



Truro Town Council Meeting
Monday, June 9th, 2014
Council Chambers – Civic Building

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A regular public meeting of Truro Town Council was held on Monday, June 9th, 2014 at 1:00 pm in the Council Chambers of the Truro Civic Building.

Present: Mayor W. R. (Bill) Mills, Deputy Mayor D. Joseph, Councillors R. Tynes, B. Kinsman, T. Chisholm and G. MacArthur (1:10pm)

Regrets: Councillor C. Fritz

In Attendance: Director of Finance A. Currie, Director of Planning J. Fox, Director of Parks, Recreation & Culture D. MacKenzie, Police Chief D. MacNeil, Fire Chief B. Currie, Director of Public Works A. MacKinnon, Deputy Town Solicitor C. Thompson and CAO J. Langille

Before the meeting began, the Mayor requested a moment of silence in remembrance of three RCMP officers killed in Moncton last week, as well as the two wounded RCMP officers.

APPROVAL OF AGENDA

On motion of Councillors R. Tynes and T. Chisholm, the agenda was approved as circulated. Motion carried.

APPROVAL OF MINUTES

On motion of Councillors G. MacArthur and T. Chisholm, the minutes of the Public Council Meeting held May 5th, 2014 were approved as circulated. Motion carried.

MOTIONS AND NOTICES OF MOTIONS

a) Public Hearing – 30 Duke Street, Amendment to Development Agreement

The CAO advised that Council had set a public hearing date today to hear an application by a developer to amend a 2006 development agreement to allow 1 additional dwelling unit or, alternatively, an office space in an existing mixed use building at 30 Duke Street.

On motion of Councillors G. MacArthur and B. Kinsman, it was agreed that the 2006 development agreement for 30 Duke Street would be amended to allow for 1 additional 1 bedroom apartment, subject to approved mitigations. Motion carried with 5 votes in favour and one nay vote cast by Councillor T. Chisholm.

On motion of Deputy Mayor D. Joseph and Councillor R. Tynes, it was agreed that the motion would be amended to include “all mitigations, apartment not office space, and roof top patio if required, are subject to the approval of the Director of Planning and the applicant”. Motion carried.

PETITIONS AND DELEGATIONS

a) Presentation – Blue Line Image Award

Councillor G. MacArthur, Vice Chair of the Town Police Board, presented the Town and Police Chief with Blue Line Image Award, a National award received for the new dress uniforms of the Truro Police Service.

b) Presentation – Heritage Fair Award

Ken Henderson, Chair of the Town Heritage Advisory Committee and the coordinator of the Regional Heritage Fair, stated that the winner of this year’s fair was present at the meeting today.

The Mayor introduced Hailey MacKenzie, a 10 year old student who attend Harmony Heights Elementary School. Her project was on the history of the Truro Police Service. The Mayor presented her with the award on behalf of the Town.

c) Presentation – Truro Theatre Society

Lenore Zann, on behalf of the Truro Theatre Society, made a presentation to Council requesting \$2,500 from the Town for the upcoming Shakespeare in the Park play.

The Mayor requested that the Society provide Council with a copy of the budget.

Ms. Zann advised that she would forward a copy of the budget today.

On motion of Councillors B. Kinsman and R. Tynes, Council agreed to grant \$2,500 to the Truro Theatre Society for the Shakespeare in the Park play, subject to approval by staff of the budget. Motion carried.

IN-CAMERA SUMMARY REPORT

The CAO advised Council that there were three contractual issues and two personnel issues discussed by Council at the last In-Camera meeting and requested Council meet after this meeting to discuss two legal issues.

COMMITTEE REPORTS**Finance Report**

The Finance report for the month of May was presented to Council.

On motion of Councillors G. MacArthur and B. Kinsman, it was moved that the Finance report for the month of May, 2014 be approved as presented. Motion carried.

Fire Report

The Fire Report for the month of May was presented to Council.

On motion of Councillor B. Kinsman and Deputy Mayor D. Joseph, it was moved that the Fire Report for the month of May, 2014 be approved as presented. Motion carried.

Councillor G. MacArthur excused himself from the meeting (3:00pm).

Planning and Development Report

The Planning and Development report for the month of May was presented to Council.

On motion of Councillors T. Chisholm and B. Kinsman, it was moved that the Planning and Development report for the month of May, 2014 be approved as presented. Motion carried.

Bylaw Enforcement Report

The Bylaw Enforcement Report for the month of May was presented to Council.

On motion of Deputy Mayor D. Joseph and Councillor T. Chisholm, it was moved that the Bylaw Enforcement Report for the month of May, 2014 be accepted as presented. Motion carried.

Police Report

The Police Report for the month of May was presented to Council.

On motion of Councillors B. Kinsman and T. Chisholm, it was moved that the Police Report for the month of May, 2014 be accepted as presented. Motion carried.

Public Works Report

The Public Works report for the month of May was presented to Council.

Councillor B. Kinsman asked that school crosswalks be priority for line painting.

On motion of Councillors B. Kinsman and T. Chisholm, it was moved that the Public Works Report for the month of May, 2014 be accepted as presented. Motion carried.

Parks, Recreation and Culture Report

The Parks, Recreation and Culture Report for the month of May was presented to Council.

Councillor B. Kinsman advised that the Victoria Park Management Plan was complete and that the Parks and Recreation Department has two public meetings coming up this month for residents to come out and express their opinions.

On motion of Councillors B. Kinsman and T. Chisholm, it was moved that the Parks, Recreation and Culture Report for the month of May, 2014 be accepted as presented. Motion carried.

Safety Coordinators Report

The Safety Coordinators Report for the month of May was presented to Council.

On motion of Councillors R. Tynes and T. Chisholm, it was moved that the Safety Coordinators Report for the month of May, 2014 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

Councillor T. Chisholm advised that during the UNSM Fall Conference recently, he attended a presentation on the 211 network, which he had never heard about. It's a number residents can call to be put in contact with any federal, provincial, municipal or local community group or non-profit in the area.

Councillor T. Chisholm also noted that there are too many deer within Town and people feeding them, which is encouraging them to stay in Town. He advised that the deer become dependent on someone feeding them and won't look for food on their own, and the dangers that deer can cause for drivers, especially at night.

The Mayor stated that he was going to bring up this issue as well, as he has received a number of calls. He noted that deer are also carriers of ticks who have lyme disease, which is a concern for all of Nova Scotia. He asked that the Recreation Department with the help of the Department of Natural Resources look into this matter and give the Town some direction on what could be done. The Mayor advised that the Town does have a "Feeding of Wild Animals Bylaw" that states residents are not allowed to feed deer. He asked the CAO to instruct the Bylaw Enforcement Officer to look into areas where deer are being fed, the backyards with containers of food for the deer.

Councillor R. Tynes noted that the Town can't be the only municipality dealing with this issue, and perhaps a letter from UNSM to the provincial government would be helpful.

The Mayor advised that he would look into this matter.

Councillor R. Tynes advised that he had an email that he would forward to the Bylaw Enforcement Officer regarding commercial vehicles parking in residential areas.

Councillor R. Tynes noted the recent passing of former Millbrook Chief Lawrence Paul, a man with 29 years of service to Millbrook First Nations and surrounding communities and that he would be sadly missed.

Councillor B. Kinsman asked if developers could be provided with staff's final report prior to showing up at their public hearing.

The Director of Planning noted that a report can change right up until the meeting if new information comes to light, and the report is not public information until it goes before Council. He also noted that this is according to the Town's Municipal Planning Strategy.

The CAO advised that the Planning Department has numerous conversations with potential developers and much of the information in the report that Council receives has already been reviewed with the developer, it is just the report itself is not actually circulated prior to the hearing.

Councillor B. Kinsman noted that Council receives the report on the Friday before Council and suggested that the developer receive it that day as well. If the report was to be changed after that, Council would receive a new report anyway and so could the developer.

The Mayor advised that he recently attended the Federal of Municipalities Conference and had two meetings with CN and attended a session on the Build Canada Fund, as well as meetings on climate change, flooding and emergency preparedness. He noted that previously, Town Council had passed a resolution support the continuation of door to door mail delivery by Canada Post. That, and other similar resolutions, were brought forward at the FCM conference and were defeated.

NEW BUSINESS

a) Taxi License Appeal – Mohammed Ben Khadra

The CAO advised that a request had been received from Mohammed Ben Khadra for Council to hear an appeal regarding the Taxi Authority's decision to refuse renewal of a taxi license. He noted that according to the letter from the Taxi Authority, the license was refused as per the Taxi Bylaw, Section 2G, "convictions for 3 more driving offences or 2 or more convictions for such offences within a 12 month period".

Mr. Khadra addressed Council and advised that he has been driving a taxi since 2006 without any tickets, until September 13th, 2013 at which time he received a ticket for the taxi roof light signage on top of a limousine. He also stated that on October 18th, 2013, he was stopped by police on Queen Street, 350 metres from the speed change sign and the officer said he was going 70km in a 50km/h zone, and he stated that he was only driving 54km/h. Mr. Khadra advised that he went to court and the judge lowered the penalty and waived the suspension of his driver's licence.

Mr. Khadra advised that he had a family and two children, and being a taxi operator was his only source of income.

The Police Chief, who is also the Town's Taxi Authority, advised that a ticket was also issued on July 26th, 2013 for operating a vehicle while talking on a cell phone, so that was 3 tickets issued within a 6 month period.

The Town Solicitor stated that he did not believe that the roof sign ticket was an actual driving offense, and suggested that Council consider only the speeding and cell phone tickets, which were issued within 12 months of each other. He also noted that part of the refusal for a taxi license was that the fine for one of the tickets had not yet been paid.

Mr. Khadra noted that with regards to the cell phone ticket, he has Bluetooth in his vehicle but sometimes has difficulty ending a call and at a red light, put the phone up to his ear to ensure the call had been disconnected and was then pulled over. He also stated that he has until July 3rd to pay the ticket, and that he was not refusing to pay the ticket.

The CAO noted that the Bylaw does not recognize whether there is a time allowance granted for the payment of a ticket, only if there is a balance outstanding.

On motion of Councillors B. Kinsman and R. Tynes, it was agreed that Mr. Khadra would be granted a taxi license, provided he pays the outstanding summary offense ticket as soon as possible and provides proof of payment. Motion carried.

b) 16 Park Street – Discharge of Development Agreement

The CAO advised that request had been received from the owners of 16 Park Street, requesting an extension of the development agreement for that property. Staff was recommending that an extension not be grant, and resolution be passed to discharge the agreement.

On motion of Councillors B. Kinsman and T. Chisholm, it was agreed that the Development Agreement for 16 Park Street dated March 7th, 2011 be discharged. Motion carried.

c) Colchester Regional Emergency Management Plan

The CAO advised that Council had previously approved a Colchester Regional Emergency Management Plan, in cooperation with the County of Colchester and Stewiacke and the final plan has been received, for Council's information.

d) Amendments to Non-Union Personnel Policy

The CAO advised that amendments were being recommended for the Town's Non-Union Personnel Policy, amendments that include typing adjustments and ensuring that the policy coincides with the union contracts. Some changes include updates to overtime and sick leave, the addition of stepchildren for time off due to death, a change to the benefit contributions to insurance plans, addition of Google maps as a source for mileage calculations, etc.

On motion of Councillors T. Chisholm and R. Tynes, the proposed amendments to the Non-Union Personnel Policy were approved as presented. Motion carried.

e) Resignation from Recreation Committee

The CAO reviewed a letter received from Rob Carreau advising of his resignation from the Recreation Committee. The CAO noted that this does not result in a vacancy on the committee, as there are still enough required members.

f) Request for Tax Exemption – Big Brothers Big Sisters

The CAO reviewed a request received from the Board of Directors for Big Brothers Big Sisters requesting a continuation of the exemption of property tax for 26 Logan Road. He noted that Council had previously granted a tax exemption to Big Brothers Big Sisters, but all exempted organizations were required to reapply after 3 years.

Councillor T. Chisholm noted that more and more of these requests could start coming in and Council should have another look at the policy, and perhaps institute a lower rate instead of an exemption in some cases.

The Mayor advised that staff would look at what other municipalities' policies are and Council could make a decision from there.

On motion of Councillor T. Chisholm and Deputy Mayor D. Joseph, a 3 year tax exemption was granted to Big Brothers Big Sisters for 26 Logan Road. Motion carried.

ACCOUNTS

It was moved by Deputy Mayor D. Joseph and Councillor T. Chisholm, that Council approve for payment the accounts as presented be approved for the month of May, 2014. Motion carried.

ADJOURNMENT

On motion of Councillors R. Tynes and T. Chisholm, it was moved that the meeting be adjourned at approximately 4:00 p.m. Motion carried.

W.R. (Bill) Mills
Mayor

J.K. Langille
CAO