



QUISPAMISIS TOWN COUNCIL

REGULAR MEETING

MINUTES

December 7, 2021, 7:00 pm

Council Chambers

Quispamsis Town Hall

Present:

Mayor Libby O'Hara
Deputy Mayor Mary Schryer
Councillor Mike Biggar (virtual attendance)
Councillor Noah Donovan
Councillor Kerrie Luck
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Beth Thompson
Brandon, Krista; Town Treasurer
Kennedy, Aaron; Acting CAO
Losier, Gary; Director of Engineering & Works
MacInnis, Lisa; Assistant. Clerk
Purton Dickson, Dana; Director of Community Services
Shannon, Katherine, HR Manager
Snow, Catherine; Town Clerk

1. Approval of Agenda

Moved By Deputy Mayor Schryer

Seconded By Councillor Olsen

The Agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Mayor O'Hara thanked the Town Staff who worked with the Town of Rothesay in the hosting of the KV Santa Clause Parade the evening of November 28, 2021. She also thanked the Kennebecasis Regional Police Force for their efforts in organizing traffic before, during and after the parade. She noted Deputy Mayor Schryer and her were on the town float, and greatly appreciated seeing so many smiling faces enjoying the parade.

In addition, she encouraged everyone to come see the fantastic Holiday Dreamland festive light display at the Arts & Culture Park.

Mayor O'Hara said she was pleased to attend a recent ceremony at the QMA where a plaque was placed in memory of long time QMA canteen operator, the late Bob Laver, affectionately known as the 'candy man'.

In addition, she was pleased to send a donation to the KVHS Girls Hockey tournament, and extended her congratulations to all participants.

3. Treaty Acknowledgement - Moment of Reflection

Councillor Donovan read the Treaty Acknowledgement – Moment of Reflection.

4. Disclosures of Interest

No disclosures were declared.

5. Presentations (none)

6. Public Hearings (none)

7. Minutes of Previous Meetings

7.1 November 16, 2021 - Regular Meeting

Moved By Councillor Donovan

Seconded By Councillor Thompson

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (Dec.18/18) Update on Queensbury Drive Traffic Calming - Request for Update (Councillor Kerrie Luck) - Staff Report from Director of Engineering & Works

Mr. Losier's Staff Report, in response to Councillor Luck's request for an update, indicated this past summer the town had reinstalled temporary traffic calming measures along the upper and lower sections of Queensbury Drive and measured traffic volumes and speeds for comparable analyses. The Town has initiated its review based on the current Traffic Calming policy, and have proceeded to a higher-level review. The current course of action involves the use of Level 2 temporary methods to the streetscape - the installation of speed humps and speed cushions in select locations along with temporary narrowing of the travelled roadway. The alternate temporary measures are a cost-effective way to permit town engineering staff to measure speed changes if any, determine optimum

placement of these units and also obtain feedback from the residents. The approach will also allow staff to prepare cost estimates for potential permanent placement since any final decision will ultimately be a function of budget ability.

Mr. Losier indicated this year the intent was to have all traffic information compiled for 2021, and then, to make presentation to Council and ultimately, if so, directed by Council, host a series of public information and feedback sessions. The open house sessions would be for the impacted residents and community at large to decide perceived impacts, preferences and to see if a majority of residents would approve any design that would involve permanent traffic calming measures. Without proper public consultation it is not proper to presume what methods of traffic calming, (if any at all), would be acceptable to the residents impacted and with this in mind there was no item for traffic calming proposed in the 2022 Street Capital Budget. It is staff recommendation that the Queensbury Drive area will have temporary measures installed in 2022 and that the monitoring be scheduled to ensure there can be a public engagement period prior to the budget deliberation.

A discussion ensued on this matter, with it being noted the previous Queensbury Drive spokesperson for the residents no longer lives on this street and it would be helpful if the Traffic Calming plan of action could be communicated to the impacted residents.

Moved By Deputy Mayor Schryer

Seconded By Councillor Donovan

The town of Quispamsis install alternate temporary traffic calming devices along Queensbury Drive and monitor their effectiveness and further provide council with a public consultation schedule in mid-2022 that would permit staff to have appropriate budget recommendations for consideration for the 2023 street capital program, and update the website on the plan going forward, and send a link and/or mailout of the update to the Queensbury Drive residents.

Against (1): Councillor Miller

Motion Carried

8.2 (Apr.20/21) Update on Hillhurst Drive - Request for Speed Reduction (Councillor Donovan and Councillor Miller) - Traffic Analyses Results - Staff Report from Director of Engineering & Works

Mr. Losier's Staff report, in response to Councillor Donovan's request for an update, related the Town has received correspondence from a resident on Hillhurst Drive with concerns that recent speeding along the street has been caused by construction traffic being detoured along this route, and they have requested a

reduction in the posted speed limit. There was a similar request for this area in 2003 and in 2010 and the recommendation at that time was to not reduce speed limits but to erect a steep grade advisory sign, with a 'slow' tab sign advising motorists to reduce speed when approaching the downhill side of Hillhurst Drive.

Hillhurst Drive is located on a steep incline and serves as one of the connections to the Roberts Lane Subdivision and beyond. There have been traffic counts conducted in the area in 2002, 2009 and the numbers do not show many changes in measured parameters. The average downhill speeds remained at 48km/hr. for both years. Council then sought input from the KRPF as well for this area and their report indicated there had been no tickets issued or complaints dating back to 2005. When the complaint was received this fall the counters were placed from Nov 15th to Nov 19th along 3 locations on Hillhurst Dr. mid-block the average vehicle volumes were measured at 463 AADT and average uphill speed was 47km/hr. and downhill speed 53 km/hr. These revised numbers indicate that while volumes are slightly up during the measure timeframe (likely attributed to the detour), the uphill speeds remained at 47 km/hr. and the downhill slightly increased from 48 to 53 km/hr.

It is staff's opinion that the detour had accounted for the increased downhill volumes and speeds and that based on regular traffic the conditions have not changed substantially since the initial recommendations of 2002 and 2009

Council Members suggested placement of one of the flashing speed limit signs in this area, and/or erect speed signs similar to the 'rolling stop' signs indicating if speed limits are not adhered to the option of paying the fine. Also noted were the four new police officers who will be hired in 2022 that will increase traffic enforcement.

Moved By Councillor Donovan

Seconded By Councillor Thompson

Council direct the Town's Engineering Department to continue with a regular review practice for Hillhurst Drive to monitor volumes and speeds and request KRPF to also include the area in regular traffic patrols and notify the town should there be an increase in offences

Motion Carried

8.3 (April 20/21) New Brunswick Local Governance Reform - 'Working Together for Vibrant and Sustainable Communities' - White Paper - Draft Letter to Minister Allain

A draft letter to the Minister of Local Government and Local Governance Reform for Council's consideration addressed the recently released White Paper on

Working Together for Vibrant and Sustainable Communities. It notes Quispamsis is one of 16 municipalities not directly affected by restructuring. Overall, Quispamsis supports the four pillars of the White Paper, acknowledging that all New Brunswickers should have representation at the local government level, however commented on several observations, including -

- One year extension to Council's term - second consecutive five (5) year term;
- Expressed an interest in the status of the legislation with respect to including the Town of Hampton, Village of St. Martins and adjoining LSD areas becoming contributors to the Regional Facilities Commission.
- The Fundy Regional Service Commission will be tasked with providing 'regional leadership' in economic development and tourism - how does that impact Envision Saint John, who is entering its second year of existence in 2022;
- Concern about the RSC's new mandate to establish a regional Public Safety Committee, noting Quispamsis and Rothesay provide their own emergency services to their 30,000 residents through regional co-operation;
- Pleased to see the Community Funding and Equalization Program will be revamped, to come into effect in 2023; with consideration of the Town's high property assessments when reviewing a formula to be fair and equitable to all municipalities.
- The hiring process for the new Fundy Regional Service Commission's CEO should be left to the Board of Directors;
- Questioned whether a municipal planning officer who does not have the required professional designation, will be exempt from the new requirements.
- Concern about the downloading of social services, such as affordable housing, to the RSC level.

Deputy Mary Schryer acknowledged one area the White Paper is lacking and could stand on a pillar of its own is Climate Change. She noted the increased risk to infrastructure communities face with extreme weather events including - flooding, drought, ice storms, etc. This could be added to land use and/or regional collaboration, and is a good opportunity to introduce the Smart Community concept with the new local government entities.

Moved By Councillor Thompson

Seconded By Deputy Mayor Schryer

Council authorize sending the draft letter to Minister Allain in response to the White Paper Report, with the addition of a section on a Climate Change component, and copying MLAs, Premier Blaine Higgs, the Honourable Gary Crossman as well as Dan Murphy, UMN's Ex. Director.

Motion Carried

8.4 (Sept.7/21) Request for Update Re Pedestrian Crossing on Gondola Point Arterial (Route 119) (Councillor Kerrie Luck) - Staff Report from Director of Engineering and Works and Background Documents

Correspondence from Councillor Luck asked, based on the letter received from Minister Green re the crosswalks on the Hampton Road, it appears that the Town controls the decision to place crosswalks, etc., to improve safety on provincially designated roads.

A Staff Report from the Director of Engineering & Works stated the Arterial is classified as a controlled access highway and falls under a different category than the Hampton Road. The Hampton Road has regular residential driveway access, and all regular maintenance is performed by municipal crews. The Arterial does not allow unsanctioned access and regular maintenance is conducted by DTI crews. In the case of the Squire/Alma Lane roundabout, the Province did require a complete traffic analysis and warrant analysis before granting access.

Mr. Losier noted the Squire Drive/Alma Lane round-about design does contain a pre-approved pedestrian crossing, that just needs additional signage and line painting, and will be done next summer as Phase 2 of the round-about development. He noted he thought Council was looking at other potential crossings, and DTI will request a traffic analysis completed at the Town's cost for consideration. He suggested rather than approach the Province with non-specific requests, the Town wait until the completion of the Transportation Master Plan, and any updates to the Active Transportation Plan.

Moved By Deputy Mayor Schryer

Seconded By Councillor Luck

Once the Master Transportation Plan is completed and if recommendations include specific points of access for consideration, Council can identify priority locations for submission to DTI for discussions on jurisdiction and warrant or permitting requirements.

Motion Carried

8.5 (Sept.21/21) Response from DTI, Minister Jill Green Re Ms. Pat Downey - Palmer Brook Road/Hampton Road Intersection; Request for Traffic Lights and Street Light Installation Near Elliot Road Intersection

Correspondence from Minister Green responded to the Town's letter re Ms. Pat Downey's request for traffic lights at the Palmer Brook Road and Elliot Road, and

further, a streetlight at the Palmer Brook Road/Elliot Road intersection. The Minister wrote while the roadways mentioned are provincial roadways, these intersections are within Quispamsis, and are under the administration and control of the town. Any review or study for traffic operations, activities and/or lighting at these intersections is the responsibility of the Town.

Moved By Deputy Mayor Schryer

Seconded By Councillor Thompson

Minister Green's response and Ms. Downey's letter concerning traffic concerns near the Palmer Brook Road, Hampton Road and Elliot Road Intersections be referred to Staff to determine what may be reasonable actions and to research costs of traffic warrant analysis and report back to Council.

Motion Carried

9. Correspondence

- 9.1 Mexi's Restaurant - 170 Hampton Road - Application for Approval of Building Murals Including – "Day of the Dead" Exterior Building Mural - Mexican Celebration Honouring Deceased Loved Ones - Staff Report from Jennifer Jarvis, Planning Technologist

Dino Cipolla, Property Owner and Chris Grannan, Restaurant Owner; In Attendance

A Staff Report from Ms. Jarvis stated the Town has received an application for the approval of four (4) murals on the exterior of the building located at 170 Hampton Road. The property is zoned Central Commercial (CC), and as such, pursuant to the provisions found in Section 13 of Sign By-law No.036 murals must be reviewed and approved by Council.

Mr. Grannan expanded upon the largest mural, *Day of the Dead*, located at the entrance to Mexi's and represents a Mexican celebration to celebrate the souls of their deceased loved ones. Part of the celebration is the consumption of food and has become synonymous with Mexi's restaurants as a major aspect of their corporate branding.

Council Members complimented the attractiveness of the murals, and the symbolism the murals represent, and look forward to the upcoming opening of a Mexi's Restaurant in Quispamsis.

Moved By Councillor Olsen

Seconded By Councillor Thompson

Council approve Mexi's Corporate's Application to permit four (4) murals on the property situated at 170 Hampton Road, PID 00255232, with the following condition:

All murals shall be maintained in an acceptable condition, and any fading, paint chipping or other forms of wear and tear on any of the murals will be examined and repaired on an annual basis; as well as any other conditions that Council considers appropriate.

Motion Carried

9.2 Application to Amend Developer's Agreement - David McKenzie, Ascension Elevating Devices Ltd. - 355 Hampton Road - Addition of Accessory Buildings and Additional Staff - Staff Report from Jennifer Jarvis, Planning Technologist

In Attendance, Mr. David McKenzie, Ascension Elevating Devices Ltd.

A Staff Report from Ms. Jarvis informed Council Ascension Elevating Devices Ltd., (David McKenzie), is requesting an amendment to his Section 59 CPA Agreement to permit additional onsite storage of elevator parts, an increase in the number of administrative staff to six (6), and an increase to the number of repair service providers to four (4).

The current Section 59 CPA Agreement states that, "The repair service will be limited to only small elevator parts such as switches and relays. New elevators shall be shipped directly to the location at which they are to be installed, and not stored on the Lands." The current Agreement also states that "Hours of operation shall be 9:00 a.m. to 5:00 p.m. with a staff of one (1) to three (3) persons providing repair services and one (1) administration staff person".

Mr. McKenzie, Owner of Ascension Elevating, thanked Council for considering his application, noting COVID-19 has changed how they do business. In the past they would have the equipment drop shipped directly to the customer and begin work shortly thereafter. The delays in supply chain delivery have necessitated the storage of project equipment on site waiting for the delivery of the affected parts. Most of the repair staff, he said, work off site. Additional office staff are required due to the growth that the business is experiencing, noting he feels his company will be relocated within a year or so, and he hopes in the interim, they can continue at the current site.

Moved By Councillor Olsen

Seconded By Councillor Thompson

The Council direct the Town Clerk to refer the application requesting an amendment to the Development Agreement with Ascension Elevating Devices

LTD, to permit onsite storage of elevator parts, an increase in administrative staff from one (1) to six (6), an increase in repair service providers from three (3) to four (4)), to the Planning Advisory Committee for their written comments, set a Public Hearing dated for January 18, 2022, and notify all property owners within 100 metres of the subject property.

Motion Carried

10. By-laws

10.1 (Apr.20/21) Amendment No. 036-05; An Amendment to A By-law of the Municipality of Quispamsis Respecting Signs - Political and Feather Signs - Consideration of 1st & 2nd Reading

A Staff Report from the Planning Technologist, Jennifer Jarvis, informed Council the Proposed Sign By-law Amendment No. 036-05 clarifies placement of political signs in relation to traffic control devices, and introduces provisions that govern placement of Feather Signs.

The Municipal Planning Officer was in attendance and expanded upon Ms. Jarvis' Staff Report.

Moved By Councillor Thompson

Seconded By Councillor Miller

First Reading be given to Sign By-law Amendment No. 036-05; to restrict the location of political signs in relation to traffic control devices; and introduce provisions that govern Feather Signs.

Motion Carried

Moved By Councillor Miller

Seconded By Councillor Donovan

Second Reading be given to Sign By-law Amendment No. 036-05; to restrict the location of political signs in relation to traffic control devices; and introduce provisions that govern Feather Signs.

Motion Carried

10.2 (Nov.2/21) Proposed Amendment No. 05-21; A By-law of the Municipality of Quispamsis Respecting Sewerage Utility - Consideration of 3rd & Final Reading

Moved By Councillor Donovan

Seconded By Councillor Thompson

Council accepts the Town Treasurer's recommendation to postpone consideration of third and final reading to Sewerage Utility By-law No. 05-21 pending further information concerning the Sewerage Utility By-law.

Motion Carried

10.3 (Nov.2/21) Proposed Amendment No. 24-17; A By-law of the Municipality of Quispamsis Respecting Water Utility - Consideration of 3rd & Final Reading

Moved By Councillor Olsen

Seconded By Councillor Miller

WHEREAS a notice has been published on the Town of Quispamsis' website pursuant to Section 15(3) and 15(4) of the *Local Governance Act*; the proposed By-law Amendment No. 024-17; Water Utility By-law that received first and second reading at the November 2, 2021 Regular Meeting, is hereby summarized as follows: To change the By-law in order to increase the Water User Fee Fixed Charge Component by 2.98%, with the basic rate going from \$243 to \$250 annually, with larger meters also increasing about 2.98%. The Water User Fee Consumption Charge Component, (up to 96 c.m. per quarter), to increase by 3% from \$0.9902 to \$1.0199 per c.m, (larger meters have higher consumption thresholds). The second level usage charge i to increase from \$1.5681 to \$1.6151 per c.m. (3.0%).

NOW THEREFORE BE IT RESOLVED THAT third and final reading be given to Proposed Water Utility By-law No.024-17, effective January 1, 2022.

Motion Carried

11. New Business

11.1 Town Treasurer - Appointment of Auditors - 2022 – 2024 – Staff Report from Town Treasurer & Auditing Service Proposal from Teed Saunders Doyle

Moved By Councillor Donovan

Seconded By Deputy Mayor Schryer

Council accept the Town Treasurer's recommendation that Teed Saunders Doyle be appointed as auditors for the Town of Quispamsis for the fiscal years 2022 through 2024 at the same rate as the 2021 Audit with no increase in fees beyond inflation (CPI) for 2022 - 2024.

Motion Carried

11.2 Queensbury Heights Subdivision - Lot 2021 - 2 - Council Assent

Moved By Councillor Miller

Seconded By Councillor Olsen

Council grant assent to the Queensbury Heights Subdivision Lot 2021-2 final plan as per Section 88(1) of the Community Planning Act so the Development Officer can approve the plan for registration with the province.

Motion Carried

11.3 Woods of Forrester's Cove Subdivision - Phase 2 - Council Assent

Moved By Councillor Donovan

Seconded By Councillor Olsen

That the Council grant assent to the Woods of Forrester's Cove Phase 2 Subdivision Plan, subject to the execution of a standard Development Agreement, so the Town Clerk and Development Officer can stamp and sign the plan for registration with the province.

Motion Carried

11.4 Kingsview Subdivision - Phase 19 - Council Assent

Moved By Councillor Miller

Seconded By Councillor Olsen

The Council grant assent to the Kings View Subdivision Phase 19 final plan as per Section 88(1) of the Community Planning Act so the Development Officer can approve the plan for registration with the province. The assent shall be subject to the execution of a Development Agreement containing specific terms that prohibit the release of Building Permits until such time as the Developer fulfills all work, to the satisfaction of the Town Engineer or designate, associated with the construction of the stormwater management system based on an engineered design approved by Town.

Motion Carried

12. Reports

12.1 Town Treasurer - Unaudited Financial Statements as of October 31, 2021

- 12.2 2022 Council and PAC Calendar
- 12.3 Town of Quispamsis Building Reports - As at November 2021
- 12.4 Planning Advisory Committee Meeting Minutes - October 26, 2021
- 12.5 Kennebecasis Public Library - October 20, 2021 Meeting Minutes
- 12.6 Thank You - Quispamsis Tennis Club Association - Dana Brown
- 12.7 Union of Municipalities of NB Newsletter - November 29, 2021

Moved By Councillor Donovan

Seconded By Councillor Olsen

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

13.1 Ratification of Sponsorship for Naming Rights of New Mountain Bike Park

Moved By Deputy Mayor Schryer

Seconded By Councillor Olsen

Council ratify its decision made at the November 2, 2021 Committee of the Whole meeting to enter into a 10 year Sponsorship and Advertising Agreement with Millennium Cycle and Sport bike shop for the new Mountain Bike Trail off Leeswood Drive.

Motion Carried

13.2 Ratification of Advertising & Sponsorship for Dog park Renewal Contract

Moved By Deputy Mayor Schryer

Seconded By Councillor Luck

Council ratify its decision made at the December 7, 2021 Committee of the Whole meeting to approve the renewal sponsorship, and advertising agreement with Homestar for the Homestar Dog Park under the terms and conditions as outlined in the 12 year renewal agreement.

Motion Carried

13.3 A. E. McKay Subdivision - Old Neck Road - Bond

Moved By Councillor Thompson
Seconded By Councillor Miller

That the town make claim on the bond amount of \$75,885.00 posted in accordance with the Developer's Agreement with the Developer, A. E. MacKay Builders Ltd for uncompleted work in the A.E. MacKay Builders Ltd. Subdivision located on the Old Neck Road.

Motion Carried

14. Adjournment

Moved By Councillor Olsen
Seconded By Councillor Luck

Meeting adjourn to December 21, 2021.

Motion Carried

Meeting adjourned at 9:02 p.m.

X

Elizabeth (Libby) O'Hara
Mayor

X

Catherine Snow
Town Clerk