



ROTHESAY COUNCIL

OPEN SESSION

Monday, February 11, 2013

MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
DEPUTY MAYOR NANCY GRANT
COUNCILLOR MATT ALEXANDER
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR BLAIR MacDONALD
COUNCILLOR BILL McGUIRE
COUNCILLOR MIRIAM WELLS

TOWN MANAGER JOHN JARVIE
TOWN CLERK MARY JANE BANKS
DIRECTOR OF OPERATIONS (DO) BRETT McLEAN
DIRECTOR OF PARKS/REC (DPR) CHARLES JENSEN
DIRECTOR OF PLANNING/DEVELOPMENT (DPDS) BRIAN WHITE
TREASURER SUSAN JOHNSON

ABSENT: COUNCILLOR PETER LEWIS

Mayor Bishop called the Open Session to order at 7:00 p.m.

1. APPROVAL OF MINUTES 14 January 2013

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the minutes of 14 January 2013 be adopted as circulated.

CARRIED.

Business Arising from Minutes

n/a

2. APPROVAL OF AGENDA

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire the agenda be approved as circulated.

CARRIED.

3. OPENING REMARKS OF COUNCIL

Deputy Mayor Grant advised the KV Judo Club hosted a successful provincial Judo Championship in Rothesay on February 2, 2013.

4. DELEGATIONS

4.1 Pine Street Road Closure (see 8.1) Angus King

Jamie King appeared on behalf of Angus King with respect to the proposed closure of Pine Street. The following matters were discussed: access to sewer services; service needs for possible future development; current property is zoned industrial and there may be a need for rezoning and subdivision; possible compromise to close off a portion of Pine Street and sell to abutting owners; protection of the right-of-way for access to 6 Master Drive; location of fencing on Town works garage property and access; and the existing undeveloped road right-of-way would require a fair effort to develop a road.

Town Manager Jarvie advised of the following: the adjacent property owner approached the Town with an interest in purchasing the property; Council amended the By-law to include the entire right-of-way but the required legislative advertising showed only a portion of the right-of-way, which is what is now before Council for consideration. Counc. Alexander requested clarification on discussions with other adjacent property owners. Mr. King advised various options had been discussed. Town Manager Jarvie noted correspondence had been provided under Item 8.1 on the agenda.

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Mayor Bishop noted it is Council's decision as to how to proceed and whether the property should be sold if the road closure is approved. He thanked Mr. King for his presentation and noted the matter will be addressed later in the agenda.

4.2 Gondola Point Road Water Line (see 9.3) Adam Hoar

Mr. Adam Hoar, A. Malcolm Properties Ltd. appeared before Council with a request for cost-sharing to extend the Town water line on Gondola Point Road to accommodate a high-end luxury apartment complex at 177 Gondola Point Road. There was discussion with respect to the following: target market and demand; increase in property taxes to the benefit of the Town but not the utility; cost of request approximately \$70,000; waterline extension may generate additional revenue with new customers; the request is fairly significant with very little detail about the project; could be precedent-setting and a subsidy to one property owner is at the expense of another. Clarification was requested with respect to the request:

- developer will install the infrastructure
- Town asked to waive utility hook-up fees
- Town asked to resurface the roadway and cover associated engineering costs

It was also noted there are other costs associated with the development, including protective services.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Item 9.3 be brought forward on the agenda.

CARRIED.

9.3 Gondola Point Water Line

'12' February 2013 Letter from Adam Hoar

7 February 2013 Memorandum from Town Manager Jarvie

MOVED by Counc. MacDonald and seconded by Counc. McGuire the request to consider cost-sharing the waterline extension on Gondola Point Road be tabled to allow time for exploration of cost saving and cost sharing measures.

CARRIED.

5. CORRESPONDENCE FOR ACTION

5.1 15 January 2013 Letter from Saint John Theatre Company RE: funding request.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the letter dated 15 January 2013 from Saint John Theatre Company RE: funding request be forwarded to the Finance Committee.

CARRIED.

5.2 16 January 2013 Letter from 640558 NB Inc. RE: water connection fee.

MOVED by Counc. Alexander and seconded by Counc. MacDonald the letter dated 16 January 2013 from 640558 NB Inc. RE: water connection fee be referred to the Town Manager for a response.

CARRIED.

5.3 29 January 2013 Letter from St. Joseph's Hospital Foundation re Dragon Boat Festival.

MOVED by Deputy Mayor Grant and seconded by Counc. McGuire Council authorize a letter of support and offering the Renforth Park venue to be the host site for the 2013 Dragon Boat Festival.

CARRIED.

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5.4 6 February 2013 Email from Councillor Alexander Emergency Measures.

MOVED by Counc. Alexander and seconded by Counc. McGuire the email dated 6 February 2013 from Counc. Alexander RE: Emergency measures/power outage be referred to the EMO Committee.

ON THE QUESTION:

Counc. Alexander requested the matter be forwarded to the EMO Committee rather than NBPower initially to determine what action should be taken. He commented on the medical situation for some of his neighbours and the lack of communication from NBPower to its customers during the outage. Deputy Mayor Grant suggested NBPower not be let off the hook as there is a duty of care to residents and 72 hours without power is not acceptable.

CARRIED.

6. CORRESPONDENCE - FOR INFORMATION

6.1 10 January 2013 Letter from Dr. Jennings RE: Accessible Transportation.

MOVED by Counc. Wells and seconded by Counc. Alexander the letter dated 10 January 2013 from Dr. Jennings RE: Accessible Transportation be received/filed.

CARRIED.

6.2 21 January 2013 Letter to Symphony NB RE: funding request.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the letter dated 21 January 2013 to Symphony NB RE: funding request be received/filed.

CARRIED.

6.3 24 January 2013 Letter to Atlantic Canada Opportunities Agency RE: RES Playground.

MOVED by Counc. Alexander and seconded by Counc. McGuire the letter dated 24 January 2013 to Atlantic Canada Opportunities Agency RE: Rothesay Elementary School Playground be received/filed.

CARRIED.

6.4 28 January 2013 Letter from Diversified Office Services Ltd. RE: tender call.

MOVED by Counc. MacDonald and seconded by Counc. McGuire the letter dated 28 January 2013 from Diversified Office Services Ltd. RE: tender call be received/filed.

CARRIED.

7. REPORTS

7.0 **February 2013** **Report from Closed Session**

n/a

7.1 28 November 2012 Rothesay Regional Joint Board of Police Commissioners meeting minutes

30 November 2012 Rothesay Regional Joint Board of Police Commissioners unaudited Financial Statements

MOVED by Counc. McGuire and seconded by Counc. Alexander the Rothesay Regional Joint Board of Police Commissioners meeting minutes dated 28 November 2012 and the Rothesay Regional Joint Board of Police Commissioners unaudited Financial Statements dated 30 November 2012 be received/filed.

ON THE QUESTION:

Counc. McGuire advised Counc. Emil Olsen was elected Chair and Peter McGill was elected Vice Chair of the Commission for 2013.

CARRIED.

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7.2 11 December 2012 DRAFT Water and Sewer Committee meeting minutes
MOVED by Counc. Alexander and seconded by Counc. Wells the draft Water and Sewer Committee meeting minutes dated 11 December 2012 be received/filed.

ON THE QUESTION:

Counc. Alexander advised the Committee is reviewing the Water and Sewer By-laws.

CARRIED.

7.3 12 December 2012 Kennebecasis Public Library Board meeting minutes
MOVED by Deputy Mayor Grant and seconded by Counc. Alexander the Kennebecasis Public Library Board meeting minutes dated 12 December 2012 be received/filed.

ON THE QUESTION:

Deputy Mayor Grant noted the following: there is less information being provided at present; the term position for Alex Rogers ended; the request for an electronic sign board is not finished yet and Council may receive a request for a presentation; and no formal date has been chosen yet for the Grand Opening.

CARRIED.

7.4 15 January 2013 DRAFT Parks and Recreation Committee meeting minutes
MOVED by Counc. McGuire and seconded by Counc. MacDonald the draft Parks and Recreation Committee meeting minutes dated 15 January 2013 be received/filed.

ON THE QUESTION:

Counc. McGuire noted he had been re-elected as Chair and Susan Harley as Vice-Chair of the Committee. He advised no further information has been received with respect to the request for funding from the Rowing Club but informal discussions have been held.

CARRIED.

7.5 5 February 2013 DRAFT 2012 (December) Financial Statements
Counc. MacDonald noted the memorandum from Treasurer Johnson dated 5 February 2013 advising the audited 2012 Financial Statements will be in a different format to comply with the requirements of Public Sector Accounting Board standards as required for year ends beginning January 1, 2012. It was also noted they will be presented to Council later than usual.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the draft unaudited Utility Financial Statements dated 31 December 2012 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted the variance report was included for information and would be compared against the final audited statements.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Wells the draft unaudited General Fund Financial Statements dated 31 December 2012 be received/filed.

ON THE QUESTION:

Counc. MacDonald noted the variance report was included for information and would be compared against the final audited statements.

CARRIED.

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7.6 8 February 2013 Building Permit Report

MOVED by Counc. Wells and seconded by Deputy Mayor Grant the Building Permit Report dated 8 February 2013 be received/filed.

CARRIED.

8. UNFINISHED BUSINESS

8.1 By-law 2-12 Road Closure – Pine Street

10 January 2013 Memorandum from DPDS White

Map – right-of-way

Letter 4/01/13 from Gorman Nason

DRAFT By-law 2-12 Pine Street Road Closure

10 January 2013 Supplemental Memorandum from Town Clerk Banks

- Letter 25/01/13 from Bourque, Henson & Morse
- Letter 4/02/13 from Susan Hogan
- Letter 6/02/13 from Angus King

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant By-law 2-12, Pine Street Road Closure, be removed from the table.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. Wells Council direct Planning staff to meet with the involved parties to reach a resolution with respect to the closure of Pine Street.

ON THE QUESTION:

It was noted the file is confusing and Council requires more detail with respect to the overall intent of the involved parties, including any proposed future development. There are various options available and Council will ultimately make a decision for the best resolution of the matter.

CARRIED.

8.2 RES Playground funding request (tabled)

10 January 2013 Memorandum from Town Manager Jarvie

8 November 2012 Memorandum from Parks and Recreation Committee

No action required.

8.3 Renforth Park Concept

4 February 2013 Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. Alexander Council approved the Renforth Park project to proceed based on the materials attached to the memorandum dated 4 February 2013 from Town Manager Jarvie.

ON THE QUESTION:

There was a discussion with respect to the technical analysis completed to ensure the Park area and wharf will withstand the ice and flooding that occurs in the area. DPR Jensen advised this has been discussed with DO McLean and, while BDA is the lead consultant on the project, they have retained the engineering firm Stantec as well. DPR Jensen advised the lighthouse is in good structural shape, requiring only minor aesthetic improvements. Counc. MacDonald suggested the project estimates should not be publicly available. There was a brief discussion with respect to the railing and it was noted it can be added a later date if required. There was general discussion with respect to the condition of the wharf and monitoring activities. Town Manager Jarvie noted the wharf was newly refurbished with a design from a reputable firm and is in excellent shape. Counc. Gallagher Jette commented on the inspection process and DO McLean advised he is not aware of any condition issues with respect to the wharf.

CARRIED.

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8.4 Kennebecasis Park Emergency Access (tabled)

8 January 2013 Memorandum from DO McLean

No action required.

8.5 Tree Removal Along CN Rail

8 February 2013 Memorandum from DO McLean

MOVED by Counc. Alexander and seconded by Counc. Gallagher Jette Council authorizes staff to proceed with clearing along the rail line in Renforth according to the arborist's direction. This work, if approved, will be completed by Town forces.

ON THE QUESTION:

It was noted the cost will be minimal; Town staff will complete the work as they are available and there may be limited equipment costs.

CARRIED.

Mayor Bishop declared a conflict of interest and left the meeting room. Deputy Mayor Grant took over as Chair of the meeting.

9. NEW BUSINESS

RECREATION

9.1 Contract No 2012-12-Parks Turf award

24 January 2013 Memorandum from DPR Jensen

MOVED by Counc. Wells and seconded by Counc. McGuire Contract 2012-12 Parks Turf be awarded to the low tenderer Greenpoint North Lawn Care Inc. (Weed Man) at the tendered price of \$235,203.04 HST included and the Mayor and Town Clerk be authorized to execute the necessary contract documents.

ON THE QUESTION:

There was a brief discussion with respect to the duration of the contract and tax allocations. It was noted the contract is a four year term and contracted services have been used for the past four years. Town Manager Jarvie noted to use Town resources would require an increase in staff, additional storage space and specialized equipment.

CARRIED.

Mayor Bishop returned to the meeting room.

9.2 Common Upgrade Committee

6 February 2013 Memorandum from Town Manager Jarvie

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald Council appoint Doug Kochel, Lorraine Forbes and Patrick Palmer to the Common Upgrade Committee.

ON THE QUESTION:

Deputy Mayor Grant advised the Nominating Committee had met earlier in the day and approved the appointees as recommended by the Rothesay Heritage Preservation Review Board and the Parks and Recreation Committee. It was noted Mayor Bishop appointed Counc. Wells and Counc. McGuire to the Committee as well.

CARRIED.

MOVED by Counc. Alexander and seconded by Counc. McGuire Council establish the Common Upgrade (Ad hoc) Committee with a mandate as set out in the memorandum dated 8 February 2013 from Town Manager Jarvie.

CARRIED.

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MOVED by Counc. Alexander and seconded by Counc. Wells Council direct that the business of the Committee should be conducted in accordance with the Special Committee provisions in the Procedural By-Law.

ON THE QUESTION:

Town Manager Jarvie noted the Procedural By-law allows for two different types of committees and this committee does not fit clearly within either so the recommendation is to allow for non-Council members to be appointed to the Committee.

CARRIED.

OPERATIONS

9.3 Gondola Point Water Line

'12' February 2013 Letter from Adam Hoar

7 February 2013 Memorandum from Town Manager Jarvie

Dealt with above.

9.4 Comparative Report - Utility Connections Fees

8 February 2013 Memorandum from Town Manager Jarvie

4 February 2013 Memorandum from DO McLean

MOVED by Counc. Wells and seconded by Deputy Mayor Grant the Comparison of Water Utility Connection Fees memoranda dated 8 February and 4 February 2013 be referred to the Water and Sewer Committee.

ON THE QUESTION:

Counc. McGuire suggested there be a review of payment options for the connection fees.

CARRIED.

FINANCE

9.5 Local Improvement Levy – Kennebecasis Park

29 January 2013 Memorandum from Town Clerk Banks

By-laws 3-00 and 4-00 (for information)

MOVED by Counc. MacDonald and seconded by Counc. Wells Whereas projects were undertaken as local improvements in accordance with the pertinent By-laws, Rothesay Council hereby directs that a special warrant be issued for the sum set out in the local improvement assessment roll for 2013 and further directs the Clerk to cause such special assessments to be collected in accordance with By-law 3-00.

Local Improvement By-law #	Amount to be collected
By-law 4-00	\$59,268.53

CARRIED.

PLANNING & DEVELOPMENT

9.6 Affordable Housing Background Report

7 February 2013 Memorandum from Town Manager Jarvie

MOVED by Counc. Wells and seconded by Counc. Alexander the Affordable Housing discussion paper dated 7 February 2013 be received for information.

ON THE QUESTION:

There was a discussion with respect to the incorporation of affordable housing into the Municipal Plan. DPDS White noted this discussion paper provided a snapshot of a complex issue. The following comments were raised: housing strategies are the jurisdiction of federal/provincial governments and there are opportunities throughout the development process for the municipality to participate; there are numerous organizations in Saint John with expertise and knowledge in this area; there are underutilized policies contained in the existing Municipal

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Plan; the paper was informative and an excellent start and there should be policies developed surrounding affordable housing or developers will continue to bring forward high-end projects like the proposal for 177 Gondola Point Road. Staff noted there are various options available, including discussing inclusive projects with developers, investigating possible incentives, and the determination of need within the community and how vested Council is in pursuing the matter. DPDS White suggested based on studies he has completed, there is an extremely affordable housing market within Rothesay and affordable housing may be more of an issue in the Saint John area.

CARRIED.

9.7 Temporary Signs

8 February 2013 Memorandum from DPDS White

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire the Rothesay Sign By-law 3-10 (Proposed amendments) memorandum from DPDS White be tabled until the March 11th meeting.

CARRIED.

10. NEXT MEETING

The next regular meeting of Council will be Monday, March 11, 2013 at 7:00 p.m.

11. ADJOURNMENT

MOVED by Counc. Gallagher Jette and seconded by Counc. Wells the meeting be adjourned.

CARRIED.

The meeting adjourned at 8:45 p.m.

MAYOR

CLERK