



## **REGULAR MEETING OF COUNCIL MINUTES**

**Monday, September 10, 2018  
Immediately Following Public Presentation  
30 Honour House Court - Council Chambers**

**Members Present:** Mayor Ann Seamans  
Deputy Mayor Tammy Rampersaud  
Councillor Wayne Bennett  
Councillor Lana Hansen  
Councillor John Coughlan  
Councillor Jeremy Thorne  
Councillor Cecile Cassista  
Councillor Andrew LeBlanc

**Staff Present:** C. Smith, CAO  
A. Crummey, Town Clerk  
D. Richard, Deputy Town Clerk  
R. Higson, Director of Finance  
M. Ouellet, Director of Engineering & Public Works  
T. Finlay, Director of Human Resources  
D. Pleau, Fire Chief

**Others:** Allan Smith, Urban Planning

**Regrets Given:** Gerry Cole, Director of Parks, Recreation & Community Relations  
Shane Thomson, Director of Economic Development

**1. CALL TO ORDER**

Mayor Seamans called the meeting to order at 7:05 p.m.

**2. ADOPTION OF THE AGENDA**

**Moved by:** Councillor C. Cassista

**Seconded by:** Councillor J. Coughlan

*That the agenda be approved.*

**Motion Carried**

**3. DECLARATION OF CONFLICTS OF INTEREST**

Councillor Hansen declared a conflict of interest concerning items pertaining to signage.

**4. ADOPTION OF THE MINUTES**

**a. Regular Council Meeting - August 13, 2018**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor W. Bennett

*That the minutes of the Regular Meeting of Council held on August 13, 2018 be approved.*

**Motion Carried**

**5. BUSINESS ARISING FROM THE MINUTES**

**a. Response from Urban Planning re signage questions**

Councillor Hansen left the Council Chambers at 7:07 p.m.

Taken as information.

Councillor Hansen resumed her seat at 7:08 p.m.

**6. CORRESPONDENCE**

**a. Dave Thomas, President of Coach/Entraîneur NB**

Recognition of National Coaches Week - September 22 - 30th

Taken as information.

**b. Prostate Cancer Awareness Month**

Taken as information.

**c. Mayor Ann Seamans - Seeking input from Provincial Election Candidates**

It was noted that her letter to the candidates and their responses have been posted on the Town's web site.

C. Smith commented that reference will also be made in the Council highlights. The Town wanted to make sure this information was readily available to the public and to acknowledge the fact that the candidates took the time to respond.

Councillors Cassista and Bennett both commended the Mayor's effort but would have appreciated input into the content of the letter that was being sent out on behalf of Council.

Mayor Seamans responded that other municipalities undertook a similar approach. In our case, the time frame was short. In order to be able to add the letter and responses to the agenda it had to be prepared and sent out in a timely manner. The election will be held within two weeks and there would not have been another opportunity to include this item on an agenda. The next Town Council meeting is scheduled for September 24th which is also Election Day. It was the Town's way of receiving their comments and making them available to the public.

C. Smith remarked that Council can be the determining factor to decide whether this method was effective. It was looked upon as a learning opportunity for us. If Council finds value in this method, and this is the type of information the residents are looking for then staff could work on a better delivery in the future.

Deputy Mayor Rampersaud indicated that she was disappointed that by the time the agenda package was available to Council only two responses had been received. However as of today the Town had received additional responses. She indicated that the replies seemed not to have come

directly from the candidate but the party. Deputy Mayor Rampersaud provided additional comments on the various responses and clarified that the response from MLA Bruce Fitch mistakenly referred to Gunningsville Boulevard but was meant to be Bridgedale Boulevard. He also clarified to her that in reference to funding being redirected he had meant that it was redirected by the Provincial Government not the Town of Riverview.

C. Smith confirmed with Deputy Mayor Rampersaud that staff had received some confirmation that the letters sent by the Town were received by the parties.

**7. PETITIONS, PRESENTATIONS & DELEGATION**

NIL

**8. RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE**

NIL

**9. BY-LAWS**

**a. Resolution - Set date for Public Hearing**

Councillor Hansen left the council chambers at 7:20 p.m.

Councillor LeBlanc noted that going forward he would like to maintain the process of conducting the public hearing and then the introduction of the first reading of the by-law. He was not in favour of introducing first reading after the public presentation.

Andrew Smith commented that in this case it was a Council driven process as opposed to a developer driven process.

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

***WHEREAS** Riverview Town Council intends to enact new and updated regulatory and licensing provisions for signage and update the 5-year capital budget by considering the following:*

- *Introducing a new Portable Sign By-law No. 700-60 for the regulation and license permitting of portable signs;*
- *Re-adopting Municipal Development Plan By-law No. 300-32, being Municipal Plan By-law No. 300-33, which proposes to add section '12.1 Signage Policies' under 'Chapter 12: Urban Design' and update the 5-year capital budget under 'Schedule C: 5-Year Capital Budget'; and*
- *Re-adopting Zoning By-law No. 300-6, being Zoning By-law No. 300-7, which proposes to:*
  - *Update and add new definitions; and*
  - *Replace 'Part 10 – Signs' with an updated section on regulatory provisions.*

**BE IT RESOLVED THAT:**

- 1) *In order to consider any objections, a public hearing for the re-adoption of Municipal Development Plan By-law No. 300-32, being Municipal Plan By-law No. 300-33; and the re-adoption of Zoning By-law No. 300-6, being Zoning By-law No. 300-7, be set for October 22, 2018, 6:30 p.m. in Council Chambers, Riverview Town Hall; and*
- 2) *Council gives 1st reading by title to the Municipal Plan By-law No. 300-33, Zoning By-law No. 300-7, and Portable Sign By-law No. 700-60.*

**Motion Carried**

**b. By-Law 300-33, Municipal Plan By-Law Amendment**

First reading, by title only

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That leave be given to introduce first reading, by title only, to By-Law 300-33, Municipal Plan By-Law for the Town of Riverview.*

**Motion Carried**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That first reading, by title only, be given to By-Law 300-33, Municipal Plan By-Law for the Town of Riverview.*

**Motion Carried**

**c. By-Law 300-7, Zoning By-Law**

First reading, by title only

**Moved by:** Councillor C. Cassista

**Seconded by:** Deputy Mayor T. Rampersaud

*That leave be given to first reading, by title only, to By-Law 300-7, Town of Riverview Zoning By-Law.*

**Motion Carried**

**Moved by:** Councillor C. Cassista

**Seconded by:** Deputy Mayor T. Rampersaud

*That first reading, be given to By-Law 300-7, Town of Riverview Zoning By-Law.*

**Motion Carried**

**d. By-Law 700-06, Portable Sign By-Law**

First reading, by title only

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That leave be given to introduce first reading, by title only, of By-Law 700-6, A By-Law Relating to Licensing and Regulating the Erection and Use of Portable Signs in the Town of Riverview.*

**Motion Carried**

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That first reading, by title only, be given to By-Law 700-6, A By-Law Relating to Licensing and Regulating the Erection and Use of Portable Signs in the Town of Riverview.*

Deputy Mayor Rampersaud remarked that some members of the business community had reached out to her with regard to the frequency of the permits associated with the portable signs as well as the duration the signs can be displayed. She commented that the business community would like to see these extended, and she would like the Town to consider the options.

Councillor LeBlanc concurred and put forth an amendment to the motion.

**Moved by:** Councillor A. LeBlanc

**Seconded by:** Councillor C. Cassista

*That Riverview Town council add in a 12 month licensing option for portable signs.*

Mayor Seamans re-read the motion.

Councillor LeBlanc noted that through the community engagement process it was discovered the three month option for portable signage was considered a disservice. Some businesses have frequent promotions and to have permanent signage would restrict their ability. He pointed out that the City of Moncton does have a 12 month option. Because of this it may burden our business owners with a by-law that has different restrictions.

C. Smith provided clarification to ensure that everyone understood that the portable signs that are displayed in the Town are not permitted under the current by-law. C. Smith remarked that the Town has let that persist over the years for various reasons. What is being proposed in the new by-law is to allow these portable signs based on certain guidelines. He pointed out that the Town is not being negative to business community

but rather it is an attempt to clarify the rules and make it consistent for everyone. C. Smith pointed out that there are permanent signs that do allow businesses to change their advertising, for example the Far East Restaurant signage.

Andrew Smith commented that the provisions for electronic message signs have more restrictions imposed, for instance distances from an intersection, but when shared amongst multi-businesses they have the opportunity to advertise for various sales or promotions.

Councillor LeBlanc commented that his concern was in terms of perception that the Town is doing a disservice to the business community. The precedent has been set as the Town has been allowing this practise. Perception is everything with the business owners. The Town already has a problem with perception. The new by-law would be detrimental to that perception. While he understands that currently, on paper, the by-law does not allow portable signs and we are proposing to allow them based on certain restrictions. His issue is the perception that we are proposing something negative.

C. Smith remarked that we feed that perception. He concurs that we have allowed the use of portable signs. The rules are not clear and we are trying to figure out how to respect the needs of the business community and the residents who responded to the survey who do not enjoy all the signs. It is for this reason that he advocated that the by-law be brought back to Council for clear direction.

Councillor Bennett stated that Riverview has been known to be "not open for business". He pointed out that there is considerable cost for permanent signage. A lot of the businesses cannot afford a permanent sign and that is why portable signs are an advantage to that type of business owner. Also there are businesses which are not located directly on Coverdale Road, and a portable sign allows people to become aware of the existence of their business. He noted that he supports the amendment proposed by Councillor LeBlanc as it would be the same as the City of



Moncton. He wanted to be certain that the Town as not charging any more than the City of Moncton for portable signage permits.

Councillor Thorne confirmed that Council was voting on the 12 month option but not the fees associated with it.

Mayor Seamans re-read the motion to amend. It does not make reference to the fee structure just the 12 month option.

A. Smith reiterated it would be his suggestion that Council should refrain from writing the by-law on the fly and consider the option that was included in his PowerPoint presentation which makes provision for this circumstance. The slide refers to what the City of Moncton currently has in place including the fee structure for portable signage.

Councillor Cassista indicated that she was overly concerned about the negative impact on the business community. She also remarked that the consultation sessions were conducted during the summer months when people tend to be away. The survey did not bring in a large response (200 people) and she is nervous about putting restrictions on the business community when the Town is at fault for failing to enforce its own by-law.

A. Smith confirmed with C. Smith that the City of Moncton has a Special Permit which allows for a 30 day option for portable signs. This option provides for two special permits per calendar year. There is a \$100 application fee for a 12 month period and \$25 for a special permit.

Mayor Seamans called for the vote on the amendment.

#### **Motion Carried**

Councillor LeBlanc spoke on the question of the motion as amended. He inquired how to go about putting in place a restriction on signage, specifically on the Riverfront Park.

C. Smith confirmed with A. Smith that Council could direct staff to prepare a resolution which would provide direction to staff. Depending on the scope of the directive staff could take it a step further and create a specific

by-law. C. Smith commented that if it only pertains to the restrictions on the Riverfront its boundary would have to be defined. However, if Council would like to go broader and deeper to cover election signs and public lands, he would recommend passing a specific by-law. Staff would welcome clarity on this issue.

Councillor LeBlanc stated that he is personally only concerned with the Riverfront as he seems to receive the most comments about this area. He would like to see this brought forward for Council to consider in the near future.

A. Smith commented that it could be dovetailed into the Zoning By-Law provisions with the text sections on unsafe signage. He would be willing to work with Town staff in preparing a dedicated by-law which would simply reference the Zoning By-Law.

C. Smith confirmed with Councillor LeBlanc that collectively Council would have to support a motion to ask staff to look at the options to address the signage issue along the Riverfront Park.

Councillor LeBlanc also inquired about the number of portable signs on a lot and the proposed regulations regarding it. This is another issue that he would like to see addressed in the future.

A. Smith noted that the PowerPoint presentation also included a slide pertaining to this option. He noted that he was using the City of Moncton as a reference in that particular slide but it does outline the alternative options. It proposes 1 sign per 75 meter frontage (maxed out at 4 per lot) and one per business; signs shall be spaced a minimum of 50 m from one another.

Council voted on the motion, as amended, for first reading by title only.

**Motion Carried**

Councillor Hansen returns to Council Chambers at 7:52 p.m.

## **10. NOTICE OF MOTION**

NIL

## 11. NEW BUSINESS

### a. Internal Financial Summary

R. Higson provided highlights of the internal financial summary of the year to date to July 31, 2018. He remarked that the Town has a year to date Surplus of \$118,000 based upon activities and financial results after the first seven months of the current fiscal year.

### b. Appointment of Auditors 2018

**Moved by:** Councillor J. Thorne

**Seconded by:** Councillor L. Hansen

*That the Riverview Town Council appoint the firm of AC Stevenson & Partners CPA LLP as auditors for the Town of Riverview for the fiscal year ended December 31, 2018.*

**Motion Carried**

### c. Award of RFP- Fundraising Consulting Services - Wellness Centre

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor W. Bennett

*That Town Council approve the award of the RFP for fundraising consulting services to BNP Philanthropic Performance for the sum of \$270,480 (Taxes included). Council directs staff to develop a contract with BNP that clearly defines the scope of this engagement and expected deliverables for the Town. Council authorizes the Mayor and Town Clerk to sign the agreement on behalf of the Town of Riverview.*

C. Smith confirmed with Councillor Thorne that the Town is budgeting a smaller amount in the ten year plan (\$1 million for fund raising) but the Committee may still try for the higher amount of \$3 million. That will be discussed by the Committee.

**Motion Carried**

**d. Award of Tender 18-24**

Replacement of Two (2) Monitor/Defibrillator Devices

**Moved by:** Councillor J. Coughlan

**Seconded by:** Councillor C. Cassista

*That the tender for the Replacement of Two (2) Monitor/Defibrillator Devices, Tender 18-24, be awarded to Stryker Canada LP in the amount of \$30,008.96 plus HST and that the Mayor and Town Clerk be authorized to sign all related documentation.*

**Motion Carried**

**e. Municipal Designated Highway Five-Year Plan**

**Moved by:** Councillor C. Cassista

**Seconded by:** Deputy Mayor T. Rampersaud

*That Riverview Town Council approve the list of projects for the Municipal Designated Highway Five-Year Program as recommended in Council Report Form dated August 26, 2018 and include the project budget in the appropriate capital budget year, only if funding is available.*

**Motion Carried**

**f. Light Up Riverview**

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That the Riverview Town Council accept the recommendation of the Light Up Riverview Committee to increase the 2018 budget for the Light Up Riverview Campaign for the installation of new lights on the trees along the riverfront from the small pergola to the covered bridge and on the significant trees missing lights between the Chocolate River Station and the pergola at an approximate cost of \$45,000.*

*And further that staff are directed to cover this additional expenditure within the current 2018 projections.*

C. Smith commented that it does look like Council has room in the 2018 projections yet spending these funds does present some challenges. He pointed out that any increases to the budget must be endorsed by Council and there are risks associated with the endorsement of an over expenditure. He cautioned that this is not our current normal practice, nor would the directors be encouraged to put forward such a proposal.

**Motion Carried**

**g. Land Acquisition**

**Moved by:** Councillor C. Cassista

**Seconded by:** Councillor W. Bennett

*That Riverview Town Council approve the purchase price of \$350,000 (plus HST) for 379 Coverdale Road (PID 006566306) from Imperial Oil, and accept the terms and conditions of the purchase and sale agreement. Council further directs staff to work with Imperial Oil and the legal representatives to formally close this transaction as soon as possible.*

Councillor Coughlan expressed his concerns about future liability if the Town were to purchase the property.

C. Smith confirmed with Councillor Coughlan that the property owner has been remediating the property for several years. He indicated that seven to ten spots were tested and subsequently a report submitted to the Province, thus meeting their requirement. But there are no guarantees that the site has been perfectly cleaned. C. Smith indicated that the Town is proposing to buy the parking lot because we have tenants in the building. The Town does not have to be concerned if it continues to be a parking lot. However, if the Town were to sell the parking lot it would impose the same conditions as Imperial Oil has placed on the Town.

C. Smith confirmed with Councillor Thorne that Imperial Oil has provided supporting documents. C. Smith indicated that the property owners have done what is expected by the law.

C. Smith confirmed with Councillor Bennett that the zoning by-law does allow buildings on that land. He commented that the Town would impose the same conditions as Imperial Oil if one day we were to sell it. Its value is a parking lot and he sees the risk as relatively low for that reason.

**Motion Carried**

## **11. NEW BUSINESS**

### **h. Legs for Literacy**

Request for approval of route through the Town of Riverview

**Moved by:** Deputy Mayor T. Rampersaud

**Seconded by:** Councillor C. Cassista

*That Riverview Town Council authorize the partial closure of the west bound lane from the parking lot west of the Gunningsville Bridge to the intersection entrance at the Superstore and the provision of a sufficient number of candlestick pylons to block lane access from 8:00 am to 10:30 am on Sunday, October 21st, 2018.*

**Motion Carried**

## **12. COUNCIL STATEMENTS/INQUIRIES**

M. Ouellet confirmed with Councillor Thorne that the completion day for the Gunningsville Intersection upgrade is next Monday, September 17th. However, a storm is expected which may cause delays.

Councillor LeBlanc remarked that he had the pleasure of attending the naming event of the new convention centre which is now the Centre Avenir.

Councillor LeBlanc also noted that the Live Streaming Committee has been making progress and Council should receive something to consider soon.

Mayor Seamans commented on lane markings or rather the lack of lane markings.

M. Ouellet confirmed with Mayor Seamans that the work for the lane markings was delayed in June due to the rainy conditions. And further delayed due to

extreme heat in July that enabled the work to be carried out only during the mornings. He understood that the lane markings were pretty much done at this point.

Mayor Seamans noted that in some areas the stop bars are not completed.

M. Ouellet indicated that the town crews are responsible for applying the stop bars and that half will be done this year and will be finished up next year. He commented that the department is looking at the purchase of a second unit.

Councillor Bennett remarked that he had inquired about the delays last month, and it was suggested a staff shortage was part of the problem.

M. Ouellet remarked that he believed it was the fact that the weather did not permit the Town to operate the machine for 8 hours a day during the months of June and July.

M. Ouellet confirmed with Councillor Bennett that the City of Moncton does undergo a process called micro resurfacing. It is considered an extra wear step. However, the Town does not have the same volume of traffic on our streets. M. Ouellet pointed out that next summer, the Town will be having a review of our streets by a consultant. Then we will be able to compare from their earlier findings.

C. Smith confirmed with Councillor Hansen that he would follow up with the Director of Economic Development regarding an update on the Gunningsville School property.

### **13. ADJOURNMENT**

**Moved by:** Councillor J. Thorne

**Seconded by:** Councillor C. Cassista

*That the meeting be adjourned at 8:30 p.m.*

**Motion Carried**