

**COUNCIL MEETING OF
MONDAY, JUNE 11, 2018 AT 7:00 P.M.
COUNCIL CHAMBERS, TOWN HALL**

In attendance were Mayor John Higham, Deputy Mayor Ron Aiken, Councillors Bruce Phinney, Allison Butcher, Andrew Black, Joyce O’Neil, and Megan Mitton. Also in attendance were CAO Phil Handrahan, Treasurer Michael Beal, Senior Manager of Corporate Projects Jamie Burke, Manager of Recreation Programs & Events Matt Pryde, Manager Tourism & Business Development Ron Kelly-Spurles, Town Engineer Dwayne Acton, Superintendent Public Works Todd Hicks, Manager Parks & Facilities Todd Cole, Fire Chief Craig Bowser, Deputy Fire Chief Walter Allen, Clerk Donna Beal, Assistant Clerk Stacey Hicks and Planner Lori Bickford.

Also in attendance were Press Katie Tower and Bruce Wark and a full gallery (approximately 30 people).

Mayor Higham took a moment to extend congratulations to the Acadie Bathurst Titan for their recent Memorial Cup Championship and also to acknowledge Sackville’s own Ethan Crossman who played remarkable during the season and especially during the Championship. A huge congratulations was extended to the Mayor & Council of Bathurst as well.

1. CALL MEETING TO ORDER

Mayor John Higham called the meeting to order.

2. APPROVAL OF AGENDA

#18-098 MOVED BY COUNCILLOR JOYCE O’NEIL AND SECONDED BY
COUNCILLOR ANDREW BLACK THAT COUNCIL APPROVE THE AGENDA OF THE
REGULAR COUNCIL MEETING OF JUNE 11, 2018 AS CIRCULATED. MOTION
CARRIED

3. QUESTION PERIOD

Resident, Erna Duchemin noted she had recently dropped off a petition at Town Hall in regards to the Lafford Rezoning and asked that the petition be taken into consideration during tonight’s meeting.

Resident, Meredith Fisher asked Council to keep in mind the importance of maintaining the downtown green space and the mature trees while voting on the Lafford rezoning.

Resident, John Duchemin questioned Council on informing citizens on such issues of importance. Mayor Higham noted several examples of how citizens were being informed on this matter and a number of important items as well. He also noted the Town exceeded the requirements under the Community Planning Act with regard to advertising.

Resident, Brian Lane asked if the Lafford rezoning was part of the Heritage Conservation area, which information confirmed it is.

4. DISCLOSURE OF INTEREST

Mayor John Higham asked if there were any Disclosures of Interest to Declare. Deputy Mayor Ron Aiken noted that he would be excusing himself from the meeting during the Public Hearing on Heritage.

5. MINUTES

Approval of Minutes – Special Meeting of Council Closed/In-Camera of May 15, 2018

#18-099 MOVED BY COUNCILLOR MEGAN MITTON AND SECONDED BY DEPUTY MAYOR RON AIKEN THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL CLOSED IN-CAMERA OF MAY 15, 2018. MOTION CARRIED.

Approval of Minutes – Regular Council Meeting – May 15, 2018

#18-100 MOVED BY COUNCILLOR JOYCE O’NEIL AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL ADOPT THE MINUTES OF THE REGULAR COUNCIL MEETING OF MAY 15, 2018 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council – June 4, 2018

#18-101 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR JOYCE O’NEIL THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL OF JUNE 4, 2018 AS CIRCULATED. MOTION CARRIED.

Approval of Minutes – Special Meeting of Council Closed/In-Camera – June 4, 2018

#18-102 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL ADOPT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL CLOSED IN-CAMERA OF JUNE 4, 2018 AS CIRCULATED. MOTION CARRIED.

6. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

7. ELECTION OF DEPUTY MAYOR

Mayor John Higham asked for nominations for the position of Deputy Mayor. Councillor Joyce O’Neil nominated Councillor Ron Aiken which was seconded by Councillor Megan Mitton. Mayor John Higham called three times for further nominations. There were none. Mayor John Higham declared that nominations cease.

#18-103 MOVED BY COUNCILLOR JOYCE O'NEIL AND SECONDED BY COUNCILLOR MEGAN MITTON THAT COUNCILLOR RON AIKEN BE ELECTED AS DEPUTY MAYOR EFFECTIVE IMMEDIATELY. MOTION CARRIED.

8. SOUTHEAST REGIONAL SERVICES

i) Regional Service Commission – Mayor John Higham

Mayor John Higham noted that the Regional Service Commission meeting was also their AGM where financial statements and a general report was received. During the meeting appointments were made for Committees and Mayor Higham noted that he will continue to sit on the Strategic Planning Committee. It was also noted that 15,720 tons of GHG was reduced by the waste generate burner to date. Appointments for Regional Trails Council and Regional Recreation Council and the purchase of Capital Equipment for ECO360 was also discussed. Meeting of the Strategic Committee with discussions around priorities, Unsightly Premises still on the books from last year, Police Services and LSD's being the most important.

ii) Planning – Lori Bickford

Planner Lori Bickford noted that the Planning Report could be found on page 19 of the Council Package and highlighted some of the details within the report.

A Public Hearing was held regarding rezoning a portion of property on Charlotte Street, PID 00903302, Bob Edgett Memorial Boxing Club Inc.

#18-104 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 244G, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW. MOTION CARRIED.

Planner Lori Bickford noted that application from Goya's Pizza for a Sidewalk Café.

#18-105 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL APPROVE THE PROPOSED SIDEWALK CAFÉ APPLICATION BY GOYA'S PIZZA, TO OPERATE A SIDEWALK CAFÉ ON A PORTION OF THE SIDEWALK IN FRONT OF THEIR BUSINESS LOCATED AT 96 MAIN STREET AND AS SHOWN ON THE PRESENTED SITE PLAN, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT THE SIDEWALK CAFÉ OPERATORS COMPLY WITH ALL REQUIREMENTS OF THE TOWN OF SACKVILLE SIDEWALK CAFÉ OPERATING PROCEDURES;
2. THAT THE SIDEWALK CAFÉ OPERATE IN CONFORMANCE WITH BY-LAW NO 246, THE TOWN OF SACKVILLE NOISE BY-LAW;
3. THE WOODEN FENCES USED TO DELINEATE THE SIDEWALK CAFÉ SHALL BE PLACED AND ANCHORED TO THE SIDEWALK WHERE NECESSARY IN CONSULTATION AND AS APPROVED BY THE TOWN

ENGINEER TO ENSURE THE STABILITY OF THE BARRIER. THESE ANCHORS SHALL NOT PROTRUDE INTO THE PUBLIC PEDESTRIAN AREAS. BARRIERS AND DELINEATION THAT ARE NOT ANCHORED TO THE SIDEWALK SHALL BE BUILT AS PART OF THE TEMPORARY SIDEWALK SO IT PROVIDES THE STRUCTURAL STABILITY TO THE BARRIERS. THE TOWN ENGINEER SHALL INSPECT AND APPROVE THE ANCHORING SYSTEM/CONSTRUCTION ALONG WITH ANY NECESSARY MODIFICATIONS TO THE ANCHORING SYSTEM;

4. TWO JERSEY BARRIERS SHALL BE PROVIDED AT THE COST OF THE APPLICANT AND PLACED ACCORDING TO THE SITE PLAN. THE JERSEY BARRIERS SHALL CONTAIN PERMANENT REFLECTIVE MARKINGS TO ENSURE NIGHT VISIBILITY. REFLECTIVE MARKINGS ARE SUBJECT TO THE APPROVAL OF ENGINEERING AND PUBLIC WORKS. AYE VOTES WERE RECORDED BY DEPUTY MAYOR RON AIKEN, COUNCILLORS ANDREW BLACK, ALLISON BUTCHER, AND MEGAN MITTON. NAY VOTES WERE RECORDED FROM COUNCILLORS BRUCE PHINNEY AND JOYCE O'NEIL. MOTION CARRIED.

JN Lafford Realty

#18-106 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL GIVE SECOND READING SECTION BY SECTION TO BY-LAW NO. 244F, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW.

**BY-LAW NO. 244-F
A BY-LAW TO AMEND BY-LAW NO. 244
TOWN OF SACKVILLE ZONING BY-LAW**

The Council of the Town of Sackville under the authority vested in it by Section 53 and in accordance with Section 59 of the Community Planning Act, SNB 2017, c.19 amends By-law No. 244, the Town of Sackville Zoning By-law and enacts as follows:

1. *By-law No. 244, the Town of Sackville Zoning By-law, is amended by changing the zoning as shown on the Zoning Map Figure "1" of the Town of Sackville Zoning By-law for a portion of the property identified as PID 00972182 as shown on Schedule A attached hereto and forming part hereof, from Institutional (I) to Mixed Use (MU) for the purpose of developing a multiunit dwelling.*

AYE VOTES WERE RECORDED BY DEPUTY MAYOR RON AIKEN, COUNCILLORS ALLISON BUTCHER, ANDREW BLACK, JOYCE O'NEIL, AND MEGAN MITTON. A NAY VOTE WAS RECORDED FROM COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

#18-107 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR JOYCE O'NEIL THAT COUNCIL GIVE THIRD AND FINAL READING TO BY-LAW NO. 244F, A BY-LAW TO AMEND BY-LAW NO. 244, TOWN OF SACKVILLE ZONING BY-LAW. AYE VOTES WERE RECORDED FROM DEPUTY MAYOR RON AIKEN, COUNCILLORS ALLISON BUTCHER, ANDREW BLACK, JOYCE O'NEIL AND MEGAN MITTON. A NAY VOTES WAS RECORDED FROM COUNCILLOR BRUCE PHINNEY. MOTION CARRIED.

Deputy Mayor Ron Aiken excused himself from the meeting.

9. PUBLIC HEARING – HERITAGE – PROPOSED REPEAL OF BY-LAW NO. 249
THE MUNICIPAL HERITAGE CONSERVATION AREA BY-LAW

Senior Manager of Corporate Projects Jamie Burke noted that after many months of discussions and review, Council is considering the repeal of By-Law No. 249, Town of Sackville Municipal Heritage Conservation Area By-Law. It was noted that a motion at the May 15, 2018 Regular Council Meeting was passed to set the Public Hearing date for this evening June 11, 2018. To date the Town has received 3 letters, one in favor of the repeal and two raising objections. The floor was then opened to the gallery to speak in favor of or raise their objections to the proposed repeal. Eight residents participated in the Public Hearing some objecting to the Repeal and some in favor of the repeal of the Town of Sackville Municipal Heritage Conservation Area By-Law.

#18-108 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR JOYCE O'NEIL THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 249A, A BY-LAW TO REPEAL BY-LAW NO. 249, TOWN OF SACKVILLE MUNICIPAL HERITAGE CONSERVATION AREA BY-LAW. MOTION CARRIED.

Deputy Mayor Ron Aiken returned to the meeting.

10. REPORTS

A) MAYOR'S REPORT

Mayor John Higham noted that he had done several media reports, CBC Radio, Municipal World video with Mayor Kogon of the Town of Amherst regarding the dykes. Mayor Higham also noted that he had met with Vice-President of CN Rail, attended the Air Cadets Ceremony, attended the Parks Canada meeting – Heritage site on Chignecto Isthmus, Zone 2 meeting and the FCM Annual Conference and much more.

Mayor Higham then announced that during the Canadian Association of Municipal Administrators' (CAMA) Annual Conference recently held, CAO Phil Handrahan received the Long Service Recognition Award for his commitment for his thirty years plus of municipal service in a management capacity. Mayor Higham congratulated Phil and thanked him for his service to Municipal Government and for the commitment to his position with the Town of Sackville.

B) CAO REPORT – Phil Handrahan

CAO Phil Handrahan noted that his report could be found on page 27 of the Council Package and that many of the items would be highlighted within the Departmental Reports.

C) Finance & Administration
Liaison Councillors Michael Tower and Ron Aiken

Deputy Mayor Ron Aiken noted that the bills and payroll for the month of May could be found on pages 28 & 29 of the Council Package.

i) BILLS AND PAYROLL – MAY

#18-109 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ACCEPT THE BILLS AND PAYROLL FOR THE MONTH OF MAY 2018 AS FOLLOWS: GENERAL GOVERNMENT \$755,732.51; GENERAL CAPITAL \$111,102.22; UTILITY GOVERNMENT \$315,470.74; UTILITY CAPITAL \$26,004.95; AND SALARIES \$342,537.31. MOTION CARRIED.

i) Report from Finance and Administration

Deputy Mayor Ron Aiken noted that the Finance Report could be found on page 30 of the Council Package, including the By-Law and Animal Control Reports and provided highlights of the report.

#18-110 MOVED BY DEPUTY MAYOR RON AIKEN AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL APPROVE THE HIRING OF BEALE AND INCH CONSTRUCTION IN THE AMOUNT OF \$8,590.00 PLUS HST RELATING TO THE DEMOLITION OF PROPERTY IDENTIFIED AS PID #00965152 UNDER THE DANGEROUS AND UNSIGHTLY PREMISES BY-LAW. MOTION CARRIED.

D) Tourism & Business Development
Liaison Councillors Megan Mitton and Ron Aiken
a. Report from Tourism & Business Development

Deputy Mayor Ron Aiken gave a brief overview of the highlights found within the Tourism & Business Development Report on page 38 of the Council Package.

E) Public Property & Facilities
Liaison Councillors Bruce Phinney and Michael Tower
a. Report Public Property & Facilities

Councillor Bruce Phinney noted the highlights of the Public Property and Facilities Report found on page 45 of the Council Package.

#18-111 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY DEPUTY MAYOR RON AIKEN THAT COUNCIL APPROVE THE BULK SALT SUPPLY AGREEMENT WITH WINDSOR SALT LTD., FOR THE 2018/2019 WINTER SEASON IN THE AMOUNT OF \$71.94 PER METRIC TON (DELIVERED) FOR APPROXIMATELY 800 TO 1200 TONS OF ROAD SALT AND AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE AGREEMENT. MOTION CARRIED.

#18-112 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY COUNCILLOR JOYCE O'NEIL THAT COUNCIL APPROVE ENTERING INTO A WORKING AGREEMENT WITH MARY-ANN OSTER FOR CANTEEN/BAR SERVICES FOR A TERM FROM JUNE 15, 2018 TO SEPTEMBER 30, 2019 AND AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE AGREEMENT. MOTION CARRIED.

#18-113 MOVED BY COUNCILLOR BRUCE PHINNEY AND SECONDED BY DEPUTY MAYOR RON AIKEN THAT COUNCIL AUTHORIZE THE PUBLIC WORKS/UTILITY DEPARTMENT TO PROCEED WITH THE EXTENSION OF WATER AND SEWER SERVICES FROM BRIDGE STREET TO ROBINSON AVENUE AND APPROVE EXPENDITURES FOR PROJECT MATERIALS FROM THE FOLLOWING COMPANIES AS PER THE SUBMITTED QUOTES OF JUNE 6, 2018 FOR OVERALL COSTS OF APPROXIMATELY:

<u>WOLSELEY WATERWORKS</u>	<u>\$22,788.85</u>	<u>PLUS HST</u>
<u>STRESCON LIMITED</u>	<u>\$ 5,045.00</u>	<u>PLUS HST</u>
<u>ACADIA CRUSH STONE LTD.</u>	<u>\$ 3,667.50</u>	<u>PLUS HST</u>

MOTION CARRIED.

- F) Recreation Programs & Events
 - Liaison Councillors Allison Butcher and Bruce Phinney
 - a. Report Recreation Programs & Events

Councillor Allison Butcher gave a brief overview of the highlights within the Recreation Programs & Events Report found on page 48 of the Council Package.

#18-114 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR JOYCE O'NEIL THAT COUNCIL GRANT THE TEMPORARY CLOSURE OF MAIN STREET FROM THE CORNER OF YORK STREET AND BRIDGE STREET TO WELLINGTON STREET WITH BARRIERS ALSO AT THE ENTRANCE OF FORD LANE FROM MAIN STREET AND THE ENTRANCE OF ALLISON AVENUE AT MAIN STREET FROM 5:30 P.M. TO 9:30 P.M. ON FRIDAY JULY 27, 2018 TO ACCOMMODATE A CRUISE TO SACKVILLE ANTIQUE CAR EVENT. MOTION CARRIED.

#18-115 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL APPROVE THE QUOTATION FROM SSI AUDIO, MONCTON, N.B. IN THE AMOUNT OF \$6,590.89 HST INCLUDED TO OPERATE THE SOUND SYSTEM FOR THE FALL FAIR EVENTS FROM FRIDAY SEPTEMBER 21, 2018 UP TO AND INCLUDING SUNDAY SEPTEMBER 23, 2018. MOTION CARRIED.

G) Public Safety

Liaison Councillors Joyce O'Neil and Andrew Black

- a. Report Public Safety
 - Fire/EMO, RCMP/CPO

Councillor Joyce O'Neil spoke to the highlights of the Fire/EMO report found on page 50 and Councillor Andrew Black spoke to the highlights of the RCMP/CPO report found on pages 51 of the Council Package.

H) Policy/By-Law

Liaison Councillors Andrew Black and Bill Evans

- a. Report Policy/By-Law

Councillor Andrew Black noted that the Policy/By-Law Report could be found on page 54 of the Council Package and noted the highlights of the report.

#18-116 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR MEGAN MITTON THAT COUNCIL GIVE FIRST READING IN NAME ONLY TO BY-LAW NO. 262, A BY-LAW TO REGULATE STREET TRAFFIC. MOTION CARRIED.

#18-117 MOVED BY COUNCILLOR ANDREW BLACK AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL REPEAL BY-LAW NO. 67, A BY-LAW DIVIDING THE TOWN OF SACKVILLE INTO WARDS. MOTION CARRIED.

I) Personnel

Liaison Councillors Bill Evans and Joyce O'Neil

- a. Report Personnel

Councillor Joyce O'Neil noted that the Personnel Report could be found on page 90 of the Council Package and read the highlights found within the report.

J) Corporate Affairs & Strategic Development

Liaison Councillors Megan Mitton and Allison Butcher

- b. Report

Councillor Allison Butcher spoke to the highlights of the Corporate Affairs and Strategic Development Report found on page 91 of the package.

#18-118 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR ANDREW BLACK THAT COUNCIL APPROVE THE FOLLOWING FOR THE SAPPYFEST CONTEMPORARY ARTS FESTIVAL;

- TO GRANT THE TEMPORARY CLOSURE OF BRIDGE STREET FROM LORNE STREET TO MAIN STREET ON THURSDAY, AUGUST 2, 2018 BEGINNING AT 8:00 P.M. UNTIL MONDAY, AUGUST 6, 2018 AT 12:00 NOON IN ORDER TO FACILITATE THE USE OF A TENT FOR EVENTS DURING THE FESTIVAL, AND
- TO WAIVE THE RENTAL OF TOWN OWNED PROPERTY SUCH AS TABLES, CHAIRS, PICNIC TABLES AND OTHER SIMILAR ITEMS FROM THE TANTRAMAR VETERANS MEMORIAL CIVIC CENTRE TO SAPPYFEST FROM AUGUST 2, 2018 TO AUGUST 6, 2018 WITH THE UNDERSTANDING THAT SAPPYFEST WILL BE RESPONSIBLE FOR LOST OR DAMAGED EQUIPMENT, AND
- TO GRANT A TIME EXEMPTION FROM 11:00 P.M. TO 12:00 MIDNIGHT ON FRIDAY AUGUST 3, 2018, SATURDAY AUGUST 4, 2018 AND SUNDAY AUGUST 5, 2018 AS PER BY-LAW NO. 246, THE TOWN OF SACKVILLE NOISE BY-LAW – SECTION 5, AND
- THAT COUNCIL GRANT PERMISSION FOR THE SAPPYFEST CONTEMPORARY ARTS FESTIVAL TO OPERATE A BEER GARDEN IN A SECURED AREA ON BRIDGE STREET ON FRIDAY, AUGUST 3, 2018, SATURDAY, AUGUST 4, 2018 AND SUNDAY, AUGUST 5, 2018 SUBJECT TO PROVINCIAL LIQUOR AND SAFETY LAWS, AND OBTAINING LIABILITY INSURANCE IN THE AMOUNT OF \$2,000,000 NAMING THE TOWN OF SACKVILLE AS CO-INSURED. MOTION CARRIED.

#18-119 MOVED BY COUNCILLOR ALLISON BUTCHER AND SECONDED BY COUNCILLOR MEGAN MITTON THAT COUNCIL AUTHORIZE THE MAYOR AND CLERK TO SIGN AND SEAL THE LETTER OF OFFER FROM THE CROWN LANDS BRANCH OF THE NEW BRUNSWICK DEPARTMENT OF ENERGY AND RESOURCE DEVELOPMENT TO SECURE AN EASEMENT FOR A PORTION OF THE DRAINAGE DITCH AND ABOITEAU THAT WILL EXTEND INTO THE TANTRAMAR RIVER. MOTION CARRIED.

9. NEW BUSINESS – There was no new business.

10. QUESTION PERIOD (Press First)

A question period was held where questions arose on the following:

- Media - Bruce
 - Status re garbage bylaw / include 4+ units?
 - Heritage Bylaw – question was asked if Council reviewed what other municipalities have done? The Mayor shared additional information of the Town's involvement and communication with other areas.

- Media – Katie
 - Requested clarification re sewer extension and the developer’s responsibility. Additional information was provided.
- Residents
 - Sharon raised the concerns around the lack of portable washrooms available at Fall Fair, the reduction of ponds regarding the Lorne St project and whether there would be another public meeting?
 - Information was provided on the various items raised.

11. ADJOURN

#18-120 MOVED BY COUNCILLOR JOYCE O’NEIL AND SECONDED BY COUNCILLOR BRUCE PHINNEY THAT COUNCIL ADJOURN THE REGULAR COUNCIL MEETING OF JUNE 11, 2018. MOTION CARRIED.

Mayor

Clerk

Assistant Clerk