



**QUISPAMISIS TOWN COUNCIL  
REGULAR MEETING  
MINUTES**

**August 21, 2018, 7:00 pm  
Council Chambers  
Quispamsis Town Hall**

Present:

- Mayor Gary Clark
- Deputy Mayor Libby O'Hara
- Councillor Lisa Loughery
- Councillor Sean Luck
- Councillor Kirk Miller
- Councillor Emil T. Olsen
- Councillor Pierre Rioux
- Councillor Beth Thompson
- Brandon, Krista; Town Treasurer
- Deville, Susan; CAO
- Kennedy, Aaron; Communications Manager
- Losier, Gary; Director of Engineering & Works
- Purton Dickson, Dana; Director of Community Services
- Snow, Catherine; Town Clerk

**1. Approval of Agenda**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Olsen

The agenda be approved as prepared

**Motion Carried**

## **2. Mayor's Comments**

Mayor Clark acknowledged the tragic and senseless shooting that occurred in Fredericton August 10, 2018 that took the lives of two Fredericton Police Constables, Robb Costello and Sara Burns; and two civilian victims, Donnie Robichaud and Bobbie-Lee Wright. He applauded the Kennebecasis Regional Police Force, who was one of the first agencies who reached out to their colleagues in Fredericton with an offer to help, with many of the members travelling to Fredericton to cover shifts in the days that followed the shooting, including Inspector Mary Henderson, who is in attendance this evening.

Mayor Clark referenced the grand opening this morning of the Canada 55+ Games that Quispamsis is co-hosting with the City of Saint John. Over 2200 competitors are participating in the games. Hockey at the qplex and cycling races in the Meenan's Cove Park area are being held in Quispamsis tomorrow and Thursday.

Mayor Clark welcomed the new Town Treasurer, Ms. Krista Brandon, to her first Quispamsis Council Meeting.

## **3. Moment of Reflection**

Councillor Miller read the Moment of Reflection.

## **4. Disclosures of Interest**

4.1 Councillor Luck - (May 15/18) 224 Hampton Road - PID No. 251825 - Rezoning Application - Residential (R1) to Central Commercial (CC) - Proposed Psychology & Wellness Clinic and Professional Office Space

## **5. Presentations**

5.1 (July 17/18) Noise By-law Complaints - In Attendance: Inspector Mary Henderson, Kennebecasis Regional Police Force

Inspector Mary Henderson provided an overview to Council as to the process the KRPF use when responding to complaints under the Noise By-law. She stated the KRPF receive noise by-law complaints from both Quispamsis and Rothesay on a daily basis. The two Towns' by-laws differ in that Quispamsis' defines a noise by-law infraction as any noise that causes a disturbance to another person; while Rothesay's Noise By-law defines a noise by-law violation if the noise reaches a certain decimal reading. Rothesay's By-law also provides time restrictions, (7 am to 11

pm), whereas Quispamsis' does not with the exception of fireworks and construction equipment. Constable Henderson stated the defined decimal threshold in Rothesay's By-law is not recommended as some noises may not reach that particular decimal reading, however the noise can still be annoying to other residents, but they cannot take any action as it falls below the decimal reading. She noted once the Police receive a call, they respond on behalf of the complainant, and assess the situation upon arrival at the scene with the objective to seek compliance. Rarely, she noted, do they ticket individuals the \$75 fine under the Noise By-law. She acknowledged at times several police cruisers may respond to a call to monitor the situation, noting if a party needs to be broken up, it can take several police officers to make that happen. She provided a copy of the City of Fredericton's Noise By-law for reference. She noted the purpose of Noise By-laws is to provide parameters for residents to get along and the responding Police Officer's main goal is to achieve compliance.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Miller

Inspector Henderson is thanked for her presentation, and Mr. Fred Short be updated as to the process used by the KRPF's when responding to a Noise By-law Complaint, and Town Staff review other best practices concerning what constitutes a public nuisance or disturbance and report back to Council.

**Motion Carried**

5.2 Saint John Newcomers Centre - Overview of Services Available to Newcomers in Greater Saint John

Presenter: Mohamed Bagha

Mr. Mohamed Bagha provided Council with an overview of the Saint John Newcomers Centre whose vision is to see the greater Saint John area as a diverse and prosperous community fully embracing the value contributed by newcomers. He proposed to see a partnership with Quispamsis to help improve the cultural, social and economic well being of the community through the promotion of multiculturalism and support to newcomer settlement. They related how businesses in Atlantic Canada can hire, under a new project called the Atlantic Immigration Pilot, foreign

skilled workers or international student graduates to fill existing labour gaps. Short term benefits include increased population, increased tax base, new business capital, diverse community, and free marketing. Long term could see increased infrastructure, multicultural society, better economic opportunities and social cohesion. In 2017 - 2018, they welcomed 591 newcomers using services in English and 450 newcomers using services in French, with clients from 29 different countries.

Mr. Bagha informed Council they have been utilizing space at the Kennebecasis Public Library, and will be looking at utilizing this facility more in the fall. He noted a strengthened partnership between the Saint John Newcomers Centre and Quispamsis can be achieved by reaching out to newcomers and making them aware of events, programs and services available in the Town, advertising community multi-cultural events, and providing opportunities where the Saint John Newcomers Agency can have more of a presence in Quispamsis.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Olsen

Mr. Bagha be thanked for providing an overview of the services available to newcomers in the Greater Saint John Region, and the Town assist in promoting awareness of the Saint John Newcomers Centre and its services through the Town's social media sites.

**Motion Carried**

## **6. Public Hearings**

### **6.1 (May 15/18) 224 Hampton Road - PID No. 251825 - Rezoning Application - Residential (R1) to Central Commercial (CC) - Proposed Psychology & Wellness Clinic and Professional Office Space**

Applicant, Dr. Caley McNamara Crowdis, In Attendance

Councillor Luck declared a conflict on this item and left the meeting.

Dr. Caley McNamara Crowdis, PsyD, MA, BSW, BEd, BA expanded upon her application requesting the rezoning of 224 Hampton Road from Residential (R1) to Central Commercial (CC) for the purpose of constructing a two storey professional office building, 557 square meters, (6000 square feet), with the top floor planned for use as a Psychology

Clinic and the lower level to be rented out for other professional businesses. Currently, she stated, they have outgrown their space at 47 Clark Road, and are looking to build a larger building to accommodate their growing Psychology and Wellness Clinic.

Mayor Clark asked three (3) times if anyone wished to speak for or against the proposed rezoning application.

No written objections were received and no one spoke in opposition of the rezoning application.

Mayor Clark read PAC's written views indicating its support of the proposed Municipal Plan and Zoning By-law amendments that would rezone PID No. 251825 with Civic No. 224 Hampton Road from R1 to CC for the construction of a two storey commercial office building, subject to the conditions as outlined in their Notice dated August 2, 2018.

A Staff Report from the Municipal Planning Officer updated Council on the status of the application, noting the applicant has been working on an updated plan demonstrating PAC's views for building, parking and buffer setbacks pursuant to the Zoning By-law, with the lot containing sufficient space so no variances are required. A Copy of the updated plan was included in the Council agenda package.

**Moved By** Councillor Olsen  
**Seconded By** Deputy Mayor O'Hara

Council give first reading to Municipal Plan By-law Amendment No. 054-01.

**Motion Carried**

**Moved By** Councillor Thompson  
**Seconded By** Councillor Miller

Council give second reading to Municipal Plan By-law Amendment No. 054-01.

**Motion Carried**

**Moved By** Councillor Rioux  
**Seconded By** Deputy Mayor O'Hara

Council give first reading to Proposed Zoning By-law Amendment No. 038-27.

**Motion Carried**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Rioux

Council give second reading to Proposed Zoning By-law Amendment No. 038-27.

**Motion Carried**

Councillor Luck returned.

## **7. Minutes of Previous Meetings**

### **7.1 July 17, 2018 - Regular Meeting**

**Moved By** Councillor Thompson

**Seconded By** Councillor Loughery

Minutes be approved as prepared.

**Motion Carried**

## **8. Unfinished Business**

### **8.1 (Nov. 2017) Review of Draft Grants Policy - Deputy Mayor O'Hara's Comments on Draft Policy**

(Tabled from July 17, 2018 Regular Meeting Pending Receipt of Deputy Mayor O'Hara's Comments)

Deputy Mayor O'Hara's written comments stated Council had requested staff to create a policy to streamline requests made for funding to make the process clear and fair to applicants, but stated Council did not ask that a Committee be created to review disbursements of grant applications. She proposed changes to the original draft presented by Staff for council's consideration outlined in bold or strikeout font.

**Moved By** Deputy Mayor O'Hara  
**Seconded By** Councillor Miller

A revised draft Grants Policy be created based on the Community Services Director's initial recommendations along with Deputy Mayor O'Hara's added comments with the view towards generating a streamlined application process to address grant and funding applications.

Against (1): Councillor Loughery

**Motion Carried**

8.2 (May 1/18) Smoke Free Outdoor Spaces – (Dr. Kerrie Luck) - Staff Report from Director of Community Services

A Staff Report from the Director of Community Services provided background and discussion material in response to Dr. Kerrie Luck's request for the implementation of a Smoke Free Places By-law for Municipal Property. Consideration to ban smoking on all municipal property, including roads and sidewalks was requested due to health impacts from exposure to second hand smoke. Ms. Purton Dickson noted, with the pending legalization of marijuana in October, it would be timely for Council to include the impact of this legalization as part of a Smoke Free Places By-law or with any amendments to the Noise Prohibition By-law No. 23 which includes 'nuisances'. She proposed the following three options for Council's consideration:

1. Follow the Province's current Smoke-Free Spaces Laws prohibiting smoking in recreation spaces and around building entrances and exits;
2. Create a Smoke-Free Places By-law that would enhance the Provincial laws to include all municipal property;
3. Create a by-law that includes streets and sidewalks.

Ms. Purton Dickson's report stated to ensure success of implementing a by-law to prohibit smoking tobacco and cannabis on all property belonging to the Town, the 2019 budget would need to include funding for compliance officers (2) at \$58,000; communications strategy and material, \$20,000; community consultation, \$10,000; signage \$15,380; Staff smoking cessation coverage \$2,500; and approximately \$6000 for prosecution costs (2), (based on \$3000 per case). Of this amount,

\$45,380 would be one time costs, with recurring annual cost estimated at \$124,500.

A Memorandum from the Town Solicitor stated there are significant issues relating to a proposed Smoke Free Outdoor Spaces By-law that need to be researched, including Municipal authority to enact such a by-law; enforceability of such a by-law; impact on Town employees who smoke; and the pending provincial legislation dealing with Cannabis.

Dr. Luck was in attendance and further expanded upon her initial request for the adoption of a Smoke Free Places By-law on Municipal Property including streets and sidewalks. She suggested rather than hire compliance officers, summer students could be tasked with communicating to those not in compliance explaining the health benefits behind the adoption of a Smoke Free Places By-law. She suggested the KRPF could be responsible for enforcing the by-law and Town Staff should also be authorized to enforce such a by-law on town owned properties. She stated each of the items referenced in the Town Solicitor's memorandum has already been addressed.

Dr Luck felt the Town should offer smoking cessation pharmaceutical products to employees who smoke, in addition to the current counselling services already provided, to help employees quit smoking which adds to their overall productivity. Ideally, she stated, if the By-law is initially drafted, then a comprehensive roll out plan can be put in place, including an effective date for implementation of the by-law suggesting the date could coincide with *No Smoking Week* which occurs the third week in January.

CAO Deuille acknowledged the importance of ensuring enforcement measures are in place if the by-law is adopted. She noted if streets are included, there will likely be enforcement issues near KVHS as there has already been concerns with students congregating on nearby streets and sidewalks smoking. Also, Ms. Deuille noted, the Police Chief has indicated enforcement of a Smoke Free Outdoor Spaces By-law is not considered a priority for his Department, and also keeping in mind that the Town's policing services is a shared service between the two KV Towns.

**Moved By** Councillor Thompson

**Seconded By** Deputy Mayor O'Hara



Council direct the Town Solicitor to research the creation of a Smoke Free Outdoor Spaces By-law that would enhance the Provincial legislation to include all municipal properties in Quispamsis as well as public streets and sidewalks and bring a draft By-law back to Council for the first meeting in October.

**Motion Carried**

8.3 (July 2018) Ratification of Email Poll – Application for Funding Under the Enabling Accessibility Fund to Pave A Portion of Q/R Trail

**Moved By** Councillor Rioux

**Seconded By** Councillor Luck

Council ratify the email poll conducted by the Clerk on July 20, 2018 authorizing inclusion of a Letter of Support from Mayor & Council to the Town's application for Federal Funding under the *Enabling Accessibility Fund* for a project that would permit paving of a portion of the Q/R trail to allow people in wheelchairs the opportunity to access the trail.

**Motion Carried**

**9. Correspondence**

9.1 The Honourable Bill Fraser, Minister of Transportation and Infrastructure - Request for 2019 Municipal Designated Highway Program Priorities

Correspondence from Minister Bill Fraser informed Council DTI is looking ahead to the 2019 construction season and preparing to assess proposals under its Municipal Designated Highway Program. They are requesting each Municipality to carefully review its requirements and submit an updated Five Year Plan to his Department for consideration no later than September 30, 2018.

**Moved By** Councillor Thompson

**Seconded By** Deputy Mayor O'Hara

Minister Fraser's letter be referred to the Director of Engineering & Works to prepare the Town's proposed updated Municipal Designated Highway's Five Year Plan for Council's approval and submission to the Province by the September 30, 2018 deadline date.

**Motion Carried**

**10. By-laws (none)**

**11. New Business**

**11.1 RFP 2018 TQ07-10 - Gondola Boulevard Road Upgrade 2018 - (From Saunders Drive to Laura Drive)**

Correspondence from Engineering Manager, Mark Morrison, provided the tender results for the Gondola Boulevard Road Upgrade planned from Saunders Drive to Laura Drive, recommending the town award the tender to the low bidder, Steele Trucking Ltd., for the tender price of \$259,829.24.

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Rioux

Council award the Gondola Boulevard Road Upgrades 2018 - Saunders Drive to Laura Drive Tender No. 2018TQ07-10 to the low tenderer, Steele Trucking Ltd., for the tender price of \$259,829.24 plus HST.

**Motion Carried**

**12. Reports**

- 12.1 Financial Statements As At June 2018 - Town Treasurer, Krista Brandon
- 12.2 Kennebecasis Regional Police Force - 2017 Annual Report
- 12.3 Animal Control Reports
- 12.4 Planning Advisory Committee Minutes of July 24, 2018
- 12.5 Justice & Public Safety - New Legislation - Intimate Partner Violence Intervention Act and Utility Customers
- 12.6 The Rothesay Common Cenotaph - Upgrades
- 12.7 KidSport NB - Quispamsis .5 Km Run for the Rest of Us - Grant under the Sport Tourism Fund
- 12.8 Copy of Quispamsis Draft Resolution for UMNb AGM Re Low Carbon Economy

- 12.9 Opportunities New Brunswick - Wind Assessment Company to Expand and Create Jobs in Quispamsis
- 12.10 Econo Us 2018 - Canada's National Community Economic Development Conference - September 24 - 26, Moncton, NB
- 12.11 Wellness Week - October 1 - 7, 2018 - Minister of Families and Children, The Honourable Stephen Horsman
- 12.12 Copy of Quispamsis Letter to Minister DTI - Re Right Turn Access off Gondola Point Road to Route 119

**Moved By** Councillor Olsen

**Seconded By** Deputy Mayor O'Hara

Reports be received and filed.

**Motion Carried**

**13. Business Arising from Committee of the Whole**

**14. Adjournment**

**Moved By** Deputy Mayor O'Hara

**Seconded By** Councillor Olsen

Meeting adjourn.

**Motion Carried**

Meeting adjourned at 8:55 p.m.

\_\_\_\_\_  
Mayor Gary Clark

SEAL \_\_\_\_\_  
Catherine Snow, Town Clerk