



QUISPAMISIS TOWN COUNCIL REGULAR MEETING MINUTES

September 16, 2014, 7:00 pm
Council Chambers
Quispamsis Town Hall

Members Present: Mayor G. Murray Driscoll
Councillor Gary Clark
Councillor Kirk Miller
Councillor Emil T. Olsen
Councillor Pierre Rioux
Councillor Beth Thompson

Members Absent: Deputy Mayor Libby O'Hara (previous engagement)
Councillor Lisa Loughery (previous work commitment)

Staff Present Deuille, Susan; Acting CAO
Losier, Gary; Director of Engineering & Works
McGraw, Jo-Anne; Town Treasurer
Snow, Catherine; Town Clerk

1. Approval of Agenda:

Moved By Councillor Clark

Seconded By Councillor Olsen

The agenda be approved as prepared.

Motion Carried

2. Mayor's Comments: – No comments at this time.

3. Moment of Reflection:

Councillor Thompson led the meeting in prayer.

4. Disclosures of Interest

No disclosures were declared.

5. Presentations

5.1. Enterprise Saint John - Update on True Growth Initiative

In Attendance: ESJ Executive Members: Paulette Hicks; Steve Carson, Angelee Simpson and Janet Scott

Ms. Hicks made presentation to Council updating Members on the True Growth 2.0 initiative launched in May of 2013. The following points were highlighted as the “New” ESJ moves the greater Saint John community forward in economic development:

- The Regional Oversight Committee (ROC), is made up of the five (5) Mayors of the Greater Saint John Region plus Corporate Funders;
- ESJ Board of Directors consists of 11 Directors appointed by the ROC;
- ESJ CEO and ESJ Saint John Staff fall under the Board of Directors.
- True Growth Network Partners include Municipalities, Private Sector Associations, Economic Development Agencies, Authorities & Commissions and Government Agencies.

- Measures of Success – Progress, One Year In,
 - An increase of 1900 jobs across a number of sectors, including construction force, information technology, service sector and retail growth.
 - Currently 19 True Growth projects underway.
 - Assessment of 11 new projects at the fall Partner’s meeting;
 - Business and Consumer Confidence is on the rise;
 - Approximately \$15 million raised by DAL Medicine NB.

In conclusion, ESJ representatives noted a joint meeting of the Councils in the region is being planned for October 29, 2014, to review the 2015 work plan and priorities and to provide input and direction to ESJ Staff.

Councillor Olsen questioned why the Town of Hampton is not part of the True Growth 2.0 Strategy, and suggested that they be approached to become a funding partner. Mr. Carson noted when the Regional Service Commissions were being formed, Hampton was originally part of the Fundy RSC, and it was hoped they would become a part of the ESJ team. However during the formation period, Hampton opted instead to join the Greater Sussex Regional Service Commission.

Council Members thanked ESJ representatives for their informative presentation, noting they will await final confirmation on the October 29th date and yet to be determined location of the joint Council meeting.

6. **Public Hearings:** (none)

7. **Minutes of Previous Meetings:**

7.1. September 2, 2014 - Regular Meeting

Moved By Councillor Clark

Seconded By Councillor Olsen

Minutes be approved as prepared.

Motion Carried

8. **Unfinished Business:**

8.1. (July 15/14) Reappointment of Ann Secord as Quispamsis Representative on Imperial Theatre's Board of Directors

Moved By Councillor Clark

Seconded By Councillor Thompson

Council accept the Nominating Committee's recommendation to reappoint Ms. Ann Secord as the Town's representative on Imperial Theatre's Board of Directors when her current term expires October 31, 2014 for another three year term, expiring October 31, 2017.

Motion Carried

- 8.2. (Aug.19/14) Sheila Henry –Backyard Fireworks - Further to Ms. Henry's report expressing concern about the number of backyard fireworks that have been detonated over the past summer, Chief Ireland submitted findings of his review on this matter.
- 8.2.1. Report from Fire Chief Bill Ireland - The Fire Chief's report provided his findings on consumer fireworks, noting they are tested and approved by The Explosive Regulatory Division of Natural Resources Canada and are generally safe for backyard use provided that they are used appropriately. The NB *Fire Prevention Act* regulates the sale and distribution of fireworks and requires written approval for 'public displays' which include the use of higher hazard 'display' fireworks. The Act is not intended to address the private, backyard discharge of consumer fireworks. In his opinion, he wrote, the detonation of consumer fireworks is more of a nuisance issue and less of a public safety issue. The Town may wish to adopt his recommended actions as a means to regulate consumer fireworks to direct and guide the approval process.

Moved By Councillor Thompson

Seconded By Councillor Miller

Chief Ireland's report be referred to Staff for further investigation as to whether the Chief's recommendations would be better implemented as a by-law amendment, or as a policy statement/guidelines; and research further what, if anything, has been done in other municipalities due to the ever-increasing use of fireworks, with the view towards identifying rules and parameters for the use of consumer fireworks.

Motion Carried

- 8.3. (Aug.19/14) Erosion Concerns - Drainage 141 and 145 Chelsea Drive - Mr. Rodier and Mr. Fullerton – A Staff Report from the Director of Engineering & Works reported Staff's findings of Mr. Rodier and Mr. Fullerton's complaint re the storm drain line crossing the common property line between their two properties. The easement is located in a finished lawn area and would require smaller and specialized equipment to

complete the repairs and to minimize disruption to the property. As the Town fleet unfortunately does not include this type of gear, a contractor will be required. Staff will be completing a site survey and identifying the scope of work to ensure the Town is not looking at a more significant project than originally planned.

Moved By Councillor Olsen

Seconded By Councillor Clark

Staff be directed to prepare a request for quotations of local companies capable of completing the work to reset the storm sewer pipe between 141 and 145 Chelsea Drive. The intent is to complete the repairs in the 2014 operating budget provided costs fall within the estimated limits. Once a successful contractor is selected, the neighbors will be advised of the proposed action and schedule.

Motion Carried

9. Correspondence

- 9.1. Traffic Concerns Re Congestion on Gondola Point Arterial & Hampton Road Intersection Area - Pam Bass, In Attendance – Ms. Bass was in attendance and expanded upon her concerns re the traffic congestion on the Gondola Point Arterial during morning and evening rush hours, noting often in the morning she will sit through 3 – 5 lights at the Hampton Road intersection, noting there is very little traffic waiting in the opposite direction on the Hampton Road. She suggested to alleviate the situation, in order to funnel the traffic more effectively and safely to the schools and the highway, that the lights facing the Gondola Point Arterial be scheduled an extra 15 – 20 seconds each cycle.

Moved By Councillor Olsen

Seconded By Councillor Clark

Staff conduct a review of the current traffic cycle timing sequence at the Gondola Point Arterial/ Hampton Road intersection traffic lights to determine if the cycle lengths can be adjusted to incorporate a peak hour cycle to address morning and evening traffic volumes..

In addition, the services of a qualified Traffic Consultant be engaged to examine sequencing through the major intersections of the Town to create an overall traffic plan, including the option of a traffic circle development at the Gondola Point Arterial/Hampton Road intersection; and, if an additional technical review or hardware upgrades are required Council will be advised accordingly in advance of the decision to proceed with further study or costs; and further,

Staff will make the appropriate contact with the Provincial Department of Transportation and Infrastructure to ensure proper approvals are obtained.

Motion Carried

- 9.2. Kennebecasis Public Library - Upcoming Committee Vacancies - Letter from Tiffany Bartlett, Library Director & Board Secretary – Ms. Bartlett's letter informed Council of upcoming vacancies on the Library Board, due to current members' terms expiring, with Quispamsis' Jo-Anne McGraw's term expiring October 1, 2014, and two other Quispamsis Members' terms expiring January 31, 2015. Upon review of the Board Members and their related term expiry dates, Ms. Bartlett informed, it has become evident that seven of the eight members could leave the Library Board by mid-2015. She asked that terms be staggered in order to provide some continuity on the Board.

Council Members expressed their appreciation to Ms. McGraw, who has acted as Treasurer on the Library Board for the past two years, acknowledging the tremendous amount of work she has contributed towards the financial side of the new library renovation project.

Moved By Councillor Olsen

Seconded By Councillor Clark

The Kennebecasis Public Library's letter be referred to the Nominating Committee for a recommendation to appoint a replacement for outgoing Member, Jo-Anne McGraw, whose term on the Library Board expires October 1, 2014.

Motion Carried

- 9.3. Petition for 4 Way Stop - Chelsea Drive & Destiny Lane – Ms. Erin Staal, Spokesperson, In Attendance on behalf of Chelsea Drive & Area Residents – Ms. Staal expanded upon the petition signed by 31 Chelsea Drive and Destiny Lane residents’ expressing concern about the number of speeding motorists travelling along Destiny Lane and requesting that Chelsea Drive/Destiny Lane intersection become a four way stop. Ms. Staal also requested that the 40 km per hour speed signs also be reinstalled along both sides of Destiny Lane.

Moved By Councillor Clark

Seconded By Councillor Olsen

The Chelsea Drive & Destiny Lane Residents’ petition for a four way stop be referred to the Engineering Department for review and recommendation back to Council, and the 40 km per hour speed signs be posted, as requested.

Motion Carried

10. By-laws

- 10.1. Proposed Traffic By-law No. 27-24 Re Southwood/Hardwood Crescent; Pettingill Road/Quispamsis Road All Way Stop and Fawn Court - One Way Street – Staff clarified the proposed removal of Southwood Drive and Hardwood Crescent from Schedule “I” of the Traffic By-law, removes this intersection in the by-law as an “All Way Stop” designation, which is no longer required since the development of a traffic circle.

Moved By Councillor Olsen

Seconded By Councillor Miller

Third and final reading be given to Traffic By-law No. 27-24, which will remove Southwood Drive and Hardwood Crescent as an All Way Stop; will add the intersection of the Pettingill Road and Quispamsis Road as an all way Stop, and will add Fawn Court as a One Way Street.

On the question, Traffic By-law Amendment No. 27-24 was read in its entirety.

Motion Carried

- 10.2. Proposed By-law No. 048; A By-law to Stop Up & Close a Portion of the Old Colton Brook Road – A Staff Report from the Municipal Planning Officer, indicated Dr. Patrick Maloney is requesting a Stop Up and Close of a portion of the Old Colton Brook Road that runs through his 33.7 hectare property off the Elliot Road, as depicted on a survey plan from Kierstead Quigley & Roberts, identified as Dwg. No. 3424. Mr. Colbourne stated the existence of this right of way on the property permits the general public to traverse his property without restriction.

Mr. Colbourne stated while the public right of way is located within the limits of the municipal boundary, ownership remains with the Province. The Province, by Order in Council 74-386, transferred jurisdiction of all overall streets, roads and highways within the boundaries of the Village back in 1974 to Quispamsis. However, the right of way in question did not fall within the boundaries of Quispamsis until the 1998 amalgamation. The Town Solicitor however, has confirmed with the Province that it has no further interest in this right of way and considers it under the jurisdiction of the municipality.

Mr. Colbourne further advised, from a planning perspective, the closure of this portion of right-of-way will not land lock or limit potential future access to the 33.7 hectares should the property owner look at developing it in future for subdivision purposes. There are three locations where the property fronts on the Elliot Road, and all three would support the construction of a public street access.

Moved By Councillor Thompson

Seconded By Councillor Clark

Council proceed with the Road Closure process, pursuant to Section 187 of the Municipalities Act, by setting a Public Hearing date for October 21, 2014 at 7:00 p.m. in the council chambers of the Quispamsis Town Hall.

Motion Carried

- 10.3. Proposed Sign By-law Amendment No. 036- 02 - Cobalt Properties Ltd. - 17 Millennium Drive - In Attendance Jennifer Daigle and/or Mark Stiles -
An application from Cobalt Management Corporation requested the Town's Sign By-law be amended to allow for third party advertising on their property at 17 Millennium Drive, (PID No. 30254031). Cobalt Properties Inc. is proposing to construct a high-rise highway sign to advertise the businesses located across the street at 8 – 10 Millennium Drive. Both properties are owned by Colbalt Property Investment Ltd. with the primary business being a gas bar and convenience store. The letter noted it is common for such businesses to have both a pylon sign to attract local traffic and a high rise sign to attract highway business.

A Staff Report from the Municipal Planning Officer informed Council the Sign By-law prohibits third party signs within the Town. The proposed amendment would permit a third party sign as a notwithstanding use on 17 Millennium Drive, (PID No. 30254031), subject to certain conditions. A third party sign definition is a sign which advertises or identifies an activity, business, product or service which is not conducted within or otherwise obtainable within the premise or on the lot on which the sign is located. In this case, the sign is being installed on a vacant property on the opposite side of the street from where the services are available. The high rise sign could not be installed on the street where the services are located at 8 Millennium Drive, primarily a gas station and convenience store, as the property was not conducive to support the sign structure and did not allow for the desired visibility from the highway. Mr. Colborne noted the request is for a sign with a height allowance of up to 100 feet in order to achieve their desired visibility. However, he noted it is evident that the Esso high rise sign is clearly visible at the sight line and it stands at 82 feet. Council may want to consider keeping the established height precedent of 82 feet for signs in the area.

Moved By Councillor Olsen

Seconded By Councillor Rioux

First reading be given to proposed Sign By-law Amendment No. 036-02 permitting the erection of a third party sign as a notwithstanding use at 17 Millennium Drive, having PID 30254031, subject to the conditions outlined in the by-law amendment.

Motion Carried

Moved By Councillor Clark
Seconded By Councillor Rioux

Second reading be given to proposed Sign By-law Amendment No. 036-02 permitting the erection of a third party sign as a notwithstanding use at 17 Millennium Drive, having PID 30254031, subject to the conditions outlined in the by-law amendment.

Motion Carried

11. New Business

11.1. Application for Financing - Resolution

Moved By Councillor Olsen
Seconded By Councillor Thompson

RESOLVED that the Clerk and/or Treasurer and/or Mayor be authorized to issue and sell to the New Brunswick Municipal Finance Corporation a Municipality of Quispamsis debenture in the principal amount of \$2,402,000 on such terms and conditions as are recommended by the New Brunswick Municipal Finance Corporation, and be it resolved that the Municipality of Quispamsis agree to issue post dated cheques payable to the New Brunswick Municipal Finance Corporation as and when they are requested in payment of principal and interest charges on the above debenture.

Motion Carried

12. Reports

- 12.1 Kennebecasis Valley Fire Department Inc. – August 2014; Board Minutes, Financial and Chief's Report
- 12.2 Teed Saunders Doyle & Co. Auditors Report Gas Tax Fund As At December 31, 2013

- 12.3 St. Joseph's Hospital 100 Mattresses for 100 Years Campaign Dinner – November 14, 2014
- 12.4 MADD NB Chapter – Candlelight Service of Hope & Remembrance – September 14, 2014 at 2:00 p.m.
- 12.5 Confirmation from DNR Re Deer Management Plan

Moved By Councillor Clark
Seconded By Councillor Olsen

Reports be received and filed.

Motion Carried

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


14. Adjournment


Moved By Councillor Rioux
Seconded By Councillor Olsen

Meeting adjourn.

Motion Carried

Meeting adjourned at 8:10 p.m.


G. Murray Driscoll
Mayor


Catherine P. Snow
Clerk