

QUISPAMSIS TOWN COUNCIL

REGULAR MEETING

MINUTES

| **April 18, 2023, 6:00 pm****Council Chambers****Quispamsis Town Hall** |
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| Present: | Deputy Mayor Mary Schryer (Presided) |
|  | Councillor Mike Biggar |
|  | Councillor Noah Donovan |
|  | Councillor Kerrie Luck |
|  | Councillor Kirk Miller |
|  | Councillor Emil T. Olsen |
|  | Councillor Beth ThompsonKennedy, Aaron; Acting CAOBrandon, Krista; Town TreasurerColbourne, Dwight, Development Officer |
|  | Jarvis, Jennifer: Planning Technologist |
|  | Losier, Gary; Director of Engineering & Works (Virtual) |
|  | MacInnis, Lisa; Assistant Clerk |
|  | Roszell, Tim; Communications Manager |
|  | Snow, Catherine; Town Clerk |
|  |  |
| Absent: | Mayor Libby O’Hara (medical) |

# **1. Approval of Agenda**

**Moved By** Councillor Donovan
**Seconded By** Councillor Miller

The Agenda be approved as prepared.

**Motion Carried**

# **2. Mayor's Comments**

Deputy Mayor Schryer opened the meeting by sending along thoughts and best wishes to Mayor O’Hara who is not available to join Council this evening but hopes to be back to work next week.

Deputy Mayor Schryer announced she has recently been appointed as Vice-Chair of the Fundy Regional Service Commission’s Community Development Committee, which was struck as part of the Local Governance Reform and includes representatives from all FRSC communities. Its focus will include affordable housing, diversity promotion, healthy communities, social inclusion and newcomer settlement services.

She noted the River Watch forecast is currently at ‘flood watch’, acknowledging residents are responsible for the protection of their homes during flood season, but if the water levels reach emergency levels of 4.7m or higher, the Town will provide sandbags.

Quispamsis will hold its 19th annual community clean-up from April 22 – May 6, with litter drop-off bins at QMA and the James Rolfe Field parking lot.

National Physician’s Day is celebrated annually in Canada on May 1st, to recognize the hard work and dedication of physicians who often work long hours and face challenges in providing care to their patients.

# **3. Treaty Acknowledgement - Moment of Reflection**

Councillor Donovan read the Moment of Reflection.

# **4. Disclosures of Interest**

No disclosures were declared.

# **5. Presentations**

## 5.1 Volunteer Recognition Awards

Deputy Mayor Schryer and Councillor Biggar presented the 2023 Volunteer Recognition Awards to the following recipients:

* 1. Kendall Mason - Quispamsis Middle School Parent Connections - Junior Varsity Boys Soccer and Basketball Teams Organizer and Coach
	2. Margie Leclerc - Fundy Wellness Network, KV Walkers Co-organizer & Enjoy Life Expo for 50+
	3. Danny Hennessey - Lakefield Elementary Home & School Association - Fundraising
	4. Malcolm Campbell - KV Minor Hockey Association - Under 11 Family Day Hockey Tournament
	5. William Gaynes - Atlantic Emergency Medical Training Solutions - Volunteer Firefighter with KV Fire and Simonds; Big Brother and Dragon Boat Volunteer
	6. George Scott - Community Volunteer, Volunteer Firefighter, Emergency Services & School Touch-A-Truck demonstrations
	7. Berta Curran - Kennebecasis Valley Food Basket - Volunteer; Meals on Wheels
	8. Brittany Larkin - Sky Athletics - Cheerleading, and Director of Coaches in Training
	9. Rich Lake & Paul Keyes - KV Girls Softball Association, Coaching Duo
	10. Colleen Guay - KV Pickleball Club - Scheduler, New Member Orientation, and Helps with Drills and Practice Sessions; and,
	11. Patti MacMackin - Kennebecasis Public Library Volunteer

Council Members applauded the recipients of the 2023 Quispamsis Volunteer Recognition Awards, acknowledging that it is through the efforts and contributions of dedicated volunteers that truly makes a Town a vibrant community.

## 5.2 International Students Program - Presenter: Ms. Debbie Thomas, Regional Manager, NB International Student Program and Anglophone School District South

Ms. Debbie Thomas made presentation to Council on the NB International Student Program, that welcomes 11 – 18 year-old students from all over the world. Students live in homestays, attend public schools, and volunteer in the community. There are 12 schools involved from Saint John to Sussex, with New Brunswick being one of the top destinations in the world for education with 2200 international students currently enrolled in the program from 22 countries, and with 25 of these students attending KVHS. Approximately $25,000 is attributed to each student, and a large amount of that funding goes directly to the schools to be spent at the schools’ discretion. She asked the Town to share the NBISP brochures throughout the community and to post information on the Town's website and social media to help promote this exciting program which opens up opportunities for the students and helps NB in its immigration and population efforts.

**Moved By** Councillor Luck
**Seconded By** Councillor Donovan

Ms. Debbie Thomas be thanked for her presentation, and a link to the New Brunswick International Student Program be published on the Town's social media and website, along with displaying information brochures at town facilities to help promote and bring awareness to the International Student Homestay Program.

**Motion Carried**

# **6. Public Hearings**

## 6.1  (Feb.21/23) Rezoning Application- 640091 NB Inc. - 8 Lyden Drive - PID No. 54619 - Residential (R1) to Commercial (CC) - Proposed Parking Lot Development and Storage Shed to Support Business at 170 Hampton Road

Deputy Mayor Schryer introduced the process to be followed for the Public Hearing.

Mr. Dino Cipolla expanded upon 640091 NB Inc.'s application to rezone 8 Lyden Drive from Residential (R1) to Commercial (CC) to develop a parking lot, including placement of a storage shed, for the adjacent Central Commercial property situated at 170 Hampton Road. The 3,131 square meter parcel will have access off Hampton Road. He referenced the revised site plans prepared by Don-More Surveys & Engineering which depict a 30 foot buffer on the three sides of the property facing Lyden Drive, as well as the drainage plans and the layout for the 25 vehicle parking lot.

Letters were received from the following individuals:

* Trinda Carvell, (objection);
* Milad Kamkar, (objection);
* Dan Mott, (support);
* Doug Bannister, Plaza Town Centre Investments Inc.,(support);
* Chris Grannan, Mexi’s (support);
* Mike Keenan, (support);
* Bill Brewer, (objection);
* Matt Corey, (objection);
* Sosa Linden, (objection);
* Terena Starkey, (objection);
* Stuart & Helena Hook. (objection).

A Notice of Decision from the PAC indicated its support of the proposed parking lot subject to the conditions outlined in their Notice dated March 3, 2023.

Deputy Mayor Schryer called for anyone wishing to speak for or against the proposed rezoning, the following people spoke:

* Stuart Hook from Lyden Drive – expanded upon his correspondence expressing concern about a commercial lot in a residential subdivision, Austrian Pines and low berm elevation will not screen area from residential neighbourhood, desire for fence, assurance that no extensions of the present building will encroach onto the parking lot space, and that it will be used solely for staff parking and the small storage building.
* Trinda Carvell from Lyden Drive - expanded upon her correspondence expressing concern about the need to preserve the residential area. She felt the removal of the existing natural greenery to be replaced by a low drainage berm and smaller trees would not provide a sufficient buffer from the sights and sounds of the commercial area. She would prefer the commercial parking lot be fenced or walled to prevent patrons from accessing their residential street.

Deputy Mayor Schryer asked three times if anyone further wished to speak for or against the proposed rezoning. No one spoke further.

Mr. Phil Reache, on behalf of the Proponent, informed Council it is their intention to improve the property for all the businesses in the plaza. He understands the residents’ concerns and noted PAC had recommended a landscape architect be engaged to help with the buffer design. He noted through the conditions of the developer’s agreement, while trying to keep the costs down, they will be making adjustments to accommodate the concerns of the residents, businesses and patrons as they move forward with their proposal.

Mr. Cipolla stated he would be placing two to three “Staff Only Parking” signs on the parking lot, and installing a few low lit motion lights for safety reasons.

The Development Officer informed Council any change in use of the proposed lot would require an amendment to the Section 59 development agreement and that would require another Public Hearing process.

### *Proposed Municipal Plan By-law Amendment No. 054-06 and Proposed Zoning By-law Amendment No. 038-43 - Consideration of 1st and 2nd Readings*

**Moved By** Councillor Olsen
**Seconded By** Councillor Thompson

First reading be given to proposed Municipal Plan By-law Amendment No. 054-06.

**Motion Carried**

**Moved By** Councillor Olsen
**Seconded By** Councillor Biggar

Second reading be given to proposed Municipal Plan By-law Amendment No. 054-06.

**Motion Carried**

**Moved By** Councillor Thompson
**Seconded By** Councillor Biggar

First reading be given to proposed Zoning By-law Amendment No. 038-43.

**Motion Carried**

**Moved By** Councillor Thompson
**Seconded By** Councillor Biggar

Second reading be given to proposed Zoning By-law Amendment No. 038-43.

**Motion Carried**

# **7. Minutes of Previous Meetings**

## 7.1 April 4, 2023 - Regular Meeting

**Moved By** Councillor Donovan
**Seconded By** Councillor Luck

Minutes be approved as prepared.

**Motion Carried**

# **8. Unfinished Business**

## 8.1 (Feb. 7/23) New Brunswick Age Friendly Community Designation

The Director of Community Services expanded upon her Staff Report on the Age Friendly New Brunswick Community Designation, a program promoted by the Department of Social Development. The program, she explained, encourages communities to become a welcoming place for all ages through the creation of policies, services and structures that promote healthy aging and wellness in key areas that help seniors live in safe, healthy environments where they can contribute and thrive.

Ms. Purton Dickson’s Staff Report indicated Staff have met with the provincial coordinators of the program as well as with three neighbouring communities who have or are in the process of achieving this designation. All were very supportive and encouraging about reaching this designation although acknowledged the program involves resources, both human and financial, and that there is no provincial funding associated with achieving the designation. The program in those communities is supported by several staff at various levels ranging from 10% of a full-time position to 50%. If Council wishes to proceed, the next step in the process would be the creation of a terms of reference for the Age Friendly Committee. Once Council has adopted the terms of reference, participants will need to be recruited to form the committee, and a survey will need to be conducted for residents 50 and older. The results of the survey will be used to create a three-year action plan that must be approved by the Province.

A discussion of Council ensued on this matter, with the general consensus being that the Town, due to the current commitments associated with the new mandates of the FRSC as well as the work involved with the operational plan for implementation of the Town’s new Strategic Plan, that the Age Friendly Community designation not be pursued at this time, and rather, the Town continue to work towards a community welcoming all demographics, including seniors.

**Moved By** Councillor Donovan
**Seconded By** Councillor Luck

The Age Friendly Community Recognition Program designation be referred to the 2024 budget for consideration of proper allocation for required resources.

| Against (6): Deputy Mayor Schryer, Councillor Biggar, Councillor Donovan, Councillor Miller, Councillor Olsen, and Councillor Thompson |
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**Motion Defeated**

# **9. Correspondence**

## 9.1 Resignation from Linda Hansen from Kennebecasis Library Board; and Recommendation from Nominating Committee to Appoint James Clarke

Correspondence from Linda Hansen tendered her resignation as one of the Town’s representatives from the Kennebecasis Library Board, effective April 24, 2023 due to personal circumstances.

A recommendation from the Nominating Committee recommended, in response to Ms. Hansen’s resignation, Council support the appointment of James Clarke to the Library Board for a three year term. Mr. Clarke has a passion for reading and writing and has co-authored a book on the startup technology landscape process to help young entrepreneurs grow and scale their businesses.

**Moved By** Councillor Donovan
**Seconded By** Councillor Olsen

Council endorse the recommendation of the Nominating Committee to appoint Mr. Jamie Clarke to the Kennebecasis Library Board for a three year term, effective May 1, 2023 and expiring June 30, 2026; and a letter of thanks be issued to Ms. Linda Hansen for her dedication and commitment serving on the Kennebecasis Public Library for the past seven (7) years.

**Motion Carried**

# **10. By-laws**

## 10.1 (Apr.19/22) Proposed Zoning By-law Amendment No. 038-37;Re Regulating Apiary Operations (Beekeeping)

**Moved By** Councillor Biggar
**Seconded By** Councillor Olsen

WHEREAS a Public Notice has been published on the town of Quispamsis' website pursuant to Section 15(3) and 15(4) of the *Local Governance Act;*

AND WHEREAS Proposed Zoning By-law Amendment No. 038-37 received first and second reading at its March 21, 2023 Regular Meeting;

AND WHEREAS Proposed Zoning By-law Amendment No. 038-37 will -

* Create zones where hobby beekeeping is permitted;
* Define lot sizes and setback requirements;
* Identify number of bee hives permitted on a lot;
* Ensure best practices are being followed, and provide staff a mechanism to manage hobby beekeeping within the municipal boundary; and
* Provide a balancing act between the Beekeepers Needs and the Residential Needs.

BE IT THEREFORE RESOLVED THAT third and final reading be given to Proposed Zoning By-law Amendment No. 038-37; A By-law Amendment of the Municipality of Quispamsis Respecting Apiary Operations.

| Against (1): Councillor Donovan |
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**Motion Carried**

## 10.2 Proposed By-law No. 064; A By-law of the town of Quispamsis Regulating the Proceedings of Council – Staff Report from Town Clerk

Ms. Snow’s Staff Report informed Council the existing Procedural By-law No. 033 was adopted on October 19, 2004. Since that time, the By-law received five (5) amendments, and required further changes to bring it up to date to meet current legislation, and to provide better clarity on certain items. As there are several changes being proposed, a new Procedural By-law has been drafted and has been reviewed by Mayor O’Hara, Acting CAO Kennedy, the Town Solicitor and the Town Clerk. Essentially, the main changes include –

* References to the Local Governance Act (vs. former Municipalities Act).
* Changes in Regular Meeting start time to 6 pm, and curfew time of 10 p.m.
* Addition of relevant Definitions.
* More governance surrounding Electronic Meetings.
* Housekeeping items for clarity purposes.
* Authorizing, at the discretion of the CAO, certain communications to be acted upon at the administrative level, with Council Members being notified of action taken; and,
* Addition of clause explaining process for Communication of Council and Use of Communication Tools, similar to the clauses contained in the Code of Conduct By-law

A discussion of Council ensued, with the following points being noted for further action/discussion prior to consideration of third and final reading of the proposed Procedural By-law:

* The need for additional training for Council Members in parliamentary procedure.
* Consistency on how motions are presented and opportunity to express the rational for motions.
* Better clarity on process for Members to ask questions and receive answers from staff, residents and/or presenters and how that process impacts Members’ allocated speaking time.

(Deputy Mayor Schryer removed herself from the Chair and Councillor Thompson presided).

* The Local Governance Act was recently amended to remove restrictions on numbers of virtual meetings a Member can attend, whereas the proposed By-law is suggesting only four (4) annually, a reduction from the current allowance of 4.75 meetings. It was the consensus of Council that this number of virtual meetings be increased to provide more flexibility.
* The proposed By-law seems clear on describing process for main motions, i.e. a motion is put forward, seconded, debated, then a vote called, and results of the vote stated.
* Discussion on preference that debate occur prior to a motion being presented, although that is contrary to Roberts Rules.

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

First reading be given to Proposed Procedural By-law No. 064.

**Motion Carried**

# **11. New Business**

## 11.1 Staff Report from Director of Engineering & Works - Recommendation Solar Street Light Pilot

Mr. Losier expanded upon his Staff Report noting staff have been investigating alternative solutions for specialized street light placement and have determined that new advances in Solar light technology has reached a point where, in some locations, it is as cost effective to replace an existing light with a solar powered streetlight as it is to install a new light with the current constraints. A new light now requires the town to negotiate easements, pay associated legal and survey costs and then pay to install new underground service lines and entrances and finally pay NB Power for the streetlight and ongoing electrical charges.

Staff is recommending the Town invest in a solar street light program that will enable the independent installation of streetlights in the difficult to connect areas, and are recommending a three-light pilot program through Fonroche Lighting. It will allow the town to experiment with a new light for Fawn Court as well as replace or introduce two new lights in rear serviced areas such as Cedar Ridge or Sherwood Park. The pilot program costs are approximately $24,000 for three lights.

**Moved By** Councillor Olsen
**Seconded By** Councillor Donovan

Council authorize staff to proceed with the purchase of three Solar lights and control modules from Fonroche Lighting for the price of $18,212 US$ (CAN $24,365), and Staff be directed to commence the project upon light delivery and keep Council advised of project results. Once final project costs are accounted, any project cost beyond the current allocated budget will be redirected from any budget surplus in 2023 or be redirected from reserve funds.

**Motion Carried**

# **12. Reports**

## 12.1 Kennebecasis Valley Fire Department - February 8, 2023 Board Meeting Minutes and Associated Documents

## 12.2 Canada Day Grant from Canadian Heritage - $3,840 under the Celebration and Commemoration Program

## 12.3 Fibromyalgia Awareness Day - May 12, 2023

## 12.4 Huntington Society of Canada - Light It Up  in Blue or Purple - May 2023 Awareness Campaign

## 12.5 Quispamsis Island View Lions Club and Pet Value - Walk for Dog Guides Fundraiser - May 27, 2023

## 12.6 Kennebecasis Regional Joint Board of Police Commissioners' February 22, 2023 Meeting Minutes and Associated Documents

### 12.6.1 Kennebecasis Regional Joint Board of Police Commissioners Audited Financial Statements As At December 31, 2022

## 12.7 UMNB April 11, 2023 Bulletin

## 12.8 Atlantic Municipal Spring Summer 2023

## 12.9 Town of Quispamsis Building Report As At March 2023

## 12.10 CN Annual Vegetation Management Program Notices

## 12.11 Kennebecasis Valley Girls Softball Association - Recipient of Quispamsis Sport Tourism Hosting Grant

**Moved By** Councillor Olsen
**Seconded By** Councillor Luck

Reports be received and file.

**Motion Carried**

# **13. Business Arising from Committee of the Whole** (none)

# **14. Adjournment**

**Moved By** Councillor Olsen
**Seconded By** Councillor Thompson

Meeting adjourn.

**Motion Carried**

Meeting adjourned at 8:06 p.m.

