

TOWN OF HARBOUR GRACE

Minutes of a special meeting of the Town of Harbour Grace Council, held in the Town Hall
August 11, 2020 at 2:00 PM.

<i>Members Present</i>	Mayor	Don Coombs
	Deputy Mayor	Sonia Williams
	Councillors:	Lyda Byrne
		Kathy Tetford
		Shawn Vaters
	Kevin Williams	
	Paul Fitzgerald	
<i>Staff Present</i>	Acting Town Clerk	Sean O'Brien
	Admin. Assistant-A/R Clerk	Nancy Pike

Mayor Coombs called the meeting to order at 2:10pm.

Mayor Coombs welcomed Mr. Doug Moores, solicitor for the Town of Harbour Grace. Mayor Coombs noted that the agenda for the meeting includes an update on Fitz's Mobile Welding, recommendations on the hiring of the Town Clerk/Manager, recommendations on the hiring of the Municipal Enforcement Officer and a recommendation on the Tax Sale. Mayor Coombs also noted that the hiring of a Town Clerk/Manager requires 2/3 of the votes which is equivalent to 5 votes and an MEO requires a majority.

Mayor Coombs advised that Mr. Moores would be providing an update on Par Id 083280 & 083280 001. Clr. Fitzgerald asked if he was in conflict. Mayor Coombs quoted Section 209 of the Municipalities Act whereas Council can vote to determine if they feel a Councillor is in Conflict.

Clr. Fitzgerald left chambers at 2:12pm.

Motioned that Clr. Fitzgerald is not in conflict during the discussion about Par Id 083280 with the Town's Solicitor.

MOTION #20-318

**CLR. TETFORD/DEPUTY MAYOR WILLIAMS
CARRIED UNANIMOUSLY**

Clr. Fitzgerald returned to chambers at 2:14pm.

Par Id 083280

Mr. Moores provided an update on Par Id 083280, noting that the Trustee has proposed to sell the business as a whole and is in the process of preparing a package. The Trustee and secured creditors felt that it might be a better option to sell the building/business as a whole, rather than break it up and sell everything separately. There was some concern that the Trustee was taking this action without the consent of Council. There was also concern that if the building was sold as a part of the Trustee's proposal, the Town might not get the full amount that is owed. Mr. Moores advised that even though the Trustee is preparing this proposal, Council does not have to go along with it and can at any time sell the building as the Town is still the owner of the property. Mayor Coombs noted that the Town would require approval from the minister to sell the building for anything less than the assessed value. It was asked if the Town can collect rent for the equipment owned by various secured creditors that is still housed in the building. It was determined that a commercial appraisal would be beneficial no matter what avenue the Town decides to take.

Discussion continued around the Trustee proceeding with the proposal without the Town's consent. There was a disagreement between Deputy Mayor Williams and

Par Id 083280

Councillor Tetford on who seconded a motion at a meeting with the trustee concerning the Town's property.

Mayor Coombs noted that he attended a meeting and asked where the Town stands with the lease and was told to check with the Town's Lawyer.

Mayor Coombs reiterated that the Town has two options; wait 6 weeks to see the outcome of the Trustee's proposal or move forward with an appraisal and sale of the building.

Clr. Tetford expressed concern that the Town does not have access to its building. Mr. Moores advised that he can contact the Trustee to request access to the building.

Motioned to request a commercial appraisal on Par Id 083280 to move forward with disposal of the Town's property.

**MOTION #20-319 DEPUTY MAYOR WILLIAMS/CLR. BYRNE
CARRIED UNANIMOUSLY**

Mayor Coombs asked Clr. Fitzgerald if he was the new owner for the building in the proposal from the Trustees or if he was part of a conglomerate to buy the building back, to which Clr. Fitzgerald replied no. Mayor Coombs noted Council has ruled Clr. Fitzgerald not in conflict.

Motioned to ask the Town's solicitor to find out what the process is to have all the unattached equipment not owned by the Town removed from Par Id 083280.

**MOTION #20-320 DEPUTY MAYOR WILLIAMS/CLR. VATERS
CARRIED UNANIMOUSLY**

Mr. Moores left the meeting at 2:58pm.

Town Clerk/Manager

Motioned that direction be given to LW Consultants to issue an offer of employment on behalf of the Town of Harbour Grace to Ms. Amy Parsons for the position of Town Clerk/Manager. Such offers shall include the terms and conditions of employment agreed upon by Council and as set out in the letter of offer.

**MOTION #20-321 CLR. BYRNE/DEPUTY MAYOR WILLIAMS
CARRIED UNANIMOUSLY**

MEO

Clr. Byrne advised that interviews were conducted, and candidates were narrowed down to three people. The three interviews were excellent, but the committee was not unanimous.

Motioned that the Town of Harbour Grace hire Ms. Marguerite McCarthy for the position of Municipal Enforcement Officer. Such employment shall be subject to a six-month probationary period and all other terms and conditions as agreed upon by Council. Employment to commence within a week of the Town Manager is in place.

MOTION #20-322 CLR. BYRNE/CLR. FITZGERALD CARRIED

*In Favour Mayor Coombs
Clr. Byrne
Clr. Fitzgerald
Clr. Tetford
Clr. Vaters
Clr. Williams*

Opposed Deputy Mayor Williams

Tax Sale

Motioned that instruction be given to the Town Solicitor to proceed with the tax sale.

**MOTION #20-323 CLR. BYRNE/DEPUTY MAYOR WILLIAMS
CARRIED UNANIMOUSLY**

Par Id 085221 Motioned that the owner of Par Id 085221 be written a letter advising that the arrears on the subject property in the amount of \$34,455.70 are to be paid in full within 30 days, barring this the said property shall be included in the tax sale.

MOTION #20-324 **CLR. BYRNE/DEPUTY MAYOR WILLIAMS**
CARRIED UNANIMOUSLY

DCHGCC Motioned to advance \$32,708.78 to the Danny Cleary Harbour Grace Community Centre.

MOTION #20-325 **DEPUTY MAYOR WILLIAMS/CLR. BYRNE**
CARRIED UNANIMOUSLY

Adjournment Motioned to adjourn the regular meeting of Council at 3:35 P.M.

MOTION #20-326 **CLR. VATERS/CLR. BYRNE**
CARRIED UNANIMOUSLY