



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

**March 29, 2021, 6:30 p.m.  
Electronic Meeting**

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**A. RECORD OF ATTENDANCE**

*A Committee Meeting of the Town of Saint Andrews Council was held on Monday, March 29, 2021, at 6:30 p.m. with the following members present:*

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

*Staff: Chris Spear, CAO/Treasurer, Paul Nopper, Clerk - Senior Administrator, Alexander Gopen, Planner, Southwest New Brunswick Service Commission*

*Absent: Councillor Bishop.*

**B. APPROVAL OF AGENDA**

**Motion: Motion: 133 - 03/21**

**Moved by Councillor Groulx**

**Seconded by Deputy Mayor Brad Henderson**

*That the Agenda be approved as presented.*

*5 - 0*

**Carried**

**C. DISCLOSURE OF CONFLICT OF INTEREST**

**D. PRESENTATIONS**

**1. David Johnson, SORTI Regarding the Proposed Outdoor Fitness Park**

*Mr. Johnson - I would like to convince Council on the location of the Outdoor Fitness Park. Provided an overview of outdoor versus indoor fitness centers/parks with the comparisons of different exercises and health improvements. Outdoor fitness parks promote free all ages to use and get exercise. Location is critical and needs to be accessible on foot, adjacent to parking, visible, close to washrooms, and space for expansion. Looked at several locations including along the trail, Legion site, Katy's Cove, Centennial Park, Langmaid Park, adjacent to the new Lodge, and Pagan Point. Parking, access, and washrooms are all issues at each of the locations. The ideal location would be at the corner of Water Street and Prince of Wales Street at the connection of the Van Horne Trail. Our goal is an 8-machine fitness park. We estimate 50 feet x 35 feet for the footprint size.*

*Councillor Akagi - Washrooms were mentioned, where would they be?*

*Mr. Johnson - Last year there was a portable washroom which would suffice but understand Council was looking at a build washroom structure.*

*Councillor Groulx - Thank you for your group's efforts. When examining sites, and Pagan point as preferred, you mentioned washrooms, was the trail and parking considered?*

*Mr. Johnson - Yes, it is a visible location around the point and access to parking and trails.*

*Deputy Mayor Henderson - I was wondering if this would be all-year use? Would this be shoveled out by Town staff or volunteers? Thanks for your time on the presentation.*

*Mr. Johnson - This winter was mild, but I do not have an answer currently. It can certainly be used all year.*

*Councillor Harrison - I tend to agree with the Deputy Mayor and hate to see the concrete pads there. It is a nice vista and I hope you look harder at Katy's Cove. I think winter will see diminished uses, but I think it would be a great space at Katy's Cove and a beautiful view.*

*Mr. Johnson - There is a nice view at Pagan Point as well. Katy's Cove is a little harder to access at this point. I think we are looking at a limited impact on the view. Heights will not be higher than 6 feet.*

*Councillor Harrison - Just an idea to keep looking at other locations. It would be nice to hold onto the green space as is.*

**E. CORRESPONDENCE**

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

**1. Finance & Administration**

**1. FA201101 Formal Wage and Salary Structure Town Employees**

*Councillor Gumushel - Can we ensure we have the Employee Recognition Policy with this.*

*CAO Spear - It is included in the FA210303 Policies and Procedures Manual.*

***Move to April Regular Council Meeting.***

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That the document titled "Town of Saint Andrews, Wage and Salary Grade Structure" dated April 5, 2021 be accepted.*

**2. FA210302 Province of New Brunswick Built Heritage Fund for the Courthouse and Gaol**

***Move to April Regular Council Meeting.***

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council supports the application to the New Brunswick Build Heritage Fund for 50% grant funding to support the Courthouse and Gaol painting project for 2021.*

**3. FA210303 Town of Saint Andrews Policies and Procedures Manual**

***Move to April Regular Council Meeting.***

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council adopts the Town of Saint Andrews Policies and Procedures Manual developed by Practical Human Resources Solutions Inc.*

**4. FA210304 Municipal Capital Borrowing Board Wharf and Trails**  
**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**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 \$ for capital expenses for the following terms and amounts:*

Purpose	Amount	Term
General Fund		
Transportation Services		
Trail Improvements	\$400,000	15 Years
Trail Improvements(Interim Financing)	\$200,000	3 Years
Environmental Development		
Market Wharf Refurbishment	\$1,300,000	25 Years
Market Wharf Refurbishment(Interim Financing)	\$750,000	3 Years

**2. Public Works**

**1. PW201001 Discussion on COVID-19 Downtown Water Street 2021**

*Councillor Groulx - I would propose that this be tabled. We only went out to the public last week. What I have seen is a negative on this.*

*Clerk Nopper - Note that we have received close to 500 surveys for Council to review.*

*Councillor Harrison - Let's push this forward and we can change it and modify it as necessary. Let's put a plan in place for staff on the ready. We might be able to do a modified version when tourists are in town. I think we need to give staff a chance to do it.*

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council approves Water Street to designate as a one-way traffic in an easterly direction from Edward Street to Frederick Street starting June 25, 2021 to September 7, 2021.*

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council approves no parking on the Northeast side of Water Street between Edward Street and Frederick Street starting June 25, 2021 to September 7, 2021.*

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council approves a wood and rope nautical themed barricade for the Northeast side of Water Street between Edward Street and Frederick Street starting June 25, 2021 to September 7, 2021.*

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council approves the Town to sign into encroachment agreements with businesses for the purposes of walkarounds for sidewalks, with the cost born by the businesses, and under the terms and conditions established by the Chief Administrative Officer.*

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council approves the gating of the Wharf to vehicular traffic, excluding permitted vehicles, between 8:00 a.m. and 5:00 p.m., 7 days a week from June 25, 2021 to September 7, 2021 to allow for social distancing space due to COVID-19 and for enhanced safety.*

**3. Public Safety**

**4. Business, Tourism, Heritage and Culture**

- 1. BTHC210301 Proclamation for Disability Awareness Week "Let's Talk Ability"! May 30 - June 5, 2021**

***Move to April Regular Council Meeting.***

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council proclaim May 30<sup>th</sup> – June 5<sup>th</sup>, 2021 Disability Awareness Week "Let's Talk Ability"! in the Town of Saint Andrews.*

**5. Recreation and Community Service**

- 1. RCS210301 Request for 2021 Summer Grass Cutting at Sir James Dunn Academy**

*Councillor Groulx - This should be a one-time deal versus a continuation of mowing services. Can we say this is COVID-19 support?*

*Councillor Akagi - Didn't we do this last year?*

*Mayor Naish - Perhaps there should be some bartering.*

*Councillor Gumushel - The field is available at no cost to the public.*

***Move to April Regular Council Meeting.***

**Motion: Motion: xxx - 03/21**

**Moved by** \_\_\_\_\_

**Seconded by** \_\_\_\_\_

*That Council approves the mowing of Prince Arthur Field for the 2021 summer season.*

**2. RCS210302 SORTI Request for NB Trail Funds for Bird Watching Platform**

*Councillor Gumushel - please add funding provided to communities who are leaders in trail development.*

*CAO Spear - Instead of a grant of \$36,000 to a grant up to \$36,000. Change of motion.*

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council approves the grant funding from NB Sentinel Trails of \$36,000 be provided for the construction of the Bird Watching Platform in partnership with the Saint Andrews Outdoor Recreation and Trails Inc.*

**3. RCS210303 Wellness Programs for Saint Andrews**

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council supports the Town of Saint Andrews in participating in the New Brunswick Dementia Friendly Institute Pilot Project for Dementia Awareness and Training Support.*

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council supports the Town of Saint Andrews in participating in the Heart and Stroke Foundation's Pilot Project for Stroke Navigation.*

**6. Planning & Economic Development**

**1. PED200901d By-Law 21-01, A By-Law Respecting Short-Term Rental Properties in the Town of Saint Andrews Third Reading**

*Councillor Harrison - We differed the meeting earlier, we should look at the review of this.*

*Deputy Mayor Henderson - Options to table, vote against, and restart the process for the next Council.*

*Councillor Gumushel - I also recommend we work with the community group to get a document ready. I am sure this can be a working group with the next Council.*

*Councillor Groulx - Council has to recognize Short-Term Rentals are allowed in all zones in the community. Now the controls are off and nothing to protect affordable housing. I raised this issue at the Zoning By-Law and was assured this would be addressed. Now we are saying not passing the Short-Term Rental By-Law and needs to be addressed. This By-Law has been in development since November. We have received lots of feedback and adjusted accordingly. I find this ironic, the street closures. We brought that forward a week ago yes proceed, something from November, push to the next Council. I agree with Deputy Mayor to not punt this to the next Council. We have listened to all concerns received and adjusted them, so it is fair*

to everyone. I think we should be moving to the third reading and any adjustments can be made by the next Council.

Mayor Naish - I concur with Councillor Groulx and should go for debate and decision. If it is voted down, then the next Council can resurrect it. I think we need to make this decision to go to the third reading.

Councillor Gumushel - About the Zoning By-Law, when I look at 3.34 under Short-Term Rentals, if a By-Law under the Local Governance Act is enacted. The wording is "if" it is enacted. If we choose not to enact, it does not contravene the Zoning By-Law.

Planner Gopen - we did assume a By-Law coming forward, but the Zoning By-Law is flexible. There are some limitations on Short-Term Rentals and provisions of secondary use. There are parking requirements and limitations like Bed and Breakfasts. There are some things we expected to come from the Short-Term Rental By-Law and if they are not there, they can exist with just the Zoning By-Law.

Councillor Harrison - If we table it at the second reading, and handing it to the next Council, they can leave it at the second reading, they can do their own consultations. We have had 3 very different By-Law changes. If we punt it to the next Council, it will come up to the next Council in June.

Councillor Groulx - Remember the Heritage By-Law and it was moved to this Council for third reading. I remind Council that I brought this point up during the Zoning debates.

Councillor Harrison - I do not see the issue in two months of waiting.

Mayor Naish - This has been on the books since November, debating and input. Take a position Council and decide. It can be passed or resurrected. Nothing has been decided yet.

CAO Spear - The original intent was to add the Special Meeting at 6:00 p.m. and discuss it. We probably would have recommended the third reading further in April. Staff recommends not moving to third reading yet and no final direction for Council. I am good with either direction, but we are not ready for the third reading without the Council workshop.

Deputy Mayor Henderson - I am good with the will of the Council. I do not want to release a document early. As much as we would like to complete the process, we are at the end of our time. I think the next Council will have to take this.

Councillor Groulx - the 6:00 p.m. meeting was to discuss this. Now we are saying we cannot make a decision as we were having a working session.

Councillor Gumushel - Restart or do not do it.

Mayor Naish - I disagree. I think we have something to take to the third reading and notwithstanding the changes. We still can move this forward if we want to and vote on it. It will either pass or the next Council can revive it.

Councillor Groulx - There is no legal obligation for Council to go back for additional consultation. We have voted on By-Laws without doing public consultations. We have had several consultations, letter submissions, staff has adjusted, and then just decide. In this case, we have a By-Law through two readings and adjusted fair to everyone. Let's get on with it. If the By-Law is not perfect, the next Council can amend it.

*Deputy Mayor Henderson - The issue I have is that this is the third draft of a document that has not seen at all other than Council. That is not the way to proceed. To have a work session and a decision to vote the following week. I could not take the risk of this and hence table the discussion. We need this to be a transparent process. That is the fundamental issue of this.*

*Councillor Akagi - When we started out with this document, it was a long document and we got community input. We took it back to the public each time. I would like to see this go to the public first and not interested in pushing it through. I think that we have had a chance to review it. The public should get one more kick at the can to review. It can be this Council or the next Council to pass. I think we need to stop and table as necessary. We need to give the public the opportunity for feedback.*

*Mayor Naish - Let's put the draft out and get input. Then we can have another debate on this. Staff direction to circulate and provide timelines for review.*

*Councillor Groulx - Can we set a date for the Special Meeting?*

*Councillor Harrison - This could be a meeting to table as well. I do not want to torpedo this document. It may need further review and we can decide from there.*

*Councillor Groulx - That was the point of the meeting prior to this. We tabled that meeting.*

*Councillor Harrison - This may not take a month to change. At least 4 Councillors do not feel comfortable with this.*

*Councillor Groulx - I think we need to debate this at Council. You may want to read the By-Law and come forward with your issues. The changes from version 2 to version 3 are not that significant.*

*Councillor Gumushel - I have several questions on work, red tape, the effect of those short-term rentals. I said to control them with fees, and we are just creating headaches.*

*Mayor Naish - Set a Special Meeting, put it out to the public, evaluate after, and decide then.*

**Do not move forward to April Regular Council Meeting.**

**Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council grants leave for Third and Final Reading of By-Law 21-01, A By-Law Respecting Short-Term Rental Properties in the Town of Saint Andrews.*

**2. PED210202d By-Law 2102, Being a By-Law to Establish a Planning Advisory Committee for the Town of Saint Andrews Second Reading**

*CAO Spear - When we get to the third reading for PAC, will that enact immediately and PRAC would be finished?*

*Planner Gopen - We need to rewrite the service agreement and finalize that as part of the process. You do want to wait until the third reading once you have everything in place.*

*Councillor Harrison - Do we need to do a second reading?*

*CAO Spear - We will bring this forward with the additional information before the third reading.*

Mayor Naish - My conclusion as well. Perhaps we can ask about passing this at the third reading and set a date in the future for when it takes effect so we can fill our roster? Is that a possibility?

CAO Spear - We will review the Acts and get back to Council for your review.

**Move forward to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council grants leave for Second Reading of By-Law 2102, Being a By-Law to Establish a Planning Advisory Committee for the Town of Saint Andrews.*

3. **PED210203d Amendment Z21-02 to Zoning By-Law Z21-01 for Rezoning 108 Sophia Street Second Reading**

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council grant leave for Second Reading to By-Law No. Z21-02, A By-Law to Amend By-Law Z21-01, Being Zoning By-Law for the Town of Saint Andrews.*

4. **PED210204d Amendment MP20-03 to Municipal Plan MP20-01 for Rezoning 108 Sophia Street Second Reading**

*Councillor Groulx - I still think that Council and the Town are in a conflict of interest as we have sold the land conditional on this. We must be cognizant, if there are objections, we are in a conflict. Just keep that in mind.*

*CAO Spear - We have been asked to go to the final reading as soon as possible if we are able as they want to start construction.*

*Councillor Groulx - The Public Hearing of Objections is not on until April 15th.*

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council grant leave for Second Reading to By-Law MP20-03, A By-Law to Amend By-Law No. MP20-01, Being Municipal Plan By-Law for the Town of Saint Andrews.*

5. **PED210301 Temporary Use Request Views for PRAC on 258 Water Street**

**Move to April Regular Council Meeting.**

**Motion: Motion: xxx - 03/21**

**Moved by \_\_\_\_\_**

**Seconded by \_\_\_\_\_**

*That Council supports the Temporary Use Request for Benjamin and Zainub Faulkner-Malik at 258 Montague Street "The Montague Rose Bed and Breakfast" for a tea-room open to the public in the existing Bed and Breakfast with the following terms and conditions:*

1. *Hours of operation shall not exceed 8:00 a.m. – 9:00 p.m.*



2. A parking area for 8 vehicles shall be maintained on the property.
3. The parking area shall be screened from the view of any adjoining residential zone or property through a 2 m (6.6 ft.) wide planting strip of landscaped open space or by a wall or decorative wooden fence or chain-link fence with filler strips woven into the mesh or some other screening facility of equal screening value; such screening facility to be at least 1.5 m (4.9 ft.) and not more than 2 m (6.6 ft.) in height, and so located as to not conflict with any sight triangle requirements.

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

**H. NEW BUSINESS**

**I. QUESTION PERIOD**

**J. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS**

**K. MAYOR'S COMMENTS**

**L. CLOSED SESSION**

**Motion: Motion: 134 - 03/21**

**Moved by Councillor Gumushel**

**Seconded by Councillor Groulx**

*At 8:02 p.m. Council moves into Closed Session per the Local Governance Act, Section 68 (c) information that could cease financial loss or gain to a person or local government or could jeopardize negotiations leading to an agreement or contract.*

5 - 0

**Carried**

**Motion: Motion: 135 - 03/21**

**Moved by Deputy Mayor Brad Henderson**

**Seconded by Councillor Gumushel**

*Council returned to Open Session at 8:09 p.m.*

5 - 0

**Carried**

**M. ADJOURNMENT**

**Motion: Motion: 136 - 03/21**

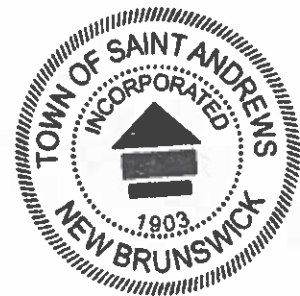
**Moved by Councillor Akagi**

**Seconded by Councillor Gumushel**

*At 8:10 p.m. that the meeting be adjourned.*

5 - 0

**Carried**



*Doug Naish*

Doug Naish, Mayor

*Paul Nopper*

Paul Nopper, Clerk