



QUISPAMISIS TOWN COUNCIL

REGULAR MEETING

MINUTES

June 19, 2018

7:00 pm

Council Chambers

Quispamsis Town Hall

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

Absent: Councillor Lisa Loughery (work commitment)

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

Kings Way Care Centre - \$1.4 Million – Mayor Clark announced the Kings Way Care Centre have been the recent recipients of a \$1.4 million Provincial grant over the next five years to help complete renovations to the 75 bed nursing home.

Flood Volunteers – Mayor Clark related, to thank the people of the community who responded quickly and diligently to the unprecedented flood this past spring, there will be a community 'thank you' BBQ to help celebrate the community efforts at a date yet to be determined.

3. Moment of Reflection

Councillor Thompson read the Moment of Reflection.

4. Disclosures of Interest

4.1 Councillor Luck – 5. A. Public Presentation - Dr. Caley McNamara Crowdis - 224 Hampton Road - PID No.251835 - Residential (R1) to Central Commercial (CC) for Proposed Professional Office Building

4.2 Town Clerk- 13. B. – Award of Town Bursaries – Scholarship Committee's Recommendations

5. Presentations

5.1 Public Presentation - Dr. Caley McNamara Crowdis - 224 Hampton Road - PID No.251835 - Residential (R1) to Central Commercial (CC) for Proposed Professional Office Building (Two Storey)

Councillor Luck left the meeting.

Dr. Caley McNamara Crowdis, Licensed Provisional Psychologist, made presentation to Council formally applying to have the property located at 224 Hampton Road rezoned from Residential (R1) to Central Commercial (CC). Dr. McNamara Crowdis stated the KV Psychology & Wellness Clinic, currently located in Rothesay, wishes to expand its practice, and plans to build a 6000 sq ft two storey professional office building, with the second floor occupying the Psychology Clinic, with plans to rent out the first floor as professional office space. The upper parking lot would contain 22 parking spaces and the lower parking lot 18, as per the site plan prepared by Blair Construction Inc. and Lockharts Residential & Commercial Designs.

A Staff Report from the Municipal Planning Officer informed Council the property is situated directly off the Hampton Road, a main collector, and is situated close to core commercial service amenities. It will be serviced by municipal sanitary sewerage and a drilled well. The property consists of 5273 sq. metres, (1.3

acres), and provides sufficient space to accommodate the proposed development and required parking. Access will be provided from both the Hampton Road and Ranch Avenue. In closing, Mr. Colborne informed the proposed development is in keeping with the intent of the new Municipal Plan By-law No. 054 providing a facility that services a healthy lifestyle, aligns with the Land Use Designation Policy for Central Commercial along the Hampton Road, and strengthens the sense of community around the Town Hall and Arts and Culture Park.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Miller

Council refer the proposed Municipal Plan and Zoning By-law Amendment to the July 17, 2018, Regular Meeting of Council to allow for the thirty (30) day public input period prior to the setting of the Public Hearing date in accordance with the *Community Planning Act*.

Motion Carried

Councillor Luck returned.

6. Public Hearings (None)

7. Minutes of Previous Meetings

7.1 May 15, 2018 - Regular Meeting

Moved By Deputy Mayor O'Hara

Seconded By Councillor Thompson

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business

8.1 (Apr. 17/18) Performance Audit - Draft RFP Prepared by CAO Susan Deuille

Council Members reviewed the draft Request for Proposals prepared by CAO Susan Deuille for Consulting Services for an Internal Performance Audit and Review for the Town of Quispamsis.

Deputy Mayor O'Hara requested the following revisions be made to the RFP:

- 1) Part 2 - Project Description - All Departments and Operations of the Municipality *will* (rather than *may*), be subject to this review;

2) Part 8 - Proposal Evaluation - Reduce the evaluation matrix criteria from five items to three; and change the proposed weight points, for each of these three, as indicated - 1. Quality and Completeness - *35 points*, (rather than 5 points); Consultant's Experience/Reference - *35 points*, (rather than 25 points); and, Cost - *30 points*, (rather than 50 points).

3) A Selection Committee be appointed to evaluate the proposals and, once awarded, to receive regular updates on the ongoing status of the review. Deputy Mayor O'Hara proposed the Committee consist of Mayor Clark, Deputy Mayor O'Hara, Councillor Luck; and the CAO, along with one other Town Director.

CAO Deuille stated the draft RFP presented to Council provided her name as the Town representative facilitating the RFP on Council's behalf, stating the Audit, if set up with the proper parameters should not require a sub-committee driving or altering the review. Rather, she suggested, the successful proponent should report directly to Council, as it is all of Council who will be authorizing the review and should be the group involved in its ongoing status.

Moved By Councillor Thompson

Seconded By Councillor Olsen

Council table the draft RFP for Consulting Services for an Internal Performance Audit and Review to the July 17, 2018 Regular Meeting to provide Members an opportunity to review the draft RFP and consider the impacts and ramifications of the proposed Performance Audit, including the information presented this evening by Deputy Mayor O'Hara.

Motion Carried

Against (1): Councillor Luck

8.2 (May 15/18) Capital Streets Program 2018 - Recommendations Re Addition of Streets due to Low Asphalt Prices - Staff Report from Director of Engineering & Works

The Director of Engineering and Works expanded upon his Staff Report, noting Council had requested further information on the scope of the 2018 Street Capital Tender in consideration of the favourable asphalt tender prices received in the 2018 tender, at \$85 per ton vs. last year's, \$103 per ton. He presented 4 scenarios to increase the scope of the 2018 Street Capital for Council's consideration. Mr. Losier noted the current budget has \$16,000 remaining and suggested this amount be unassigned to provide minimal contingency. The

Contractor has confirmed, if a decision is made in the near future, he will honour the tender prices for added work.

Moved By Councillor Olsen

Seconded By Councillor Miller

To take advantage of the low asphalt costs, Council authorize proceeding with Scenario 1, completion of the Colton Brook 3000mm cross culvert so that the road construction along the Colton Brook can be completed this calendar year, estimated cost of \$271,000; and also to proceed with Scenario 2, completion of the Quispamsis Road from the 2017 limits to the crest of the hill at Cambridge Avenue - includes 534m of road base pulverizing and resurfacing , for an estimated cost of \$315,000; and the total cost of \$586,000 to complete these added works be funded through borrowing over a 15 year period.

Motion Defeated

Against (4): Deputy Mayor O'Hara, Councillor Luck,

Councillor Rioux and Councillor Thompson

9. Correspondence

9.1 Climate Change Committee - UMNB CCEI - Draft Letter to UMNB - Proposed Resolution to Lobby Province to Implement Practices to Help Local Government in its Climate Change Initiatives

A Staff Report from the Town Clerk provided an update on the Town's UMNB Climate Change and Energy Initiative, which includes finalizing the Town's GHG inventories, both corporate and community, and development of a Community Energy Plan. A draft letter to UMNB was attached that resulted as a takeaway from a recent CCEI Workshop, that provided considerations for the Province to help improve opportunities for local developers/contractors in their sustainable development efforts.

Moved By Councillor Thompson

Seconded By Deputy Mayor O'Hara

Council authorize sending the draft letter, removing the reference of 'renewable tariff policy', under Mayor Clark's signature, to UMNB, requesting, at their upcoming Annual Conference, UMNB send a resolution to the Province requesting their approval processes be streamlined to encourage and promote sustainable energy initiatives .to help NB communities in their efforts become more successful in their transition to renewal energy sources.

Motion Carried

9.2 Geraldine Black - Request to Present Traffic Stats on Hampton Road

Mrs. Black expanded upon her correspondence referencing traffic stats she received from Sgt. Evan Scott, Traffic Division of the Kennebecasis Regional Police Force. Sgt. Scott had indicated since January 1, 2016, there has been 19 collisions along the Hampton Road, between McCarron Drive and KVHS. Mrs. Black stated at certain times of the day, it is a high trafficked area, with daycares and schools and streets feeding onto the Hampton Road. She suggested the speed zone be reduced to 30 km per hour, noting there have been pedestrian/vehicle collisions in the area.

The Director of Engineering & Works indicated the Engineering Department is currently reviewing the configuration and upgrade options for the crosswalk system in the Hampton Road area as directed by Council. He noted the Hampton Road is a Provincially Designated Highway and any speed reductions will require the approval of the Province, while any additional costs for crosswalk upgrades, signage, etc., will be borne by the municipality. Mr. Losier noted the overhead crosswalk lights recently installed near the KV Public Library cost \$40,000; while the overhead strung lights at the Lake Road crossing cost approximately \$15,000. He hopes to have information on this matter to Council by the next meeting so that any changes may be implemented in time for the fall school opening.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Miller

Mrs. Black be thanked for her information and her correspondence be received and filed.

Motion Carried

9.3 MS Bike Tour 2018 - Request for Permission to Use Hampton Road

Correspondence from the MS Society of Canada, Atlantic Division requested permission from each of the municipalities they plan to travel through to utilize the proposed route during the 2018 Annual MS Bike Run, Sussex - Saint John, on June 23 and 24, 2018.

Moved By Councillor Thompson

Seconded By Councillor Luck

As there are no construction conflicts on the dates in question, the NB MS Bike Tour be permitted to use the Hampton Road as part of their bike route during

this year's June 23 and 24 Bike Tour; acknowledging the KRPF have also been notified.

Motion Carried

9.4 Aphrodite's Hair Studio Inc. - Request to Amend Noise By-law to Permit Outdoor Music at Commercial Establishments

Monique Robichaud OBrien; Owner, In Attendance

Ms. Robichaud O'Brien addressed Council as owner of Aphrodite's Hair Studio. She stated the success that keeps her business going is a strategy that she has put in place and practice every day. It includes talented stylists, aestheticians and front-end staff, treating her clients as guests as they come into the studio. This, she said, requires hard work, keeping up with the times, and the ability to change and adapt to the ever growing consumer.

Ms. Robichaud O'Brien related there has been complaints from adjacent residential neighbours concerning her outdoor music, which she has since turned down. She requested Council consider amending the Town's Noise By-law to permit commercial businesses to use outdoor music. There is research, she said, that supports the use of music and commerce as it affects people in a positive way.

The Director of Engineering and Works informed Council under the current provisions of the Town's Noise By-law, evidence that one person is unreasonably disturbed or annoyed by a noise is evidence that a noise is disturbing the inhabitants. Restrictions from this would include fireworks when authorized by the Town; athletic and recreational activities on recognized sportfields, traditionally scheduled festive and religious activities, parades, and other community celebrations when authorized or sponsored by the Town. As Ms. Robichaud-O'Brien has turned down the music, he said, she is currently working within the confines of the by-law.

Moved By Councillor Luck

Seconded By Councillor Miller

Council permit Ms. Wendy Pottle, the complainant, an opportunity to address Council.

Motion Carried.

Ms. Pottle informed Council she was the resident who complained about the music from Aphrodite's Hair Studio, speaking on behalf of her elderly parents who reside next door to the Hair Salon. She said the music when it is projected out, has a tinny, and continuous sound 6 days a week, which has caused an annoyance to her parents. Over the years when it became too much, she would call the Hair Salon and Ms. Robichaud-O'Brien would accommodate her concerns by turning the music down. However, this was not the case when she recently requested the music be turned down which is why she registered a formal complaint with the Town.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Luck

Ms. Robichaud O'Brien and Ms. Wendy Pottle be thanked for their respective presentations; and the request that the Noise By-law be amended to allow outdoor music at commercial establishments be referred to Staff for a recommendation back to Council.

Motion Carried

9.5 Muriel Wark - Request for Space in Town Facility for Senior Exercise Classes

Correspondence from Ms. Wark requested space be made available in one of the Town facilities to permit Deby Siemens to expand her exercise programs to seniors. She is offering programs now at the qplex pool during summer months as well as at some of the seniors' homes.

Ms. Purton Dickson informed Council, she has spoken with Rothesay resident, Ms. Wark who is looking to have the seniors' fitness programs expanded, and would like approximately one hour of space provided per week. She has written the same request to the Town of Rothesay.

Moved By Councillor Luck

Seconded By Deputy Mayor O'Hara

Mrs. Wark's correspondence be referred to the Community Services Director for a response.

Motion Carried

9.6 Audrey Sherwood - Request for Review of Roadbed Integrity - Portion of Gondola Point Road

Ms. Sherwood's letter expressed concerns about the safety of a section of the Gondola Point Road that abuts her property, noting the pavement is cracked and it appears that a large vehicle could easily end up in the river should the bank decide to give away. She noted a small portion of the road received a band-aid repair during the recent flooding, and feels it would now be appropriate to re-examine the safety of that portion of the Gondola Point Road.

Moved By Councillor Thompson

Seconded By Councillor Luck

Ms. Sherwood's letter be referred to the Engineering Department for review and report back to Council.

Motion Carried

10. By-laws

- 10.1 (Feb.20/18) Proposed Zoning By-law Amendment No. 038-26 - 309 Hampton Road - A. E. McKay Builders Ltd. – Rezoning Application – R1 to R2 – PID No. 00252403 - Proposed Apartment Building Complex

10.1.3 Staff Report from Municipal Planning Officer

A Staff Report from the Municipal Planning Officer informed Council, pursuant to Council's motion of May 1, 2018, the Town has received from the Developer the Traffic Impact Study completed by Peter Allby, P. Eng., of Crandall Engineering. The study found that the proposed development will result in a two to three percent increase in the level of traffic on the Hampton Road. A copy of the Traffic Study as well as the proposed Section 59 *Community Planning Act* agreement, which has been finalized and since signed by the applicant, was attached.

Deputy Mayor O'Hara read Proposed Zoning By-law Amendment No. 038-26 in its entirety.

Moved By Deputy Mayor O'Hara

Seconded By Councillor Rioux

Third and Final Reading be given to Zoning By-law No. 038-26 rezoning 309 Hampton Road from Single or Two-Family Dwellings (R1) to Multiple Residential (R2) for the construction of a forty-two (42) unit apartment complex.

Motion Carried - All Members Present Voting in Favour

Councillor Rioux left the meeting. (9:00 pm)

10.2 (Feb.20/18) Proposed Procedural By-law Amendment No. 033-05

Councillor Luck read Proposed Procedural By-law Amendment No. 033-05 in its entirety.

Moved By Councillor Luck

Seconded By Deputy Mayor O'Hara

Third reading be given to Proposed Procedural By-law No. 033 -05.

Motion Carried

10.3 (June 19/18) Proposed By-law No. 055: A By-law of the Municipality of Quispamsis Respecting Building (Consideration of 1st and 2nd Reading)

Moved By Councillor Thompson

Seconded By Councillor Miller

First reading be given to By-law No. 055: A by-law of the Municipality of Quispamsis Respecting Building.

Motion Carried

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

Second reading be given to By-law No. 055: A by-law of the Municipality of Quispamsis Respecting Building.

Motion Carried

10.4 (June 19/18) Local Improvement By-law No. 011 - 2018 (Consideration of 1st and 2nd Reading)

Moved By Deputy Mayor O'Hara

Seconded By Councillor Miller

First reading be given to Proposed Local Improvement By-law No. 011-2018.

Motion Carried

Moved By Councillor Miller

Seconded By Councillor Luck

Second reading be given to Proposed Local Improvement By-law No. 011-2018.

Motion Carried

11. New Business

11.1 Town Committee Appointments - Recommendations from Nominating Committee

Moved By Councillor Thompson

Seconded By Councillor Olsen

Council accept the Nominating Committee's recommendations as presented.

Motion Carried

11.2 2018 Drainage Improvement Projects - Tender 2018TQ05-07 Staff Recommendation

Moved By Councillor Olsen

Seconded By Deputy Mayor O'Hara

The Town proceed with awarding the Drainage Improvement tender 2018TQ05-07 to the low bidder, **Steele Trucking Ltd.** for the bid price of \$50,300.87 (plus HST).

Motion Carried

12. Reports

- 12.1 PAC Minutes of March 27, 2018
- 12.2 KVFB Inc. _ Minutes of April 11, 2018 Meeting & Associated Documentation
- 12.3 AMANB Certification Presented to CAO Susan Deuville - June 2018
- 12.4 KRPBC Minutes of May 23, 2018 Meeting & Associated Documents
- 12.5 KV Oasis - Thank you for Donation
- 12.6 Animal Control Monthly Report As At May 2018
- 12.7 Building Report - May 2018
- 12.8 MacDonald's Restaurant - Thank You to Mayor Clark - McHappy Day
- 12.9 Steve and Lisa Palmer - Thank you - Spring Freshet Flood 2018
- 12.10 Quispamsis Tennis Club - Thank you - Recent Upgrades
- 12.11 National Airlines Council of Canada - Public Consultation on New Passenger Rights Regime
- 12.12 CN - Community Connections Annual Report
- 12.13 Grand Bay Westfield - Thank you - Community Support During 2018 Spring Freshet Flooding
- 12.14 Fundy Regional Service Commission - 2017 Financial Audit
- 12.15 April 2018 Unaudited Interim Financial Statements - Town Treasurer

Moved By Councillor Miller
Seconded By Deputy Mayor O'Hara

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

13.1 Appointment of New Town Treasurer

Moved By Councillor Thompson
Seconded By Councillor Olsen

Council hire Ms. Krista Brandon to act in the position of Town Treasurer for a six (6) month probationary period at which time the position will be reviewed and confirmed.

Motion Carried

The Town Clerk left the meeting.

13.2 Award of Town Bursaries (2) - 2018

Moved By Deputy Mayor O'Hara
Seconded By Councillor Olsen

Council accept the Scholarship Committee's recommendations re the award of the Town's two \$750 bursaries, to be presented by Councillor Olsen at the upcoming 2018 KVHS Graduation Ceremonies.

Motion Carried

The Town Clerk returned

14. Adjournment

Moved By Councillor Luck
Seconded By Deputy Mayor O'Hara

Meeting adjourn.

Motion Carried

Meeting adjourned at 9:15 p.m.

X

Gary Clark
Mayor

X

Catherine P. Snow
Clerk