



A regular public meeting of Truro Town Council was held on Monday, February 1st, 2016 at 1:00 pm in the Council Chambers of the Truro Civic Building.

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

Regrets: Councillor D. Joseph

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

On motion of Councillors B. Kinsman and T. Chisholm, the Public Council minutes of January 12th, 2016 were approved as circulated. Motion carried.

MOTION AND NOTICES OF MOTIONS

a) Public Hearing Date – 180 Victoria Street, Development Agreement Application

The CAO reviewed a letter received from the Town Planning Advisory Committee, recommending that Council establish a public hearing date to consider an application to permit two 50-unit, 4-storey residential buildings.

On motion of Councillor T. Chisholm and Deputy Mayor C. Fritz, a public hearing date of March 7th, 2016 at 1:00pm was set for Council to consider a Development Agreement Application for 180 Victoria Street. Motion carried.

b) Public Hearing Date – Municipal Planning Strategy Amendment, Glenwood Drive

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 regarding a change to the Future Land Use Designation of lands off Glenwood Drive, from Limited Residential Designation to the General Residential Designation.

On motion of Councillor T. Chisholm and Deputy Mayor C. Fritz, a public hearing date of March 7th, 2016 at 1:00pm was set for Council to consider amendments to the Municipal Planning Strategy regarding a change to the Future Land Use Designation of lands off Glenwood Drive. Motion carried.

c) Public Hearing – 98 and 102 Ford Street, Development Agreement Application

The CAO reviewed a letter received from the Town Planning Advisory Committee, advising that the Committee was divided in a motion (3-3) to accept the Staff Report from the Director of Planning to permit the development of two three-storey multiple unit residential buildings at 98 and 102 Ford Street.

The Director of Planning reviewed his staff report with Council. Planning staff is recommending that Council approve the Development Agreement.

The CAO advised that Council should base their decision on development regulations. While public concern and sentiment is a consideration, Council has to apply that to the Town regulations when making their decision.

Councillor R. Tynes stated that he thought it was an excellent development, but that he had concerns with regards to flooding, storm water management and the cut and fill matter. He also expressed concerns over the condition of Ford Street and the lack of a proper sidewalk. He noted that the cut and fill proposed for the portion that fronts on Ford Street could create a pond and the school bus stops there for pick up and drop off of children.

The Mayor asked if the storm water pond would be left empty at times.

The Director of Public Works advised that it would have approximately 1-2 feet of water in it during heavy rain events, but the intent is for it to drain after a day or two.

Councillor R. Tynes noted that it would only take a few seconds in a few inches of water for a child to drown and asked if the pond could be moved to the back of the property.

Councillor T. Chisholm noted that he thinks the development is a nice building, an improvement over the developer's first proposal. He stated that flooding is going to happen in that area whether the development is permitted or not. Councillor T. Chisholm stated that the Town streets are maintained on a scale system and that the development of two buildings in that area would move the street up the scale and would see more money spent to improve the road and sidewalk conditions. He noted that he was bothered by the idea of a pond out front and felt it should be fenced in.

On motion of Councillors R. Tynes and B. Kinsman, it was moved that an amendment be added to the proposed motion approving the development that would require the storm water pond to be relocated to the rear of the property and fenced. Motion carried with four votes in favour and two nay votes cast by Deputy Mayor C. Fritz and Councillor G. MacArthur.

It was moved Councillors B. Kinsman and T. Chisholm, that Council approve the Development Agreement for 98 and 102 Ford Street to permit the development of two three-storey multiple unit residential buildings, one containing 12 dwelling units and one containing 16 dwelling units as outlined in the Staff Report, with the flood water management plan to be adjusted to move the proposed pond to the rear of the development and for the pond to be fenced. The motion was lost with three votes in favour and three nay votes cast by Deputy Mayor C. Fritz and Councillors G. MacArthur and R. Tynes.

PETITIONS AND DELEGATIONS

a) Presentation – Cobequid Arts Council re: Marigold Cultural Centre

Farida Gabbani of the Cobequid Arts Council made a presentation to Council. She noted that the ownership of the Marigold Cultural Centre has been transferred to the Cobequid Arts Council, a not for profit organization. Therefore, the Cobequid Arts Council was requesting a tax exemption from the Town for the upcoming tax year, and the 2 years following.

The Mayor thanked her for her presentation. He noted that Council would review the information she had provided and make a decision during the budget process.

The CAO advised that previously the Marigold Cultural Centre has been provided with a \$80,000 grant each year and that was increased to \$108,000 previously to cover the tax amount. He stated that staff would review the financial information provided and the Town Bylaw and make a recommendation to Council.

IN-CAMERA SUMMARY REPORT

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

COMMITTEE REPORTS

CAO Report

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

On motion of Councillors T. Chisholm and G. MacArthur, it was moved that the CAO Report for the month of January, 2016 be approved as presented. Motion carried.

Corporate Services Report

The Corporate Services report for the month of January was presented to Council.

On motion of Councillors T. Chisholm and G. MacArthur, it was moved that the Corporate Services report for the month of January, 2016 be approved as presented. Motion carried.

Fire Report

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

On motion of Deputy Mayor C. Fritz and Councillor G. MacArthur, it was moved that the Fire Report for the month of January, 2016 be approved as presented. Motion carried.

Planning and Development Report

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

Councillor G. MacArthur noted that the department recently presented the plans for the new civic square during a public meeting and he noted that there was a great turnout and the plans were well received.

Councillor R. Tynes noted that under the Bylaw Enforcement section of the Planning Report, he did not see anything with regards to the dust issue complaint that he had put forward and asked for a follow up. He stated it's been an issue for three years.

The Director of Planning advised that the Business Development Officer has made contact with each of the feed mills in the vicinity of the where the complaint was received. She is waiting to hear back from management from the third company. He stated that the Town could potentially pursue a Land Use Bylaw violation, but he has not yet spoken to the Town Solicitor on that matter, and he would like to take

Councillor R. Tynes noted that it is an issue that keeps coming up and it's something that needs to be addressed and be rectified.

The CAO stated that he was not aware that this has been an issue for three years, and noted he saw photos of dust a few months ago but that was the first he heard of it. He noted that he and the Director of Planning discussed the issue recently and thought a soft approach at first was the right approach. He stated that if that did not work, then the Town would take a harder approach.

On motion of Councillors G. MacArthur and R. Tynes, it was moved that the Planning and Development report for the month of January, 2016 be approved as presented. Motion carried.

Police Report

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

On motion of Councillor B. Kinsman and Deputy Mayor C. Fritz, it was moved that the Police Report for the month of January, 2016 be accepted as presented. Motion carried.

Public Works Report

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

Councillor T. Chisholm noted that he had received some complaints about obstructions on the corner of some Town streets due to snowbanks and asked if the Director could have a look at this issue. The Director of Public Works advised that he would.

Councillor G. MacArthur expressed concern over the condition of some of the sidewalks in Town and that the sidewalk plows were ripping them up further.

On motion of Deputy Mayor C. Fritz and Councillor T. Chisholm, it was moved that the Public Works Report for the month of January, 2016 be accepted as presented. Motion carried.

Parks, Recreation and Culture Report

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

On motion of Councillors G. MacArthur and B. Kinsman, it was moved that the Parks, Recreation and Culture Report for the month of January, 2016 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

Councillor T. Chisholm noted that it was missed the other night during the public meeting, but he wanted to thank the Downtown Truro Partnership for all of their help with the civic square project, as they are a partner in the project.

Councillor G. MacArthur stated that he liked the new Request for Decision forms, and asked if staff could look into a similar type of form for issues Council brings forward for follow up.

Councillor B. Kinsman asked if there was an update on the deer issue.

The CAO advised that the Town has a meeting scheduled with the Department of Natural Resources on February 9th.

Councillor B. Kinsman noted that he thought the response rates were lower than usual for the public hearing today, and asked if that had anything to do with the new procedures for the surveys and if it should be looked at again.

The Director of Planning stated that the response rate was not lower, it was actually the same if not better. He noted that with the recent Lyman Street application, there were 200 responses received from the online survey. The Director of Planning advised that the public participation program has been altered a lot in the past few months and he would like to see Council leave it for a bit to see how the new change work.

NEW BUSINESS

a) Recommendation from Diversity Advisory Committee

The CAO advised that the Diversity Advisory Committee had received a request from the African Heritage Month Committee for funding in the amount of \$866.50 to support African Heritage Month initiatives for February 2016.

Upon review of the Diversity Advisory Committee budget, there is funding available to support this request. The Diversity Advisory Committee recommends that Council approve the funding request with funds to come from the Diversity Advisory Committee's budget.

On motion of Councillors G. MacArthur and B. Kinsman, the Diversity Advisory Committee's recommendation for funding in the amount of \$866.50 for the African Heritage Month Committee, with the funds to come from the Committee's budget was approved as presented. Motion carried.

b) Letter from Colchester Food Bank

The CAO reviewed a letter received from the Colchester Food Bank, thanking the Town for its support and assistance during the Food Bank's recent move to a Town owned building.

c) RECC Funding Request

The CAO advised that the County of Colchester and the Town of Truro have agreed to accept an equal share of the operating requirements of the Rath Eastlink Committee Centre (RECC). During the current budget year, the RECC has assumed a number of major unbudgeted expenses outside the normal operation of the facility due to problems with facilities plant and equipment. Many of these costs relate back to ongoing work that will rectify problems stemming from original deficiencies in the construction and commissioning of the building. The RECC has assumed approximately \$240,000 in additional costs that are the responsibility of the two municipalities under terms of the established agreements. The Town of Truro is responsible for 50% of this amount, or \$120,000. The CAO noted that these expenses are work that relates to the ongoing repairs and maintenance to plant and equipment that are outside the RECC Board's operational responsibility and reimbursement to the RECC is recommended by staff.

On motion of Councillors B. Kinsman and G. MacArthur, it was agreed that the Town of Truro will reimburse the Rath Eastlink Community Centre \$120,000 for expenses incurred that are equally the responsibility of the Town of Truro and the County of Colchester. Motion carried.

d) Land Exchange – Kaulback Street and Lands South of William Barnhill Drive

The CAO advised that in June 2015, the Town of Truro was approached by a land owner who owns two large parcels of land in the Truro Business Park expansion area, referred to as the lands south of William Barnhill Drive. The land owner proposed a potential arrangement that would involve a land exchange between these lands and the lands the Town of Truro owns on Kaulback Street. As per requirements of the Municipal Government Act, the Truro Industrial Development Society proceeded to have an appraisal conducted on both properties to determine market value. The appraisals were completed in November 2015. In December 2015, Town Council agreed to enter into negotiations with the land owner on the potential land exchange. At this time, an agreement has been reached between both parties, pending approval by Council. The agreement is based on the appraised values of each property, with the William Barnhill Drive property being appraised at \$10,000 higher than the Kaulback Street property. In addition, the agreement would be contingent on the developer entering into a Development Agreement on the Kaulback Street property prior to January 2018. Staff is recommending that the Town proceed with the negotiated agreement for the transfer of lands.

On motion of Councillors R. Tynes and T. Chisholm, it was agreed that the Town of Truro will enter into an Agreement of Purchase and Sale to exchange the lands on Kaulback Street with the lands south of William Barnhill Drive, in accordance with the appraisal reports, as outlined, and that the Agreement is contingent on the developer entering into a Development Agreement with the Town of Truro on the Kaulback Street lands prior to January 2018. Motion carried.

e) Request from Councillor R. Tynes re: Travel Budget

The CAO advised that Councillor R. Tynes is requesting that up to \$700 from his travel budget account be approved for use towards the annual African Heritage Month event at the Marigold Cultural Centre. Councillors each have a fund specifically for travel purposes for each year and any reallocation of these funds must be approved by Council. Staff is recommending that Council approve the request.

The Mayor advised that the event was called "Reflections of the Past, Present and Future" and that there would be jazz and blues music, and presenters and the event would be from 7-9pm on February 13th at the Marigold Cultural Centre.

Councillor R. Tynes stated that he has made similar requests in the past for an event during African Heritage Month, provided the money was available in his travel budget.

Deputy Mayor C. Fritz stated that she would like Council to look at the policy at some point in terms of how Council is permitted to spend their travel budget, perhaps it could be used for community events.

The Mayor stated that staff could look at policies from other municipalities and make a recommendation to Council.

Councillor T. Chisholm advised that the Audit Committee had looked at the travel policy and budgets last summer with regards to permitting Council to use the funds for expenditures other than conference and travel. He stated that Councillors received 30% of their salary tax free, and that is meant to allow for extra funds for Councillors to use towards office supplies, or gas for driving to event, etc. Councillor T. Chisholm noted that Council passed a motion at this meeting for funds to come from the Diversity Advisory Committee for African Heritage Month and he would have preferred for that amount to be increased instead of a request for use of funds from a travel budget. He stated that if funds were going to be used from the travel budget for expenses other than travel, he would rather do that by way of amendments to the policy. Councillor T. Chisholm stated that African Heritage Month occurs annually and a grant request could have been submitted on a yearly basis. He stated he did not have an issue with the expense, he just wanted to ensure that the money comes from the correct account.

The CAO stated that Council has the ability to allow money to be spent from a budget as it sees fit, provided it the request is brought to a public meeting and voted on by Council.

Councillor R. Tynes noted that the use of the Marigold Cultural Centre is free for the Town, and he would provide receipts for all expenses related to the event.

On motion of Councillor G. MacArthur and Deputy Mayor C. Fritz, it was agreed that Councillor R. Tynes would be permitted to use up to \$700 of his travel budget towards the African Heritage Month event at the Marigold Cultural Centre. Motion carried with three votes in favour and two nay votes cast by Councillors T. Chisholm and B. Kinsman.

ACCOUNTS

It was moved by Councillors G. MacArthur and T. Chisholm that Council approve for payment the accounts as presented be approved for the month of January, 2016. Motion carried.

ADJOURNMENT

On motion of Deputy Mayor C. Fritz and Councillor T. Chisholm, it was moved that the meeting be adjourned at approximately 4:20 p.m. Motion carried.

W.R. (Bill) Mills
Mayor

M.W. Dolter
CAO