

Town of North Rustico
Regular Council Meeting
Monday March 28th, 2022 at
7:00 p.m.
North Rustico Lion's Club, 17 Timber Lane

Present: Mayor Heather McKenna
Deputy Mayor Michelle Pineau
Councillor Patricia Doucette
Councillor Margaret Goulding
Councillor Andrea Greenan
Councillor Allan Smith
Councillor Stephanie Moase

Regrets: NIL

Staff: Joanne Smith, CAO
Kristen Dennis, Admin Assistant

Guests: Fire Chief Dan Gallant
Deputy Fire Chief Allan Williams
Douglas Burridge

1. Call to Order:

Deputy Mayor Heather McKenna called the meeting to order at 7:11 p.m.

2. Approval of Agenda:

It was moved by Councillor Greenan and seconded by Councillor Pineau

THAT the agenda be approved with the following additions:

Rental Spaces

Staff Vacancies

Canada Day

UNANIMOUSLY CARRIED (2022-03-36)

3. Disclosure of Conflict of Interest:

There were no conflicts of interest declared.

4. Adoption of the Minutes of Regular Council Meeting – February 28th, 2022

It was moved by Councillor Moase and seconded by Councillor Doucette

THAT the minutes of the February 28th Regular Council meeting be hereby approved as read.

UNANIMOUSLY CARRIED (2022-03-37)

Adoption of the Minutes of Special Council Meeting – March 14th, 2022

It was moved by Councillor Doucette and seconded by Councillor Smith
THAT the minutes of the March 14th Special Council meeting be hereby approved as read.

UNANIMOUSLY CARRIED (2022-03-38)

Adoption of the Minutes of Public Meeting – March 14th, 2022

It was moved by Councillor Pineau and seconded by Councillor Goulding
THAT the minutes of the March 14th Public meeting be hereby approved as read.

UNANIMOUSLY CARRIED (2022-03-39)

4.1 Business Arising from the Minutes

5. Delegations, Special Speakers, and Public Input:

5.1 North Rustico Fire Department

Deputy Fire Chief Allan Williams explained to Council that they were in attendance to answer and questions that Council may have for them and to give them an update on their money available through their fundraising efforts.

New Fire Truck Purchase RFD#2022-03-11

**Moved by Councillor Doucette
Seconded by Councillor Pineau**

WHEREAS the Town of North Rustico, has the responsibility for providing fire protection services to the residents of the Town and those communities with their fire district.

AND WHEREAS the Town of North Rustico Fire Department shall provide fire services and must ensure that all equipment is always serviceable and adhere to National Fire Protection Association (NFPA) standards.

AND WHEREAS the Fire Chief has identified that the current pumper truck is a 1997 GMC C70 Pumper emergency vehicle which makes the truck 25 years old and not compliant with MFPA 1901 standards, requiring replacement to provide fire service.

AND WHEREAS the Fire Chief of the Town of North Rustico has performed a diligent search for an adequate pumper truck and associated fire protection apparatuses has been executed.

AND WHEREAS the Town of North Rustico established a truck account for the purpose of purchasing a new fire truck.

AND WHEREAS the balance of the truck account is \$392,100 through the Fire Departments fundraising efforts, including the current Chase the Ace.

AND WHEREAS the Fire Department can approach community organizations in continued fundraising efforts to offset the costs.

AND WHEREAS the North Rustico Fire Department requests that up to \$150,000 be released of the funds to order a chassis with a delivery date of 6-8 months.

BE IT RESOLVED THAT the Town of North Rustico approve the purchase of the new Pumper Truck and allocates up to \$150,000 for the sole and express purpose of ordering and the delivery of the chassis for the use in the Town of North Rustico Fire Service.

AND BE IT FURTHER RESOLVED THAT the Town of North Rustico approve the continued fundraising efforts of the Town of North Rustico Fire Department in seeking community organizations for potential contributions for the purpose of acquiring a new Pumper Truck for the department.

UNANIMOUSLY CARRIED (2022-03-40)

6. CAO Report:

CAO Smith updated Council on the desperate need to get staffing in place for April and that human resources are a priority for the Town administrative office. Unfortunately, recruitment has proved difficult with very few candidates applying for both positions. The accounting for the Town is taken care of by 2 accounting technicians.

The next bylaws that will be worked on will be the Fire Services Bylaw followed by the EMO bylaw.

Please see attached CAO report for further details.

7. Mayor's Report

Mayor McKenna explained that Mr. Noble is having a photoshoot at the Wellness Centre ^{site} for the user groups including Minor Hockey and Ringette on April 13th at 7pm. Anyone is welcome to join.

8. Requests for Decision

The following edits were made after the first reading of the Procedural Bylaw:

1. The definition for "ad hoc" was added as per Council request. I added "ad hoc committee"
2. Definitions of "Municipality" and "Act" were also added.
3. The creation of committees is to be written into policy so eliminate the need to have 2 readings if Council wished to make changes.
4. Committees of Council section 23.2. edited to include that committees of council would be written into policy.
5. 4.12 the word 'procedural' was inserted before "regulations."
6. Sec. 7.2. – website address removed as well as Facebook
7. 23.2 The section now starts with "Council may also by resolution"
8. 24.2 To avoid confusion changed committee of council to council committee

8.1 Second Reading of Procedural Bylaw #2022-01 RFD#2022-02-01

**Moved by Councillor Moase
Seconded by Councillor Smith**

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees
- b) The procedures of Council
- c) The calling of public meetings of Council
- d) The behavior of Council members and members of the public present at meetings of Council and its Committees; and
- e) The establishment of a Committee of Council

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on February 28th, 2022.

AND WHEREAS the bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the Town of North Rustico Procedural Bylaw (Bylaw #2022-01) be hereby read a second time.

CARRIED (2022-03-41)

**Moved by Councillor Moase
Seconded by Councillor Smith**

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees
- b) The procedures of Council
- c) The calling of public meetings of Council
- d) The behavior of Council members and members of the public present at meetings of Council and its Committees; and
- e) The establishment of a Committee of Council

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on February 28th, 2022.

AND WHEREAS the bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the second reading of the Town of North Rustico Procedural Bylaw (Bylaw #2022-01) be hereby approved.

CARRIED (2022-03-42)

**Moved by Councillor Moase
Seconded by Councillor Greenan**

WHEREAS Subsection 86(2)(e) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

AND WHEREAS it is deemed desirable to provide rules for:

- a) The calling of meetings of Council and its Committees
- b) The procedures of Council
- c) The calling of public meetings of Council
- d) The behavior of Council members and members of the public present at meetings of Council and its Committees; and
- e) The establishment of a Committee of Council

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Town Council held on February 28th, 2022.

AND WHEREAS the bylaw was read and approved a second time at this meeting;

BE IT RESOLVED THAT the Town of North Rustico Procedural Bylaw (Bylaw #2022-01) be hereby formally adopted.

CARRIED (2022-03-43)

8.2 First Reading of North Rustico Water & Sewer Corporation Bylaw #2022-03

Moved by Councillor Smith
Seconded by Councillor Moase

WHEREAS Subsection 180(b) of the municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council may pass a bylaw and provide services for municipal utilities, public utilities, facilities, works and improvements on private and public land;

AND WHEREAS Subsection 183(1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M 12.1., provides that where a Council provides a public utility pursuant to subsection 180(b), the Council shall establish its public utility as a controlled corporation and specify the functions of the public utility;

AND WHEREAS the Council for the Town of North Rustico desires to operate the public utility as a corporation of the municipality, in accordance with all applicable legislation, regulations, directives;

AND WHEREAS the Bylaw was read and approved a first time at a regular meeting of Council held on February 28th, 2022.

BE IT RESOLVED THAT the Town of North Rustico Water and Sewer Utility Bylaw (Bylaw #2022-03) Be hereby read a second time.

UNANIMOUSLY CARRIED (2022-03-44)

Moved by Councilor Smith
Seconded by Councilor Greenan

WHEREAS Subsection 180(b) of the municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council may pass a bylaw and provide services for municipal utilities, public utilities, facilities, works and improvements on private and public land;

AND WHEREAS Subsection 183 (1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M 12.1., provides that where a Council provides a public utility pursuant to subsection 180(b), the Council shall establish its public utility as a department of the municipality or a controlled corporation and specify the functions of the public utility;

AND WHEREAS the Council for the Town of North Rustico desires to operate the public utility as a controlled corporation, in accordance with all applicable legislation, regulations, directives and special contracts;

AND WHEREAS the Town of North Rustico Water and Sewer Utility Bylaw (Bylaw #2022-03) was read a first time at a duly held meeting on February 28th, 2022;

AND WHEREAS this Bylaw was read a second time at this meeting;

BE IT RESOLVED THAT the Town of North Rustico Water and Sewer Utility Bylaw (Bylaw #2022-03) be hereby approved.

UNANIMOUSLY CARRIED (2022-03-45)

**Moved by Councillor Smith
Seconded by Councillor Greenan**

WHEREAS Subsection 180(b) of the municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council may pass a bylaw and provide services for municipal utilities, public utilities, facilities, works and improvements on private and public land;

AND WHEREAS Subsection 183 (1) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M 12.1., provides that where a Council provides a public utility pursuant to subsection 180(b), the Council shall establish its public utility as a department of the municipality or a controlled corporation and specify the functions of the public utility;

AND WHEREAS the Council for the Town of North Rustico desires to operate the public utility as a controlled corporation, in accordance with all applicable legislation, regulations, directives and special contracts;

AND WHEREAS the Town of North Rustico Water and Sewer Utility Bylaw (Bylaw #2022-03) was read a first time at a duly held meeting on February 28th, 2022;

AND WHEREAS this Bylaw was read and approved a second time at this meeting;

BE IT RESOLVD THAT the Town of North Rustico Water and Sewer Utility Bylaw (Bylaw #2022-03) be hereby adopted.

UNANIMOUSLY CARRIED (2022-03-46)

8.3 Second Reading – Rezoning RFD#2022-03-09

**Moved by Councillor Doucette
Seconded by Councillor Moase**

WHEREAS an application was received for PID#236786 for a zoning amendment from the Single Family Residential (R1) zone to proposed Commercial (C1) zone under the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw;

AND WHEREAS zoning bylaw amendment #B-2021-A, a bylaw to amend the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw was read for a first time and approved by the majority of Council at the Special Council Meeting held on March 14th, 2022;

AND WHEREAS approval of the amendment has been recommended by Planning Board;

AND WHEREAS zoning bylaw amendment #B-2021A is a bylaw to amend the Town of North Rustico Zoning and Subdivision Control Bylaw.

BE IT RESOLVED THAT zoning bylaw amendment #B-2021-A, a bylaw to amend the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw is hereby read a second time.

UNANIMOUSLY CARRIED (2022-03-47)

**Moved by Councillor Doucette
Seconded by Councillor Goulding**

WHEREAS an application was received for PID#236786 for a zoning amendment from the Single Family Residential (R1) zone to proposed Commercial (C1) zone under the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw;

AND WHEREAS approval of the amendment has been recommended by Planning Board;

AND WHEREAS zoning bylaw amendment #B-2021A is a bylaw to amend the Town of North Rustico Zoning and Subdivision Control Bylaw was read for a second time at this Council meeting;

BE IT RESOLVED THAT zoning bylaw amendment #B-2021-A, a bylaw to amend the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw is hereby approved.

UNANIMOUSLY CARRIED (2022-03-48)

**Moved by Councillor Doucette
Seconded by Councillor Greenan**

WHEREAS an application was received for PID#236786 for a zoning amendment from the Single Family Residential (R1) zone to proposed Commercial (C1) zone under the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw;

AND WHEREAS approval of the amendment has been recommended by Planning Board;

AND WHEREAS zoning bylaw amendment #B-2021A is a bylaw to amend the Town of North Rustico Zoning and Subdivision Control Bylaw was read and approved at two separate meetings of Council held on different days.

BE IT RESOLVED THAT zoning bylaw amendment #B-2021-A, a bylaw to amend the Town of North Rustico Zoning and Subdivision Control (Development) Bylaw is hereby formally adopted.

UNANIMOUSLY CARRIED (2022-03-49)

8.4 Financial Plan Adoption RFD#2022-03-07

**Moved by Councilor Goulding
Seconded by Councilor Smith**

WHEREAS Section 149(2)(b) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M12.1, requires a municipality to operate under a 12-month fiscal year from April 1, 2022 to March 31, 2023;

AND WHEREAS Section 149 (3)(a) requires a municipality to adopt, by resolution, an operating budget and a capital budget for the fiscal year, April 1, 2022 to March 31, 2023;

BE IT RESOLVD THAT Town Council approve the Town of North Rustico 2022/23 Financial Plan.

UNANIMOUSLY CARRIED (2022-03-50)

8.5 Lot Extension RFD#2022-03-10

**Moved by Councilor Doucette
Seconded by Councilor Goulding**

WHEREAS Dale Gallant signed an agreement with the Town of North Rustico to purchase 3 lots on Abegweit Lane on March 25, 2021.

AND WHEREAS owners must close within 6 months of their original closing date.

AND WHEREAS lot 30 was set to close on September 7, 2021.

AND WHEREAS in early September 2021 an extension request was received and granted to November 30, 2021.

AND WHEREAS Dale Gallant requested an additional extension to May 11, 2022, for a closing date on this lot.

BE IT RESOLVED THAT the Town of North Rustico grant the extension of a final closing date until May 11, 2022, for Dale Gallant for a lot on Abegweit Lane.

**CARRIED (2022-03-51)
1 Opposed**

8.6 New Fire Truck Purchase RFD#2022-03-11

See above

8.7 Lease Renewals 2022 RFD#2022-03-12

**Moved by Councilor Doucette
Seconded by Councilor Goulding**

WHEREAS the Town of North Rustico owns two retail properties located at 106 Riverside Drive and another located at 32 Harbourview Drive.

AND WHEREAS both retail spaces require new lease agreements to be written and provided to both present tenants if they wish to renew the lease for the premises.

AND WHEREAS the term computed will be from May 1, 2022, to May 1, 2023.

BE IT RESOLVED THAT the Town of North Rustico will send new lease agreements to the present tenants at the premises of 106 Riverside Drive and 32 Harbourview Drive. The Town of will provide the current tenants with the options to renew the lease or provide notice of termination in accordance with the lease.

UNANIMOUSLY CARRIED (2022-03-52)

8.8 Wellness Centre Advisory Committee

Councilor Smith explained that he shared the terms of reference for the Wellness Centre Advisory Committee with the current rink board. CAO Smith explained to Council that she has not had a chance to make any comments or recommendations to Council on the draft terms of reference. It was requested that the Terms of Reference be on the April agenda and that the CAO have comment prepared for the next meeting on April 11th. The CAO has a responsibility to Council to ensure that the document is in compliance with legislation and does not conflict with the procedural bylaw.

8.9 Canada Day

Councilor Doucette suggested we do fireworks and Music in the Park for Canada Day. Councillor Doucette is going to do some background work and report back to Council. She is going to look into this a bit more and bring back to Council.

Fireworks have been booked for July 1st, 2022.

9. Next Meeting – Committee of Council – April 11th, 2022

10. In Camera- NIL

11. Adjournment

It was moved by Councillor Goulding and seconded by Councillor Greenan THAT the meeting be adjourned at 9:11 p.m.

UNANIMOUSLY CARRIED (2022-03-53)

Heather McKenna, Mayor

Joanne Smith, CAO

Date

Date