



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

**May 2, 2022, 6:30 p.m.
W.C. O'Neill Arena**

A. RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held on Monday, May 2, 2022, at 6:30 p.m. with the following members present:

Mayor Brad Henderson, Deputy Mayor Kate Akagi, Councillor Marc Blanchard, Kurt Gumushel, Lee Heenan, Jamie Hirtle.

Chris Spear, CAO/Treasurer, Paul Nopper, Clerk - Senior Administrator, Alexander Gopen, Senior Planner.

Councillor Steve Neil Virtual.

B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

C. APPROVAL OF AGENDA

Motion: 191 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That the Agenda be approved as presented.

6 – 0

Carried

D. DISCLOSURE OF CONFLICT OF INTEREST

- 1. Councillor Hirtle - Cheque Signing Authority, FA220505**

E. PRESENTATIONS

- 1. Lee Penney, Eastern Charlotte Waterways Presentation on the Climate Change in the Chamcook Watershed: Updated Predictions and their Implications Environmental Trust Fund Grant**

Lee Penney, a representative from Eastern Charlotte Waterways provided a presentation to the Council on the Chamcook Lake Improvement Project funded through the Environmental Trust Fund of the Province of New Brunswick. The report highlighted an analysis of surface flows, assessment of water cycles, and future projections of water quality and levels as mapped out with climate change. Key findings were focused on temperature fluctuations in the waterways, levels of precipitation, and surface water flows. Council was provided with graphical visuals of the analysis completed. For surface flow, issues were found with collapsed culvers, jammed flow areas, and beaver dams. Cyanobacteria were identified and noted that as temperatures fluctuate to higher levels that there are more opportunities to see blooms in our lake systems which could be factors to watch for with water treatment.

Council thanked Mr. Penney for the presentation and asked questions associated with beaver dams and the issues regarding flow. It was noted that beaver dams are part of the issue but more of an issue is the collapsed culverts causing choke points in the system for flow. Information will be shared with the Department of Environment. Council asked about recharge rates of the water system and if there were concerns regarding groundwater with additional withdrawal from the water allocations. Mr. Penney identified that a full-scale model would need to be created to review the groundwater withdrawal and noted that the Department of Environment is working on a study of the lakes with a focus on groundwater. Council indicated they had concerns over an event that would cause problems throughout the system and that additional work should be completed to review opportunities for preventative measures as this is a critical asset for the community as the main water source.

2. Matthew Dickson and Kim Reeder, Presentation on Mind Aid Proposal of Speed-Friending Events for Saint Andrews Residents

Matthew Dickson and Kim Reeder provided a presentation to Council on the Mind Aid proposal for Speed-Friending events for Saint Andrews. The goal is to connect new residents with existing residents and help to rebuild community connections after COVID-19. They highlighted the importance of communication and in-person contact while reducing isolation. The goal is to pilot several events over the spring and summer season to help build up community connections. The first event is scheduled for Paddlefest weekend in the tent. Mind Aid put in a request for a Community Assistance Grant to help cover refreshments for the event at a request of \$150.00.

Council thanked Mr. Dickson and Ms. Reeder for their presentation and supported the grant request for the Speed-friending event. Council asked to be informed of other events so they can help participate and spread the word to the community.

F. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

1. Minutes of the 220330 Special Council Meeting on Wednesday, March 30, 2022, 6:30 p.m.

Motion: 192 - 05/22

Moved by Councillor Blanchard

Seconded by Councillor Heenan

That the Minutes of the 220330 Special Council Meeting on Wednesday, March 30, 2022, at 6:30 p.m. be adopted.

6 – 0

Carried

2. Minutes of the 220404 Public Hearing of Objections Draft Zoning By-Law Z22-01 on Monday, April 4, 2022, 6:30 p.m.

Motion: 193 - 05/22

Moved by Councillor Hirtle

Seconded by Deputy Mayor Akagi

That the Minutes of the 220404 Public Hearing of Objections to Draft Zoning By-Law Z22-01 on Monday, April 4, 2022, at 6:30 p.m. be adopted.

6 – 0

Carried

3. **Minutes of the 220404 Regular Council Meeting on Monday, April 4, 2022, 6:45 p.m.**

Motion: 194 - 05/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That the Minutes of the 220404 Regular Council Meeting on Monday, April 4, 2022, at 6:45 p.m. be adopted.

6 – 0

Carried

4. **Minutes of the 220419 Public Hearing of Objections to MP20-05 and Z21-09 for Rezoning 258 Montague Street on Tuesday, April 19, 2022, 6:30 p.m.**

Motion: 195 - 05/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Blanchard

That the Minutes of the 220419 Public Hearing of Objections to MP20-05 and Z21-09 for Rezoning 258 Montague Street on Tuesday, April 19, 2022 at 6:30 p.m. be adopted.

6 – 0

Carried

5. **Minutes of the 220419 Regular Council Meeting on Tuesday, April 19, 2022, 6:45 p.m.**

Motion: 196 - 05/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Hirtle

That the Minutes of the 220419 Regular Council Meeting on Tuesday, April 19, 2022, at 6:45 p.m. be adopted.

6 – 0

Carried

G. COMMUNICATIONS

1. **Longest Day of SMILES June 19th, 2022 Proclamation as part of Operation Smile Canada**

Mayor Henderson read the proclamation for the Longest Day of Smiles for Operation Smile Canada for June 19, 2022.

Motion: 197 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council proclaims June 19th, 2022, as the Longest Day of Smiles as part of Operation Smile Canada.

6 – 0

Carried

2. **International Day Against Homophobia and Transphobia May 17, 2022**

Mayor Henderson read the proclamation for the International Day Against Homophobia and Transphobia for May 17, 2022.

Motion: 198 - 05/22

Moved by Councillor Hirtle

Seconded by Councillor Blanchard

That Council proclaims May 17th, 2022 as the International Day Against Homophobia and Transphobia.

6 – 0

Carried

H. STAFF REPORT/FINANCIAL REPORT, FA220504, PW220504, RCS220504, PED220505, RCS220505, PS220502, PW220506, PW220507, FA220506

CAO Spear provided the staff report for the month of April 2022 including financial updates. Topics include:

- *The one-way street for the summer season.*
- *Community newsletters from the Town and Environmental Advisory Committee.*
- *Current infrastructure projects that are underway in the Town.*
- *Spring water bills.*
- *New location of the Council Chambers.*
- *Wharf refurbishment and alternative plans.*
- *Celebrating Canada Day and National Aboriginal Day.*
- *Earth Day clean-ups.*
- *Public washroom openings and costing for the summer season.*
- *New cold mix asphalt pothole fillings.*
- *Repairs to the Holder snow clearing machine.*
- *Spring leaf bag collections.*
- *Opportunities for seasonal summer student positions.*
- *Community Youth Activity Centre programming with Big Brothers Big Sisters.*
- *Dragon Boat Club youth team and fundraising.*
- *Volunteer tax clinics at the Ross Memorial Library.*
- *Local Governance Reform update.*
- *Transitions in 2022.*

Motion: 199 - 05/22

Moved by Councillor Hirtle

Seconded by Councillor Heenan

That Council accepts all the Staff Reports and Financial Reports as presented.

6 – 0

Carried

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

1. Finance & Administration - Deputy Mayor Akagi

1. By-Law No. 22-02, A By-Law to Regulate the Code of Conduct of the Council of the Town of Saint Andrews Third Reading, FA220307

Read by Mayor Henderson by title for the Third and Final Reading.

Motion: 200 - 05/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Hirtle

That Council grants leave for Third and Final Reading to By-Law No. 22-02, A By-Law to Regulate the Code of Conduct of the Council of the Town of Saint Andrews.

6 – 0

Carried

2. Cheque Signing Authority, FA220505

Councillor Hirtle left the meeting at 7:21 p.m.

Councillor Hirtle returned to the meeting at 7:25 p.m.

Motion: 201 - 05/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Blanchard

Be it resolved that accounts in the name of the Town of Saint Andrews (hereinafter called the "Corporation") be kept at the Bank of Nova Scotia (hereinafter called the "Bank") and the Mayor or Deputy Mayor together with the CAO/Treasurer or Assistant Treasurer are hereby authorized for and in the name of the Corporation to sign, make, draw, accept, endorse, and deliver cheques, promissory notes, bills of exchange, orders for payment of money and such agreements and instruments as may be necessary for useful in connection with the operation of the said accounts.

That any one of the above-mentioned officers is hereby authorized for and in the name of the Corporation to endorse and transfer to Bank for deposit or discount with or collection by the Bank (but for credit of the Corporation only) cheques, promissory notes, bills of exchange, orders for payment of money and other instruments, to arrange, settle, balance, and certify all books and accounts with the Bank and to sign receipts and vouchers.

That a signature card for all accounts of the Corporation shall be signed by the above-mentioned officers, filed with the Bank and shall be in the following form:

Brad Henderson, Mayor OR

Kate, Catherine, Akagi, Deputy Mayor

AND

Chris Spear, CAO/Treasurer OR

Andrew Lord, Assistant Treasurer

5 – 0

Carried

2. Public Works - Councillor Blanchard

1. Tree Planting Initiative for 2022, PW220505

Council noted this is a great initiative but felt that the Tourism Accommodation Levy was not the best fund to draw from. Staff was directed to find funding in the budget and use the Tree Planting Reserve Fund to cover the cost of the trees to be planted.

Motion: 202 - 05/22

Moved by Councillor Blanchard

Seconded by Deputy Mayor Akagi

That Council directs staff to use up to \$12,000.00 in funding from the Tourism Accommodation Levy Fund and the Tree Planting Reserve Fund to purchase and plant 60 new trees in the community for 2022.

Amended

Motion: 203 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council amend the motion to remove use of the Tourism Accommodation Levy Funding and find funds from other allocations.

6 – 0

Carried

Motion: 204 - 05/22

Moved by Councillor Hirtle

Seconded by Councillor Blanchard

That Council directs staff to use up to \$12,000.00 in funding sources and the Tree Planting Reserve Fund to purchase and plant 60 new trees in the community.

6 – 0

Carried

3. **Public Safety - Councillor Neil**
4. **Business, Tourism, Heritage and Culture - Councillor Hirtle**
5. **Recreation and Community Services - Councillor Gumushel**
 1. **By-Law No. 22-03 A By-Law to Repeal By-Law 01-5 Skateboards, Scooters and Inline Skates in Saint Andrews, First Reading RCS220404**

Council discussed By-Law No. 22-03, A By-Law to Repeal By-Law 01-5 to Regulate the Use of Skateboards, Scooters, and Inline Skates within the Town of Saint Andrews. Council debated the pros and cons of on sidewalk use of active transportation methods of travel in the Historic Business District. Council discussed options of piloting the use of active transportation methods for spring and fall use. Council asked for further clarification on the use of e-bikes and mobility scooters the downtown and how it relates to the By-Law. The Council recognized the importance of this By-Law and hearing from the public will be an important step in the process. Staff noted that the Town has received several letters that have been submitted regarding the reasons for the By-Law and concerns for safety. Council asked staff to gain feedback from the Business Improvement Area and the Chamber of Commerce on the By-Law. Council asked staff to revise the By-Law to include other alternative forms of active or mobile transportation and bring the By-Law back for discussion.

Motion: 205 - 05/22

Moved by Councillor Gumushel

Seconded by Councillor Blanchard

That Council grants leave for First Reading of By-Law No. 22-03, A By-Law to Repeal By-Law No. 01-5, A By-Law to Regulate the Use of Skateboards, Scooters, and Inline Skates within the Town of Saint Andrews.

Amended

Motion: 206 - 05/22

Moved by Councillor Gumushel

Seconded by Councillor Blanchard

That Council sets the date of Monday, May 16, 2022, at 6:30 p.m. for a Public Hearing of Objections to By-Law No. 22-0-3, A By-Law to Repeal By-Law No. 01-5, A By-Law to Regulate the Use of Skateboards, Scooters, and Inline Skates within the Town of Saint Andrews.

Amended

Motion: 207 - 05/22

Moved by Councillor Hirtle

Seconded by Deputy Mayor Akagi

That Council Tables the motion for First Reading and call for Public Hearing of Objections to By-Law 22-03, A By-Law to Repeal By-Law 01-5 Skateboards, Scooters, and Inline Skates in Saint Andrews.

4 – 2 Nay Councillor Neil, Gumushel

Carried

6. Planning & Economic Development - Councillor Heenan

1. Amendment MP20-05 to Municipal Plan MP20-01 for Rezoning of 258 Montague Street, Second and Third Reading PED220303

Council asked if the Town had heard of any concerns regarding the Terms and Conditions through the Temporary Use Permit or what is being suggested to continue with the business. Staff noted that the Terms and Conditions were the same to carry forward that they have been operating under and that there were no issues with it.

Read by Mayor Henderson for Second Reading in Full.

Read by Mayor Henderson for Third and Final Reading in Full

Motion: 208 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council grants leave for Second Reading of Amendment MP20-05 to the Town of Saint Andrews Municipal Plan MP20-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to move from Residential Designation to Commercial Designation to the Generalized Future Land Use Map.

6 – 0

Carried

Motion: 209 - 05/22

Moved by Councillor Heenan

Seconded by Councillor Blanchard

That Council grants leave for Third and Final Reading of Amendment MP20-05 to the Town of Saint Andrews Municipal Plan MP20-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to move from Residential Designation to Commercial Designation to the Generalized Future Land Use Map.

6 – 0

Carried

2. Amendment Z21-09 to Zoning By-Law Z21-01 for Rezoning of 258 Montague Street, Second and Third Reading PED220304

Read by Mayor Henderson for Second Reading in Full.

Read by Mayor Henderson for Third and Final Reading in Full.

Motion: 210 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council grants leave for Second Reading of Amendment Z21-09 to the Town of Saint Andrews Zoning By-Law Z21-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to rezone from Serviced Residential to Tourist Commercial.

6 – 0

Carried

Motion: 211 - 05/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That Council add the following Terms and Conditions to be implemented for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894:

- 1. During the operation of the Tea Room, the front door of the building will remain open during such periods as weather allows.*
- 2. Tea Room patrons are not to access the rest of the building, save to use sanitary facilities.*
- 3. Reservations are required for the Tea Room service, and services are to end at 7:00 p.m.*
- 4. No more than 12 patrons who are not provided overnight occupation are permitted at any one service.*
- 5. No more than approximately one-half of the Tea Room, that being the room on the southeast corner of the main floor, will be accessible to those who are not provided overnight accommodations.*

6 – 0

Carried

Motion: 212 - 05/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That Council grants leave for Third and Final Reading of Amendment Z21-09 to the Town of Saint Andrews Zoning By-Law Z21-01 for Benjamin and Zainub Faulkner-Malik, owners of 258 Montague Street, the Montague Rose Bed and Breakfast, PID 01320894 to rezone from Serviced Residential to Tourist Commercial.

6 – 0

Carried

3. Subdivision Agreement for Legrod Holdings Inc. for the Victoria Terrace Development

Moved to Closed Session discussion.

J. NEW BUSINESS

K. QUESTION PERIOD

L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Deputy Mayor Akagi - Would like to thank the staff for the work on the By-Laws, the National Aboriginal Day, and encouraged the public to please watch the website for information. Would like to thank Mr. Spear and Mr. Nopper for working with the Peskotomuhkati people and their Chief and staff. I would like to see people out for this event and thank you for recognizing the unceded territory and recognizing National Aboriginal Day. I appreciate it and so do the Aboriginal community.

M. MAYOR'S COMMENTS

N. CLOSED SESSION

Motion: 213 - 05/22

Moved by Councillor Blanchard

Seconded by Councillor Heenan

At 8:01 p.m. Council move into Closed Session per the Local Governance Act, Section 68(1)(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.

6 - 0

Carried

Motion: 214 - 05/22

Moved by Councillor Hirtle

Seconded by Deputy Mayor Akagi

At 8:41 p.m. that Council return to Open Session.

6 - 0

Carried

O. ADJOURNMENT

Motion: 215 - 05/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Neil

At 8:42 p.m. that the meeting be adjourned.

6- 0

Carried

Brad Henderson, Mayor

Paul Nopper, Clerk - Senior
Administrator

