



**QUISPAMISIS TOWN COUNCIL
REGULAR MEETING
MINUTES**

**October 1, 2019, 7:00 pm
Council Chambers
Quispamsis Town Hall**

Present:

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

Absent:

Mayor Gary Clark

1. Approval of Agenda

Moved By Councillor Thompson

Seconded By Councillor Luck

The Agenda be approved as prepared.

Motion Carried

2. Mayor's Comments

Deputy Mayor O'Hara informed Council she participated last Friday morning, September 27, 2019 in the local Terry Fox Run; and that afternoon, she, along with Councillor Olsen and CAO Susan Deuville, joined the KVHS students who had come to town hall to express their concerns on climate change, and presented to them the many actions Quispamsis has done to address this important matter.

3. Moment of Reflection

Mayor Olsen read the Moment of Reflection.

4. Disclosures of Interest

No disclosures were declared.

5. Presentations

5.1 Town of Quispamsis' Comprehensive Asset Management Plan - In Attendance: Mr. Hans Arisz, P. Eng., RV Anderson Associates Ltd.

Mr. Arisz presented to Council the Town of Quispamsis' Comprehensive Asset Management Plan as per R. V. Anderson's presentation dated October 1, 2019. He noted the key objectives of the Asset Management Plan are to -

- Minimize Lifecycle Costs
- Manage & Reduce Risks
- Achieve Desired Levels of Service

The Comprehensive Asset Management Plan will -

- Satisfy the Provincial Reporting requirements,
- Summarize the current condition of infrastructure repair,
- Provides a preliminary long term financial assessment,
- Identifies a 10 year Capital Plan listing annually investment priorities,
- Summarize the methodologies and results of asset management planning,
- Review Asset Management business activities,
- Identify current gaps, and,
- Provides recommendations moving forward to improve Asset Management planning.

Mr. Arisz summarized the following findings of the Asset Management project, as follows:

- Majority of existing assets are in a Good or Better condition, but approximately \$7.6 million required immediately for repair and renewal;

- Asset risks and vulnerabilities exist, and mitigation opportunities should be identified;
- Unable to identify service level gaps as no desired LOS have been determined.
- Long-term, the Town is financially unsustainable and must identify ways to close the investment gap;
- Short-term, the Town is unlikely to meet investment requirements and the infrastructure deficit will grow.
- Improvements to priority setting and the annual capital budgeting process can be made.
- Data quality gaps exist which should be addressed to improve decision-making capabilities.

In closing, Mr. Arisz stated the Town probably has the best Asset Management Plan in the Province, and recommended, moving forward, the Town work on improving asset data quality and AM capabilities, as well as improve its capital budgeting process by

- Generating complete inventories of assets;
- Conducting asset condition assessments,
- Assigning and training staff to improve asset data quality and maintain data, acknowledging that currently there is only one employee trained to input data into the Town's GIS Asset Management plan;
- Selecting and implementing a long -term financial forecasting tool;
- Developing a standardized capital budgeting process which incorporates AM planning results;
- Completing strategic and service master plans to determine desired LOS; and,
- Documenting and adopting the initial desired LOS.

Council Members complimented Mr. Arisz for his informative presentation and the work he has done with staff in the preparation of the Town's Asset Management Plan, noting it will prove very beneficial to the Town in establishing capital investment priorities, strategic planning and budgeting, obtaining government funding, and creating standardized levels of service for town operations.

Moved By Councillor Luck

Seconded By Councillor Miller

Council accept R. V. Anderson's recommendations that the Town continue working on improving its asset data quality and asset management capabilities as well as improving its capital budgeting process, as outlined in the 2019 Comprehensive Asset

Management Plan dated September 27, 2019 and abbreviated presentation dated October 1, 2019.

Motion Carried

6. Public Hearings

6.1 (July 16/19) Public Hearing - Little Blossoms Learning Centre - Application to Amend Municipal Plan By-law No. 054 and Zoning y-law No. 038 to Permit Early Learning Childcare Centre

1.6 Acre Lot at 86 Meenan's Cove Road - One & Two Family Residential (R1) to Neighbourhood Commercial - PID No. 30290175

Ms. Vicki Newell, Owner/Operator, presented her proposal to Council, stating her current in-home designated licensed daycare, operating since 2014, has been at full capacity since 2014, and over the years, she has accumulated a significant waiting list, especially for babies and after school children. Her plans to build a daycare on a portion of 86 Meenan's Cove Road would accommodate 60 children from the ages of 15 months to 12 years, employ 7 full time and 2 part time staff, and provide parking spaces for up to 25 cars. The daycare will utilize 2 of 3 lots on the 1.6 acre parcel providing a buffer to separate the property from adjacent residential properties. Hours of operation will be from 7 am to 6 pm, Monday thru Friday.

Letters of objection were received from Dr. Cherie-Lee Adams and Mr. Nicholas Carhart; and Ms. Shyane McKay, both expressing concerns that they work nightshift and the noise created by a daycare on the adjacent property would disturb their rest, as well as concerns re traffic and buffers.

A letter from NB Power's Property Specialist, Stephane Vautour, who owns an adjacent property, stated they do not have an issue with the rezoning application.

Deputy Mayor O'Hara asked if anyone wished to speak for or against the proposed rezoning application.

Ms. Shyane McKay expanded upon her written letter of objection, informing Council she and husband own the Flagstone Drive property directly behind the proposed daycare, and feel the daycare operation will disrupt the quiet residential area. Ms. McKay advised she works shiftwork, and feels the noise from the daycare will interfere with her sleep. Her husband, Ryan McKay, also spoke, stating his father owns the two adjoining parcels of land, and likely too would oppose the rezoning as he will be selling these as residential lots.

Ms. Tammy Nicket of 75 Meenan's Cove Road addressed Council stating she is not against the proposed daycare operation but she has concerns of her driveway washing out from the drainage that comes down the hill from Cobblestone Drive.

Deputy Mayor O'Hara asked 3 times if anyone further wished to speak for or against the proposed rezoning application.

No one spoke further.

Ms. Newell presented her final summation, stating her motivation to expand her business is based on her desire to help families who are in need of daycare service. The large demand combined with her experience in operating a daycare, her great support team and her knowledge of the regulations will help make the project a success.

Deputy Mayor O'Hara referenced PAC's recommendations dated September 16, 2019 indicating PAC's support of the application to rezone the property to Neighbourhood Commercial for the construction of an early learning childcare centre subject to the conditions as outlined.

A discussion ensued concerning the noise issue brought forth by nearby residents, with it being noted there is a 60 child daycare centre off the Vincent Road, as well as several schools in the community that are surrounded by residential properties, with no complaints from the residential property owners. It was further noted approximately 1/3 of the property will retain the residential zoning, and at minimum, the required Zoning By-law buffers will be created between the Neighbourhood Commercial and the Residential properties.

Proposed Municipal Plan By-law Amendment No. 054-02 & Proposed Zoning By-law Amendment No. 038-32

Moved By Councillor Olsen

Seconded By Councillor Luck

First reading be given to Proposed Municipal Plan By-law Amendment No. 054-02.

Motion Carried

Moved By Councillor Olsen

Seconded By Councillor Loughery

Second reading be given to Proposed Municipal Plan By-law No. 054-02.

Motion Carried

Moved By Councillor Thompson

Seconded By Councillor Olsen

First reading be given to Proposed Zoning By-law Amendment No. 038-32.

Motion Carried

Moved By Councillor Luck

Seconded By Councillor Loughery

Second reading be given to Proposed Zoning By-law Amendment No. 038-32

Motion Carried

Recess

Moved By Councillor Miller

Seconded By Councillor Luck

Regular Session break for a 5 minute recess.

Motion Carried

BACK TO REGULAR MEETING

7. Minutes of Previous Meetings

7.1 September 17, 2019 - Regular Meeting

Moved By Councillor Rioux

Seconded By Councillor Miller

Minutes be approved as prepared.

Motion Carried

8. Unfinished Business (none)

9. Correspondence

9.1 Proposed KV Marathon - Garth & Helena Millar, Race Organizers - September 2020 - Request for Approval of Quispamsis Portion of Proposed Route

Moved By Councillor Rioux

Seconded By Councillor Miller

Council approve the proposed KV Marathon's September 2020 route through Quispamsis and the Protective Services' Departments as well as the Engineering Department be notified of the event.

Motion Carried

9.2 Jennifer Greenlaw - Request to Support - "Mark It Red for Dyslexia"

Moved By Councillor Thompson

Seconded By Councillor Olsen

Approve Ms. Greenlaw's request to light up a Town property in red for one day during the week of October 20, 2019 to bring awareness and shine a light on the kids in the classroom who suffer with dyslexia.

Motion Carried

10. By-laws (none)

11. New Business (none)

12. Reports

- 12.1 Media Release – Major Bantam Atlantic Championship Awarded to Quispamsis
- 12.2 Planning Advisory Committee Minutes of September 10, 2019 Meeting
- 12.3 Animal Control Summary as At August 31, 2019
- 12.4 Regional Facilities Budgets – 2020

Moved By Councillor Loughery

Seconded By Councillor Miller

Reports be received and filed.

Motion Carried

13. Business Arising from Committee of the Whole

13.1 Complaint Received Concerning a Breach of Council's Code of Conduct By-law No. 056 - Mayor Clark

Deputy Mayor O'Hara reported she had received a written complaint concerning a breach of Council's Code of Conduct By-law No 056, on August 6, 2019 from CAO Deuille, which was brought to Council's attention. The complaint was then investigated pursuant to the procedure outlined in the Code of Conduct By-law. As a result of the investigation, it was determined, including Mayor Clark's admission of same, that he had falsified the address on a Family Pass application for the

Quispamsis qplex pool use; falsified his identity to pool staff members to gain access to the pool on July 18; and on the same day, was dishonest about his whereabouts when he was scheduled to attend an Emergency Measures Planning Committee meeting at town hall.

Moved By Councillor Olsen

Seconded By Councillor Luck

As a result of the foregoing; the Council of the town of Quispamsis has determined the following sanctions, pursuant to Council's Code of Conduct By-law No. 056, Sections 5. A. iv, v., vi. and vii. Will be imposed on Mayor Clark for his breach of the Council Code of Conduct:

1. Suspension of the Mayor as the official spokesperson for Council, effective October 1, 2019 to November 5, 2019;
2. Suspension of the Mayor from all Council committees and bodies to which Council has the right to appoint members, effective October 1, 2019 to November 5, 2019;
3. Restriction of the privileges of attending conferences and workshops at the Town's expense during the period October 1, 2019 to November 5, 2019; and,
4. Suspension of remuneration of the Mayor's salary effective October 1, 2019 to November 5, 2019.

Motion Carried

Against (1): Councillor Rioux

14. Adjournment to Committee of the Whole

Moved By Councillor Olsen

Seconded By Councillor Luck

Open Session adjourn to Committee of the Whole.

Motion Carried

BACK TO OPEN SESSION

15. Adjournment


Moved By Councillor Olsen


Seconded By Councillor Luck

Meeting adjourn to October 15, 2019. Meeting adjourned at 9:15 p.m.

Motion Carried



X 
Elizabeth O'Hara
Deputy Mayor

X 
Catherine Snow
Town Clerk