Atlantic Provinces adjusted Councillor remuneration due to the amendment in the taxation laws.

Councillor Feedback

As a general opening statement in this section, the level of effort required of Councillors varies from Council to Council. Likewise, the level of effort that each can contribute varies from Councillor to Councillor. The surveys and feedback received from the Councillors in Corner Brook support this statement. It is evident that an individual's personal circumstances dictate what they can contribute to Council.

There are many elected official demands on a Councillor's time from meetings of Council and various committees, to attending public functions, to daily interaction. This is particularly true for the office of the Mayor, the Chair of Finance and Administration Committee during budget time and those appointed to Standing Committees, Advisory Committees, Special Committees, and other outside appointments by Council. Depending on the time of year and the availability of the Councillor, the information received indicated that the time demanded varies from 20 to 60 hours per week. This is significant for individuals volunteering their time to make their community a better place to live and conduct business. While the demands are significant and makes a work-life balance difficult, all indicated it is a very personally satisfying commitment.

The world of municipal politics has evolved greatly during the onset of social media. Prior to the introduction of the various platforms the demands on Councillors were still significant. However, since the explosion of social media the demands have increased dramatically. At one time it took some effort for a resident to communicate with a Councillor or have input into the operations of Council. Today this reach out can be accomplished by the click of a finger.

In addition to the accessibility of Council being impacted, so is the expectation that the response time of the Councillor will be virtually immediate. Residents with limited or no knowledge of the operations of Council fail to realize that as the stewards of the public purse Councillors are usually required to either communicate their concerns to the City's CAO if the matter is operational or research the matter themselves to be able to provide an informed response. There is often little understanding that, as a volunteer, the Councillor does not know everything.

All the factors noted above have either a direct or indirect impact on the time and level of effort expected of an elected municipal Councillor.

During the research for this project there was no direct contact made with the Councillors of other municipalities to enquire of the level of effort required of them. However, based on our extensive exposure to Councillors in this Province, intimate knowledge of the commitment made by Councillors because of the experience of LW Consulting Partners serving as Chief Administrative Officers for some of the municipalities surveyed, and given that the populations and budgets of the subject municipalities are comparable, it is reasonable to assume that the demands on the Councillors in Corner Brook are comparable to other subject municipalities.

It is evident from the responses received from the Councillors of the City of Corner Brook, and from our personal knowledge of them, each one of them takes great personal satisfaction from serving their community as an elected official. None of them expect to become financially rich from their involvement. However, they feel it is not unreasonable to be compensated at a level comparable to their counterparts in similar municipalities.

RECOMMENDATION

LW Consulting was engaged by the Council for the City of Corner Brook to assess the level of remuneration paid to its Councillors. The objective of the project was to determine if the compensation paid to the Councillors of the City was comparable to their counterparts in other selected municipalities. It was initially decided that the municipalities included in the study would consist of towns both within and outside the Province. However, as the analysis progressed, it was decided that, even though the information was compiled from the identified

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

municipalities in the other Atlantic Provinces, only those selected municipalities from within this Province would be used to determine appropriate levels of compensation.

The data compiled from the other Atlantic Province municipalities is included in Table 2 and is provided for information purposes.

In accordance with the Proposal approved by Council, the quantifiable factors contained in this Report include the remuneration paid on a per capita basis, that paid as a percentage of local fixed revenue, and that paid as a percentage of what the *Councillor Remuneration and Reimbursement Regulations* authorize.

It is evident from all components of this research that an increase in remuneration is easily substantiated for the City of Corner Brook. In all categories the amount paid fell below that paid to their counterparts in other municipalities.

Through communicating their own personal commitment, each Councillor demonstrated that the demands on their time are significant. The time spent attending Council and committee meetings, community functions, and just having daily interactions with residents requires a major commitment. One that they are quite prepared to make.

From the involvement of the Partners of LW Consulting as CAO's with two (2) of the surveyed municipalities, the sector in general, and the City of Corner Brook in particular, this level of commitment can easily be attested.

The first component of the analysis focused on determining if the level of effort required of the Councillors of the City of Corner Brook is greater than those of their counterparts within the Province. From the information compiled from those Councillors submitting their completed surveys, and from the general familiarity of the Partners of LW Consulting, it has been determined that, while the demands on the Councillors of the City of Corner Brook is significant, it is no greater than their counterparts in the other subject municipalities.

Recommendation 1 pertains to adjustments to remuneration due to a greater level of effort required of the Councillors of the City of Corner Brook.

Recommendation 1

It is recommended that no adjustment be made to the level of remuneration paid to Councillors of the City of Corner Brook due to a greater level of effort being required of them than that of their counterparts in the other subject municipalities.

As indicated, the data collected through this analysis supports an increase in the level of remuneration paid to the Councillors of the City of Corner Brook. In all three (3) offices (Mayor, Deputy Mayor, and Councillor) the level of remuneration is lower than all other subject municipalities. It is recognized that adjusting compensation to elected officials is politically sensitive. However, as supported by the data collected in the analysis, an increase is both warranted, and defensible.

It should be noted that in determining appropriate levels of compensation, the degree of fairness and equity must be factored in. In this regard, this Report will not contain a recommendation to compensate the Councillors of Corner Brook to an amount comparable to the highest of the other municipalities. Without having specific data to support this statement, it can be reasonable to assume that factors specific to each municipality impact the level of compensation it has the fiscal ability to provide. Therefore, the following recommendations on the appropriate level of compensation to be paid will closely align with the averages as determined by this analysis.

When determining an appropriate level of compensation, any of the factors included in this Report can be used. The question remains as to which indicator to use, and what should be the magnitude of the increase. As indicated, they all support an increase in remuneration.

After careful consideration, it is recommended that the component to be used in determining an appropriate level of compensation is that of a percentage of total revenue. The level of revenue being collected is a strong indicator of the Councils capacity and their subsequent ability to pay remuneration.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

An additional issue to be determined is the difference between the levels of compensation paid between the Mayor, Deputy Mayor, and the Councillors. Not only should each office be compensated comparable to their counterparts in other municipalities, but the compensation should also be fair and reasonable in relation to the other offices at the City.

To establish appropriate levels of compensation for all offices, and to determine an appropriate separation between offices, that of Councillor must be established first. Table 12 illustrates that at .07%, the remuneration paid as a percentage of fixed revenue to the Councillors of Corner Brook is lower than that of their counterparts. The average of the data included shows that while the Councillors of Corner Brook are compensated in the amount of .07 as a percentage of local revenue, the average remuneration for Councillors is .10%.

Recommendation 2 pertains to the level of remuneration to be paid to the Councillors of the City of Corner Brook.

Recommendation 2

It is recommended that an adjustment be made to the level of remuneration paid to Councillors of the City of Corner Brook from the current .07% of local revenue to the average of their counterparts at .10% of total revenue. This equates to an increase from \$25,380 annually to \$36,558 annually.

The data collected in this analysis shows that the level of increase for the average remuneration between Councillors and the Deputy Mayor is 9%. To apply this increase to that recommended for Councillors results in remuneration in the amount of \$39,848 to be paid to the Deputy Mayor. Table 11 illustrates that the average level of remuneration paid to other Deputy Mayors is .11 as a percentage of local revenue which equates to \$40,214.

As both calculations produce virtually the same result, a recommendation will be made accordingly.

Recommendation 3 pertains to the level of remuneration to be paid to the Deputy Mayor of the City of Corner Brook.

Recommendation 3

It is recommended that an adjustment be made to the level of remuneration paid to the Deputy Mayor of the City of Corner Brook from the current .07% of total revenue to .11% of total revenue. This equates to an increase from \$27,120 annually to \$40,214 annually.

The same logic will be applied in establishing an appropriate level of compensation paid to the Mayor. The data collected in this analysis shows that the level of increase for the average remuneration between Deputy Mayor and the Mayor is 37%. To apply this increase to that recommended for Deputy Mayor results in remuneration in the amount of \$55,093 to be paid to the Mayor. Table 10 illustrates that the average level of remuneration paid to other Mayors is .16 as a percentage of local revenue which equates to \$58,493.

As both calculations produce very similar result, a recommendation will be made accordingly.

Recommendation 4 pertains to the level of remuneration to be paid to the Mayor of the City of Corner Brook.

Recommendation 4

It is recommended that an adjustment be made to the level of remuneration paid to the Mayor of the City of Corner Brook from the current .11% of total revenue to .16% of total revenue. This equates to an increase from \$39,300 annually to \$58,493 annually.

These recommended increases not only align the remuneration paid to the elected officials in the City of Corner Brook with their counterparts within the Province, but it also results in the average separation between the remuneration paid to the Mayor, Deputy Mayor, and Councillors in the Province being maintained. With the support of the data compiled during this analysis, this is believed to be a very defensible position.

The summary of Recommendations 2, 3, and 4 are contained in the following Table.

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

Table 15

Remuneration	Mayor	Deputy Mayor	Councillor
Current	39,300	27,120	25,380
Proposed	58,493	40,214	36,558

The levels of remuneration recommended in this Report reflect the appropriate amounts based on the current level of remuneration paid to the counterparts in the other municipalities. The following Table illustrates the recommended level of remuneration compared to the remuneration received by the other elected officials in the other comparable municipalities.

Table 16

	Corner Brook	Mount Pearl	CBS	Paradise	Gander	GFW	Average
Population	19,806	23,120	26,199	21,389	11,688	14,171	19,396
Mayor Remuneration	58,493	57,974	46,079	45,252	45,460	47,558	50,136
Deputy Mayor Remuneration	40,214	43,086	32,085	36,684	33,353	32,426	36,308
Councillor Remuneration	36,558	38,646	30,142	35,736	30,779	27,238	33,183

The City of Corner Brook *Council Remuneration and Reimbursement Regulations, 2018* state that any recommended increases, as included in Table 15, are to take effect the first of the month following the next Council election which is scheduled for September of 2021. It is also recommended that these rates be reviewed, and if required, adjusted annually in accordance with the Consumer Price Index for the Corner Brook region. This will provide an annual adjustment to Councillor remuneration with a re-evaluation being conducted as required by the current City of Corner Brook *Council Remuneration and Reimbursement Regulation, 2018*. It will also minimize the magnitude of the adjustment required from an adjustment resulting from an analysis every four (4) years.

Recommendation 5 pertains to an annual adjustment of the level of remuneration being in accordance with the Consumer Price Index for the Corner Brook region.

Recommendation 5

It is recommended that the level of remuneration included in the City of Corner Brook *Council Remuneration and Reimbursement Regulation, 2018* be adjusted annually in accordance with the Consumer Price Index for the Corner Brook region and that the current provision of Section 15 of the City of Corner Brook *Council Remuneration and Reimbursement Regulations, 2018* be maintained in the revised City of Corner Brook *Council Remuneration and Reimbursement Regulations, 2021*

CONCLUSION

LW Consulting thanks Council for the opportunity to assist with the review of the level of remuneration paid to its Councillors. The recommended levels of payment will result in the Councillors for the City of Corner Brook being compensated comparable to similar municipalities. It should be emphasized that the methodology used in determining this level of compensation is based on the average remuneration paid as a percentage of local revenue. While this formula produces actual compensation that is slightly higher than the comparable municipality average, the recommendation is based on what is believed to reflect the municipalities capacity to pay. Of course, being the average, some of the subject municipalities

CITY OF CORNER BROOK: COUNCILLOR REMUNERATION REVIEW

are receiving a higher level of remuneration as determined by the criteria applied. However, the results of the analysis demonstrates that the recommendations align elected officials in Corner Brook with their counterparts and provides a comparable separation between the various offices.

The City of Corner Brook is the regional hub for the western part of the Province. Therefore, it is crucial that the City compensate its elected officials appropriately to attract the individuals with the capacity and skill set to guide and direct the City of Corner Brook into a prosperous future.

We trust that the expectations of Council in engaging LW Consulting in this process has been met and look forward to working with the Council and Staff of the City of Corner Brook in the future.

Respectfully Submitted,

LW Consulting
Gerard Lewis, MMC
Dan Noseworthy, B. Comm (Hons)

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Information Report (IR)

Subject: Civic Centre Update

To: Rodney Cumby
Meeting: Committee of the Whole - 08 Nov 2021
Department: Recreation
Staff Contact: Willie Smith, General Manager
Topic Overview:

BACKGROUND INFORMATION:

COVID-19 continues to demand a constant review of guidelines to ensure Public Health is the priority while the Civic Centre continues to significantly opening more areas of facility.

The transition from Summer to Fall activity has come with a noticeable increase in demand for recreation and meetings. This increased demand has been combined with the continuous monitoring and subsequent necessary adjustments to new Public Health guidelines.

Some of the more significant changes began in early September where the guidelines for Recreational Facilities changed:

- no longer a requirement for time between sessions in arenas
- full use of dressing areas was permitted
- the mask requirement has been reacted, and
- Public Health introduced the VaxPass / proof of vaccination requirement to enter the Civic Centre.

All traditional minor programming restarted this Fall including Corner Brook Minor Hockey, Silver Blades, Humber Valley Speed Skating, and a number of private camps /seminars in preparation for the much anticipated “normal” 2021-22 season. The optimism for this year stems from the ability to participate in as well as host tournaments, and games within the province.

The Civic Centre has hosted a number of provincial tournaments since September including U18 Male AAA Kickoff tournament (hockey), U18 Female AAA tournament (hockey), and VolleyWest, with over 20 teams from across the province, to name a few. The reintroduction of provincial and regional tournaments has been a positive boost to the local economy.

A number of groups and activities that were significantly impacted by COVID-19 have now resumed including:

- General skating
- Toddler skating

- Public and adult skating
- Humber Valley Speed Skating
- the Rec Hockey League

Meetings, conferences, craft fairs and training sessions have continued throughout the pandemic; however, interest has increased for the fall of 2021 and 2022. Last week, the City and Civic Centre were proud to have hosted the first provincial conference since February 2020. The Municipalities Newfoundland and Labrador conference hosted over 300 delegates from across the province.

Director of Finance & Administration Approved - 03 Nov 2021
Legislative Assistant Approved - 04 Nov 2021

City Manager



Information Report (IR)

Subject: Recreation Services Updates

To: Dale Park

Meeting: Committee of the Whole - 08 Nov 2021

Department: Finance and Administration

Staff Contact: Jessica Parsons, Supervisor of Recreation Services

Topic Overview: To provide an update of recreation activities for residents as well as sport and leisure groups within the City of Corner Brook.

BACKGROUND INFORMATION:

Activity Description and Information:

Older Adult Fitness with Nora Lundrigan – Fitness with Nora will take place on Monday and Wednesdays 10:30-11:30am. This fitness class is geared towards older adults and seniors by using chairs, Pilates bands and balls. Nora is a talented, certified instructor who can accommodate all fitness levels within her class. A \$3.00 fee is required.

Active Tots - Active Tots is an unstructured physical activity program specifically for children aged 0-5 years. It is a guardian led program that includes age appropriate equipment to help children develop Physical Literacy Skills while socializing. Active Tots is held on Tuesdays and Thursdays from 9:30-11:00am. There is no cost and no registration needed at this time.

Drop In Yoga – Drop In Yoga with experienced Instructor Margaret Colbourne takes place Fridays at 10:00am. Come relax and enjoy this new program at the Civic Centre. A \$3.00 fee is required.

After School Sports Drop In – Students can participate in a variety of sporting activities such as basketball or volleyball on Tuesdays and Thursdays from 3:30-5:00pm. The cost is \$3.00 per person.

Drop In Pickleball – Pickleball is a sport gaining popularity especially here in Corner Brook. This drop-in program takes place Tuesdays and Thursdays from 11:45-1:45pm and is \$5.00 per person.

TIME Program – This is a partnership program between the City of Corner Brook and Western Health and it is specifically for those who have suffered a stroke, looking to do light rehabilitation exercise. It takes place Tuesdays and Thursdays from 2:00-3:00pm. There is no cost but registration and evaluation are required.

Adult Lunchtime Sports Drop In – Adults can participate in a variety of sporting activities such as basketball or volleyball during the lunch hour. This program is offered on Fridays 12:00-2:00pm and is \$5.00 per person.

Youth Drop In – This program featuring basketball and volleyball will be available for those 12-18 years of age on Friday evenings. The program will take place 7:00-9:00pm and a \$5.00 fee is required.

National Child Day – National Child Day is celebrated each year on November 20th to commemorate the United Nations declaration of the rights of a child. This year the City of Corner Brook will hold a fun filled day of activities for children ages 0-12 at the Civic Centre Studio. Pre-registration is required and will be available on our website leading up to the event.

Hippocampe Wheelchairs

The City of Corner Brook's Recreation Department has three hippocampe wheelchairs to improve accessibility to recreation within the City. One of these chairs is for exclusive use at the splash pad while the other two are available for use on variable terrain. These have adjustable skis and can be used during the winter months. The two all-terrain chairs are available for public use and can be signed out at the Civic Centre Studio.

Information regarding programming can be found on the Corner Brook Civic Centre facebook page. Please note Vaccine Passports and identification will be required for all spectators over the age of 12, and any user over the age of 18.

For further information on any programs or use of the hippocampe chairs please contact Jessica Parsons, Supervisor of Recreation Services at 637-1232 or jparsons@cornerbrook.com.

ENVIRONMENTAL IMPLICATIONS:

Activities will be delivered in a safe and effective manner with no environmental impact. Facilities are expected to be in clean, sanitized condition to reflect the COVID-19 regulations given by the Chief Medical Officer.

Director of Finance & Administration Approved - 03 Nov 2021

Legislative Assistant Approved - 04 Nov 2021

City Manager



Request for Decision (RFD)

Subject: Request from 53, 50, & 49 Carberrys Rd to Lease City Land between 49 & 53 Carberrys Rd

To: Dale Park

Meeting: Committee of the Whole - 08 Nov 2021

Department: Finance and Administration

Staff Contact: Brandon Duffy, Land Management Supervisor

Topic Overview: To execute a Lease agreement with the residents of 53, 50, & 49 Carberrys Road

Attachments: [51 Parcel C](#)
[51 Carberrys Lease Area](#)
[51 Carberrys Road lease](#)

BACKGROUND INFORMATION:

Land Management was approached by the resident of 53 Carberrys Road to lease City land for the purpose of more parking. This land was left vacant to leave access to the land behind Carberrys Road for the future MacDonal Brown Subdivision. Currently the land is being used by the property owners in the area and has an approximate frontage of 15.1 m (49.5ft) and an area of 527m² (5,671ft²). The neighbouring property owner at 49 Carberrys Rd was contacted and they expressed interest in leasing the City land for the same purpose of more parking. Land Management was then contacted by property owner of 50 Carberrys Rd who were currently using the City land for parking and they also expressed interest in leasing a portion. After further review, it was determined that there was a sufficient amount of land to split it into 3 parts. Therefore each property owner would have the chance to lease a 5m (16.4ft) portion with an approximate area of 173m² (1,861ft²).

If approved, some of the general condition would include:

1. the lease will be limited to residential vehicles only, commercial vehicles shall not be permitted.
2. Any modification to the grade of the lease area must be approved by the City and must not interfere with neighboring properties or other adjacent leases
3. All snow cleaning and removal must be contained within the each owns lease area and must not interfere with neighboring properties or other adjacent leases

PROPOSED RESOLUTION:

It is RESOLVED to approve the execution of the lease agreements between the City of Corner Brook and the residents of 53, 50, & 49 Carberrys Road for City land on Carberrys Road

FINANCIAL IMPACT:

The City will receive addition tax revenue (approx. \$275.00/lease)

GOVERNANCE IMPLICATIONS:

Policy
Other
City of Corner Brook Policy
07-08-05

Legal Review: No

RECOMMENDATION:

Staff recommends Council approve the execution of the lease agreements between the City of Corner Brook and the residents of 53, 50, & 49 Carberrys Road for City land on Carberrys Road

Land Management will be reviewing and updating the land leasing policies so it will clearly defines who can lease City land. Some changes/additions may include:

1. When a lease request is submitted, the neighbouring property owners will be prioritized first, then the other non-neighbouring property owners who also been using the City land may have a chance to lease the City land depending if there is sufficient space.

ALTERNATIVE IMPLICATIONS:

1. Approve the lease agreements
 - a. Land will be maintained and additional tax revenue
2. Reject the lease
 - a. Land will be left as is and the loss of potential tax revenue

Director of Finance & Administration Approved - 01 Nov 2021
Legislative Assistant Approved - 02 Nov 2021

City Manager

**DESCRIPTION OF LAND FOR
THE CITY OF CORNER BROOK
Carberrys Road, Corner Brook**

Parcel C

All that piece or parcel of land lying northeast of Carberrys Road, in the City of Corner Brook, in the Province of Newfoundland and Labrador, being further bounded and described as follows:

Beginning at a point on the northeast limit of Carberrys Road, the said point being the westerly angle of the herein described parcel of land, the said angle having co-ordinates of North 5,421,993.583 and East 342,806.240;

RUNNING THENCE from the above described point of beginning by land of the City of Corner Brook, Parcel A, and by land of [REDACTED] north sixty-three degrees thirty minutes twenty-five seconds east (N 63° 30' 25" E) thirty five decimal one two one (35.121) metres;

THENCE RUNNING by land of the City of Corner Brook, south thirty-one degrees twenty-nine minutes thirty-five seconds east (S 31° 29' 35" E) fifteen decimal zero five seven (15.057) metres;

THENCE RUNNING by land of [REDACTED] and by land of the City of Corner Brook, Parcel B, south sixty-three degrees thirty minutes twenty-five seconds west (S 63° 30' 25" W) thirty-five decimal one two one (35.121) metres;

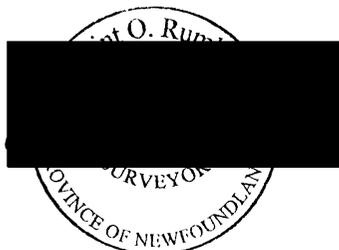
THENCE RUNNING along the northeast limit of Carberrys Road, north thirty-one degrees twenty-nine minutes thirty-five seconds west (N 31° 29' 35" W) fifteen decimal zero five seven (15.057) metres, more or less, to the point of beginning;

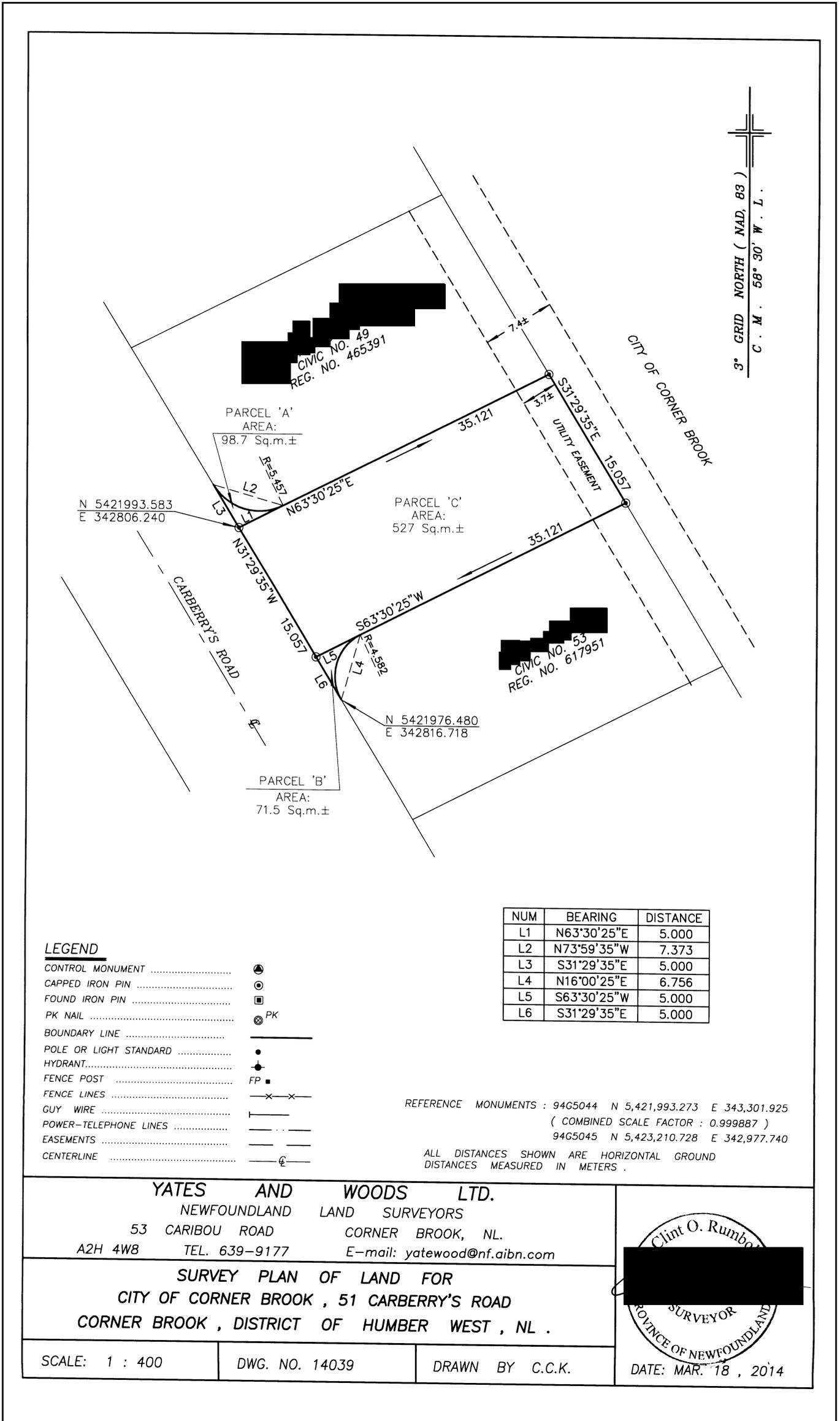
Containing an area of five hundred twenty-seven (527) square metres, more or less, and being more particularly shown as Parcel C on Yates and Woods Limited drawing no. 14039, dated March 18, 2014;

Subject to a utility easement which extends unto the lot as shown on the aforesaid drawing;

All bearings refer to 3° Grid North (NAD 1983) as referred to the Transverse Mercator Projection for the Province of Newfoundland and Labrador with the Central Meridian at 58° 30' west longitude;

Yates and Woods Limited





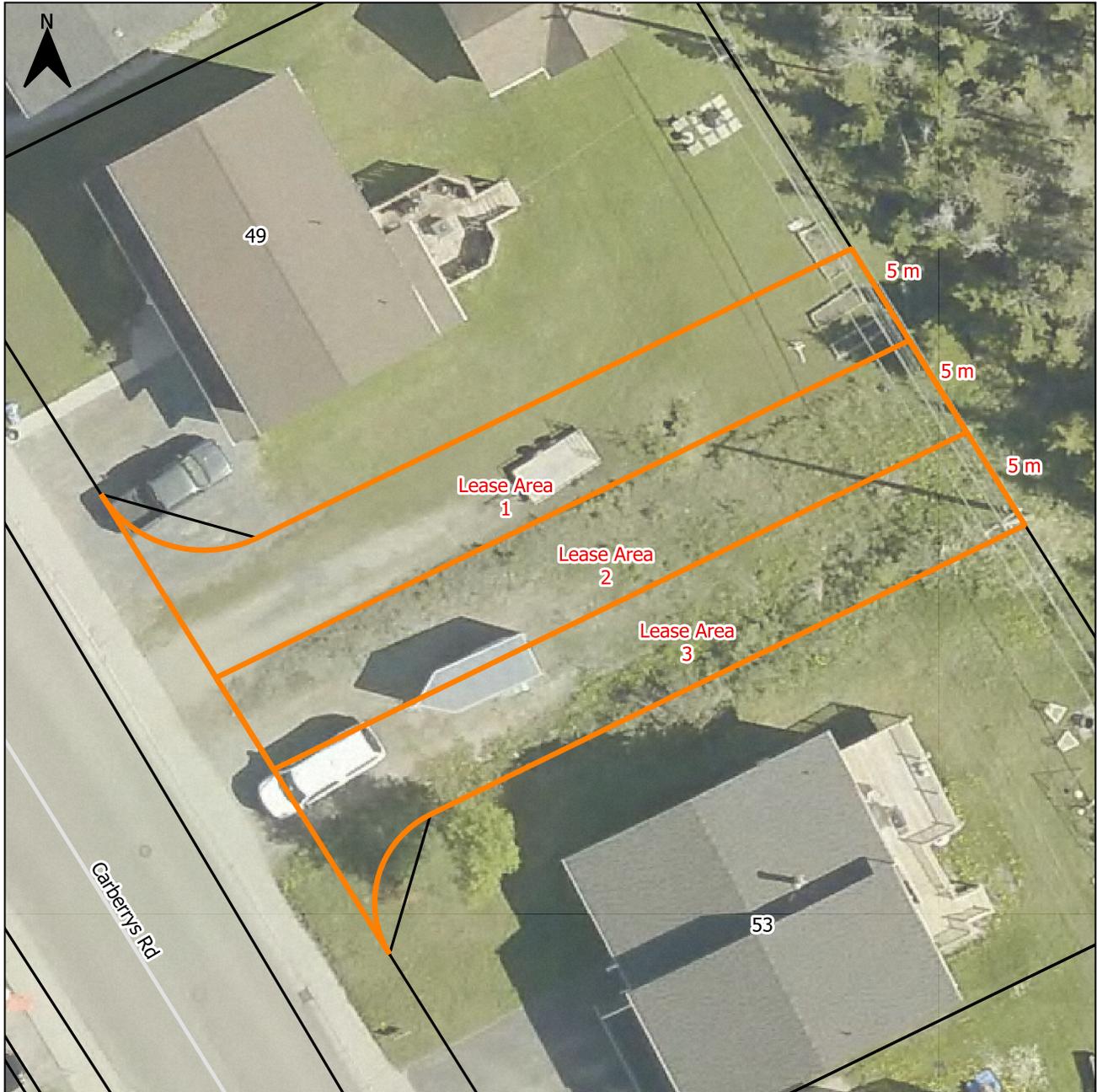
YATES AND WOODS LTD.
NEWFOUNDLAND LAND SURVEYORS
53 CARIBOU ROAD CORNER BROOK, NL.
A2H 4W8 TEL. 639-9177 E-mail: yatewood@nf.aibn.com

SURVEY PLAN OF LAND FOR
CITY OF CORNER BROOK , 51 CARBERRY'S ROAD
CORNER BROOK , DISTRICT OF HUMBER WEST , NL .

SCALE: 1 : 400 DWG. NO. 14039 DRAWN BY C.C.K.

Clint O. Rumbolt
SURVEYOR
PROVINCE OF NEWFOUNDLAND
DATE: MAR. 18 , 2014

Schedule "A"



LEGEND	NOTES
<p>Location of Leased Land</p> <p>Survey Master June 3 2021</p>	<p>1. Unless otherwise noted, all dimensions are in metres.</p> <p>2. This map is a working copy and is not to be used as an official document. It is available for references purposes only and not to be reproduced without written approval from the City of Corner Brook.</p> <p>3. 7.5 cm orthoimagery acquired in 2019.</p> <p>4. Size and shape of parcel is approximate as no survey is available</p>



Location of Leased Land
51 Carberrys Road

DRAWN BY:	DATE: 07-28-2021	SCALE: 1:250	FIGURE: 1
APPROVED BY:	COORD SYS:	ZONE: 45	REVISION:



Path: \\L:\Land Management\1\Project and Files\Carberrys Road\51_Carberrys Road\51_Carberrys Lease Area.aprx

THIS LEASE made in duplicate as of the ____ day of _____, 2021

BETWEEN: **CITY OF CORNER BROOK**, a body corporate, existing and continuing under the provisions of *The City of Corner Brook Act*, RSNL 1990, c. C-15 as amended, (hereinafter called the "Landlord")

of the One Part

AND **Resident**, a resident of the City of Corner Brook (hereinafter called the "Tenant")

of the Other Part

THIS LEASE WITNESSES that in consideration of the rents, covenants and conditions hereinafter reserved and contained the parties hereto covenant and agree as follows:

PREMISES LEASED

1. The Landlord hereby demises and leases to the Tenant and the Tenant hereby leases from the Landlord, on and subject to the terms and conditions hereinafter set forth, all that real property described in the sketch attached hereto as Schedule "A" (hereinafter called the "Property").

TENANCY

2. Under this Lease, the Tenant occupies the Property under a tenancy at will, and it is expressly agreed that the acceptance of rent, or any implied condition, or any implication of law, shall in no way create any tenancy other than a tenancy at will.

TERM

3. **THE LANDLORD HEREBY LEASES AND DEMISES** unto the Tenant the Land for the term of five (5) years, commencing the ____ day of _____ 2021, for the rental of One Dollars (\$1.00) **SUBJECT HOWEVER** to the terms and conditions set forth herein, namely;

RENT

4. The Tenant shall pay to the Landlord a rental of One Dollars (\$1.00) plus applicable Harmonized Sales Tax (HST).

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USE

5. The Property shall be used for the purpose of the Tenants for parking and beautification purposes. There shall be no change in use other than that related to the aforementioned use relating thereto without the prior consent in writing of the Corner Brook City Council.

PAYMENT OF TAXES

6. The Tenant shall pay or cause to be paid all rates, taxes and assessments, of whatsoever description that may at any time during the existence of the Lease be lawfully imposed and become due and payable, upon, or in respect of the Property or any part thereof.

CONDITION

7.
 - a. The Tenant shall remove forthwith anything or matter placed on, under, or over the Property upon being requested ("The Request") to do so by any agent, servant, or officer of the Landlord. If the Tenant is of the opinion that The Request is unreasonable, the Tenant shall have the right to make this known in writing to the City within ten (10) days of said notice and at which time, the Tenant may ask the Corner Brook City Council to re-examine the reason(s) for The Request.
 - b. The use of the Property shall be subject to any easements over the Property for water and sewer lines and/or utilities.
 - c. Parking shall be residential vehicles only, commercial vehicles shall not be permitted
 - d. Any modification to the grade of the Property must be approved by the Landlord and must not interfere with neighboring properties or other adjacent leases
 - e. All snow cleaning and removal must be contained within the Tenants own lease area and must not interfere with neighboring properties or other adjacent leases

GENERAL COVENANTS

8.
 - a. The Tenant covenants with the Landlord:
 - i. to pay rent; and
 - ii. to observe and perform the covenants of this Lease on the part of the Tenant to be observed and performed.
 - b. The Landlord covenants with the Tenant:
 - i. for quiet enjoyment; and

- 3 -

- ii. to observe and perform the covenants of this Lease on the part of the Landlord to be observed and performed.

TENANT'S IMPROVEMENTS

9.
 - a. The Tenant shall not make any changes to the Property without the prior written consent of the Landlord, and shall not construct any permanent structures on the Property.
 - b. The Tenant shall not place any structures or erections upon the Property without the prior written consent of the Landlord.

INSURANCE

10.
 - a. The Tenant, at the Tenant's expense, hereby covenants and agrees to obtain and maintain and keep in force for the mutual benefit of, and in the names of the Landlord, the Tenant and such other parties as the Landlord may from time to time designate, such insurance as may be customary for the owners of similar property as respects loss of or damage to the Property or liability arising therefrom. The Lessee shall promptly furnish to the Lessor copies of insurance policies or other evidence satisfactory to the Lessor of such insurance and any renewals thereof
 - b. The Tenant agrees that the Landlord shall have a first right to receive and a lien on the insurance proceeds.
 - c. The Tenant agrees that if the Landlord produces this Lease to the Insurer it will be sufficient authority for the Insurance Company to pay the Landlord any insurance money that is payable due to a loss. By signing this lease, the Tenant authorizes and directs the Insurance Company to do so.

COMPLIANCE WITH REGULATIONS

11. The Tenant shall in all respects abide by and comply with all applicable statutes, regulations, and by-laws, including any rules and regulations relating to parking or to the operation of a deck, in any manner affecting the Property including, without limitation, all by-laws, rules and regulations of the Corner Brook City Council.

ASSIGNMENTS, TRANSFERS, SUBLEASES AND LICENCES

- 4 -

12. The Tenant shall not have the right to assign this Lease and transfer or sublease the whole or any part of the Property, or to license third parties to use the Property or any portion thereof.

ACCESS BY LANDLORD

13. The Tenant shall permit the Landlord, its servants or agents, full and free access to any part of the property, with or without vehicles or equipment, to do any manner or thing, which the Landlord is entitled to do under the terms of its incorporating legislation and in order to view and inspect the state of repair of the Property.

EASEMENTS/UTILITIES

14. This leasehold is subject to any Easements granted by The Landlord, said lines to be protected at all times by a depth of cover of not less than the depth of cover that exists as of the date of signing of this Indenture. and subject to the Landlord and any agency (whether governmental or otherwise) owning or operating a water and/or sewer system, or a public utility as that term is defined in the Public Utilities Acquisition of Lands Act, RSNL 1990 Ch P-48, and their respective successors and assigns shall have the right:

- a. To install, maintain, repair, replace, reconstruct, enlarge, inspect or test any pipes, cable, meters or other plant whatsoever on, under or adjacent to the demised land as part of, appurtenant to or in connection with any such public utility, and
- b. by their respective officers, employees, agents and contractors, to enter upon the demised land, with or without all necessary or convenient gear and equipment, for the purposes set out in clause (a) hereof."

Provided however, that nothing stated herein shall be construed as having diminished any other rights the Landlord has under the City of Corner Brook Act or any similar or successor legislation in relation to construction and/or maintenance and repair of water, storm and sewage systems and the Landlord retains the right to conduct any work it deems necessary or desirable on the Premises in relation to water, storm and sewage without any compensation whatsoever to the Tenant including but not limited to compensation for any damage to the Premises and for any inconvenience to the Tenant resulting therefrom.

MAINTENANCE AND REPAIR

- 15.
- a. The Tenant shall at all times keep the Property in at least the repair and condition as at the commencement of this Lease,

- 5 -

- b. The Tenant shall not, during the currency of this Lease, do, suffer or permit to be done any act or thing which may impair, damage or injure the Property or any part thereof beyond the repair and condition at the commencement of this Lease and the Tenant agrees to keep the Demised Area in a clean and orderly condition, and not to permit any rubbish, refuse, debris or other objectionable material to be stored, or to accumulate in the Demised Area, all to the satisfaction of the Landlord;
- c. Upon termination of the tenancy, at its own risk and expense, to remove from the Demised Area within 30 days, any fixtures and chattels belonging to it, with all damage, if any, caused by such removal made good by it, and to leave the Demised Area neat, clean, level and free of all waste material, debris and rubbish, all to the Landlord's satisfaction, and
- d. That upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this indenture within 10 days after written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefore reimburse the Landlord who in default of such reimbursement may collect same as rent owing and in arrears.

NUISANCE

- 16.
 - a. The Tenant shall not do, suffer or permit to be done any act or thing upon or about the Property which is or would constitute a nuisance to the occupiers of any lands or premises adjoining or in the vicinity of the Property or to the public generally.
 - b. The Tenant shall not disrupt or change the drainage of water on the Property, including any streams or brooks flowing on the Property.

INDEMNIFICATION

- 17.
 - a. The Tenant shall at all times indemnify and save harmless the Landlord from and against all claims and demands, loss, costs, damages, actions, suits, or other proceedings by whomsoever made, brought or prosecuted in any manner based upon, occasioned by, or attributable to the execution of this Lease or any action taken or things done or maintained by virtue hereof, or the exercise in any manner of rights arising hereunder, except claims for damages resulting from the negligence of any officers, servants, employees or agents of the Landlord.

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- b. The provisions of this clause will continue to apply, notwithstanding cessation of the tenancy created by this Lease.

NON-WAIVER

18. No condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant at any time or times in respect of any covenant, or condition of this Lease herein contained shall operate as a waiver of the Landlord's rights hereunder in respect of any continuing or subsequent default, breach or non-observance, or so as to defeat or affect in any way the rights of the Landlord in respect of any continuing or subsequent default or breach, and no waiver shall be inferred from or implied by anything done or omitted by the Landlord save only express waiver in writing. All rights and remedies of the Landlord contained in this Lease shall be cumulative and not alternative.

LANDLORD MAY PERFORM TENANT'S OBLIGATIONS

19. If the Tenant fails to perform an obligation of the Tenant under this Lease, the Landlord may perform the obligation and for that purpose may enter upon the Property on not less than three days prior notice to the Tenant or without notice in the case of an emergency and do such things upon or in respect of the Property may be reasonably necessary. Any costs incurred by the Landlord performing an obligation of the Tenant under this lease shall be invoiced to the Tenant, who shall be held liable for payment of the invoice.

EFFECT OF LEASE

20. This Lease and everything herein contained shall operate and take effect to the benefit of and be binding upon the heirs, executors, administrators, successors and lawful assigns, as the case may be of each of the parties hereto,

REMEDIES GENERALLY

21. Any mention in this Lease of a particular remedy of the Landlord in respect of default by the Tenant does not preclude the Landlord from any other remedy in respect thereof, whether available at law or in equity or by statute or expressly provided for in this Lease.

HEADINGS

22. Any note appearing as a heading in this Lease has been inserted for convenience and reference only and cannot define, limit or expand the scope or meaning of this Lease or any of its provisions.

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NOTICES

23.

- a. All notices and communications to the Landlord in connection with this Lease shall be addressed to:

City of Corner Brook

P.O. Box 1080
Corner Brook NL
A2H 6E1

Telecopier Number: (709) 637-1625

or such other address as the Landlord may advise the Tenant in writing.

- b. All notices and communications to the Tenant in connection with this Lease shall be addressed to:

Resident
Carberrys Road
Corner Brook, NL
A2H 7J3

or such other address as the Tenant may advise the Landlord in writing.

- c. Any notice given to either party hereto shall be effectively given if sent by Canada Post regular letter mail to the Tenant or addressed to the party at its address as indicated above or hand delivered to the Tenant by a representative of the City of Corner Brook.

GOVERNING LAW

24. This Lease shall be governed by the laws of the Province of Newfoundland and Labrador.

END OF LEASE

25.

- a. The term of the lease shall be a period of five (5) years commencing on _____, 2021 and terminating on _____, 2026 subject to the rights of termination as set out in clauses contained herein.
- b. Upon the termination of this Lease, the Tenant shall quit and surrender to the Landlord the Property in the repair and condition leased, ordinary wear and tear excepted with consideration of the purpose for which the property is used. The

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Tenant's obligation to observe or perform this covenant shall survive the termination of the Lease. If the termination of this Lease falls on Saturday or Sunday, this Lease shall expire on the business day immediately following.

- c. If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly tenant only at a rental payable monthly in advance at the rate payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this indenture.
- d. Notwithstanding the term of lease set out in clause 25 (a) of this agreement, either party may at any time, without showing any reason or cause, just or otherwise, terminate this lease and discontinue the Tenant's occupation of the Premises by serving the other party with a Notice to Quit in the form set out in Schedule B annexed hereto (with such changes as necessary) at will. At which time this Lease shall be cancelled and the Tenant shall forfeit all right, claims, and demands whatsoever under it and shall make no claim against the Landlord for compensation arising out of the Tenant's improvements or any other matter or thing in any way relating to the said Premises or the leasing thereof and at the end of the Lease, the Tenant shall deliver vacant possession to the Landlord in the same condition as at the commencement of this Lease, reasonable wear and tear excepted and except that the Landlord may in its discretion elect to keep any of the Tenant's improvements, alterations or fixtures.

PROVISION SEPARATELY VALID

- 26. If any covenant, obligation, agreement, term or condition of the Lease or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease or the application of such covenant, obligation, agreement, term or condition to persons or circumstances other than those in respect of which it is held invalid or unenforceable, shall not be affected thereby and each covenant, obligation, agreement, term and condition of this Lease shall be separately valid and enforceable to the fullest extent permitted by law.

UTILITIES

- 27. The rights of the Tenant to occupy the Demised Premises is subject to any easement for water and/or sewer lines granted by the Landlord, said lines to be protected at all times by a depth of cover of not less than the depth of cover that exists as of the date of signing of this Indenture. The rights of the Tenant to occupy the Demised Premises is also subject to any power, electrical and telephone lines and poles with respect thereto.

INTEREST CHARGES

28. All sums, for rent or otherwise, payable to the Landlord under this indenture shall bear interest commencing the day next following the failing due thereof, at a rate of 10.5% per annum until the actual date of payment.

LEGAL COSTS

29. The Tenant shall pay to the Landlord all the Landlord's legal costs, on a solicitor and client basis, of all actions or other proceedings in which the Landlord participates in connection with, or arising out of the obligations of the Tenant under this indenture or arising out of the Tenant's occupation of the Demised Area, except to the extent that the Landlord is not successful therein.

ENTIRE AGREEMENT

30. The Landlord and the Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this Lease save as expressly set out in this Lease and that this Lease constitutes the entire agreement between the Landlord and the Tenant and may not be modified except as herein explicitly provided or except by subsequent agreement in writing of equal formality executed by the Landlord and the Tenant.

IN WITNESS WHEREOF the parties hereto have executed these presents the day and year first before written.

THE CORPORATE SEAL of the Landlord was hereto affixed in the presence of:

THE CITY OF CORNER BROOK

Notary Public/Commissioner for Oaths/Barrister/Solicitor

City Manager/City Clerk

Notary Public/Commissioner for Oaths/Barrister/Solicitor

Mayor/Deputy Mayor

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THE CORPORATE SEAL of the
Tenant was hereto affixed in
the presence of:

Notary Public/Commissioner for
Oaths/Barrister/Solicitor

Resident

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SCHEDULE "B"

NOTICE TO QUIT

The City of Corner Brook (CCB) hereby gives notice to Resident to quit occupation of the Property located on Carberrys Road in the City of Corner Brook, Province of Newfoundland and Labrador, on or before the ___ day of _____, 20__ in accordance with clause(s) ____ of the Agreement between CCB and _____ dated _____.

Dated this _____ day of _____ 2021.

Signed on behalf of CCB by:

City Manager-City of Corner Brook



Information Report (IR)

Subject: Council Meeting Schedule

To: Marina Redmond
Meeting: Committee of the Whole - 08 Nov 2021
Department: City Manager
Staff Contact: Jessica Smith, Legislative Assistant
Topic Overview: The Council Meeting Schedule for November 2021 to June 2022 is being brought forward for Council approval.

BACKGROUND INFORMATION:

Section 31 of the City of the Corner Brook Act requires that Council meet at least once a month for the dispatch of general business. City Council meetings typically take place bi-weekly on the 1st and 3rd Monday evening of the month, with the exception of holidays. Council meetings are in the form of a Regular Meeting and a Committee of the Whole Meeting, both of which are public meeting. A confirmed schedule will allow for improved communication to staff, council, the public and the media. The following is the proposed Council Meeting schedule for the period of November 2021 to June 2022, however the schedule is subject to change:

Meeting Date	Meeting Type
November 8, 2021	Committee of the Whole Meeting
November 22, 2021	Regular Meeting
December 6, 2021	Committee of the Whole Meeting
December 13, 2021	Regular Meeting
January 10, 2021	Committee of the Whole Meeting
January 24, 2021	Regular Meeting
February 7, 2021	Committee of the Whole Meeting
February 28, 2021	Regular Meeting
March 14, 2021	Committee of the Whole Meeting
March 28, 2021	Regular Meeting
April 11, 2021	Committee of the Whole Meeting
April 25, 2021	Regular Meeting

May 9, 2021	Committee of the Whole Meeting
May 30, 2021	Regular Meeting
June 13, 2021	Committee of the Whole Meeting
June 27, 2021	Regular Meeting

GOVERNANCE IMPLICATIONS:

Legislation
City of Corner Brook Act
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RECOMMENDATION:

It is the recommendation to approve the proposed schedule as presented. Schedule is subject to change.

ALTERNATIVE IMPLICATIONS:

Options:

1. That council approve the November 2021-June 2022 schedule as presented. A confirmed schedule will allow for improved communication to staff, council, the public and the media
2. That Council make amendments to the schedule as presented. It is important that amendments to the schedule be confirmed as soon as possible to allow for adequate time to prepare staff reports for meetings.

City Clerk
Legislative Assistant

Approved - 04 Nov 2021
Approved - 05 Nov 2021

City Manager