



ROTHESAY COUNCIL

OPEN SESSION

Monday, December 10, 2012

MINUTES



PRESENT: MAYOR WILLIAM J. BISHOP
DEPUTY MAYOR NANCY GRANT
COUNCILLOR MATT ALEXANDER
COUNCILLOR PAT GALLAGHER JETTE
COUNCILLOR PETER J. LEWIS
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
FINANCIAL OFFICER ELLEN STEEVES

PUBLIC HEARING By-law 2-10-19 11 Sierra Avenue Rezoning PID# 00478792
Documentation

16 November 2012
4 December 2012

1st Section 68 advertisement
2nd Section 68 advertisement
Staff Reports with attachments
Recommendation from Planning Advisory Committee
By-law 2-10-19 (11 Sierra Avenue)

DRAFT

Appearances: Brian L. White, MCIP RPP, Director Planning/Development

Developer:

Stephen Perry – Brunswick Engineering – designer/ engineer
Majid Debly – Debly Resources – property owner
Kemal Debly – Skymark Development Corp.– developer
Scott Robinson – Skymark Development Corp. – developer

Objections:

Lorna Hargrove, 21 Sierra Avenue

Written objections:

Lorna Hargrove, 21 Sierra Avenue
Joe McIntyre, 16 Dobbin Street
Lloyd & Diane Riley, 15 Sierra Avenue

PUBLIC HEARING By-law 2-10-20 13 Sierra Avenue Rezoning PID# 00478800

Documentation

AS ABOVE

DRAFT

By-law 2-10-20 (13 Sierra Avenue)

Appearances

As Above

Objections:

As above

Mayor Bishop called the Public Hearing to order at 7:32 p.m. and gave instructions to those in attendance. He noted the Hearing had been duly advertised and Director of Planning and Development Services (DPDS) Brian White would be giving a presentation on the proposed Rezoning By-laws.

MOVED by Counc. Alexander and seconded by Counc. Wells the Public Hearings for 11 and 13 Sierra Avenue be held concurrently.

CARRIED.

Counc. McGuire declared a conflict of interest and left the meeting room at 7:35 p.m.

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DPDS White gave a brief presentation outlining the following: application is to allow for a 15 unit apartment building, municipal plan designation is mixed residential, current zoning on adjacent property is R2; other properties to the east on Sierra Avenue are zoned R4; properties on Dobbin Street and Cortland Place are zoned R1B and R3; grading plan, building elevations and revised stormwater management plan have been received; stormwater will be managed by roof leaders draining to infiltration trenches and the parking lot to a Stormceptor; the proposal meets the goals of the Municipal Plan policy (sections 5.4.2 and 5.4.3); connection to Town services will be required; traffic study completed in the summer indicated 900 vehicle movements over a 24 hour period which is considered typical for a public lane/local road and the threshold for improvements (TAC) is 3000 vehicles/day. DPDS White advised the Planning Advisory Committee did not recommend enactment of the By-laws. Staff is of the opinion the development meets requirements and recommends the By-laws be enacted.

On questioning from Council, DPDS White and DO McLean provided clarification on the following: the project will have a net zero stormwater discharge; the project conforms to Town By-laws with the exception of a variance that will be required for the driving aisle in the parking lot and the major concerns expressed by residents at the Planning Advisory Committee were related to stormwater management and increased traffic. Counc. Wells advised the developers were not present at the Committee meeting to answer the concerns raised by residents. Mr. Debly suggested they were not invited to attend. Counc. MacDonald noted the Town Clerk advised a letter had been sent to the developer advising of the date of the Planning Advisory Committee meeting. Mayor Bishop noted the developers can answer concerns related to the development now before Council.

Stephen Perry and Majid Debly gave a brief presentation outlining the following: the proposal is for a 15 unit high quality apartment building with a target market of working professionals, young families and retirees; development includes sustainable methods of controlling storm water runoff with swales, underground storage and groundwater recharge trenches which will reduce net run-off flow post-development; willing to work with neighbours to not de-value their properties; can include construction of a barrier fence to block headlights from 15 Sierra Avenue and the developer will attempt to keep as much natural vegetation as possible.

There was a brief discussion with respect to rotating the development to direct traffic away from the property at 15 Sierra Avenue but it was suggested that is not as simple as it may seem and a barrier fence would help in reducing light and noise intrusion. DO McLean noted the Town's 2013 capital plan includes the construction of a right turn lane on Hampton Road and the existing lane will become a left turn lane, although not required by traffic volumes and the intent is to also extend the sidewalk along Sierra Avenue. DPDS White and DO McLean commented the development supports the concept of sustainable development; the stormwater management plan will contribute less flow than the current vacant lot. It was noted the properties are above the elevation of the general flood plain in the area and that the properties are permeable (sand and gravel rather than clay).

Mayor Bishop called three times for those wishing to speak in opposition. The following people spoke: Lorna Hargrove 21 Sierra Avenue, Franco Cucinelli 19 Sierra Avenue, Diane and Lloyd Riley 15 Sierra Avenue, Joe McIntyre 16 Dobbin Street, Gary Corscadden 22 Dobbin Street and Randy Arseneau 26 Sierra Avenue. The following comments were made: concerns about drainage and existing flooding issues in the area; safety concerns for children and the elderly; increased traffic volume and higher density; increased noise; will create shortcut for foot traffic through to Dobbin Street; half kilometre dead-end street with two ninety-degree turns; decreased privacy and property value; request for a left turn lane onto Hampton Road was made in 2008; new sidewalk and drainage ditches have not been tested by a heavy storm; open ditches spill

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over roadway causing a hazard when frozen; development requires lot consolidation, rezoning and variance for driving aisle; properties zoned for single family development; lack of playground facilities if target market is young families; impact of height of building on surrounding properties; lack of streetlights; and frequent calls to the police due to suspicious activity.

Mayor Bishop called three times for those wishing to speak in favour.

Stephen Perry made the following comments in closing: there is an existing open ditch along the front of the property; a permit was obtained from the Town to create a channel on the property and separate the flow from other properties draining onto 11 Sierra Avenue; the development will create about 70 jobs and is in keeping with other development in the area.

There were additional comments from Council with respect to the following: construction of a barrier fence; a piped stormwater drain has a fixed capacity and increases velocity which could create downstream problems; there are open ditches on some properties in the area and not others and the stormwater management plan presented by the developer will effectively manage the stormwater from the property.

Mr. Robinson (developer) advised there are clients seeking newer buildings and there is a need for new apartment stock in Rothesay.

MOVED by Counc. Wells and seconded by Counc. Alexander the Public Hearing be adjourned.
CARRIED.

The Public Hearing adjourned at 8:55 p.m.

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Mayor Bishop called the Open Session to order at 8:56 p.m. Counc. McGuire returned to the meeting room.

1. APPROVAL OF MINUTES

Regular Meeting – 13 November 2012

Special Meeting – 4 December 2012

Business Arising from Minutes

MAIN MOTION:

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the minutes dated 13 November 2012 be approved as circulated.

Amending motion:

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald Section 7.8 (page 10, paragraph 6) be amended to read as follows (bold italicized):

ON THE QUESTION:

Counc. Gallagher Jette advised she had insufficient information to make a decision and was unclear what was meant by “approval in principle”. *There was no explanation given except the Town Manager advised this was not an endorsement of the project but an opportunity to get additional information.*

NAY vote recorded from Counc. Gallagher Jette.

Amending Motion CARRIED.

ON THE QUESTION (main motion):

Counc. Gallagher Jette suggested the minutes did not accurately reflect the discussion and there is additional information to be obtained before considering proceeding with a \$30million project and spending money on consulting fees and plans.

MAIN MOTION, as amended CARRIED.

MOVED by Counc. Alexander and seconded by Counc. Lewis the minutes of the special meeting of 4 December 2012 be approved as circulated.

ON THE QUESTION:

Counc. Gallagher Jette requested clarification on the references to the fieldhouse project and suggested the minutes did not accurately reflect the discussion. Counc. Lewis advised he had concerns as well and suggested a separate meeting be held to review the project in more detail as the agenda for this evening’s meeting is lengthy. Mayor Bishop suggested comments should be provided beforehand to the Town Clerk.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the approval of the minutes of the special meeting of 4 December 2012 be tabled.

CARRIED.

2. APPROVAL OF AGENDA

MOVED by Counc. Alexander and seconded by Counc. Wells the agenda be approved as circulated with the following change:

Item 9.1 be brought forward and dealt with following Item 5.5

CARRIED.

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3. OPENING REMARKS OF COUNCIL

Mayor Bishop advised those in attendance the Mayor's Levee would be held on New Year's Day from 11 am to 1 pm and followed by a New Year's Day Skate at the Rothesay Arena.

Counc. Gallagher Jette thanked the Mayor for his support in arranging the assistance with chairs and tables for the Seniors Group at the McGuire Centre.

4. DELEGATIONS

n/a

5. CORRESPONDENCE FOR ACTION

5.1 7 December 2012 Memorandum from Town Manager Jarvie RE: Library sign.

16 November 2012 Letter from Kennebecasis Public Library RE: electronic sign.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells Council decline the request to expand the scope of the library project to include an electronic sign.

ON THE QUESTION:

Deputy Mayor Grant advised Council the Library Board is not sure as yet if the entire project is under budget and \$35,000 for an electronic sign in a year when reserves are down is not a necessary expense and the sign is not an essential piece of the communication strategy for the Library. She also noted Mayor Driscoll has confirmed the sign would only be used for library functions and events. Counc. Alexander suggested the Library consider a more modern communication strategy, based on community comments related to existing electronic signs in Rothesay.

CARRIED.

5.2 19 November 2012 Email from C. Dolan RE: comments on recreation project.

MOVED by Counc. Lewis and seconded by Counc. Alexander the email from C. Dolan RE: comments on the recreation project dated 19 November 2012 be received/filed.

CARRIED.

5.3 19 November 2012 Letter from P. Zed RE: funding for Kennebecasis Rowing and Canoe Club.

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant the letter from P. Zed RE: funding for Kennebecasis Rowing and Canoe Club dated 19 November 2012 be referred to the Parks and Recreation Committee.

ON THE QUESTION:

It was suggested additional information related to project details and costs, proposed timelines and anticipated funding sources be obtained.

CARRIED.

5.4 19 November 2012 Email from UMN B RE: long-term infrastructure plan.

MOVED by Counc. MacDonald and seconded by Counc. Wells a letter be sent from Rothesay to the MP asking for support for a long term infrastructure plan for municipalities.

CARRIED.

5.5 26 November 2012 Letter from Touchstone Community School RE: funding request.

MOVED by Counc. Lewis and seconded by Counc. MacDonald the letter from Touchstone Community School RE: funding request dated 26 November 2012 be referred to the Finance Committee.

CARRIED.

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Counc. McGuire declared a conflict of interest and left the meeting room at 9:10 p.m.

BUSINESS ARISING FROM PUBLIC HEARING (refer to Public Hearing documentation)

9.1 11 – 13 Sierra Avenue Zoning By-law amendments (apartment building)

6 December 2012 Recommendation from Planning Advisory Committee

DRAFT By-law 2-10-19

DRAFT By-law 2-10-20

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council give 1st Reading, by Title, to By-law 2-10-19, “A By-law to Amend the Zoning By-law”.

ON THE QUESTION:

Counc. Gallagher Jette advised she would not be supporting the motion as she thought it was not fair to the residents who believed their homes would be protected by a municipal plan and it was not a small thing.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

The Clerk read By-law 2-10-19 by title.

MOVED by Counc. Alexander and seconded by Counc. Lewis Council give 2nd Reading, by Title, to By-law 2-10-19, “A By-law to Amend the Zoning By-law”.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

The Clerk read By-law 2-10-19 by title.

MOVED by Counc. Alexander and seconded by Counc. Lewis Council give 1st Reading, by Title, to By-law 2-10-20, “A By-law to Amend the Zoning By-law”.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

The Clerk read By-law 2-10-20 by title.

MOVED by Deputy Mayor Grant and seconded by Counc. Lewis Council give 2nd Reading, by Title, to By-law 2-10-20, “A By-law to Amend the Zoning By-law”.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

The Clerk read By-law 2-10-20 by title.

Counc. McGuire returned to the meeting room at 9:15 p.m.

6. CORRESPONDENCE - FOR INFORMATION

6.1 31 October 2012 Letters (5) from Regional Facilities Commission Chair Mayor Driscoll RE: Facilities budget approvals.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the letters (5) from Regional Facilities Commission Chair Mayor Driscoll RE: Facilities budget approvals dated 31 October 2012 be received/filed.

CARRIED.

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6.1.1 14 November 2012 Letter from Saint John Arts Centre to Mayor Losier RE: thanks for support (Regional Facilities Commission).

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the letter Saint John Arts Centre to Mayor Losier RE: thanks for support (Regional Facilities Commission) dated 14 November 2012 be received/filed.

CARRIED.

6.2 15 November 2012 Letter from Minister Fitch to Crane Mountain Enhancement Fund RE: continued partnership with Regional Service Commission.

MOVED by Counc. MacDonald and seconded by Counc. Wells the letter from Minister Fitch to Crane Mountain Enhancement Fund RE: continued partnership with Regional Service Commission dated 15 November 2012 be received/filed.

CARRIED.

6.3 16 November 2012 Letter from Enterprise Saint John RE: budget request 2013-2015.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the letter from Enterprise Saint John RE: budget request 2013-2015 dated 16 November 2012 be received/filed.

CARRIED.

6.4 20 November 2012 Letter to Rothesay Regional Joint Board of Police Commissioners RE: 2013 Police Budget and Municipal Police Agreement.

6.4.1 20 November 2012 Letter to Quispamsis RE: Municipal Police Agreement.

6.4.2 30 November 2012 Letter from Quispamsis RE: Municipal Police Agreement.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the correspondence as between Rothesay, Quispamsis and Rothesay Regional Joint Board of Police Commissioners RE: Municipal Police Agreement, be received/filed.

CARRIED.

6.5 20 November 2012 Letter to Quispamsis RE: 2013 Police and Telecommunications Budget.

MOVED by Counc. MacDonald and seconded by Counc. Lewis the letter to Quispamsis RE: 2013 Police and Telecommunications Budget dated 20 November 2012 be received/filed.

ON THE QUESTION:

It was noted the Treasurers for Rothesay and Quispamsis have confirmed the telecommunications budget allocations.

CARRIED.

6.5.1 20 November 2012 Letter to Joint Board of Fire Commissioners, KVFD Inc. RE: Telecommunications Budget.

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the letter to Joint Board of Fire Commissioners, KVFD Inc. RE: Telecommunications Budget dated 20 November 2012 be received/filed.

CARRIED.

6.6 23 November 2012 Letter from Joint Board of Fire Commissioners, KVFD Inc. RE: Revised 2013 Operating Budget.

MOVED by Counc. MacDonald and seconded by Counc. Alexander the letter from Joint Board of Fire Commissioners, KVFD Inc. RE: Revised 2013 Operating Budget dated 23 November 2012 be received/filed.

CARRIED.

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6.7 30 November 2012 Letter from Rothesay Regional Joint Board of Police Commissioners Revised 2013 Budget.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant the letter from Rothesay Regional Joint Board of Police Commissioners Revised 2013 Budget dated 30 November 2012 be received/filed.

CARRIED.

6.8 21 November 2012 Letter from Quispamsis to Minister Flemming RE: tick drag/deer issue.

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander the letter from Quispamsis to Minister Flemming RE: tick drag/deer issue be received/filed.

ON THE QUESTION:

Counc. Wells requested clarification on the status of the deer survey. Mayor Bishop advised the joint committee has refined the survey and Town Manager Jarvie has suggested the survey can be circulated online in the new year. It was suggested a tick drag would likely be done to cover the Kennebecasis Valley area.

CARRIED.

6.9 23 November 2012 Letter to exp Architects Inc. RE: Multi-purpose Recreation Facility.

MOVED by Counc. Wells and seconded by Counc. Alexander the letter to exp Architects Inc. RE: Multi-purpose Recreation Facility dated 23 November 2012 be received/filed.

ON THE QUESTION:

There was discussion with respect to what information was being requested in the letter and the associated costs incurred to date as well as the various stages of architectural services. Town Manager Jarvie clarified the request is to submit the final version of the draft pre-Design Concept Plan received by Council at the November Council meeting; approximately \$70,000 has been invested in the plan which includes the building concept and the Growth Strategies (Larry Cain) business plan report approved in November will cost approximately \$10,000-\$11,000.

CARRIED.

7. REPORTS

7.0 **December 2012** **Report from Closed Session**

7.1 12 September 2012 Kennebecasis Public Library Board Meeting minutes and supporting documentation

10 October 2012 Kennebecasis Public Library Board Meeting minutes and supporting documentation

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the Kennebecasis Public Library Board meeting minutes and supporting documentation dated 12 September 2012 and 10 October 2012 be received/filed.

ON THE QUESTION:

Deputy Mayor Grant noted sufficient documentation is being received now and student employees are now subject to criminal checks and vulnerable sector checks and all students are covered by Workers Compensation. She advised the Library is closed until further notice as there were additional requirements from the Fire Marshal to be resolved prior to opening to the new section and allowing for renovations to the existing building. Commitments have been made to make the changes and the Library should re-open soon.

CARRIED.

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- 7.2 24 October 2012 Rothesay Regional Joint Board of Police Commissioners Meeting minutes
31 October 2012 Rothesay Regional Joint Board of Police Commissioners unaudited Financial Statements Meeting Schedule (RRJBPC)

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

ON THE QUESTION:

Counc. Alexander advised Deputy Chief Palmer gave a presentation to the Board on social media and Peter Bourque was welcomed as a new member.

CARRIED.

- 7.3 13 November 2012 Finance Committee Meeting minutes
21 November 2012 Finance Committee Meeting minutes
28 November 2012 Draft Finance Committee Meeting minutes

MOVED by Counc. MacDonald and seconded by Counc. Alexander the Finance Committee meeting minutes dated 13 November 2012, 21 November 2012 and 28 November 2012 be received/filed.

ON THE QUESTION:

It was noted there was a typographical error in the November 28th minutes under Pension Committee and it should read, "...while the *investment* earnings...." There was a brief discussion with respect to the pension plan: defined benefits plan, actuarial review from three years ago, contributions will increase, the plan is well-managed and issues are identified quickly and resolved.

CARRIED.

- 31 October 2012 Unaudited Rothesay Utility Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the unaudited Rothesay Utility Financial Statements dated 31 October 2012 be received/filed.

CARRIED.

- 31 October 2012 Unaudited Rothesay General Fund Financial Statements

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the unaudited Rothesay General Fund Financial Statements dated 31 October 2012 be received/filed.

CARRIED.

- 7.4 14 November 2012 Draft Water and Sewer Committee Meeting minutes

MOVED by Counc. Alexander and seconded by Counc. Lewis the draft Water and Sewer Committee meeting minutes dated 14 November 2012 be received/filed.

ON THE QUESTION:

Counc. Lewis commented he thought the \$2500 connection fee up front was too high and suggested the fees be reviewed and a payment plan over time be considered. He agreed the \$45 fixed charge is fine and should be paid. Mayor Bishop stated the Committee chair has heard the comments and can take them back to the Committee. Counc. Alexander acknowledged the comments and noted the Committee is currently reviewing the Water and Sewer By-laws.

CARRIED.

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7.5 21 November 2012 Draft Public Works and Infrastructure Committee Meeting minutes

MOVED by Counc. Alexander and seconded by Counc. Wells the draft Public Works and Infrastructure Committee meeting minutes dated 21 November 2012 be received/filed.

CARRIED.

- Gondola Point Road speed limit

MOVED by Counc. Alexander and seconded by Counc. Wells Council approve a 40 km speed zone, at all times, on the section of Gondola Point Road from Almon Lane to the intersection of Rothesay Road and Gondola Point Road.

ON THE QUESTION:

Town Manager Jarvie noted this will require an amendment to the Traffic By-law. There was a brief discussion about the school zone on Rothesay Road near Rothesay Netherwood School. It was noted Rothesay Road is a designated highway and Gondola Point Road is considered a municipal road.

CARRIED.

- Garbage collection services (in-house)

MOVED by Counc. Alexander and seconded by Counc. Lewis Council authorize the Director of Operations to investigate the feasibility of providing collection services by town vehicles and staff.

CARRIED.

- 2013 Transportation Services, Environmental Health Operating Budget/Capital Plan

MOVED by Counc. Alexander and seconded by Counc. Wells Council accept the 2013 Operating Budget and 5 Year Capital Plan as presented.

CARRIED.

7.6 23 November 2012 Nominating Committee Report

MOVED by Counc. MacDonald and seconded by Counc. Wells Council ratify the following Committee appointments:

Joint Board of Fire Commissioners (3 year term)

Robert McIntyre Appointment December 31, 2015

Planning Advisory Committee

Dale Steeves Re-appointment December 31, 2014

Ewen Cameron Re-appointment December 31, 2014

Jim Baird Re-appointment December 31, 2014

Public Works and Infrastructure Committee

Bill Carson Re-appointment December 31, 2014

Water and Sewage Committee

Chris Northrup Re-appointment December 31, 2014

Rothesay Heritage Preservation Review Board

Lorraine Forbes Re-appointment December 31, 2015

Jim Baird Re-appointment December 31, 2015

Rothesay Parks and Recreation Committee

Susan Harley Re-appointment December 31, 2014

Joanne Gormley Re-appointment December 31, 2014

Pat Palmer Appointment December 31, 2013 (filling vacancy)

Jane MacEachern Appointment December 31, 2014

Gordon Elliot Appointment December 31, 2014

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Kennebecasis Public Library Board

Kevin Wright Re-appointment December 31, 2014

Imperial Theatre

Cheryl Robertson Re-appointment October 31, 2014

Canada Games Aquatic Centre

Colleen Mitchell Re-appointment December 31, 2014

ON THE QUESTION:

Counc. MacDonald noted the Procedural By-law Review Committee is reviewing the term and duration of appointments. Counc. Lewis asked if Christmas cards are sent to volunteers. Mayor Bishop advised in lieu of cards a donation is made to the Empty Stocking Fund.

CARRIED.

7.7 November 2012 Monthly Building Permit Report

MOVED by Counc. MacDonald and seconded by Counc. Lewis the November 2012 Monthly Building Permit Report be received/filed.

CARRIED.

7.8 3 December 2012 Draft Planning Advisory Committee Meeting minutes

MOVED by Counc. Wells and seconded by Counc. Lewis the draft Planning Advisory Committee meeting minutes be received/filed.

CARRIED.

- 11 – 13 Sierra Avenue rezoning (15 unit apartment building)
See Item 9.1

8. UNFINISHED BUSINESS

8.1 23 Marr Road Zoning By-law amendment

By-law 2-10-15

No action required

8.2 20 Gibbon Road Municipal Plan amendment and Zoning By-law amendment

DRAFT By-law 1-10-02 (tabled)

DRAFT By-law 2-10-17 (tabled)

No action required

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

7 November 2012 Staff Report to Council

DRAFT By-law 2-12 (revised)

30 November 2012 Letter from Gorman Nason

4 December 2012 Letter from G. Morse

MOVED by Counc. Gallagher Jette and seconded by Deputy Mayor Grant By-law 2-12 be tabled.

CARRIED.

8.4 Assistance for Seniors at McGuire Centre (tabled)

22 October 2012 Memorandum from C. Jensen, Director Recreation and Parks

14 November 2012 Letter from J. Young, Chair of Seniors Club

27 November 2012 Letter from D. Shaw, Rothesay Seniors Club

MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the memoranda RE: Assistance for Seniors at the McGuire Centre be removed from the table.

CARRIED.

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MOVED by Counc. Gallagher Jette and seconded by Counc. Alexander the memoranda RE: Assistance for Seniors at the McGuire Centre be received/filed.

CARRIED.

8.5 Parks, Recreation and Arena Budgets (tabled)

8 November 2012 Memorandum from Parks and Recreation Committee

MOVED by Counc. Alexander and seconded by Counc. McGuire the Parks, Recreation and Arena budgets be removed from the table.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Lewis the Parks, Recreation and Arena budgets be accepted as presented.

CARRIED.

8.6 RES Playground funding request (tabled)

8 November 2012 Memorandum from Parks and Recreation Committee

The matter remained tabled.

8.7 Community Event Signage

2 December 2012 Memorandum from Deputy Mayor Grant

11 June 2012 Letter from Valley Cruisers Car Club

MOVED by Deputy Mayor Grant and seconded by Counc. Alexander Council direct staff to develop a clarification of the policy on signs for non-profit groups; particularly as it applies to the use of the public road rights-of-way and further to develop a By-law amendment to allow use of additional signage by community groups and non-profit organizations.

ON THE QUESTION:

Deputy Mayor Grant noted she has been contacted by non-profit groups who have had some issues with signage for advertising their community events. She advised the letter from the Valley Cruisers Car Club indicated a drop in revenue for their annual car show in 2012 at the Rothesay Arena and they are considering moving to another location. Deputy Mayor Grant suggested options be considered to allow additional signage, at the discretion of the Development Officer for community events. Counc. Lewis commented the electronic signs are difficult to read and suggested at least the electronic sign at the entrance to the Rothesay Arena be turned perpendicular to Hampton Road.

CARRIED.

9. NEW BUSINESS

BUSINESS ARISING FROM PUBLIC HEARING (refer to Public Hearing documentation)

9.1 11 – 13 Sierra Avenue Zoning By-law amendments (apartment building)

6 December 2012 Recommendation from Planning Advisory Committee

DRAFT By-law 2-10-19

DRAFT By-law 2-10-20

Dealt with above.

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FINANCE

9.2 2013 Rothesay Budget

5 December 2012	Utility Fund Capital and Operating Budgets (motions) 2013
5 December 2012	Water and Sewer Fund Reserve Motions 2012
5 December 2012	General Fund Motions 2012
7 December 2012	Memorandum from Town Manager Jarvie

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant **Resolved** that the Utility Fund 2013 Capital Budget of \$1,420,000 be approved. (as per attached; projects not completed in 2012 carried forward to 2013 in the amount of \$290,000)

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Alexander **Resolved** that pursuant to paragraph 189(4) of the Municipalities Act, the total budget for the Water and Sewerage Utility for the ensuing year would consist of total revenues of \$2,524,642 and total expenditures of \$2,524,642.

CARRIED.

MOVED by Counc. MacDonald and seconded by Counc. Alexander **Resolved** that the sewer service charge in schedule "B" of by-law 6-04 be \$300.00 per equivalent user unit.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant **RESOLVED** that the General Fund 2013 Capital Budget of \$8,786,560 be approved. (as per attached, it reflects the change on Rothesay Common, increased to \$2,400,000 and Arthur Miller Field building decreased to \$100,000.)

ON THE QUESTION:

Counc. Gallagher Jette advised she would not be supporting the motion because of a lack of understanding of what is being asked for. She suggested there should be a clear mandate and Council should know unequivocally the residents are in favour of a fieldhouse project, noting if the money is budgeted it will likely be spent and she has heard negative feedback on the project in the last month. Counc. Gallagher Jette stated she would support the project if residents want it. Mayor Bishop advised the money would only be spent if voted on by Council and meetings have been held with residents and groups who have expressed an interest in the project. It was noted there will be a meeting in the new year to discuss the fieldhouse project.

NAY vote recorded from Counc. Gallagher Jette.

CARRIED.

MAIN MOTION:

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette **RESOLVED** that the sum of \$15,865,000 be the total operating budget of the Municipality, that the sum of \$14,073,003 be the Warrant of the Municipality for the ensuing year, and that the tax rate for the municipality be \$1.1900. The Council orders and directs the levying by the Minister of Environment and Local Government of said amount on real property liable to taxation under the *Assessment Act* within the Municipality of Rothesay.

ON THE QUESTION:

Counc. Wells suggested the tax rate be increase by one penny to accommodate the decrease in the unconditional grant and tax revenues. She suggested based on upcoming projects it may be prudent financially to raise it and also send a message to the province the unconditional grant should not be reduced. Counc. Gallagher Jette suggested a larger increase of four or five cents

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to accommodate upcoming projects. It was noted a one cent increase would accommodate the loss of \$100,000 in the unconditional grant.

Amending motion:

MOVED by Counc. Wells and seconded by Counc. Gallagher Jette the main motion be amended so as to read.....”*and that the tax rate for the municipality be \$1.20000....*”

YEA vote recorded from Counc. Wells.

Amending motion DEFEATED.

Main motion CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant **RESOLVED** that the following 2013 total budgets and requests be approved as submitted:

Regional Facilities Commission \$277,779

Enterprise Saint John \$86,422

Kennebecasis Public Library \$55,098, assuming property tax exemption.

ON THE QUESTION:

It was noted the provincial legislation required for the property tax exemption for the Library has not been tabled in the legislature yet.

CARRIED.

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant **RESOLVED** that the following 2013 total budgets be approved as follows:

Kennebecasis Valley Fire Department Inc. Operating: \$1,693,659, Capital: \$101,400

Rothesay Regional Joint Board of Police Commissioners \$2,086,176

Rothesay Living Museum \$4,000

CARRIED.

MAIN MOTION:

MOVED by Counc. MacDonald and seconded by Deputy Mayor Grant **RESOLVED** that the following 2013 funding requests be approved as follows:

Commitments

Dalhousie Medicine	\$5,000	2 nd of 5 year commitment
NB Medical Education Trust	\$10,000	yearly, no commitment made
Rothesay High School	\$1,000	Fairweather Scholarship
Kingsway Care Centre	\$10,000	First of three years
Cherry Brook Zoo	\$5,000	
KV3C	\$2,000	maximum, reimbursing for wages
Other	<u>\$12,000</u>	Unspecified
Total	\$45,000	Donations & Cultural Support

Crimestoppers \$2,800 Under Protective Services

PRO Kids \$7,500 Under Recreation – Other

ON THE QUESTION:

Deputy Mayor Grant suggested the NB Medical Education Trust scholarship be named the Bill Bishop Scholarship. Mayor Bishop advised he appreciated the comments of the Deputy Mayor but respectfully declined, noting the scholarship award is already tied to the community and the goal is to retain doctors in the area. Town Manager Jarvie sought clarification that Council was in favour of the terms of the commitments as outlined. Counc. Lewis recommended commitments be made on a yearly basis. Counc. Wells stated that makes it difficult to fund a three year project.

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Amending motion:

MOVED by Counc. Lewis and seconded by Counc. Gallagher Jette the request for Kingsway Care Centre be changed to a one year commitment.

YEA votes recorded from Councils. Gallagher Jette and Lewis.

NAY votes recorded from Deputy Mayor Grant, Councils. Alexander, MacDonald, McGuire and Wells.

**Amending motion DEFEATED.
Main Motion CARRIED.**

MOVED by Counc. MacDonald and seconded by Counc. Gallagher Jette the memoranda dated 5 December 2012 RE: Water and Sewer Fund Reserve Motions 2012 and General Fund Motions 2012 be tabled pending a review and recommendation from the Finance Committee.

CARRIED.

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the memorandum from Town Manager Jarvie RE: Supporting Documents for Budget Consideration dated 7 December 2012 be received/filed.

CARRIED.

RECREATION

9.3 Fieldhouse Project

4 December 2012 Memorandum from Town Manager Jarvie

5 December 2012 Letter from Counc. MacDonald

MOVED by Counc. Alexander and seconded by Counc. Lewis the memorandum and letter RE: fieldhouse project be tabled.

CARRIED.

9.4 Active Transportation Plan

(Full plan previously provided and available at www.rothesay.ca)

6 December 2012 Memorandum from Town Manager Jarvie

5 December 2012 Memorandum from Director Jensen

MOVED by Counc. Alexander and seconded by Counc. Wells Rothesay adopt as a guide the 2012 Active Transportation Plan prepared by *exp* to effectively address the need to enhance and develop an Active Transportation system for Rothesay as identified in the 2009 Recreation Master Plan.

ON THE QUESTION:

Counc. MacDonald asked about next steps. Town Manager Jarvie advised Council would direct staff to determine more specific projects, like the project for Hampton Road in 2013. He further suggested a comprehensive five year plan be prepared.

CARRIED.

9.5 Hillside Trail Granular Placement

6 December 2012 Memorandum from Town Manager Jarvie

5 December 2012 Memorandum from Director Jensen

MOVED by Counc. Wells and seconded by Counc. Alexander the proposal from Galbraith Construction Ltd. to install granular crushed material along the Hillside Waterline Access Road be accepted at their quoted price of \$73,000 plus HST and further that the Director of Recreation be authorized to issue a purchase order in that amount for completion of the work.

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ON THE QUESTION:

It was noted this is a joint project between the Operations and Parks and Recreation Departments.

CARRIED.

9.6 Community Infrastructure Fund (Project 201330) Renforth Park

6 December 2012 Memorandum from Town Manager Jarvie
ACOA agreement

MOVED by Counc. MacDonald and seconded by Counc. Wells Council authorize the Mayor and Clerk to execute the funding agreement for Project Number 201330 under the Canada Community Infrastructure Improvement Fund.

ON THE QUESTION:

There was a brief discussion with respect to the scope, timeline and cost of the project. Town Manager Jarvie advised a previous estimate was approximately \$400,000 and the scope needs to be confirmed in more detail but will include the deck and retaining wall, and possibly washroom facilities. Counc. Lewis requested inclusion of additional work to protect boats tied up to the wharf. DPR Jensen advised ACOA is agreeable to extending the deadline dates. He further noted design options will be brought back before Council.

CARRIED.

ADMINISTRATION

9.7 Kennebecasis Valley Fire Department First Response Function

2 December 2012 Memorandum from Deputy Mayor Grant

MOVED by Deputy Mayor Grant and seconded by Counc. MacDonald BE IT RESOLVED that Rothesay Council write to the Board of the Kennebecasis Valley Fire Department, respectfully requesting answers to the following questions:

1. What are the actual costs attached to the First Response function of the department (for example, manpower, vehicular and fuel costs)
2. Are there any data (beyond anecdotal) as to what happened during the 2008-2010 hiatus in this function
3. Is it possible that the First Response function could result in "missed opportunities" for fire-fighting? For example, if the crew were responding to a heart attack in upper Renforth, and a fire call came from Wells?
4. Are there any options for first Response other than the current standard of an entire crew responding to a medical call?
5. Are there fire jurisdictions that do not provide First Response? In that situation, how are medical calls handled? And what is the per capita cost of fire service?
6. What are the criteria used by the Saint John telecommunications centre to send calls out to the Kennebecasis Valley Fire Department?

CARRIED.

9.8 Procedural By-law Amendment

DRAFT By-law 3-09-1

MOVED by Counc. Wells and seconded by Counc. McGuire Council give 1st Reading by Title to By-law 3-09-1, "A By-law to Amend the Rothesay Procedural By-law 3-09".

CARRIED.

MOVED by Counc. Wells and seconded by Counc. McGuire Council give 2nd Reading by Title to By-law 3-09-1, "A By-law to Amend the Rothesay Procedural By-law 3-09".

CARRIED.

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9.9 Municipal Boundary – Kennebecasis Park

19 November 2012 Memorandum from Counc. Alexander

MOVED by Counc. Alexander and seconded by Deputy Mayor Grant Council direct staff to investigate the feasibility of acquisition of the entrance to Kennebecasis Park to become part of Rothesay.

ON THE QUESTION:

It was clarified the scope of the request is to study what could be done.

CARRIED.

9.10 True Growth 2.0

Report Charting our Renaissance True Growth 2.0, 2012

MOVED by Counc. Wells and seconded by Counc. Alexander Rothesay Council endorse the report, “Charting our Renaissance, True Growth 2.0, 2012”.

ON THE QUESTION:

It was noted this is a three year financial commitment and Rothesay needs to ensure its interested are represented.

CARRIED.

OPERATIONS

9.11 Capital Projects Update

4 December 2012 Memorandum from DO McLean

MOVED by Counc. Wells and seconded by Counc. McGuire the Capital Projects Update from DO McLean dated 4 December 2012 be received/filed.

CARRIED.

9.12 Contract 2008-001RD Equipment Rental Winter Maintenance Service

5 December 2012 Memorandum from DO McLean

MOVED by Counc. Alexander and seconded by Counc. Wells Contract 2008-001RD: Equipment Rental Winter Maintenance Service be extended, as per the terms of the agreement, until April 014 and further that the Mayor and Clerk be authorized to execute the necessary contract documents.

CARRIED.

9.13 Equipment Supply Tender 2012-EQ03 Tandem Plow Truck

4 December 2012 Memorandum from DO McLean

MOVED by Deputy Mayor Grant and seconded by Counc. Wells the Equipment Supply Tender 2012-EQ03: Tandem Plow Truck, be awarded to the low tenderer, Universal Truck & Trailer, at the tendered price of \$141,109.88 (plus extended warranty in the amount of \$2034.00) including HST, and further that the Director of Operations be authorized to issue a purchase order for the tendered amount.

CARRIED.

9.14 Traffic Signal Installation Tender 2012-RG05

4 December 2012 Memorandum from DO McLean

MOVED by Counc. Gallagher Jette and seconded by Counc. MacDonald the Traffic Signal Installation Tender 2012-RG05, be awarded to the low tenderer, Roadway Systems Limited, at the tendered price of \$148,809.70, and further that the Mayor and Clerk be authorized to execute the contract documents accordingly.

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ON THE QUESTION:

It was noted this is a provincial project and the Town will be fully reimbursed by the Province. There is a delay in the aluminum pole supply and it is expected the project will be delayed until near the end of February.

CARRIED.

9.15 Traffic Signal Maintenance Responsibility

4 December 2012 Memorandum from DO McLean

MOVED by Counc. MacDonald and seconded by Counc. McGuire Council authorize the Director of Operations to negotiate a maintenance (or ownership) agreement with the province for the traffic signals at the intersection of Route 111 and the Highway 1 westbound off ramp (exit 137 B-A) and at the intersection of Route 111 and Campbell Drive.

ON THE QUESTION:

It was noted the authorization is to negotiate an agreement that is subject to Council approval.

CARRIED.

10. NEXT MEETING

MOVED by Counc. Gallagher Jette and seconded by Counc. McGuire Council schedule a special meeting to be held Tuesday, December 18, 2012 at 11:30 a.m.

CARRIED.

The next regular meeting of Council will be held Monday, January 14, 2013.

11. ADJOURNMENT

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

CARRIED.

The meeting adjourned at 10:55p.m.

MAYOR

CLERK

Rothsay Utility Capital Plan

Town of Rothsay

2013-2015 Capital Plan

UTILITY CAPITAL PLAN - 2013

WATER CAPITAL PLAN - 2013

Decommissioning Grove, Kingswood Tanks
 Water system supply development
 Chlorine Contact Chamber, Chloromine Delivery
 Membrane Racks

SEWER CAPITAL PLAN - 2013

Shipyard Lift Station
 Wastewater Pumping Station Back up: Frances Avenue
 *Infiltration / Cross connection program
 Scada system upgrades
 Manhole replacement program

2013	Capital Reserves	Developers	Gas Tax/ Infrastructure	Operating	Borrow
\$ 135,000					135,000
200,000				200,000	-
675,000					675,000
100,000	100,000				-
\$ 1,110,000	\$ 100,000	\$ -	\$ -	\$ 200,000	\$ 810,000
\$ 80,000			80,000		-
80,000			80,000		-
50,000				50,000	-
20,000				20,000	-
80,000				80,000	-
\$ 310,000	\$ -	\$ -	\$ 160,000	\$ 150,000	\$ -
\$ 1,420,000	\$ 100,000	\$ -	\$ 160,000	\$ 350,000	\$ 810,000

Town of Rothesay

Capital Plan Summary
General Operating Fund

Services	Final	Draft			
	2013	2014-2017			
	2013	2014	2015	2016	2017
GENERAL GOVERNMENT					
Municipal Buildings	121,000				
Equipment & Software	20,000				
	\$ 141,000	\$ -	\$ -	\$ -	\$ -
PROTECTIVE					
Building					
Equipment	40,560				
	\$ 40,560	\$ -	\$ -	\$ -	\$ -
TRANSPORTATION					
Buildings	-				
Designated Highways	870,000	400,000	475,000	300,000	600,000
Drainage Study	100,000	-			
Street surfacing	930,000	1,300,000	1,200,000	1,300,000	850,000
Storm sewers	475,000	350,000	200,000	200,000	200,000
Sidewalks	290,000	180,000	350,000	500,000	350,000
Equipment	430,000	425,000	400,000	500,000	400,000
	3,095,000	2,655,000	2,625,000	2,800,000	2,400,000
RECREATION					
Buildings	2,150,000				
Equipment	80,000				
Parks	3,280,000				
	\$ 5,510,000	\$ -	\$ -	\$ -	\$ -
Total Capital Expenditures	\$ 8,786,560	\$ 2,655,000	\$ 2,625,000	\$ 2,800,000	\$ 2,400,000
SOURCES OF FUNDS					
Grants	\$ 870,000	\$ 530,000	\$ 550,000	\$ 700,000	\$ 550,000
Reserves	612,560	425,000	400,000	500,000	400,000
Developers	-				
Provincial	220,000	400,000	475,000	300,000	600,000
Operating Fund	2,029,000	1,300,000	1,200,000	1,300,000	850,000
Long-term borrowing	5,055,000	-	-	-	-
	\$ 8,786,560	\$ 2,655,000	\$ 2,625,000	\$ 2,800,000	\$ 2,400,000

Town of Rothesay

Parks and Recreation Capital Items 2013 Budget

	Est	Details	Operating	Reserves	Grants	Borrow	Total
Rothesay Multi Purpose Centre phase one Estimate for partial detailed design	2,000,000	Assume design begins in 2013				2,000,000	
Rothesay Common Upgrade	2,400,000	Drainage, stage, washrooms, maintenance room, electrical, chiller enclosure.				2,400,000	
Reinforth Park Upgrade	500,000	Replace retaining wall, board walk, planters.			250,000	250,000	
Arthur Miller Field Building	100,000	Accessible washrooms				100,000	
550 Truck Tractor	50,000 30,000	Vehicle replacement program parks dept. Ball Field grooming, trails, street sweeping.		50,000 30,000			
Bike Lanes and Signage Hillside trail	85,000 135,000	As per AT Plan As per AT Plan	85,000 135,000				
Wells Barsa	70,000 70,000	Land acquisition and playground install Land acquisition and playground install	70,000 70,000				
Greenhouse	50,000	28' x 96' building	50,000				
Hampton Road Revitalization	20,000	New benches, iron pots, garbage containers	20,000				
Total	\$ 5,510,000		430,000	80,000	250,000	4,750,000	5,510,000