

QUISPAMSIS TOWN COUNCIL

REGULAR MEETING

MINUTES

| **December 20, 2022, 6:00 pm**  **Council Chambers**  **Quispamsis Town Hall** |
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| Present: | Mayor Libby O’Hara |
|  | Deputy Mayor Mary Schryer |
|  | Councillor Mike Biggar |
|  | Councillor Noah Donovan |
|  | Councillor Kerrie Luck |
|  | Councillor Kirk Miller |
|  | Councillor Emil T. Olsen |
|  | Councillor Beth Thompson |
|  | Kennedy, Aaron; Acting CAO  Brandon, Krista; Town Treasurer  Colbourne, Dwight; Municipal Planning Officer  Emmerson, Cheryl; Human Resources Manager  Levesque, Sherri; Administration Services Coordinator |
|  | Losier, Gary; Director of Engineering & Works  MacInnis, Lisa; Assistant Clerk |
|  | Purton Dickson, Dana; Director of Community Services |
|  |  |
| Absent: | Snow, Catherine; Town Clerk |

**1. Approval of Agenda**

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

The Agenda be approved as prepared.

**Motion Carried**

**2. Mayor's Comments**

Mayor O’Hara made reference to the following occasions and events:

* Mayor O’Hara on behalf of Council and Staff wished everyone a Merry Christmas and a Happy Holidays.
* December 19th, 2022 – Quispamsis hosted at the qplex an exhibition game between Team Finland and Team USA for the 2023 IIHF World Junior Hockey Championship; the qplex was sold out and it was a successful event.
* Winter Weather Reminders – With winter road maintenance operations commencing for the season, it is important for drivers and walkers to be aware of weather conditions and pedestrian safety. Also, it is recommended that driveway/property markers be placed in a location where they will not be damaged or hit by the plow.

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

Councillor Olsen read the Treaty Acknowledgement and Moment of Reflection

**4. Disclosures of Interest**

No disclosures were declared.

**5. Presentations**

## 5.a Public Presentation - 247 Hampton Road - Rezoning Application - Proposed Medical Clinic - Residential (R1) to Central Commercial (CC)

Staff Report from Jennifer Jarvis, Planning Technologist – Ms. Jarvis’ staff report recommended that Council direct the Town Clerk to schedule a Public Hearing for January 17, 2023, at 6:00 pm in Council Chambers, refer rezoning application to PAC for its written views, and notify property owners within 100 metre radius of the proposed change.

**Moved By** Deputy Mayor Schryer  
**Seconded By** Councillor Donovan

A Public Hearing date be set for January 17, 2023 at 6:00 p.m. in the council chambers of the Quispamsis Town Hall, the proposed zoning change be referred to PAC for its written views, and property owners within a 100 m radius of the property proposed for rezoning be notified of the change in use.

**Motion Carried**

**6. Public Hearings**

## 6.a (Nov.15/22) Proposed Zoning By-law No. 038-41; Introduction of Development Permits

The Municipal Planning Officer, Dwight Colbourne, expanded upon Proposed Zoning By-law No. 038-42; being brought forth by the Planning Department to introduce Development Permits as a tool in meeting the Town’s development objectives. The Proposed Amendment will also incorporate housekeeping items such as regulating cannabis production and retail sales, garden suites, lot boundary verification, and surface water drainage, and will strengthen language regarding developments adjacent to a stream or watercourse, the restrictions for waterfront properties and elevations of new structures and residential driveways.

**Moved By** Councillor Olsen  
**Seconded By** Councillor Miller

First reading be given to Proposed Zoning By-law Amendment No. 038-41 introducing Development Permits to close the gap in the Town's permitting processes created by the new *Building Code Administration Act,* and also to implement housekeeping items recommended by the Planning Staff to strengthen the Zoning By-law, including provisions surrounding cannabis regulation, garden suite provisions, lot boundary verification, provisions for surface water drainage, and provisions for elevations of new structures and residential driveways.

**Motion Carried**

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

Second reading be given to Proposed Zoning By-law Amendment No. 038-41 introducing Development Permits to close the gap in the Town's permitting processes created by the new *Building Code Administration Act,* and also to implement housekeeping items recommended by the Planning Staff to strengthen the Zoning By-law, including provisions surrounding cannabis regulation, garden suite provisions, lot boundary verification, provisions for surface water drainage, and provisions for elevations of new structures and residential driveways.

**Motion Carried**

**7. Minutes of Previous Meetings**

## 7.a December 6, 2022 - Regular Meeting

**Moved By** Councillor Biggar  
**Seconded By** Councillor Donovan

Minutes be approved as prepared.

**Motion Carried**

**8. Unfinished Business**

## 8.a Dangerous and Unsightly Premises By-law No. 039 - Invoicing Discrepancy 109 Parkside Road

**Moved By** Councillor Miller  
**Seconded By** Councillor Olsen

Council authorize payment of an additional $1,000 plus HST to Atlantic Precast Concrete Ltd. as recommended by the By-law Enforcement Officer, resulting in a new total cost of $8,500 plus tax to ensure the Town’s invoicing to the Province represents the actual cost expended on remediation of this property pursuant to the Dangerous & Unsightly Premises By-law No. 039.

**Motion Carried**

**10. By-laws**

## 10.a By-law No. 063; A By-law of the Municipality of Quispamsis Respecting Tourism Accommodation Levy

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

Whereas a notice has been published on the town of Quispamsis website pursuant to Section 15(3) and 15(4) of the *Local Governance Act;* summarizing the content of proposed By-law No. 063; A By-law of the Municipality of Quispamsis Relating to a Tourism Accommodation Levy for the town of Quispamsis;

And Whereas the proposed by-law would allow for the collection of a 3.5% levy against the purchase price charged to any guest of any premises operated to provide for remuneration, temporary sleeping accommodation for the public for a continuous period not exceeding 32 days, and including hotels, motels, inns, bed and breakfasts, resorts, hostels, and campgrounds , and any other facility which contains rooms offered as accommodations or rental units as lodgings; and,

Whereas, Proposed By-law No. 063 received first and second reading at the December 6, 2022 Regular Meeting;

BE IT THEREFORE RESOLVED THAT third and final reading be given to Proposed By-law No. 063: A By-law of the Municipality of Quispamsis Relating to a Tourism Accommodation Levy in the town of Quispamsis.

**Motion Carried**

**11. New Business**

## 11.a Appointment of Planning Director - New Requirement under Local Governance Reform

**Moved By** Councillor Biggar  
**Seconded By** Councillor Donovan

Council appoint Mr. Stephen Stone of Dillon Consulting Ltd. as the Planning Director for the town of Quispamsis on a retainer basis for the 2023 year for an annual cost of $4,000 with the option to renew at year end for one additional year.

**Motion Carried**

## 11.b Chief Building Inspector/Official/By-law Enforcement Officer Appointment

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

The town of Quispamsis accept the resignation of Gary Losier as the Chief Building Inspector and Bylaw Enforcement Officer effective January 1, 2023, and further the town of Quispamsis appoint Trevor Murray as the Chief Building Inspector/Official and Bylaw Enforcement Officer effective January 1, 2023, under the provisions of the Province of New Brunswick’s *Building Code Administration Act* and the *Local* *Governance Act*.

**Motion Carried**

## 11.c 2022 Projected General Operating Surplus & Transfers to/from Reserve Funds

**Moved By** Councillor Olsen  
**Seconded By** Deputy Mayor Schryer

*BE IT RESOLVED that $124,180 be transferred from the General Operating Fund to the General Operating Reserve Fund for 2022 Operating Project carry forwards.*

**Motion Carried**

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

*BE IT RESOLVED that $176,000 be transferred from the General Operating Fund to the General Capital Reserve Fund for 2022 Capital Project carry forwards.*

**Motion Carried**

**Moved By** Councillor Donovan  
**Seconded By** Deputy Mayor Schryer

*BE IT RESOLVED that $150,000 be transferred from the General Operating Reserve Fund to the General Operating Fund to fund the estimated 2022 deficit.*

**Motion Carried**

**Moved By** Councillor Olsen  
**Seconded By** Councillor Miller

*BE IT RESOLVED that $65,000 be transferred from the General Operating Reserve Fund to the General Operating Fund to fund 2021 operating carry forward projects completed in 2022.*

**Motion Carried**

**Moved By** Councillor Donovan  
**Seconded By** Deputy Mayor Schryer

*BE IT RESOLVED that $212,340 be transferred from the General Capital Reserve Fund to the General Capital Fund to fund 2021 capital carry forward projects completed in 2022.*

**Motion Carried**

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

*BE IT RESOLVED that $428,264 be transferred from the General Capital Reserve Fund to the General Capital Fund to fund part of the Fire Station #2 renovations.*

**Motion Carried**

## 11.d 2022 Projected Utility Operating Surplus - Transfers to Reserve Fund

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

*BE IT RESOLVED that $282,653 be transferred from the Utility Operating Fund to the Utility Capital Reserve Fund as per the 2022 budget.*

**Motion Carried**

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

*BE IT RESOLVED that $493,000 be transferred from the Utility Operating Fund to the Utility Capital Reserve Fund for future use on 2022 capital projects carried forward.*

**Motion Carried**

**Moved By** Councillor Biggar  
**Seconded By** Councillor Miller

*BE IT RESOLVED that $905,319.92 be transferred from the Utility Capital Reserve Fund to the Utility Capital Fund for 2021 carry forward projects and 2022 additional approved capital costs.*

**Motion Carried**

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

*BE IT RESOLVED that $237,139.94 be transferred from the Utility Capital Reserve Fund to the Utility Capital Fund for the Utility building that went overbudget in 2022.*

**Motion Carried**

## 11.e 2022 Transfers to/and from the Utility Equipment Replacement Reserve Fund

**Moved By** Councillor Donovan  
**Seconded By** Councillor Thompson

*BE IT RESOLVED THAT $46,837 be transferred from the 2022 Utility Operating Fund to the Utility Capital Replacement Reserve Fund to pay for future costs of replacement of capital items for the Wastewater System Upgrades.*

**Motion Carried**

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

*BE IT RESOLVED THAT $30,602.57 be transferred from the Utility Capital Replacement Reserve Fund to the 2022 Utility Operating Fund to pay for the Longwood Treatment Plant Aerator project and Longwood roof.*

**Motion Carried**

**12. Reports**

12.a KV Minor Hockey Association - U9 January Blast Hockey Tournament and Dynamite Skills Competition - Sport Hosting Program Grant of $900

12.b 2023-2024 Ice Season Rates - Town of Quispamsis

12.c Town of Quispamsis Building Report - November 2022

12.d NB Electoral Boundaries Commission - Preliminary Report

12.e Planning Advisory Committee Minutes - November 22, 2022 Meeting

12.f Kennebecasis Regional Joint Board of Police Commissioners - October 26, 2022 Meeting Minutes & Associated Documents

12.g Kennebecasis Valley Fire Department Inc. - Board of Directors Meeting Minutes of September 7, 2022 and Associated Documents

12.h UMNB - December 6, 2022 Bulletin

**Moved By** Deputy Mayor Schryer  
**Seconded By** Councillor Donovan

Council members thoughts and suggestions regarding the preliminary report (12.d) be presented to the Electoral Boundaries and Representation Commission by the CAO.

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

**Moved By** Councillor Olsen  
**Seconded By** Deputy Mayor Schryer

Reports be received and filed.

**Motion Carried**

**13. Business Arising from Committee of the Whole**

**14. Adjournment**

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

Meeting adjourn. Meeting adjourned at 8:15 p.m.

**Motion Carried**

