



ROTHESAY
COUNCIL MEETING
Rothesay Town Hall
Monday, July 10, 2017
Immediately following a public meeting



PRESENT: MAYOR NANCY GRANT
DEPUTY MAYOR MATT ALEXANDER
COUNCILLOR GRANT BRENNAN
COUNCILLOR PETER J. LEWIS
COUNCILLOR TIFFANY MACKAY FRENCH
COUNCILLOR BILL McGUIRE
COUNCILLOR DON SHEA
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
DIRECTOR OF REC/PARKS (DRP) CHARLES JENSEN
TREASURER DOUG MacDONALD
ADMINISTRATIVE ASSISTANT LIZ POMEROY

Mayor Grant called the meeting to order at 7:55 p.m.

1. APPROVAL OF AGENDA

MOVED by Counc. Mackay French and seconded by Counc. Brennan the agenda be approved as circulated, with the following additions:

Item 9.1	<i>brought forward to follow Item 6.4</i>
Item 9.5	Wells Trail
Item 9.6	Council Apparel

CARRIED.

2. ADOPTION OF MINUTES

Regular Meeting

12 June 2017

MOVED by Counc. Mackay French and seconded by Counc. Lewis the minutes of 12 June 2017 be adopted as circulated.

CARRIED.

➤ **Business Arising from Minutes**
N/A

3. OPENING REMARKS OF COUNCIL

Mayor Grant noted she attended: Rothesay Netherwood School graduation June 16, 2017; National Aboriginal Day June 21, 2017 with Counc. Lewis and Wells; Rothesay High School graduation June 22, 2017; Enterprise Saint John update to stakeholders June 23, 2017; Friar sisters announcement June 27, 2017; Superstore “Eat Together” initiative June 29, 2017; opening of the Rothesay Living Museum exhibit at the Kennebecasis Public Library June 29, 2017; a CBC interview with respect to Canada Day June 30, 2017; Canada Day at the Rothesay arena with all Council members; the Saint John Fieldhouse announcement July 5, 2017 with Deputy Mayor Alexander and Counc. Shea; and Mayor Darling’s State of the City July 6, 2017. She added she toured the Town with MP Wayne Long July 10, 2017.

Mayor Grant thanked Deputy Mayor Alexander and Counc. McGuire for attending the retirement celebration for Sergeant Breen. She also thanked Counc. Wells for attending the Seniors Fair at Sobeys.

ROTHESAY

Regular Council Meeting
Minutes

-2-

10 July 2017

Counc. Wells announced on July 29, 2017 a yard sale will be held at 49 Birch Crescent and all proceeds will be provided to the KV Oasis Youth Center.

3.1 Declaration of Conflict of Interest

Deputy Mayor Alexander declared a conflict of interest with respect to Item 9.3 Consultant Selection – Rothesay Arena Assessment.

4. DELEGATIONS N/A

5. CORRESPONDENCE FOR ACTION

5.1 21 June 2017 Letter from D.A.R.E. Canada (Fundy) Inc. RE: Sponsorship Request
MOVED by Counc. McGuire and seconded by Counc. Brenan the letter from D.A.R.E. Canada (Fundy) Inc. RE: Sponsorship Request dated 21 June 2017 be referred to the Finance Committee.

ON THE QUESTION:

Mayor Grant noted it is likely the request is for 2018 as the Town has allocated funds for D.A.R.E. Canada (Fundy) Inc. in 2017. She added the request does not specify an amount however it indicates an overall goal of \$35,000.

CARRIED.

5.2 22 June 2017 Letter from resident RE: Construction of Block Houses on Rothesay Road
MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the letter from resident RE: Construction of Block Houses on Rothesay Road dated 22 June 2017 be received/filed.

ON THE QUESTION:

It was noted the “block houses”, or lift stations, on Rothesay Road were previously presented to the public at an open house; and Council members are available to answer questions from the public. Counc. Lewis inquired as to the status of the buildings. Town Manager Jarvie reported it is likely work on the buildings will continue next week. Counc. Mackay French suggested renderings of the buildings be posted to the Town’s social media and website to remind residents of the final design.

CARRIED.

5.3 22 June 2017 Email from resident RE: Maple Trees on River Road
MOVED by Counc. Lewis and seconded by Counc. Wells the email from resident RE: Maple Trees on River Road dated 22 June 2017 be received/filed.

ON THE QUESTION:

It was noted Mayor Grant and DO McLean both met with the resident and the issue was resolved.

CARRIED.

5.4 22 June 2017 Email from resident RE: Request for walk line on Crosswind Crescent
MOVED by Counc. Wells and seconded by Deputy Mayor Alexander the email from resident RE: Request for walk line on Crosswind Crescent dated 22 June 2017 be referred to the Public Works and Infrastructure Committee.

ON THE QUESTION:

Counc. Mackay French inquired if the resident’s intention is to request a painted crosswalk without

ROTHESAY

Regular Council Meeting
Minutes

-3-

10 July 2017

lights. Mayor Grant indicated this was her interpretation of the request.

CARRIED.

5.5 5 July 2017 Letter from Brett Taylor RE: Request to defer utility connection costs
MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander the letter from Brett Taylor RE: Request to defer utility connection costs dated 5 July 2017 be referred to staff.

ON THE QUESTION:

Counc. Brennan indicated Council has permitted the deferral of costs in the past thus he is in favour of deferring the utility connection cost. Town Manager Jarvie clarified while some situations appear similar there are differing circumstances that he cautioned may not be grounds to set a precedent. Counc. Brennan expressed concern indicating an interest in providing fairness however Council is sometimes unaware of details of previous matters.

Counc. Shea questioned if it is typical to charge interest from the time of deferral to the time of payment. Town Manager Jarvie advised it is the discretion of Council whether interest is charged. There was a brief discussion with respect to referral of the item to either staff, the Finance Committee, or the Utilities Committee. Counc. Brennan requested a comparison be prepared between the item and similar requests in the past.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 5 June 2017 Letter from the NB Medical Education Foundation to resident RE:
(Rec'd June 14, 2017) Congratulations - 2017 Town of Rothesay Medical Education Scholarship recipient

MOVED by Counc. Wells and seconded by Deputy Mayor Alexander the letter from the New Brunswick Medical Education Foundation to resident RE: Congratulations - 2017 Town of Rothesay Medical Education Scholarship recipient dated 5 June 2017 be received/filed.

CARRIED.

6.2 9 June 2017 Letter from Raymond Murphy, Union of Municipalities New Brunswick (UMNB) RE: UMNB Conference September 29, 30 & October 1, 2017 with attachments

MOVED by Counc. Mackay French and seconded by Counc. Wells the letter from Raymond Murphy, Union of Municipalities New Brunswick (UMNB) RE: UMNB Conference September 29, 30 & October 1, 2017 with attachments dated 9 June 2017 be received/filed.

ON THE QUESTION:

Mayor Grant noted she is unable to attend and requested Council members submit their interest in attending to the Town Clerk.

Counc. Wells questioned if value is received from the Town's membership with the organization. She added from her experience attending the event in the past there is minimal value received. Deputy Mayor Alexander reminded Council of his memorandum submitted to Council in November of 2016 requesting a review of the Town's membership with UMNB. He added the cost may outweigh the benefit.

In response to an inquiry, Town Manager Jarvie advised a municipality can be a member of the Federation of Canadian Municipalities (FCM) without being a member of UMNB. There was general discussion with respect to the membership of other municipalities. Town Manager Jarvie suggested the

ROTHESAY

Regular Council Meeting
Minutes

-4-

10 July 2017

item could be discussed during 2018 budget deliberations. In response to an inquiry, Deputy Mayor Alexander noted lists of members of UMNb, the Membres de Association francophone des municipalités du Nouveau-Brunswick, and the Cities of New Brunswick Association is included in the memorandum submitted in November 2016.

Amending motion:

MOVED by Counc. Mackay French and seconded by Counc. Wells the letter from Raymond Murphy, Union of Municipalities New Brunswick (UMNB) RE: UMNb Conference September 29, 30 & October 1, 2017 with attachments dated 9 June 2017 be discussed during 2018 budget deliberations.

ON THE QUESTION:

Counc. Brennan inquired about the itinerary of the upcoming UMNb conference. He suggested the conference may be beneficial if a discussion regarding the upcoming 2018 tax assessment freeze is scheduled. Town Manager Jarvie advised the Town has paid its membership fee and all benefits remain in effect for 2017. It was suggested the item could be discussed at the Joint Advisory Committee meeting next Monday, July 17, 2017.

**Amending motion CARRIED.
MAIN motion, as amended CARRIED.**

6.3 29 June 2017 Enterprise Saint John background information with attachments

MOVED by Counc. Wells and seconded by Counc. Mackay French the Enterprise Saint John background information with attachments dated 29 June 2017 be received/filed.

ON THE QUESTION:

Mayor Grant gave a brief summary of the stakeholder meeting she attended, noting Enterprise Saint John (ESJ) is focusing its attention on energy, health and life sciences, and big data. She added the concept of “big data” was difficult to understand without the background information received, and subsequently submitted to Council. Deputy Mayor Alexander expressed confusion with the Saint John Data Centre acting as a digital refinery for information and *talent*. He suggested “talent” may have been used as a buzzword and unintentionally reduces credibility of the concept. Mayor Grant suggested ESJ may have used buzzwords to attract innovators. Counc. Shea inquired as to why St. Malachy’s was chosen to pilot a data analytics course as opposed to other high schools in the area. He suggested overall support is likely to increase with the inclusion of neighbouring municipalities outside of Saint John. Mayor Grant suggested apprising ESJ of Council’s concerns.

CARRIED.

6.4 4 July 2017 Letter to Hon. Bill Fraser, Department of Transportation and
Infrastructure RE: Designated Highway Funding Program

MOVED by Counc. Shea and seconded by Counc. Wells the letter to Hon. Bill Fraser, Department of Transportation and Infrastructure RE: Designated Highway Funding Program dated 4 July 2017 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander thanked the Mayor for asserting Council’s concerns. He commented on the benefit of receiving a list of approved projects or a notification stating funding was declined. Town Manager Jarvie advised the Town recently received an invitation to submit funding applications for 2018.

CARRIED.

Item brought forward.

ROTHESAY

Regular Council Meeting
Minutes

10 July 2017

9.1 BUSINESS ARISING FROM PUBLIC MEETING

Millennium Drive Self-Storage Facility (*See item 7.7*)

9.1.1 Development Agreement

5 July 2017	Memorandum from DPDS White
DRAFT	Development Agreement (<i>Revised</i>)

MOVED by Counc. McGuire and seconded by Counc. Lewis Council authorize the Mayor and Clerk to enter into a development agreement, as amended, with Kennebecasis Self Storage for the development of a commercial self-storage facility on the proposed Lot 2017-1 off Millennium Drive (PID 00065227) as shown on the Tentative Plan Dwg. No. T-0659.

ON THE QUESTION:

Counc. Wells suggested the development agreement include a requirement that the fence be 8 feet in height to ensure the storage unit buildings are obscured. Counc. McGuire suggested an 8 foot fence may not be necessary. He added if a 6 foot fence is erected it is likely only the rooftops will be visible when passing by; the 8 foot fence may be unappealing and resemble a wall; and the developer indicated his interest in obscuring the storage units as much as possible. Counc. Lewis agreed suggesting the decision be the discretion of the developer.

In response to an inquiry, DPDS White advised any changes made by the developer to the development agreement must be approved by Council. Counc. Shea expressed concern noting a stormwater management plan had not been provided to Council for review. DPDS White advised it is typical for the stormwater management plan to be submitted after approval of a project. He added a development permit cannot be issued without an adequate stormwater management plan.

CARRIED.

9.1.2 Land for Public Purposes

5 July 2017	Recommendation from Planning Advisory Committee
29 June 2017	Staff Report to Planning Advisory Committee with attachments

MOVED by Deputy Mayor Alexander and seconded by Counc. Lewis Council accept the amount of \$11,880.00 as cash in lieu of Land for Public Purposes for the subdivision of land off Millennium Drive (PID 00065227) to create the proposed Lot 2017-1 as shown on the Tentative Plan Dwg. No. T-0659.

CARRIED.

7. REPORTS

7.0 July 2017	Report from Closed Session
N/A	

7.1	24 May 2017	Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes
	31 May 2017	KRJBPC unaudited Statement of Financial Position
	22 June 2017	KRJBPC Call Report

MOVED by Deputy Mayor Alexander and seconded by Counc. Brennan the Kennebecasis Regional Joint Board of Police Commissioners (KRJBPC) Meeting Minutes dated 24 May 2017, the KRJBPC unaudited Statement of Financial Position dated 31 May 2017, and the KRJBPC Call Report dated 22 June 2017 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander gave a brief summary of the minutes. He noted officers of the Kennebecasis Regional Police Force were recently trained to carry NarCon Nasal Spray. In response to inquiries,

ROTHESAY

Regular Council Meeting
Minutes

-6-

10 July 2017

Deputy Mayor Alexander clarified two term positions were eliminated and replaced with two permanent positions; and the significant jump in the expense of Labour Relations is related to various reasons such as the ongoing investigations within the Force, and the meeting with a legal team to discuss retirement and sick pay.

CARRIED.

7.2 19 April 2017 Kennebecasis Valley Fire Department (KVFD) Inc. Board Meeting
Minutes
February 2017 KVFD Statement of Operations
12 April 2017 KVFD Chief's Report
31 March 2017 KVFD Response Report

MOVED by Counc. Brenan and seconded by Counc. Wells the Kennebecasis Valley Fire Department (KVFD) Inc. Board Meeting Minutes dated 19 April 2017, the KVFD Statement of Operations dated February 2017, the KVFD Chief's Report dated 12 April 2017, and the KVFD Response Report dated 31 March 2017 be received/filed.

ON THE QUESTION:

Counc. McGuire requested clarification with respect to the I.A.F.F. Local 3591 recurring monthly invoice. Town Manager Jarvie advised the union dues occur as a payroll deduction which is then paid to the appropriate authority by the Fire Board.

Counc. Shea expressed concern inquiring as to why the majority of Rothesay representatives on the Board voted in favour to proceed with the installation of the chemical detoxification unit. He added Council, at a previous meeting, did not appear amenable to the installation of the chemical detoxification unit. Counc. Wells noted the majority of the Board members agreed to the installation once it was discovered the custom-built chemical detoxification unit could not be returned after purchase. Counc. Shea questioned if there are additional costs associated with the chemical detoxification unit. Counc. Brenan suggested the unit is likely to create additional energy and maintenance costs. Counc. Wells noted the Board intends to contact the Saint John Fire Department to offer use of the unit to members in exchange for use of the Saint John training facility. She added the Board is exploring opportunities to increase value generated by the installation of the unit.

CARRIED.

7.3 31 May 2017 Draft unaudited Rothesay General Fund Financial Statements

MOVED by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay General Fund Financial Statements dated 31 May 2017 be received/filed.

ON THE QUESTION:

Counc. Brenan commented on the negative impact of reduced building permits on overall revenue.

CARRIED.

31 May 2017 Draft unaudited Rothesay Utility Fund Financial Statements

MOVED by Counc. Brenan and seconded by Counc. Shea the Draft unaudited Rothesay Utility Fund Financial Statements dated 31 May 2017 be received/filed.

CARRIED.

22 June 2017 Draft Finance Committee Minutes

MOVED by Counc. Brenan and seconded by Counc. Shea the Draft Finance Committee Minutes dated

ROTHESAY

Regular Council Meeting
Minutes

-7-

10 July 2017

22 June 2017 be received/filed.

CARRIED.

31 May 2017

Donation Summary

MOVED by Counc. Brennan and seconded by Counc. Shea the Donation Summary dated 31 May 2017 be received/filed.

ON THE QUESTION:

Mayor Grant highlighted the Town's 2017 contribution for D.A.R.E included in the Donation Summary. Counc. McGuire suggested an invitation be sent to the recipient of the Medical Education Scholarship to attend a Council meeting and receive congratulations on behalf of Council.

CARRIED.

7.4 21 June 2017

Draft Public Works and Infrastructure Committee Meeting Minutes

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the Draft Public Works and Infrastructure Committee Minutes dated 21 June 2017 be received/filed.

ON THE QUESTION:

Deputy Mayor Alexander gave a brief summary of the minutes. In response to an inquiry, Town Manager Jarvie advised the work for the Taylor Brook Bridge would begin in early August. He added it is anticipated the work will finish before school begins in September.

Counc. Lewis requested an assessment of Chatwin Street noting the road has deteriorated significantly since it was microsealed. DO McLean advised Chatwin Street, approximately five years ago, was used as a test road for microsealing; the street was not rebuilt before it was microsealed; and subgrade issues have likely caused deterioration of the street.

Counc. Brennan expressed concern noting the Grannans appeared before Council because their correspondence years ago went unanswered by the Town. He commented on similar issues in the past that have resulted in residents appearing before Council due to unanswered correspondence. Town Manager Jarvie advised while a formal response is not always provided to residents in the past, Town staff typically visit or contact the residents addressing their concerns. He added residents are typically inclined to approach Council if they do not favour the response provided by Town staff. Town Manager Jarvie suggested it may be beneficial to provide formal responses documenting Town actions with respect to resident inquiries.

CARRIED.

➤ 7 Allison Drive

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council approve the redirection and burial of the foundation drainage tile pipe at 7 Allison Drive, authorize Town staff to discuss stabilization of the drainage ditch at the rear and side yard of 7 Allison Drive with the property owners, that the work should be done in July 2017, and further that a response be sent to apprise the Grannans of Council's decision.

ON THE QUESTION:

Counc. Shea commented that the issue appears to be a neighbour dispute to be settled between the two property owners. Deputy Mayor Alexander noted the developer, after speaking with Town staff, indicated he was amenable to the redirection of the pipe. Counc. Shea inquired if Council approval was required for the redirection of the pipe. Counc. Wells suggested the matter is being discussed by

ROTHESAY

Regular Council Meeting
Minutes

-8-

10 July 2017

Council because the Grannans approached Council requesting action. DPDS White advised the developer indicated his agreement to redirect the pipe; and the Town will work with the developer to address further concerns.

CARRIED.

7.5 4 July 2017 Draft Planning Advisory Committee Meeting Minutes
MOVED by Counc. Lewis and seconded by Counc. Shea the Draft Planning Advisory Committee Minutes dated 4 July 2017 be received/filed.

CARRIED.

- Millennium Drive Self-Storage Facility (*See item 9.1*)
Dealt with above.

7.6 June 2017 Monthly Building Permit Report
MOVED by Deputy Mayor Alexander and seconded by Counc. Wells the Monthly Building Report dated June 2017 be received/filed.

CARRIED.

7.7 6 July 2017 Capital Projects Summary
MOVED by Counc. Wells and seconded by Counc. Lewis the Capital Projects Summary dated 6 July 2017 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

TABLED ITEMS

8.1 Water By-law (Tabled June 2015)
No action at this time

8.2 16 Lot Subdivision off Appleby Drive (Tabled December 2015)
No action at this time

8.3.1 Traffic By-law 1-14

7 July 2017 Report prepared by DO McLean
DRAFT By-law 1-14 (*Revised*)

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Traffic By-law 1-14 be removed from the table.

CARRIED.

MOVED by Counc. Wells and seconded by Counc. Lewis Council give 2nd reading by title, as amended, to By-law 1-14 "A By-law of the Municipality of Rothesay to Regulate Traffic".

ON THE QUESTION:

Deputy Mayor Alexander commented that the references to the Rothesay Regional Police Force should be changed to the Kennebecasis Regional Police Force. Counc. Shea questioned if a standard policy exists with respect to private lanes. Town Manager Jarvie advised the Town does provide snow removal services for private lanes as well as minor maintenance however the land is not owned by the Town. He suggested a policy could be created in the future to issue clear standards relating to private lanes. In response to an inquiry, Town Manager Jarvie advised the matter requires further study thus it is unlikely

ROTHESAY

Regular Council Meeting
Minutes

-9-

10 July 2017

a report will be prepared for the next meeting.

CARRIED.

Town Clerk Banks read By-law 1-14 by title.

MOVED by Deputy Mayor Alexander and seconded by Counc. Wells Council approve advertising of By-law 1-14 "A By-law of the Municipality of Rothesay to Regulate Traffic" by posting to the official town of Rothesay website.

CARRIED.

8.3.2 Traffic By-law 3-03 Revision

7 July 2017

Report prepared by DO McLean

MOVED by Counc. McGuire and seconded by Deputy Mayor Alexander Council approve the revision of By-law 3-03, "A By-law of the Municipality of Rothesay to Regulate Traffic" Schedule A-7 g)

FROM:

(g) Rothesay Road

- Both sides for the entire length of the street

TO:

(g) Rothesay Road

- Both sides of the street for the entire length of the street except maximum 2 hour parking on lay-by areas during the period between April 1 and November 30

ON THE QUESTION:

Mayor Grant indicated the revision will allow short term parking in the laybys. Counc. McGuire requested clarification with respect to the two hour parking signs in the laybys. Town Manager Jarvie advised the By-law does not determine the location of the signs. Counc. Brennan inquired about parking in winter conditions. Town Manager Jarvie advised draft By-law 1-14 allows parking in the laybys during winter conditions.

Mayor Grant indicated the revision to the schedule, if approved, would take effect immediately. Counc. Shea questioned if the revision would be advertised to the public. Concern was expressed with respect to creating confusion if the revision to allow short term parking in the laybys is approved, but the signs are removed. Town Manager Jarvie added it is unlikely the By-law will be enforced by the KRPF if the signs are removed. Counc. Mackay French suggested a message be posted to the Town's website and social media apprising residents of the revision to the By-law and implications to parking in the laybys. There was a brief discussion with respect to enforcement of the By-law.

CARRIED.

MOVED by Counc. McGuire and seconded by Counc. Lewis the two hour parking signs in the laybys on Rothesay Road be removed as soon as possible.

ON THE QUESTION:

It was suggested a notification be posted to the Town website and social media apprising residents of the parking restrictions with respect to the laybys on Rothesay Road. Town Manager Jarvie inquired if Council wished to provide a specific statement with respect to the issue. It was suggested an explanation be provided notifying residents that though the signs were removed a short term parking limit still exists in the laybys.

CARRIED.

ROTHESAY

Regular Council Meeting
Minutes

-10-

10 July 2017

9. NEW BUSINESS

9.1 BUSINESS ARISING FROM PUBLIC MEETING

Millennium Drive Self-Storage Facility (*See item 7.7*)

9.1.1 Development Agreement

5 July 2017 Memorandum from DPDS White
DRAFT Development Agreement (*Revised*)

Dealt with above.

9.1.2 Land for Public Purposes

5 July 2017 Recommendation from Planning Advisory Committee
29 June 2017 Staff Report to Planning Advisory Committee with attachments

Dealt with above.

9.2 Contract W-2017-002: Hampton Road Watermain Renewal

5 July 2017 Report prepared by DO McLean

MOVED by Deputy Mayor Alexander and seconded by Counc. McGuire Council award Contract T-2017-003C: Hampton Road Watermain to the low tenderer, Midi Construction Ltd., at the tendered price of \$705,684.34 and further that the Mayor and Clerk be authorized to execute the appropriate documentation in that regard.

ON THE QUESTION:

Counc. Wells requested clarification. DO McLean advised the overall goal is to remove cast iron piping within the Town as it is vulnerable to breakage and water contamination. He added there was concern the 7 Hillcrest Drive development may create additional pressure on the system in the area which shortened the timeline for replacement; however the recent upgrade of infrastructure on Almon Lane has provided relief in the area. In response to an inquiry, DO McLean advised staff are proposing the deferral of the Station Road project and utilizing its funds, as well as funds allocated to the remaining wellfield development budget to augment the budget for the Hampton Road Watermain Renewal project; reducing the limits of the project to include the portion of Hampton Road between Highland Avenue and Almon Lane rather than Highland Avenue to Church Avenue to save approximately \$93,000; and deleting the use of temporary water servicing to save approximately \$50,000. He added the existing cast iron watermain on Station Road is not in a state of failure; however replacement of unlined cast iron piping is an initiative the Utility Department has been pursuing year by year.

In response to an inquiry, Town Manager Jarvie advised the Station Road project could be considered in future budget deliberations. Counc. Brennan questioned if the reallocation of wellfield development funds would have a negative effect on the Town's water system. Town Manager Jarvie advised options to increase water production through existing wells are being explored. He added wellfield development is likely to continue however the present matter relates to a regulatory issue. In response to an inquiry, Town Manager Jarvie advised the Town water supply is sufficient.

Counc. Brennan inquired as to what would be done with respect to asphalt reinstatement on Hampton Road. Town Manager Jarvie advise the tender includes the cost to resurface the road within the project limits from the centerline to the curb. He added reinstating the trench alone would result in a cost reduction of roughly \$30,000 – 40,000.

CARRIED.

Deputy Mayor Alexander declared a conflict and left the meeting.

ROTHESAY

Regular Council Meeting
Minutes

-11-

10 July 2017

9.3 Consultant Selection – Rothesay Arena Assessment

7 July 2017

Memorandum from Town Manager Jarvie

28 June 2017

exp Proposal for Consultant Services for the Assessment of Rothesay Arena 2017

MOVED by Counc. Mackay French and seconded by Counc. Lewis Council authorize the engagement of **exp** to conduct an assessment of the current condition of the Rothesay Arena in accordance with the attached proposal at an upset cost of \$19,524.70 with the funds to come from the general capital reserve.

ON THE QUESTION:

Counc. McGuire expressed concern noting unfavourable outcomes such as loss of use and deficiencies were reported after a similar inspection of an arena completed by **exp**. He noted the proposal indicates the roof would not be inspected in close proximity. He suggested it is unlikely the inspection will result in an in-depth report without a thorough assessment of the roof and other features. He added a visual inspection of the Rothesay arena was completed by ADI, now exp, in 2009. He indicated his opposition to the selection of the firm based on a belief the firm will not satisfy the detailed reporting requested by Council.

Counc. Lewis agreed a detailed assessment is needed to assist Council in determining the appropriate next steps to upgrade the arena.

Concern was expressed with respect to limited details available regarding the proposals of other firms. Counc. McGuire suggested other firms may possess more experience and detailed reporting. Town Manager Jarvie advised other firms submitted similar proposals which included reservations with respect to inspecting the roof from atop the building, citing safety concerns. Town Manager Jarvie gave a brief summary of the proposals submitted, noting while some firms reported more experience, a significant portion of evaluation is based on cost comparison. He added none of the proposals indicated intent to complete meticulous testing of specific features within the building. He added it is likely exhaustive testing would add strain to the infrastructure and could result in damage.

Counc. Lewis suggested the higher cost may be worthwhile if a firm has more experience. He further suggested Council's objectives be clearly identified to ensure a satisfactory assessment is completed.

Counc. Brennan indicated his agreement for detailed reporting and suggested it is likely all firms intend to assess the structural soundness of the building. Counc. McGuire expressed concern noting he understood the assessment was to be used as a tool to determine the best course of action to upgrade the arena. He added a detailed report of the arena's features is required to conclude if renovations are possible or if a complete rebuild is necessary.

Town Manager Jarvie commented on the need for the building to meet National Building Code standards. He suggested the lower cost submitted by **exp** is likely due to the firm's previous background knowledge of the building acquired through ADI's previous inspection.

Counc. Brennan expressed concern noting Council has not reviewed a compiled list of required and desired upgrades for the arena. Counc. McGuire suggested the findings of the assessment are likely to determine what upgrades are feasible. He added if the assessment indicates renovations are feasible, features such as a walking track may not be viable due to the size and layout of the existing building. Counc. Shea commented on the typical "walkabout" approach used by firms to complete assessments. He added expertise is required to determine the best course of action.

ROTHESAY

Regular Council Meeting
Minutes

-12-

10 July 2017

Counc. Wells clarified the need for an assessment was not being disputed but rather the selection of the firm. Counc. Shea inquired if the assessment is likely to determine what actions are necessary to achieve current National Building Code standards. Town Manager Jarvie suggested, at Council's discretion, additional funds could be allocated in the budgeted cost to prepare for additional responsibilities required of the firm.

There was general discussion with respect to the existing condition of the arena.

Counc. Brenan suggested a further review of the proposals is required to allow Council to make an informed decision. Town Manager Jarvie suggested the various firms could be contacted to address Council's concerns.

MOVED by Counc. Brenan and seconded by Counc. Lewis the consultation selection for the Rothesay Arena assessment be tabled pending further review of all submitted proposals.

CARRIED.

Town Manager Jarvie requested Council submit all questions to be addressed by the firms by the end of the week.

Deputy Mayor Alexander returned to the meeting.

9.4 Jazz Festival Sponsorship Vehicles

7 July 2017

Report prepared by DPDS White

MOVED by Counc. Wells and seconded by Counc. McGuire the Jazz Festival Sponsorship Vehicles report prepared by DPDS White dated 7 July 2017 be received/filed.

ON THE QUESTION:

Counc. Lewis requested an update on the issue. He added Mr. Georgoudis indicated there have been sponsor changes for the event which may mitigate some concerns. DPDS White advised the applicant indicated an interest in pursuing alternative means, such as registering as a not-for-profit, to allow flexibility with respect to sponsorship advertising. Counc. Lewis commented on the interest in By-law enforcement indicating the event in the past had not received similar Town attention. DPDS White advised the applicant failed to adhere to By-law standards during last year's event and was contacted by Town staff to address the infractions. Counc. Lewis indicated the applicant appeared amenable to mitigating the concerns addressed at last year's event. DPDS White advised staff are obligated to enforce Town By-laws.

Mayor Grant cautioned against revising Town By-laws to allow exemptions for individual situations.

Counc. Brenan commented on the positive impact community created by the applicant's business and event, and suggested the Town explore options to achieve a mutually beneficial solution for both parties.

In response to an inquiry, DPDS White advised complaints regarding the event have been received in the past. Town Manager Jarvie suggested the event, as it continues to grow, may require more space than the properties at 109-111 Hampton Road can provide.

There was a lengthy discussion with respect to possible options to create a mutually beneficial solution. DO McLean advised Town By-laws prohibit advertising for the purpose of sales in the Town right-of-way. Counc. Lewis expressed concern suggesting overall sponsorship could be affected if there is no

ROTHESAY

Regular Council Meeting
Minutes

-13-

10 July 2017

resolution.

Counc. Shea requested clarification with respect to temporary signs in Town road right-of-way. DPDS White advised signage in the Town right-of-way requires authorization from the Director of Operations. In response to an inquiry, DPDS White advised signage in the Town right-of-way requires a separate process of review, noting requests are not likely to appear before the Planning Advisory Committee.

Counc. Lewis expressed concern noting he felt the consensus of Council, at the last meeting, was to maintain the status quo for this year's event.

CARRIED.

MOVED by Counc. Lewis and seconded by Counc. Brennan Council grant status quo for three sponsorship vehicles at 109-111 Hampton Road for the duration of the KV Jazz and Blues Festival; and further an encroachment agreement be explored in 2018 to investigate methods to improve flexibility with respect to sponsorship advertising.

ON THE QUESTION:

Town Manager Jarvie advised individual exceptions cannot be made to Town By-laws. Counc. Brennan noted Council approved a change to parking on Rothesay Road earlier in the meeting. Town Clerk Banks advised a By-law amendment was approved to allow the revision to the existing Traffic By-law. Town Manager Jarvie suggested there is insufficient space on the property for the vehicles.

MOTION WITHDRAWN.

Counc. Mackay French inquired as to what courses of action may be viable. Town Manager Jarvie suggested Town staff could investigate further and explore options such as encroachment or street disturbance permits. DO McLean advised he contacted the applicant for further discussion but received no response.

MOVED by Counc. McGuire and seconded by Counc. Wells the item with respect to Jazz Festival Sponsorship Vehicles be referred to staff to investigate options for a mutually beneficial solution.

CARRIED.

9.5 Wells Trail

Verbal Report Counc. McGuire

MOVED by Counc. McGuire and seconded by Counc. Wells an invitation be sent to Ted Flemming, MLA to tour the Wells Recreation Trail and discuss further expansion of trails in the area.

ON THE QUESTION:

Counc. McGuire indicated funds were allocated to expand the trails in the Wells Recreation Park however the request was met with resistance due to the close proximity to the Town's watershed. He added as the additional trails are intended to be used by skiers it is unlikely the trails will have a negative environmental impact on the watershed.

CARRIED.

9.6 Council Apparel

Verbal Report Counc. Shea

Counc. Shea suggested matching Rothesay apparel be worn by Council members at public events, such as Canada Day, to ensure Council members are identifiable and a unified image is presented. Counc. Lewis suggested jackets may be beneficial for colder weather. Counc. Wells requested samples for the next meeting. Staff will obtain clothing samples.

ROTHESAY

Regular Council Meeting
Minutes

-14-

10 July 2017

10. NEXT MEETING

The next meeting will be held on **Monday, August 14, 2017.**

11. ADJOURNMENT

MOVED by Counc. Lewis and seconded by Counc. Wells the meeting be adjourned.

CARRIED.

The meeting adjourned at 10:00 p.m.



MAYOR



CLERK