



A regular public meeting of Truro Town Council was held on Monday, January 12th, 2015 at 1:00 pm in the Council Chambers of the Truro Civic Building.

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

Regrets: Fire Chief B. Currie

In Attendance: Director of Finance A. Currie, Director of Planning J. Fox, Director of Parks, Recreation & Culture D. MacKenzie, Police Chief D. MacNeil,, Director of Public Works A. MacKinnon, Town Solicitor J. Rafferty and CAO M. Dolter

APPROVAL OF AGENDA

On motion of Councillor G. MacArthur and Deputy Mayor R. Tynes, the agenda was approved as circulated. Motion carried.

APPROVAL OF MINUTES

On motion of Deputy Mayor R. Tynes and Councillor T. Chisholm, the minutes of the Public Council Meeting held December 1st, 2014 were approved as circulated. Motion carried.

MOTIONS AND NOTICES OF MOTIONS

a) Municipal Heritage Designation Hearing – Little White Schoolhouse

The CAO reviewed a letter received from the Heritage Advisory Committee regarding the Municipal Heritage Designation hearing scheduled for today for the Little White Schoolhouse. The Committee advised that owner consent has been provided from all three parties involved and that heritage designation would be confined to the footprint of the building itself.

On motion of Councillors G. MacArthur and B. Kinsman, it was agreed that Municipal Heritage Designation would be approved to the footprint of the building of the Little White Schoolhouse. Motion carried.

b) Public Hearing Date – Amendments to Planning Documents, Lands South of William Barnhill

The CAO reviewed a letter received from the Town Planning Advisory Committee, recommending that Council establish a public hearing date to consider changing the future land use designation and rezoning of lands south of William Barnhill Drive, to accommodate the future residential and commercial development, as well as planned expansion of the Truro Business Park.

On motion of Councillors T. Chisholm and C. Fritz, a public hearing date of February 2nd was established to consider changing the future land use designation and rezoning of lands south of William Barnhill Drive. Motion carried.

c) Public Hearing Date – Municipal Planning Strategy Amendment, Policy IM-33

The CAO reviewed a letter received from the Town Planning Advisory Committee, recommending that Council establish a public hearing date to consider amendments to the Municipal Planning Strategy, Policy IM-33, that would state that Planning staff reports be made available to the public when the Town Planning Advisory Committee or Council agenda package is circulated to committee members and Councillors.

On motion of Councillors T. Chisholm and C. Fritz, a public hearing date of February 2nd was established to consider amendments to Policy IM-33 regarding Planning staff reports availability to the public. Motion carried.

d) Public Hearing Date – Municipal Planning Strategy Amendments to the Public Participation Program

The CAO reviewed a letter received from the Town Planning Advisory Committee, recommending that Council establish a public hearing date to consider approving amendments to the Municipal Planning Strategy Public Participation Program.

On motion of Councillors T. Chisholm and C. Fritz, a public hearing date of February 2nd was established to consider amendments to the Public Participation Program. Motion carried.

PETITIONS AND DELEGATIONS

a) Presentation – Chairs Committee Mandate

The CAO advised that Councillor G. MacArthur was going to make a brief presentation to Council on the proposed mandate for the Chairs Committee.

Councillor G. MacArthur noted that this committee was organized about a year ago, for the chairs of the Town committees to meet and discuss upcoming plans and projects in an attempt to get the committees working together. He advised that the committee had a proposed mandate for Council to consider. The mandate is as follows:

The Chair's Committee will meet to develop an easy communication process for staff, committee members and the general public to access information on activities and ways to become involved with the business of the Town.

The Committee will be responsible to inform the communications officer where overlapping activities of departments and committees exist as they happen.

The CAO noted that this committee was not yet a formal Council approved committee, and perhaps that would be the next step.

It was agreed that the CAO would review the Chairs Committee and its mandate and report back to Council.

Deputy Mayor R. Tynes advised that earlier today he received a petition from the residents of Hampstead court with 31 signatures, requesting that the Town include in the 2015/16 budget, work on Hampstead Court including sidewalk, curb, gutter, water, storm water and sewer and drainage issues and the resurfacing of Hampstead Court.

On motion of Deputy Mayor R. Tynes and Councillor G. MacArthur, the petition for Hampstead Court was received and will be forwarded to the Director of Public Works to be included in the 2015/16 budget. Motion carried.

Councillor B. Kinsman noted that he had received a petition as well for the crosswalk on Queen Street and had passed it on to the CAO.

On motion of Councillors B. Kinsman and T. Chisholm, the petition for the crosswalk on Queen Street was received and will be forwarded to the Traffic Authority for review and a report back to Council. Motion carried.

IN-CAMERA SUMMARY REPORT

The CAO advised Council that there were two legal issues discussed by Council at the last In-Camera meeting and three issues to be discussed by Council at the incamera meeting today.

COMMITTEE REPORTS

CAO Report

The CAO report for the month of December was presented to Council.

On motion of Deputy Mayor R. Tynes and Councillor C. Fritz, it was moved that the CAO Report for the month of December, 2014 be approved as presented. Motion carried.

Finance Report

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

Deputy Mayor R. Tynes asked for an updated on the revisions being requested by the Nova Scotia Human Rights Commission.

The CAO advised that he did not have specific details other than the Equity and Diversity Committee had been revamped and given a new name in the last few years. He noted that the application for the Human Rights Commission was not yet available on their website.

Deputy Mayor R. Tynes asked where the Town was in terms of the commitment to fulfill our obligation with regards to embracing the diversity of all citizens in Town made a number of years ago.

The Mayor noted that the Town has an Affirmative Action Policy that is followed and acknowledged in all advertisements for employment.

Deputy Mayor R. Tynes noted that Council agreed to update themselves with respect to the rights of their citizens on tolerance and acceptance, and agreed to reach out and seek more visible presence on our committees, that staff will always be engaging in workshops on respecting the rights of others.

The CAO advised that the Human Resources Officer was looking at this issue very closely for the last few months and is reviewing the policy to ensure the Town is complying. He noted that the Town does encourage diversity wherever it can. He stated that a report would be completed for Council.

Councillor C. Fritz spoke as Chair of the Equity and Diversity Committee. She stated that a self-audit had not been completed since 2009 and the Town is not required to do so. She noted that the Committee was meeting tomorrow and would discuss the reporting required. Councillor C. Fritz stated that the problem with getting numbers was that not everyone self-identifies. She noted that in regards to education and empowerment, that was not a responsibility of the Committee, and believed that was more of a Human Resources issue.

On motion of Deputy Mayor R. Tynes and T. Chisholm, it was moved that the Finance report for the month of December, 2014 be approved as presented. Motion carried.

Fire Report

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

On motion of Deputy Mayor R. Tynes and T. Chisholm, it was moved that the Fire Report for the month of December, 2014 be approved as presented. Motion carried.

Planning and Development Report

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

Deputy Mayor R. Tynes noted that there was an issue with the business on the corner of West Prince Street and Juniper as to where they leave their shipping materials. He requested that the Bylaw Enforcement Officer speak to them about perhaps finding an alternate location.

Councillor G. MacArthur asked if the amount of citations issued for unsightly premises was a reasonable number, or if it has improved over the last few years.

The Director of Planning advised that staff has seen an improvement over the last few years in terms of not only the appearance of the properties, but that the efforts of bylaw enforcement had been stepped up.

Councillor D. Joseph asked for the court protocol with respect to demolitions.

The Director of Planning advised that the Bylaw Enforcement Officer and Building Inspector determine that there is an issue with a property and in conjunction with the Town Solicitor's office, they would complete a court application for demolition.

The Town Solicitor advised that it is hard to predict timing of the court process. He noted that the Town is not required to proceed to court for a demolition, that Council could render that decision, but that it was commonly the practice of the Town in the past to proceed with a court order.

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

Police Report

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

Councillor G. MacArthur noted that the CN police have pulled some people over near the tracks in Town and asked the Police Chief if he was aware.

The Police Chief advised that the CN police are in Town a few times a week and they always advise the Police Department. He stated that CN has jurisdiction over the tracks and surrounding area and are looking for people trespassing or not obeying the red lights.

Deputy Mayor R. Tynes asked the Police Chief to clarify for residents what is considered trespassing when it comes to rail tracks.

The Police Chief advised that if a person crosses tracks at a non-designated crossing or if you walk on the tracks, that is considered trespassing and you can be charged.

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

Public Works Report

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

Councillor G. MacArthur noted that there seemed to be confusion over the Christmas holidays over garbage collection.

Councillor T. Chisholm advised that he is on the Northern Regional Waste Management Board and has received a lot of phone calls about the collection schedule as well. He noted that in previous years, a calendar was sent out to all residents, but this practice was stopped this year after years of receiving so many of these calendars back in the garbage. The cost to send out the calendars was hard to justify. Councillor T. Chisholm advised that if residents check the waste management website or call them, they will send you a calendar or you can be added to the email list and they will email you prior to your pick up date to remind you.

Councillor G. MacArthur stated that on Friday afternoon, the hills in Town became quite slippery with ice and asked Public Works to look at their salting plan and make sure the hills get salted.

The Director of Public Works advised that the plan for salt is always to complete the hills first and then work the main routes. He noted that on Friday, the weather snapped back to cold very fast and the department did not get salt down quick enough in that instance.

Councillor B. Kinsman noted that the Public Works report references a capital storm water project on Harris Drive budgeted for this year that has not yet been completed. He asked if that would be carried over to next year's budget.

The Director of Public Works advised that there is a component of the Harris Drive project to finish up and if it is not completed before the end of this budget year, it will be carried over into next year's budget.

Councillor B. Kinsman noted that the Director of Public Works was going to investigate the Pleasant and Charles street intersection and report back to Council; he asked when Council could expect that.

The Director of Public Works advised that staff are conducting a review of that intersection to determine if different right of way control is warranted or if other parameters can be changed to make this intersection safer. Other considerations are: the removal of one of the Pleasant Street crosswalks to lessen the appearance of a four way intersection, the pruning or the removal of the tree on the southeast corner could also improve visibility and safety at the intersection. He advised that a report should be ready for next month.

Councillor B. Kinsman asked if there was a cut off date for the deer surveys.

The Director of Public Works advised that it is open ended, with no set cut off date.

The CAO advised that a meeting would be conducted with the Department of Natural Resources and then the matter would be brought back to Council for discussion. He noted that the Province has a critical role to play in the deer management, as the responsibility for wildlife management sits with them.

Councillor D. Joseph advised that he had heard from a number of people that the website was hard to navigate to find the details on the winter parking ban.

The Director of Public Works advised that this matter was brought to his attention last week and that IT has created a better link from the main page.

Councillor C. Fritz asked when the deadline for Christmas tree pick up was.

The Mayor advised that pick up was last week.

Deputy Mayor R. Tynes asked if the CAO was working on a plan for communications that included updates to the Town website.

The CAO advised that he has had discussions with Senior Staff about the website and they are looking at ways to improve it, and to improve internal and external communication.

Deputy Mayor R. Tynes asked for an update on the plans for the Willow Street, McClures Mills area.

The Director of Public Works advised that the traffic issue will be resolved in the plans for the roundabout in that area that has been forwarded for consideration under the Building Canada Fund.

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

Parks, Recreation and Culture Report

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

Councillor G. MacArthur advised that there is a public meeting on January 22nd at the Douglas Street Rec Centre to discuss the plans for the green space/playground area at the Alice Street development.

On motion of Councillors G. MacArthur and C. Fritz, it was moved that the Parks, Recreation and Culture Report for the month of December, 2014 be accepted as presented. Motion carried.

Safety Coordinators Report

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

On motion of Councillors C. Fritz and B. Kinsman, it was moved that the Safety Coordinators Report for the month of December, 2014 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

Councillor R. Tynes advised that on February 13th at 7pm at the Marigold Cultural Centre, there would be a presentation for African Heritage Month that is open to all residents at no charge.

The Mayor noted that a proclamation for African Heritage Month would be on the agenda for next month's Council meeting.

Councillor C. Fritz advised that the event had been submitted to be part of the African Nova Scotia Affairs website. She noted that prior to the Council meeting in February, there would be a small reception in Council Chambers and there would be brief guest speaker at the meeting.

Councillor G. MacArthur asked for an update on the Rath Eastlink Community Centre.

The Mayor advised that changes have been taking place. He noted that a request has been made for a joint meeting between the County of Colchester and the Town to discuss the issues facing the RECC.

The CAO advised that he received an email from the County CAO today requesting a date for the meeting.

Councillor C. Fritz advised that an update had been received from Rothsay and that it would be posted to the Town website.

NEW BUSINESS

a) Appeal – Side Yard Variance, 35 Laurie Street

Deputy Mayor R. Tynes and Councillor D. Joseph excused themselves from the appeal, as they were in a conflict. It was noted that this appeal had been delayed for two months and this would be the final opportunity the Town would grant to hear the appeal.

The Building Inspector advised that the property owner of 35 Laurie Street had requested a variance to install a main floor bathroom, which required an addition to her home. He noted that many factors were taken into consideration before granting the variance, such as the best fit for the property, intrusion on the abutting properties and whether it fits into the existing house and style, and water runoff. The Building Inspector stated that the required setback is 2.5 meters and this variance would be 1.2 metres.

The property owner, Kathy Hinton, addressed Council. She advised that she had lived at the property for 23 years and that due to an accident, she suffered a serious injury to her knee, giving her limited mobility. She noted that she requires surgery, but cannot schedule the surgery until the addition of a bathroom is complete. Ms. Hinton stated that water run off was a big concern of hers when plans were being drawn up and had done, and would do, everything possible to ensure that the addition was done to the highest standards.

The neighbour, Mr. Crosby, also addressed Council. He stated that he believed Councillor G. MacArthur should not be present for the appeal, as he was friends with Ms. Hinton.

The Mayor advised that if Councillor G. MacArthur excused himself from the appeal, there would not be enough councillors for a quorum and therefore Council would not be able to make a decision today.

The Town Solicitor advised that only Councillor G. MacArthur can determine if he has a conflict or if he can exercise independent judgement in this matter.

Mr. Crosby stated that Ms. Hinton has a very good possibility of getting better. He noted that there have been water issues on their street and that the addition is on an embankment next to his property.

Councillor T. Chisholm asked where the water from the roof of the addition would go.

Ms. Hinton advised that it would directed out towards the street.

The Building Inspector confirmed that the water drainage would be tied in and set out towards the front of the house.

On motion of Councillors T. Chisholm and B. Kinsman, the variance granted for the bathroom addition of 35 Laurie Street would be permitted. Motion carried.

ACCOUNTS

It was moved by Councillors T. Chisholm and C. Fritz, that Council approve for payment the accounts as presented be approved for the month of December, 2014. Motion carried.

ADJOURNMENT

On motion of Deputy Mayor R. Tynes and Councillor G. MacArthur, it was moved that the meeting be adjourned at approximately 3:10 p.m. Motion carried.

W.R. (Bill) Mills
Mayor

M.W. Dolter
CAO