



TOWN OF SAINT ANDREWS

REGULAR COUNCIL MEETING

MINUTES

**August 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 Tuesday, August 2, 2022 at 6:30 p.m. with the following members present:

Mayor Brad Henderson, Deputy Mayor Kate Akagi, Councillor Marc Blanchard, Lee Heenan, Jamie Hirtle, Steve Neil.

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

Absent: Councillor Kurt Gumushel

B. LAND RECOGNITION OF THE PESKOTOMUHKATI NATION

C. APPROVAL OF AGENDA

Motion: 324 - 08/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That the Agenda be approved as presented.

5 – 0

Carried

D. DISCLOSURE OF CONFLICT OF INTEREST

E. PRESENTATIONS

F. APPROVAL OF THE MINUTES OF PREVIOUS MEETING

- 1. Minutes of the 220704 Public Hearing of Objections to Amendment MP20-06 to Municipal Plan MP20-01 and Amendment Z22-02 to Zoning By-Law Z22-01 on Monday, July 4, 2022, 6:30 p.m.**

Motion: 325 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

That the Minutes of the 220704 Public Hearing of Objections to Amendment MP20-06 to the Municipal Plan MP20-01 and Amendment Z22-02 to the Zoning By-Law Z22-01 on Monday, July 4, 2022, at 6:30 p.m. be adopted.

5 – 0

Carried

- 2. Minutes of the 220704 Public Hearing of Objections to Amendment Z22-03 to the Zoning By-Law Z22-01 on Monday, July 4, 2022, 6:45 p.m.**

Motion: 326 - 08/22

Moved by Councillor Blanchard

Seconded by Deputy Mayor Akagi

That the Minutes of the 220704 Public Hearing of Objections to Amendment Z22-03 to Zoning By-Law Z22-01 on Monday, July 4, 2022 at 6:45 p.m. be adopted.

5 – 0

Carried

- 3. **Minutes of the 220704 Regular Council Meeting on Monday, July 4, 2022, 6:50 pm.**

Motion: 327 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Neil

That the Minutes of the 220704 Regular Council Meeting on Monday, July 4, 2022, at 6:50 p.m. be adopted.

5 – 0

Carried

- 4. **Minutes of the 220718 Regular Council Meeting on Monday, July 18, 2022, 6:30 p.m.**

Motion: 328 - 08/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Blanchard

That the Minutes of the 220718 Regular Council Meeting on Monday, July 18, 2022, at 6:30 p.m. be adopted.

5 – 0

Carried

G. COMMUNICATIONS

- H. **STAFF REPORT/FINANCIAL REPORT, FA220811, PS220807, PS220804, PW220809, BTHC220804, PED220813, RCS220809, PS220808, PW220810**

CAO Spear thanked Alex Ross and Dan Brown for their quick action in helping to put out the fire on the Wharf that occurred on July 16, 2022. Mayor Henderson also thanked Dwayne Doucette for his quick actions in helping put out the fire. Mayor Henderson asked if there was a reason for the fire. CAO Spear noted that through an investigation the fire was caused by a cigarette being put out on the Wharf pillar. The Wharf is a no-smoking area but this is hard to enforce. It was noted that staff is looking into putting out some ashtrays to help with ensuring that those who do light up a cigarette have a safe place to put it out.

Motion: 329 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

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

5 – 0

Carried

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

- 1. **Finance & Administration - Deputy Mayor Akagi**

1. Paving Parking Lot at Point Park at Prince of Wales and Water Street Update Quote, FA220615

Council asked the staff when reviewing third-party vendors, is there a breakdown cost or does the municipality select the lowest bidder? CAO Spear noted that with larger projects there are breakdown costs, and that staff used this breakdown for the cost of paving the parking lot. When speaking with the vendor after, as the costs were set back in March, asphalt had doubled in price. Staff had to go and get additional quotes to review for the lowest bid price. Council asked what the tax would be on the project. CAO Spear indicated that the tax would be 4% on top of the budgeted amount. Council asked how much tax does the municipality get back? CAO Speat noted 76%. Deputy Mayor Akagi asked staff and Council to continue calling Point Park, Indian Point Park, as the name has not changed, and that the Passamaquoddy were here and are still here in the area. We do not want to forget what has occurred and until the First Nations has received recognition and that there is a mutual agreement on changing the name, the staff and Council should continue to call it Indian Point Park. Mayor Henderson would welcome the time when the Passamaquoddy First Nations would like to discuss a name change but would continue using the name Indian Point Park out of respect.

Motion: 330 - 08/22

Moved by Deputy Mayor Akagi

Seconded by Councillor Heenan

That Council approves the paving of the parking lot near the Van Horne Trail at the Point Park at the corner of Prince of Wales and Water Street for a price of \$19,100.00 + HST to Sewells Paving.

5 – 0

Carried

2. Public Works - Councillor Blanchard

3. Public Safety - Councillor Neil

4. Business, Tourism, Heritage and Culture - Councillor Hirtle

5. Recreation and Community Services - Councillor Gumushel

1. Off-Leash Dog Park Concepts Update for Council, RCS220610

Council was provided with a staff report outlining the pros and cons of the locations for the dog park at Harry Mallory Sports Field and the Queen Street Extension and the feedback collected from the mailouts and Open House. Council discussed walkability to the parks, access in winter, maintenance, fundraising, budgeting, and protection of trees/inclusion of trees in the park. Council noted that they would like to see a Memorandum of Understanding between the Town and the Dog Park Committee and for it to include a long-term plan to ensure the safe operation, enforcement, and maintenance of the park. It was noted that keeping momentum going after the park is created will ensure the long-term viability of the park.

Motion: 331 - 08/22

Moved by Councillor Hirtle

Seconded by Councillor Blanchard

That Council selects the Harry Mallory Sports Field park location, based on public consultation, to establish an Off-Leash Dog Park in the Town of Saint Andrews.

5 – 0

Carried

6. Planning & Economic Development - Councillor Heenan

1. Amendments MP20-06 to Municipal Plan MP20-02 and Z22-02 to Zoning By-Law Z22-01 Compass Housing Inc. Discussion, PED220812

Council accepted the staff report outlining the consultations collected from the Public Hearing of Objections and the extended feedback opportunities. Staff noted the developer was working on the site plan and would be presenting it to the Council in September. It was recommended that until the site plan is presented to Council the Second and Third Readings of the Amendments should wait until after the site plan is submitted. It was also recommended that another Public Hearing of Objections be called with polling of the neighbours on the project after the site plan has been presented to Council. Council supported to the recommendations by staff.

2. Passamaquoddy Lodge Request for Extension on Town of Saint Andrews Land at Bar Road and Champlain Avenue, PED210707

Motion: 331 - 08/22

Moved by Councillor Heenan

Seconded by Deputy Mayor Akagi

That the Council of the Town of Saint Andrews provided an extension, until November 30, 2022, for the first right of refusal on a conditional purchase and sale agreement with the Passamaquoddy Loge Inc. (PLI) for a 12-acre portion of Town land having PID 01325471. This agreement will be subject to the following terms and conditions:

- 1. That the Town and PLI enter into a Development Agreement for the construction of a new 60-bed nursing home complex on said lands.*
- 2. That the closing takes place within 30 days after signing the Development Agreement.*
- 3. That the Agreement of sale will expire on November 30th, 2022 if the closing has not taken place by then.*
- 4. That discussion on supporting the concept of the in-ground infrastructure for 1-year with future discussions based on cost estimates from engineers as of November 30, 2022.*

5 – 0

Carried

3. By-Law No. 22-04 Being the Building By-Law for the Town of Saint Andrews Second and Third Reading, PED220713

Council asked if no work happens over a 90-day period, if a building permit was revoked, and does the proponent have to start the process again from point A? Planner Gopen noted that it was at the discretion of the Building Inspector and within 6 months of permit approval. If the Inspector feels like the project needs to go back to

point A, they can set that. We have seen supply chain issues and interruptions, so there has been some flexibility in the processes for extra time.

Staff noted that a post will go out to note that this By-Law will be read by Title for Third and Final Reading.

Read by Title by Mayor Henderson for Second Reading.

Motion: 332 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Blanchard

That Council grants leave for Second Reading to By-Law No. 22-04, Being the Building By-Law for the Town of Saint Andrews.

5 – 0

Carried

J. NEW BUSINESS

K. QUESTION PERIOD

L. COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

Deputy Mayor Akagi - Caroline Davies is in the audience and I would like to congratulate the Dragon Boat Team for winning in their category for First Place in the New Glasgow Dragon Boat Festival. It is wonderful we have such a great team and a First Place title. Heard on the radio Mrs. Flemer is getting the Order of New Brunswick and would like to pass on my congratulations. Thank you for all you do and look forward to the award. Thank you to the staff and Council for continuing to call the park Indian Point Park.

Councillor Heenan - Wanted to mention thank you to the Town and staff for putting together a great Canada Day celebration. Diligent to the fire department. thank you to all the folks and volunteers. Clerk Nopper noted that the Town was randomly selected for review of the Canada Day celebration as part of the grant funding process. We received great compliments and kudos to CHCO TV for their integrated coverage of Canada Day as part of the festivities.

M. MAYOR'S COMMENTS

Mayor Henderson congratulated Mrs. Flemer for her Order of New Brunswick Award and her exemplary efforts throughout New Brunswick.

N. CLOSED SESSION

Motion: 333 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

At 7:15 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.

5 – 0 Carried

Motion: 334 - 08/22

Moved by Councillor Heenan

Seconded by Councillor Hirtle

At 8:09 p.m. that Council return to Open Session.

5 – 0

Carried

O. ADJOURNMENT

Motion: 335 - 08/22
Moved by Deputy Mayor Akagi
Seconded by Councillor Neil
At 8:10 p.m. that the meeting be adjourned.
5 – 0
Carried



Brad Henderson, Mayor

Paul Nopper, Clerk - Senior
Administrator