



QUISPAMISIS TOWN COUNCIL

REGULAR MEETING

MINUTES

July 20, 2021, 7:00 pm

Council Chambers

Quispamsis Town Hall

Present: Mayor Libby O'Hara
Deputy Mayor Mary Schryer
Councillor Mike Biggar
Councillor Noah Donovan
Councillor Kerrie Luck
Councillor Kirk Miller
Councillor Emil Olsen
Councillor Beth Thompson
Kennedy, Aaron; Acting CAO
Losier, Gary; Director of Engineering & Works
MacInnis, Lisa; Assistant. Clerk
Purton Dickson, Dana; Director of Community Services
Snow, Catherine; Town Clerk

Absent: Brandon, Krista, Town Treasurer, (vacation)

1. Approval of Agenda

Moved By Deputy Mayor Schryer

Seconded By Councillor Luck

The Agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Mayor O'Hara announced the Town of Quispamsis is pleased to support the Saint John Sea Dogs in their bid to host the 2022 Memorial Cup, the national major junior hockey championship. If the bid is successful, she noted, the qplex will serve as the top practice facility for the tournament, which is scheduled for next June.

Further, she stated, Chelsea BMX Dirt Jump Park is getting an upgrade this week and will be closed for three days to allow the work to be completed.

Mayor O'Hara added Envision Saint John, the Regional Growth Agency, has launched a new marketing campaign, "Down by the Bay" showcasing the urban beauty of Saint John, the only city on the world-famous Bay of Fundy and the amazing towns surrounding it.

3. **Moment of Reflection**

3.1 (June 15, 2021) Indigenous Treaty Acknowledgement - Presentation by the Honourable Graydon Nicholas

Mayor O'Hara introduced and welcomed the Honourable Graydon Nicholas and his wife, Beth, who were in attendance to participate in the reading of the Town's Indigenous Treaty Acknowledgement. Mr. Nicholas studied at UNB, Wilfrid Laurier University and St. Francis Xavier University, and has contributed to the people of New Brunswick as the first indigenous person in the Province to obtain a law degree, to be appointed as a provincial court judge and to hold the office of Lieutenant Governor of New Brunswick.

The Honourable Graydon Nicholas extended his greetings to Council and proceeded to read the Treaty Acknowledgement, stating that Quispamsis exists on the traditional territory of the Wolastoqiyi, Maliseet and Mi'kmaq people whose ancestors along Passamaquoddy Tribes signed Friendship Treaties with the British Crown in the 1700s. He recognized that the first inhabitants of the area now known as Quispamsis were members of the Wolastoqiyik Maliseet Tribe, known in French as the Etchemin. The name 'Quispamsis' he continued was derived from the Wolastoqiyik/Maliseet Tribe word, 'Quispem Sis, meaning 'little lake' in reference to today's Ritchie Lake. One of the Town's main borders, the Kennebecasis River, derived its name from the Mi'kmaq word – "Kenepkachichk", meaning, "little long bay place". He concluded by taking a moment to pay respect to the elders, past and present and the descendants of this traditional territory.

Moved By Councillor Donovan

Seconded By Councillor Olsen

The Honourable Graydon Nicholas be thanked for attending Council and participating in the Town of Quispamsis' Treaty Acknowledgement ceremony, and further, Council authorize the incorporation of a Treaty Acknowledgement in Council's *Moment of Reflection* to be read at the beginning of each Regular Council Meeting, going forward.

Motion Carried

4. **Disclosures of Interest**

No disclosures were declared.

5. Presentations

5.1 Presentation to Former Council Members - Sean Luck, Lisa Loughery & Pierre Rioux

Mayor O'Hara made presentation to former Council Members Lisa Loughery, (21 years), Sean Luck, (5 years), and Pierre Rioux, (17 years), in appreciation of their many years of service and valuable contributions to the Town of Quispamsis. On behalf of Council, residents and Staff, she wished them all the best in their future endeavours.

5.2 Municipal Planning Orientation - Municipal Plan & Zoning By-law Amendment (Rezoning) Process - Municipal Planning Officer - Dwight Colbourne, In Attendance

Mr. Colbourne provided an overview to Council on the Town's Land Use By-laws. He noted municipalities receive their authority to enact land use by-laws from the *Local Governance Act* and the *Community Planning Act*. The intent of these documents – Municipal Plan By-law, Zoning By-law and Subdivision By-law allows for land use controls and implementation tools to ensure that developments comply with regulations, by-laws, permits and approvals.

The Town's Municipal Plan, adopted in 2018, will require an interim review in 2023 and a full review in 2028. It sets out Council's long term policies and proposals to guide future land use and overall development in the Town. The Zoning By-law, Millennium Drive Development Scheme By-law and the Subdivision By-law were enacted to fulfill the policies and objectives of the Municipal Plan. The Zoning By-law classifies the Town in terms of Zones and Land Uses.

The Planning Advisory Committee is established under the *Community Planning Act*, and has the role of advising Council on planning matters, administers specific by-laws, grants variances, and provides Council with its written views on amendments to the Municipal Plan and Zoning By-laws, laying out of future streets and proposes locations for Land for Public Purposes.

Mr. Colbourne concluded by summarizing the rezoning process required under the *Community Planning Act* when an applicant seeks a land use change for a specific development.

Moved By Councillor Thompson
Seconded By Councillor Miller

Mr. Colbourne be thanked for his Orientation Presentation to Council on Municipal Planning.

5.3 Mr. Zach Richard, In Attendance - COMEX Service Improvements

Mr. Richard made presentation to Council concerning the recent changes to the KV COMEX routes. Specifically, effective July 5,2021, the KV bus routes 52 and 53 merged into one route with two trips in the morning and afternoon. The morning arrival times at Kings Square are now 7:40 am and 8:50 am. Morning stops begin at Parkside Road, then the qplex before returning along the Gondola Point Arterial, to the Hampton Road and continuing to the Rothesay Road with its final stop at Kennebecasis Park. The afternoon run is in the reverse direction, leaving Kings Square at 4:05 and 5:15 pm.

Mr. Richard stated the merge of the two routes came unexpectedly to those who use the service and has negatively impacted commuters who must take early morning transfers to the City's east or west sides. Previously, the earlier morning bus arriving at Kings Square by 7:05 a.m. allowed him sufficient time to make the connection to his place of work. Now he must cycle over an hour each day to get to his workplace.

Mr. Richard suggested increasing routes would make the service more attractive to potential users, smaller buses could be used where feasible, and acknowledged public transit contributes to Green House Gas reductions.

Councillor Miller, who serves along with Mayor O'Hara and Councillor Biggar on the Town's Public Transit Committee, informed Mr. Richard the Town has been reviewing and collecting data on the COMEX service since 2012, particularly since ridership began to decline. While trying to maintain the environmentally friendly aspects of a Public Transit system, he noted, it also has to be cost effective, and running 3 routes in the morning and then 3 routes in the afternoon with only 5 or 6 people using the bus daily is not sustainable. In conjunction with the Town of Rothesay, and following a review of ridership, the recent changes were implemented to make the service more viable based on the times that were being most used. It was noted the Town has made efforts in the past to promote ridership, and that the service is continuously evolving and hopefully, post-Covid, will see increased ridership.

Moved By Deputy Mayor Schryer
Seconded By Councillor Olsen

Mr. Richard be thanked for his presentation and Council continue to monitor/evaluate the impacts of the recent changes to the KV COMEX bus schedule.

Motion Carried

6. Public Hearings (No Public Hearings)

Moved By Councillor Miller

Seconded By Councillor Olsen

Item 9. 1. Correspondence from Mr. Gailan Claveau, be moved up on the Agenda as item 7. 1.

Motion Carried

7. Correspondence

7.1 Mr. Gailan Claveau, In Attendance - Concerns about Roundabout Construction - Leah Boulevard and Jenkins

Mr. Claveau distributed correspondence to Members outlining his concerns about the proposed roundabout that is scheduled for construction in front of his property in August. He expressed concern that he was not officially notified of the project, that the roundabout encroachment on his driveway may negatively affect the value of his home. He feels there are better options to mitigate speeding motorists, such as Chicanes, narrowed curbs, and speed bumps, and noted the logistics of trying to back up a trailer in and out of his driveway. He questioned if the proposed location of the roundabout is actually in compliance with the Town's by-laws, noting the roundabout was planned five years ago, and his home was just built three years ago. He concluded by stating his main concern is for the safety of his young children given the close proximity of the traffic roundabout to his driveway, and asked if Council would reconsider other options rather than constructing a roundabout at this location.

The Director of Engineering & Works informed Council the proposed traffic island is part of the Gondola Boulevard streetscape project and traffic calming that was approved in phases by Council four years ago. He noted part of the design includes chicanes, and the proposed traffic island was incorporated into the design to help regulate traffic at this intersection,(Leah Boulevard/Jenkins Drive/Gondola Boulevard). Mr. Losier noted there are traffic islands developed on Queensbury Drive adjacent to driveways and they have not been problematic, however, the Engineering Department can possibly change some of the alignments to help mitigate some of Mr. Claveau's concerns.

Council Members expressed their approval of the Engineering Department working with Mr. Claveau to help alleviate his concerns with respect to the construction of the traffic island.

Moved By Councillor Donovan
Seconded By Councillor Thompson

Council to refer the concerns expressed by Mr. Claveau to Staff for further review.

Motion Carried

8. Minutes of Previous Meetings

8.1 June 15, 2021 - Regular Meeting

Moved By Councillor Miller
Seconded By Councillor Donovan

Minutes be approved as prepared.

Motion Carried

8.2 June 23, 2021 - Special Meeting - GNB's Green Paper Discussion

Moved By Councillor Thompson
Seconded By Councillor Donovan

Minutes be approved as prepared.

Motion Carried

9. Unfinished Business

9.1 (July 17, 2018) Status Report- Dangerous & Unsightly Premises – 446 Gondola Point Road

A Staff Report from the Director of Engineering & Works informed Council Staff have been monitoring 446 Gondola Point Road since 2016 and to date, there has been no efforts from the owner to bring the property into compliance with the Town's Dangerous and Unsightly Premises By-law. The Town Solicitor has attempted but could not contact the owner of the property, and it is therefore being recommended that the Town proceed with issuing a Notice to Comply against the property at 446 Gondola Point Road in accordance with the By-law.

Moved By Deputy Mayor Schryer
Seconded By Councillor Olsen

That Staff meet with the Town Solicitor with instructions to proceed with issuing a Notice to Comply against the property of 446 Gondola Point Road in accordance

with the provisions of Bylaw #39, A Bylaw respecting Dangerous or Unsightly Premises and further that prior to enforcement, council review and approve any budgetary implications.

Motion Carried

9.2 (May 18/21) Ted & Gerri Gardner and Roly MacIntyre –Wellington Court – Drainage Concerns Resulting from Removal of Culvert Adjacent to CN Rail

Staff Report from Director of Engineering & Works

A Staff Report from the Director of Engineering and Works informed Council Staff have completed the remedial work in the area where a badly corroded metal culvert was removed on Land for Public Purposes adjacent to Wellington Court to the edge of the CN right of way that runs beside the Q/R trail. Wellington Court residents had expressed concerns to the Town, DOE and to the Federal DFO regarding erosion and flooding. The Town met with the regulatory officials to review the work, and has since hand shaped the banks, rock levels and re-established flow routes as suggested by DOE and Fisheries. These Departments have verbally approved the work, and will be providing written confirmation in the near future.

Moved By Councillor Olsen

Seconded By Councillor Thompson

The residents from the Wellington Court area be advised that Staff met with representatives from the Provincial Department of Environment and the Federal Department of Fisheries and Oceans, and have completed the necessary remediation work under their direction, and Staff will continue to monitor the area for evidence of erosion or blockage in future.

Motion Carried

9.3 (June 15, 2021) Municipal Election Campaign Issues - Staff Reports

9.3.1 Staff Report from Executive Team

A Staff Report from the Executive Team provided recommendations, as follows, to the recent municipal election campaign issues brought forth by Council at the June 15, 2021 Regular Meeting: (Engineering and Planning items are addressed under separate cover, Items 9.2 and 9.3.)

1) Deer Management – This item was addressed at the May 4, 2021 Regular Meeting, when Council confirmed its interest in continuing the KV

Nuisance Deer Management Program for the 2021 Hunting Season with Department of Natural Resources and Energy Development.

2) 106 Parkside Drive – Unsightly Premises –Council, at the June 15th meeting, authorized the Town Solicitor to proceed with issuing a Notice to Comply against the property owner of 106 Parkside Road in accordance with the Town’s Dangerous & Unsightly Premises By-law No. 039; and further that prior to the enforcement of said By-law, Council will review and approve any budgetary implications.

3) Council Communication - need for better communication on decision-making and the rationale behind the decisions. – It is recommended that this item be referred to the Strategic Planning Sessions for Council discussion.

4) Concerns about the impact on the 2022 Property Assessments as a result of the current surge in housing prices – This matter is addressed in the Town’s letter to Minister Allain in response to the Green Paper. A copy of the letter is included in Reports – July 20, 2021.

5) The younger population is looking for enhancements to recreational Town Infrastructure such as skateboard park, basketball court, splash pads; - These items would be referred to a Recreation Master Plan which the Community Services Director will be proposing to Council for consideration as part of the 2022 budget process – preliminary estimates for such a Plan, approximately \$55,000 - \$60,000.

6) How Council can better connect with the youth of the community – Public Consultation would be a component of a Master Recreational Plan, which, as noted above, will be proposed to Council for consideration as part of the 2022 budget discussion.

Moved By Councillor Olsen

Seconded By Councillor Donovan

Council accept Staff’s recommendations and referrals concerning Council’s Campaign issues as presented.

Motion Carried

9.3.2 Staff Report from Director of Engineering & Works - Sidewalks, Speeding & Walkability

Mr. Losier's Staff Report provided background and policy evolution information with respect to the items that came up on the campaign trail of

an engineering nature – sidewalks, walkability, speeding, condition of Gondola Point Road, Unsightly Premises and Environmentally Responsible Development.

1) The Gondola Point Road has been identified in the Five Year Street Capital for resurfacing in phases beginning in 2022.

2) Unsightly Premises – Staff will continue to use legal approved and defined process to address unsightly premises complaints.

3) Environmentally Responsible Development – More detailed exploration and discussion during Council presentation by Municipal Planning Officer.

4) Speeding and Traffic Concerns – Engineering Staff will continue to work with the KRPF to address trouble areas and will continue to monitor effectiveness of temporary traffic measures. Ultimately the Transportation Master Plan will provide additional direction for further policies and programs for Council's consideration for future budgets.

5) Sidewalks, Bicycle Lanes and Walkability (Active Transportation) – Recent estimates indicate the cost of a 1 km sidewalk on one side only with curb and gutter averages \$450,000. This does not include street resurfacing or factor in the ongoing maintenance and future replacement costs.

Dedicated bicycle lanes require roadbed construction costs and asphalt in the range of \$100 to \$150 per lin m depending upon the site conditions. If storm sewer is required to accommodate the road widening, dedicated lanes could add up to \$300,000 per km of construction.

The consideration for sidewalks, bicycle lanes, walkability and Active Transportation are an important component of the proposed Transportation Master Plan as well as an important discussion during upcoming Council Strategic Planning and Level of Service.

Moved By Councillor Donovan

Seconded By Councillor Luck

Council accept Mr. Losier's recommendation to refer his Staff Report concerning the engineering items brought forth during the municipal campaign to the Strategic Planning process for review at that time from a strategic planning point of view, acknowledging that many of these items are also addressed on an active basis as part of the Town's ongoing operations.

Motion Carried

9.3.3 Staff Report from Municipal Planning Officer - Land Development and Protection of Environment

Mr. Colbourne was in attendance and expanded upon his Staff Report. Developing the Town in a manner that is safe for and respectful of the environment, (air, land, water), he stated, involves a successful collaboration of the Province, the Municipality, and the Developer. While the Province grants authority to the municipality to enact by-laws to govern development, some environmental elements remain under the jurisdiction of the Province – i.e. watercourses, wetland areas, and groundwater uses and on-site sewage disposal systems that are not on municipal water and/or municipal sewer.

The Town's vision statement, 'A forward-thinking community where families enjoy a safe, friendly and active lifestyle surrounded by a beautiful, natural environment', supports the Town's goals to develop in a sustainable manner based on Smart growth principles as outlined in the Town's Municipal Plan, Zoning By-law, Subdivision By-law and Local Development Scheme By-law. These documents all contain policies and regulations to guide the Town's development and planning decisions in a manner that is safe and respectful of the environment, including the requirement of specific actions to mitigate negative impacts while promoting preservation of sensitive environmental areas.

Lastly, the Developer, who ultimately carries out the development, is bound by the terms and conditions of approval as established by PAC and Council through an executed development agreement. There are times, Mr. Colbourne noted, when the will of the Developer and the Town are not the same, and unfortunately, it can be the environment that suffers. Staff continue to explore options to improve the development process that includes measures to continue to educate and work with developers on the importance of protecting the environment, and keeping it as natural as possible to benefit the whole community.

Moved By Councillor Donovan

Seconded By Councillor Thompson

Mr. Colbourne be thanked for his informative Staff Report and information be received and filed.

Motion Carried

9.4 Brook Street, Scarlet Drive, Colton Brook Rd - Stormwater analysis Approval to Proceed to Part "C" – Staff Report from the Director of Engineering & Works

Mr. Losier's Staff Report provided background information on the Stormwater Analysis Review being undertaken by CBCL Limited of existing stormwater infrastructure and drainage catchment areas associated with main culverts located at Brook Street, Scarlett Drive and Colton Brook Road. Parts A and B have been completed, and Part C is the Tender Period Services and Contract Administration.

Moved By Councillor Olsen

Seconded By Councillor Thompson

Council approve Part C of RFP #2020TQ07-24 Engineering Services – Stormwater Infrastructure Analysis and Improvements – Brook Street, Scarlet Dr, Colton Brook Rd to CBCL and that they proceed with Part C for an upset fee identified as \$57,600 (plus HST).

Motion Carried

Moved By Councillor Biggar

Seconded By Councillor Thompson

Council award Tender No. 2021TQ06-25, 2021 Storm Sewer Upgrading Scarlet Drive and Brook Street to the low bid from L. Sanford and Sons Ltd. \$ 927,003.59 (inclusive of HST). Extra budget costs are to be examined at year end to transfer from appropriate reserve fund or to transfer from unallocated grant funding.

Motion Carried

10. By-laws

11.1 Proposed Local Improvement By-law No. 011-2021 (Consideration of 3rd & Final Reading)

Moved By Councillor Luck

Seconded By Councillor Olsen

Third and final reading be given to Proposed Local Improvement By-law No. 011-2021.

On the question, Councillor Luck read Local Improvement By-law No. 011-2021 in its entirety.

Motion Carried

11. New Business

11.1 Leighfield Estates Subdivision Phase 3 (PID 30257976) - Council Assent

Staff Report from Municipal Planning Officer

Moved By Councillor Donovan

Seconded By Councillor Miller

Council grant assent to the Leighfield Estates Phase 3 Subdivision Plan, subject to the execution of a standard Development Agreement, so the plan can be stamped and signed by the Town Clerk and Development Officer for registration in the provincial land registration system. The Development Agreement must include provisions regarding traffic calming measures for the street design and constructed prior to final acceptance of Phase 3 by the Town, and the LPP obligations to be fulfilled by that time as well.

Motion Carried

11.2 Queensbury Heights Subdivision – Phase 14A (PID 30002869) – Council Assent

Staff Report from Municipal Planning Officer

Moved By Deputy Mayor Schryer

Seconded By Councillor Luck

Council grant assent to the Queensbury Heights Subdivision Phase 14A final plan, subject to execution of a standard Subdivision Development Agreement with the Town, so the plan can be stamped and signed by the Town Clerk and Development Officer for registration in the provincial land registration system.

Motion Carried

11.3 Award of Tender No. 2021TQ01-1 - Roberts Lane Tender

Moved By Councillor Olsen

Seconded By Councillor Miller

Council award Tender No. 2021TQ01-1 to the low bidder, Terra Ex for the low bid price of \$1,697,210 plus HST.

Motion Carried

12. Reports

12.1 Planning Advisory Committee Minutes of June 8, 2021 Meeting

- 12.2 Town of Quispamsis' Response to GNB on Green Paper, "Working Together for Vibrant and Sustainable Communities"
- 12.3 Kennebecasis Public Library Board
 - 13.3.1 February 17, 2021 Meeting Agenda, Minutes & Associated Documents
 - 13.3.2 March 17, 2021 Meeting Agenda, Minutes & Associated Documents
 - 13.3.3 2020 Audited Financial Statements and Associated Documents
- 12.4 MP Peter Julian, New Westminster-Burnaby, BC - Seeking Endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act
- 12.5 Kennebecasis Valley Fire Department
 - 13.5.1 2020 Audited Financial Statements and Associated Documents
 - 13.5.2 July 17, 2021 Meeting Minutes & Associated Documents
- 12.6 Kegan MacLean, 2021 Town Scholarship Recipient - Thank you Letter

Moved By Councillor Olsen
Seconded By Councillor Donovan

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

13.1 Appointment of Acting CAO

Moved By Councillor Thompson
Seconded By Councillor Miller

Council appoint Aaron Kennedy as the Acting Chief Administrative Officer during the absence of the Chief Administrative Officer, Susan Deuville, due to illness. This appointment will be temporary and may be terminated or varied at any time by further resolution of Council. Mr. Kennedy's current salary to be adjusted to reflect his additional duties by separate agreement and workplan with him.

Motion Carried

14. Adjournment

Moved By Councillor Donovan

Seconded By Councillor Olsen

Regular Meeting adjourn to August 17, 2021.

Motion Carried

Meeting adjourned at 9:47 p.m.

X Elizabeth O'Hara *X Catherine Snow*

Elizabeth (Libby) O'Hara Catherine Snow
Mayor Town Clerk

