



**TOWN OF SAINT ANDREWS
COMMITTEE OF COUNCIL MEETING
MINUTES**

January 25, 2021, 7:15 p.m.
Electronic Meeting

A. RECORD OF ATTENDANCE

The Committee of Council Meeting of the Town of Saint Andrews Council was held on Monday, January 25, 2021, at 7:15 p.m. with the following members present:

Mayor Doug Naish, Deputy Mayor Brad Henderson, Councillor Kate Akagi, Edie Bishop, Guy Groulx, Kurt Gumushel, Andrew Harrison.

Staff: Chris Spear, CAO/Treasurer, Paul Nopper, Clerk - Senior Administrator

Facebook - 29

Zoom - 2

B. APPROVAL OF AGENDA

Motion: Motion: 015 - 01/21

Moved by Councillor Groulx

Seconded by Councillor Bishop

That the Agenda be approved as presented.

6 - 0

Carried

C. DISCLOSURE OF CONFLICT OF INTEREST

D. PRESENTATIONS

E. CORRESPONDENCE

F. INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS

1. Finance & Administration

1. FA210102 Municipal Capital Borrowing Board

Move to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

THAT IT BE RESOLVED that the Municipality of the Town of Saint Andrews submit to the Municipal Capital Borrowing Board an application for the authorization to borrow \$116,000 for capital expenses for the following terms and amounts:

Purpose	Amount	Term
UTILITY FUND		
Water Treatment Plant		
UV Chamber Upgrades	\$28,000	10 Years
Backup Wate Pump	\$10,000	5 Years
Sewage Lagoon		
Aerator Blower Unit	\$15,000	10 Years
Portable Generator for Lift Station	\$13,000	10 Years
Commercial Water Meters	\$50,000	10 Years
Total Utility Fund	\$116,000	

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council withdraws the following borrowing request made at the December 7, 2020 Regular Meeting of Council:

Purpose	Amount	Term
UTILITY FUND		
Liner Sewage Lagoon	\$116,000	25 Years

2. FA210104 Amendment No. 1 to By-Law No. 75 Regulating and Licensing Peddlers and Transient Traders First Reading

Councillor Groulx - This amendment would permit food trucks or other sales of other goods, from any other mobile unit in town.

Deputy Mayor Henderson - I think this needs more on this. Changing this would make it that PRAC could meet this process. I know before I vote on this, I need to do my homework on what they would like. People were strongly opposed to opening the door to this type of business. This could change how the Town looks. This is going in the other direction. We need a bigger conversation on this.

Councillor Groulx - This amendment does not state it needs to be in a vacant lot, it can be on a street and other.

Mayor Naish - I have the same concern, and understanding was that this was a one-off. PRAC gives them the ability to do the temporary permit which was not allowed. We want to protect our roadways from food trucks. Thought that the terminology was too wide open.

CAO Spear - Want to be clear, staff and the solicitor understand that this is a one-off. Staff will bring a report forward. This is supposed to be a one-off. We have been hesitant to give out permits in previous years. We will bring a report together for Council.

Mayor Naish - Is one week long enough for staff to bring this back?

Councillor Groulx - I would table for now.

Mayor Naish - Table.

Councillor Gumushel - PRAC asked us for our opinion on this, and they asked us as a courtesy to weigh in. In a broader sense, this is a PRAC issue and focus on that we do not have control over everything.

Councillor Groulx - PRAC can issue a permit under Zoning, but we have to change the Peddler's permit too. Two By-Laws needed to be varied for this 182 Water Street temporary use to go through.

Councillor Gumushel - So the first one has gone through correct? That is the bigger issue.

Councillor Harrison - Maybe useful to get the lawyer with a written opinion to us on the question of floodgates. Can we get the direct question answered in a legal opinion?

Deputy Mayor Henderson - Currently, anyone who applies to PRAC could get a permit from them based on the way this By-Law amendment is written. They could put it on, King Street.

CAO Spear - The way we are interpreting this is different. People can apply for the permit but they have not been issues. What this is trying to do is someone applies for a temporary variance through PRAC or Council, that business is exempt from the permit. We will get the lawyer to explain it and get the lawyer's opinion. We have two separate businesses here, this amendment says those that are approved through Council or PRAC are exempt from the permit if they got permission. This gives them the ability to exempt themselves from that type of business. Staff will put together a report for further explanations. We have not issued many as this has not been a business Council wants.

Mayor Naish - Take more time and bring a report forward

Do not move forward to February Council Meeting.

Bring Staff Report forward with further explanation to the By-Law Amendment

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council grant leave for First Reading of Amendment No. 1 of By-Law No. 75 Regulating Licensing of Peddlers and Transient Traders.

Motion: Motion: xxx - 01/21
Moved by _____
Seconded by _____

That Council sets the date of Monday, February 22, 2021 at 6:30 p.m. via Electronic Meeting for a Public Consultation Session on Amendment No. 1 to By-Law No. 75 Regulating Licensing of Peddlers and Transient Traders.

3. FA210105 2021 Distribution Assistance Grants

Deputy Mayor Henderson - Can we separate out the motions into each individual request for flexibility?

Mayor Naish - If Council is ok, we will make the changes to the separate motions.

Councillor Groulx - Thinking that the Wood Carving might be something that the TALB they can send to. The staff has recommended that sort of funding and seems like a good fit.

Mayor Naish - Bring forward as individual motions for next week. Did we get a large selection of grants?

CAO Spear - Will have money in the kitty for next Council and these were the grants that were submitted.

Move to February Regular Council Meeting.

Modify each Motion to be individual.

Motion: Motion: xxx - 01/21
Moved by _____
Seconded by _____

That Council approves the following organizations be financially supported with an Assistance Grant or Albert McQuoid Trust Fund Grant for the listed amount:

Vincent Massey Elementary Home and School Association	\$2,000.00 from the Albert McQuoid Trust Fund
New Brunswick Wood Carving Competition and Sale	\$3,000.00
Charlotte County Archives	\$4,000.00
Sunbury Shores Arts and Nature Centre	\$4,000.00
Saint Andrews Arts Council	\$2,000.00 plus \$1,000 from Albert McQuoid Trust Fund
Charlotte County Alternative Transportation	\$2,000.00

4. FA101203ab Tourism Accommodation Levy Agreement and 2021 Budget

Deputy Mayor Henderson - Is there anything that Councillor Groulx would like to address?

Councillor Groulx - When we came up with By-Law 19-06, we negotiated with the Chamber the Schedule B - Terms of Reference with reporting, funding, process, etc. to keep it simple. A 14-page agreement between the SACC and the Town which has nebulous

portions to this is not what we were looking for when we passed the By-Law. I think, if I may, we would have to research to ensure it does not contradict the By-Law. I suggest tabling the first motion and look at the budget and manage the funds based on By-Law 19-06. It is clearly laid out in the By-Law and I think it is being made more complicated based on the agreement. It is simple, doing what we need based on the By-Law.

Deputy Mayor Henderson - I don't think this needs to be a 14 page of the agreement. Let's give them the money and see if they are doing a good job or not. There are things I would like to discuss on this and would like to hear from staff on this. I am sure they are looking for clear direction from Council. I think they want to ensure expectation versus the spirit of what the Council wishes.

CAO Spear- We worked a while with them on this. We are trying not to leave stones unturned. We wanted clear communication and assurances. A lot of their marketing takes time and informally, the Town could pull the funds one year over next from the By-Law. SACC was hoping for more structure. We will go with Council's pleasure.

Councillor Groulx - this is not a lease, this is a grant. What it says for the term, there is no end date but the Council can with a majority vote switch service providers. It is very clear that we expect with the By-Law. We could have a legal problem that might be in contradiction to the By-Law. Forget about the agreement, the By-Law says terms and conditions and move forward. It gives all the details. When the By-Law was drafted and passed SACC was happy with it. All we are missing is the budget from the Chamber of Commerce and send them a cheque.

Mayor Naish - Seems like that agreement should be between TALB and SACC. Isn't that the way it is set up? The only thing is, do we need a one-pager to say we approve the budget, and here are the funds and administer based on the By-Law.

Councillor Groulx - It is all there in Schedule B.

Councillor Harrison - Did we put forward a contract or did we.

CAO Spear - They provided it to us and it's been worked down from there.

Councillor Harrison - If they are intending to hire a full-time employee, I can see the long term planning with 1 year versus 3. Perhaps they have to keep putting back to Council for review with an agreement with stability. They need to come back with more of the long term.

Deputy Mayor Henderson - I would rather give them funds this year and let the next Council deal with this. Councillor Harrison is right that there is long-term planning, with a week left, we have entrusted them for this year. Next Council can work out the details.

Councillor Groulx - the best vehicle to do this, amend Schedule B at a later date so there is only one document.

Remove Motion 1.

Move Motion 2 to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council approves the Tourism Promotion Management Agreement between the Town of Saint Andrews and the Saint Andrews Chamber of Commerce.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council approves the proposed 2021 Tourism Accommodation Levy Budget as proposed by the Saint Andrews Chamber of Commerce and the Tourism Accommodation Levy Board.

5. FA210106ab Wellness Centre Leases

CAO Spear- Some of the information should go to a closed session for discussion if needed.

Councillor Groulx - I want to discuss the option to expand, and would be a barrier for other people coming in. I am just suggesting if one of the therapist leaves, there is opening space for it.

Deputy Mayor Henderson - Can this be a closed session item. In fairness to the business.

Councillor Harrison - I don't think we should be micromanaging our staff and contracts. If we go into detail its into a closed session.

Deputy Mayor Henderson - If we discuss now, we can, and are the parties happy with the lease as written. Want to ensure a mutual agreement.

CAO Spear - Council was shown these leases in late November, there are some changes from pre-Christmas.

Councillor Groulx - I am not sure we should be granted the first right of refusal to anyone on a town-owned space.

CAO Spear - they share an office and desk space.

Mayor Naish - Does this require the approval of the Council or the CAO's responsibility to sign leases.

Deputy Mayor Henderson - If I was CAO I would want support from Council especially with the new facility.

Mayor Naish - I agree.

Move to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council approves the signing of a lease agreement with Ane Halse for a two-year term, effective January 1, 2021, with an option to renew for an additional two-year term.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council approves the signing of a lease agreement with Giselle Neil for a two-year term, effective January 1, 2021, with an option to renew for an additional two-year term.

6. FA201101 Human Resource Inventory and Organization Structure

CAO Spear - Can Council provide feedback on this.

Councillor Groulx - When I look at the approved chart, there is a little dotted line for development from the CAO to development, this line can be removed and this can move forward. It just clarifies the whole issue.

Make the change to the document and Move to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council moves to approve the new Human Resource Inventory and Organization Structure for the Town of Saint Andrews.

2. Public Works

3. Public Safety

4. Business, Tourism, Heritage and Culture

1. BTHC210101 Saint Andrews Farmers Market Agreement 2021

Move to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That Council moves to accept the Saint Andrews Farmers Market Management Agreement for the 2021 season.

2. BTHC210102 Heritage Week 2021 Proclamation

Move to February Regular Council Meeting.

Motion: Motion: xxx - 01/21

Moved by _____

Seconded by _____

That the Town of Saint Andrews proclaim February 15 to 21, 2021 Heritage Week and February 15, 2020 as Heritage Day in the Town of Saint Andrews.

5. Recreation and Community Service

6. Planning & Economic Development

G. REVIEW OF REGISTERS AND COMMUNICATIONS TO BE DISCUSSED AT THE REGULAR OR SPECIAL MEETING OF COUNCIL

1. FA210107 Employee Increases 2021

2. PED200901 & PED210101 Southwest New Brunswick Service Commission Report on Planning By-Laws 2021

3. PED210102 Rezoning of 152 Water Street - Karel Leggett

CAO Spear - 152 Water Street, they want to rezone that property with residential at the back and commercial in the front. We did not know if Council wanted to take that on and we wanted to double-check if you wanted to look at it or move to the next Council.

Councillor Harrison - What is our role?

CAO Spear - Hoping for the rezoning first and next Council can work on the subdivision.

Councillor Harrison - What are they suggesting for residential?

CAO Spear - A small bungalow outback and commercial upfront. What we need is direction if you want to continue or sit until the next Council?

Councillor Harrison - Would they be building in 2021?

CAO Spear- Best case scenario fall 2021.

Councillor Groulx - This is a complicated matter with development agreements. I don't think we should spot zone until we have all the information in front of us. Because of that, punt it to the next Council. I do not see them building in the next 4 months. I would wait for all the info.

Councillor Harrison - We cannot punt growth. What we want is a continued work with the Town and Service Commission to keep building this to get it at the end of this Council or next Council. They are not at that step yet but keep working on it and send info to Council. If they are willing to build and meet our regulations, bring them forward.

CAO Spear - The proponents knew they were not getting in February, but moving quickly so I can see this coming sometime in February early March.

Councillor Harrison - Let's see where they get and come forward.

Deputy Mayor Henderson - I do not want to half do it and pass it on. I want to make sure we close the files as necessary. If we can do it, do it, if not pass it on.

Mayor Naish - Another complicating factor, that property is under a lease for off-site parking. This parking agreement will have to change for the 131 Water Street property. That is something our planners and lawyer will have to look at.

Councillor Gumushel - Further to Councillor Harrison, we are in double overtime and not saying no to growth, but we are running out of time.

Councillor Harrison - We can start the process, Staff brings it to the next Council and move forward. Let's tell them to keep working at it.

Councillor Groulx - The other factor is there may be a municipal plan amendment, zoning by-law amendment, and a development plan. Starting from now, we have run out of time. We would be doing a disservice that this Council cannot complete it. We will work with you and get the process started and pass it to the next Council.

H. NEW BUSINESS

I. QUESTION PERIOD

J. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

K. MAYOR'S COMMENTS

L. CLOSED SESSION

Motion: Motion: 016 - 01/21

Moved by Councillor Bishop

Seconded by Councillor Groulx

At 8:17 p.m. that Council moves into Closed Session as per Section 68 (c) information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract and (j) labour and employment matters, including the negotiation of collective agreements.

6 – 0

Carried

Motion: Motion: 017- 01/21

Moved by Councillor Akagi

Seconded by Councillor Bishop

At 9:06 P.M. Council return to Open Session.

6 - 0

Carried

M. ADJOURNMENT

Motion: Motion: 018 - 01/21

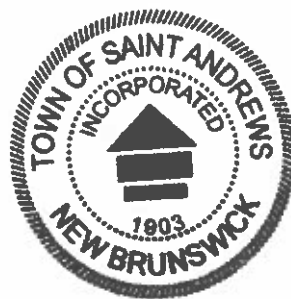
Moved by Councillor Akagi

Seconded by Councillor Gumushel

At 9:07 P.M. that the meeting be adjourned.

6 - 0

Carried



Doug Naish, Mayor

Paul Nopper, Clerk