



Truro Town Council Meeting
Monday, August 8th, 2016 at 1:00 pm
Council Chambers – Town Hall

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A regular public meeting of Truro Town Council was held on Monday, August 8th, 2016 at 1:00 pm in the Council Chambers of the Truro Town Hall.

Present: Deputy Mayor C. Fritz, Councillors D. Joseph, B. Kinsman, R. Tynes, G. MacArthur (2:18pm) and T. Chisholm

Regrets: Mayor W.R. (Bill) Mills

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

APPROVAL OF AGENDA

The CAO requested that "Private Lane Report" be added under New Business.

On motion of Councillors R. Tynes and B. Kinsman, the agenda was approved as amended. Motion carried.

APPROVAL OF MINUTES

On motion of Councillors T. Chisholm and B. Kinsman, the Public Hearing Minutes and Public Council minutes of June 13th, 2016 were approved as circulated. Motion carried.

OLD BUSINESS

a) Amendments to Local Improvement Bylaw – 2nd Reading

The CAO advised that after a staff review, it was determined that amendments to the Town's Local Improvement Bylaws were required, primarily to reflect changes to financial payment arrangements for local improvements. He noted that 1st reading had taken place at the June Council meeting.

The Town Solicitor stated that the amendments relate to the collection and calculation of the cost for the abutting land owners, and provide clarity within the Bylaw.

The CAO noted there was a typographical error under paragraph 11 (f), sub paragraph (ii) that should remove the words "being to". He stated the change will be made before the amended bylaw is uploaded to the Town's website.

On motion of Councillors T. Chisholm and B. Kinsman, 2nd reading and approval was given to amendments to the Local Improvement Bylaw, as presented. Motion carried.

IN-CAMERA SUMMARY REPORT

The CAO advised Council that there was one issue discussed by Council at the last In-Camera meeting and there are six issues to be discussed by Council at the incamera meeting today.

COMMITTEE REPORTS

CAO Report

The CAO report for the months of June and July was presented to Council.

Councillor D. Joseph noted that with the demolition of the CN Pensioners Club, he believed at one point there was memorabilia in the building that should be removed and he asked if that had been done already.

The Director of Public Works advised that there were no material items remaining in the building and perhaps someone from the CN Pensioners Club was now in possession of those items.

On motion of Councillors D. Joseph and T. Chisholm, it was moved that the CAO Report for the months of June and July, 2016 be approved as presented. Motion carried.

Corporate Services Report

The Corporate Services report for the months of June and July was presented to Council.

Councillor T. Chisholm noted that the Town's website currently still has the old ward boundaries, and asked if that should be updated before or after the upcoming election.

The CAO stated that the new boundaries apply to the current election and the website would be updated to reflect the new ward boundaries.

On motion of Councillors B. Kinsman and T. Chisholm, it was moved that the Corporate Services report for the months of June and July, 2016 be approved as presented. Motion carried.

Fire Report

The Fire Report for the months of June and July was presented to Council.

On motion of Councillors D. Joseph and R. Tynes, it was moved that the Fire Report for the months of June and July, 2016 be approved as presented. Motion carried.

Planning and Development Report

The Planning and Development report for the months of June and July was presented to Council.

On motion of Councillors T. Chisholm and B. Kinsman, it was moved that the Planning and Development report for the months of June and July, 2016 be approved as presented. Motion carried.

Police Report

The Police Report for the months of June and July was presented to Council.

On motion of Councillors B. Kinsman and T. Chisholm, it was moved that the Police Report for the months of June and July, 2016 be accepted as presented. Motion carried.

Public Works Report

The Public Works report for the months of June and July was presented to Council.

Councillor R. Tynes asked when Council would be presented with the public report on the joint floodplain study and the recommendations.

The CAO advised that the Town and County are trying to organize a joint meeting of the two Councils in order to present the report jointly before a public meeting during which the two Councils will adopt the report.

On motion of Councillors D. Joseph and R. Tynes, it was moved that the Public Works Report for the months of June and July, 2016 be accepted as presented. Motion carried.

Parks, Recreation and Culture Report

The Parks, Recreation and Culture Report for the months of June and July was presented to Council.

On motion of Councillors R. Tynes and B. Kinsman, it was moved that the Parks, Recreation and Culture Report for the months of June and July, 2016 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

Councillor D. Joseph asked for clarification on the configuration of 36 Lyman Street.

The Director of Planning stated that based on an inspection conducted by the Building Inspector in May, the property contains three dwelling units.

Councillor D. Joseph asked if signage indicating a playground was nearby was planned for the Herb Peppard Park on Alice Street.

The Director of Public Works stated an order has been placed for signage to be installed.

Councillor D. Joseph noted that vehicle traffic and pedestrian traffic can get a bit chaotic at times at Park Road and Rosewyn Place, and asked if the Public Works Department could look at placing a crosswalk in that area.

The Director of Public Works stated that crosswalks should be painted in areas where it is safe to cross the street and that area was not an overly safe location for pedestrians to cross. He suggested pedestrians walk around the corner until they are further towards the park where the speed slows down to 15 km/hr.

Councillor D. Joseph asked if any remedial work would be done to the potholes on Harmony Road.

The Director of Public Works stated that some patching had been done, but that the road was in really bad shape and has been at the top of the capital list for a number of years, but it would be a very expensive process to repave. The Department is also looking at the possibility of renting or buying equipment to be used to clear brush, as that work needs to be done as well.

Councillor R. Tynes asked if a decision had ever been made regarding the Victoria Park parking lot, whether it would be graveled or paved and asked staff to bring a recommendation to the next Council meeting.

Councillor R. Tynes thanked Al MacNutt and everyone involved in the Pride Parade for all of their hard work.

Councillor R. Tynes noted that there have been a lot of issues and complaints lately about the odour in Town. He suggested that the Town take the companies and the Department of Environment to court to make something happen. He asked the CAO and Town Solicitor to discuss this possibility.

Deputy Mayor C. Fritz noted that she was speaking with a resident who has an environmental illness and the odour is so bad at times that she can hardly breathe. She stated that the Town is told that the companies are meeting the standards but how does the Town know that they are, besides the companies saying so.

NEW BUSINESS

a) Bylaw to Repeal Licensing Bylaws – 1st Reading

The CAO advised that upon review by staff of some of the Town's bylaws, it has been determined that the majority of the Town bylaws relating to licenses are no longer required as they are outdated, or the regulations have been incorporated into other newer Town bylaws. It is being recommended that the following bylaws be repealed: Licenses, General Provisions; Licenses, Petty Trades; Licenses, Auctioneers; Licenses, Non-Residents Doing Business; Licenses, Public Entertainment; Licenses, Trucks; Licenses, Junk Dealers; Licenses, Chimney Sweeps.

On motion of Councillors B. Kinsman and R. Tynes, 1st reading of the Bylaw to Repeal Licensing Bylaws was approved as presented, with 2nd reading to occur at the September Council meeting. Motion carried.

b) Alternative Voting Bylaw Amendment – 1st Reading

The CAO advised that amendments to the Alternative Voting Bylaw were being recommended for 1st reading at today's meeting in order to accurately reflect the changes the Province has made to the Elections Act that were effective April 15th, 2016.

On motion of Councillors D. Joseph and T. Chisholm, 1st reading of amendments to the Alternative Voting Bylaw were approved as presented, with 2nd reading to occur at the September Council meeting. Motion carried.

c) Demolition of 244 Young Street

The CAO advised that 244 Young Street has been on the unsightly premises listing for over a year and is in such a deteriorated condition that it is beyond repair. Staff is recommending that the demolition be approved.

On motion of Councillors B. Kinsman and R. Tynes, it was agreed that the property at 244 Young Street is dangerous or unsightly and that the owners of 244 Young Street are ordered to, by September 8th, 2016, demolish the house on the property and remove the resulting debris, or if the owners do not do so, the Town may demolish the building and remove the travel trailer and the costs of the demolition will be a lien against the property. Motion carried.

d) 474 Young Street Development Agreement – Request to Extend

The CAO advised that Anglerite Dash Rental Enterprises Limited, the owners of 474 Young Street, were requesting an extension on the time limited for the approved Development Agreement to December 2018, rather than the current limit of May 2016. Staff notes that to date, the foundations have been installed for two buildings and the Developer plans to start construction in early October 2016, with the remaining fourteen units constructed in the next two consecutive years. It is staff's recommendation that Council approve an extension of the time limit.

On motion of Councillors T. Chisholm and R. Tynes, it was agreed that the time limit of the Development Agreement with Anglerite Dash Rental Enterprises for lands at 474 Young Street be extended to December 2018 as requested by the Developer. Motion carried.

e) Water Account Write Offs

The CAO advised that after review by staff and discussion with the external collections agency, it is the recommendation of staff that the balance of the presented water accounts be written off, as collection efforts for these accounts have been exhausted, both internally and externally.

Councillor B. Kinsman asked if the Town could place a lien on the properties.

The CAO stated that under the Municipal Government Act, the water charges are not considered a tax, they are a fee based on a service provided and therefore the Town could not place a lien on the properties.

On motion of Councillors B. Kinsman and R. Tynes, it was agreed that the Town write-off the following water utility accounts totalling \$8,075.83: #047333.00, 0358874.00, 065838.02 and 205289.01. Motion carried.

f) Outstanding Electricity Account, Truro Farmers' Market

The CAO advised that during the 2016 AMANS Spring Conference, the Association for Farmers' Markets of Nova Scotia presented to the municipal administrators. From their presentation, it was evident based on what other Nova Scotia communities are doing that the Town could provide more support for the Truro Market to help improve its changes for success and expansion. One of the key areas that has created major issues for the Market in the last few years has been the cost of electricity. In trying to maintain a reasonable temperature during the

early Spring and late Fall, the Market has incurred significant electrical costs which they have been unable to pay from the current sources of revenue. As a result of this inability to pay, the Market currently owes the Town \$25,397.48 in outstanding electrical charges. Moving forward, the Town has replaced the inefficient electrical heaters with a highly efficient propane system resulting in significant savings and a vast improvement in the Market conditions. The building has also recently seen the installation of solar panel system that is hooked into a net meter which allows the Town to sell electricity back to the grid, reducing the electrical bill. We are begging to see positive results from this infrastructure. In setting the conditions for success of the Markets and helping it in its role as a small business incubator, staff recommends that the Town write-off the outstanding balance of the electrical bills for the Truro Farmers Market. Secondly, we also recommend that the Town assume the ongoing electric bills which should help to sustain the financial health of the Market over the long term.

Councillor R. Tynes asked if the current Farmers' Market board would be in charge of overseeing day to day operations and what their willingness to work with the Town was.

The CAO noted that there are new members on the board and a new general manager who have been open to the Town's concerns and comments and welcomed the Town's help. He stated that a new propane system has been installed that should work more efficiently for heat than the electric heaters and that the Market is responsible for the purchase of propane.

On motion of Councillors R. Tynes and G. MacArthur, it was agreed that the Town will write-off the \$25,397.48 in outstanding electrical bills for the Truro Farmers' Market, and it was agreed that the Town will assume the ongoing cost of electricity for the Farmers' Market building. Motion carried.

g) World Junior A Challenge Cup

The CAO advised that the RECC and the Regional Events Committee is in the process of bidding on the World Junior A Challenge Cup for 2017. The World Junior A Challenge is comprised of six teams in two divisions. As well as two Canadian teams representing East and West, there will be four international teams. The event is scheduled for December 10-16, 2017 based on a single round robin tournament followed by two semi-final games and two medal games for a total of thirteen games. This is a Hockey Canada event hosted in partnership with the Canadian Junior Hockey League, a host committee, and Host CJHL League and the Host Member. With a successful bid, the region will enjoy elite level hockey and have an opportunity to get involved as volunteers. Based on past events, it is expected that the tournament will bring up to \$3 million into the communities. The support of the Town and the County of Colchester are critical to the success of events like this. The Town has already provided a letter supporting the RECC's bid, however, a financial commitment is also required. The RECC is requesting that the Town and County commit to providing \$25,000 each should their bid for the event success.

Councillor G. MacArthur stated that he believed if the RECC was the successful bidder on this event, that some of the profits from this event should be put into a budget to help bring other similar events to the RECC.

The CAO advised that having a fund for that purpose is an idea that has been discussed by the RECC Operating Board and the RECC has committed to establishing a seed account within the Regional Events Committee so that as events become successful, they take a certain portion of the proceeds and set it aside for future ongoing events.

Councillor T. Chisholm asked if the money would come from this year's budget or next year's.

The CAO advised that the money would come from next year's budget, there is no requirement at the time of submitting a bid to produce a cheque.

Councillor T. Chisholm suggested that the Truro area look at a tourist tax on hotel rooms, similar to what Halifax does.

On motion of Councillors G. MacArthur and D. Joseph, it was moved that the Town will commit to providing \$25,000 to the RECC upon the notification of the successful bid for the World Junior A Challenge as the Town's portion of the municipal shared contribution of \$50,000. This allocation would be contingent upon the County of Colchester approving the same resolution. Motion carried.

h) Letter from Provincial Government re: Bill 177

The CAO reviewed a letter from Minister Zach Churchill, in response to a letter the Town sent in May regarding Bill 177.

The CAO advised that the MGA review committee has further discussed the implementation of Bill 177, and that it could actually be beneficial for the Town. He noted that although the letter from East Hants indicated that Bill 177 was part of the MGA review process, it was in fact not, and came out of the Towns' Task Force >

i) Atlantic Business Magazine Top 50 CEO Awards

Deputy Mayor C. Fritz advised that Atlantic Business Magazine recently published the results of their 18th Annual Top 50 CEO Awards and two of them are located here in Truro. She extended congratulations on behalf of the Town to Doug Ettinger and Darrell Kuhn.

j) Private Lane Report

The CAO advised that as requested by Council, the Director of Public Works would present a report on the private lanes in the Town. He noted that this was a preliminary report and staff can prepare more detailed information should Council wish. The CAO stated that the matter has not yet been discussed with the Town Solicitor.

The Director of Public Works reviewed his report with Council, stating that in total, there are 10 private lanes in Town, two of which were built under modern development agreements and do not require any Town maintenance. The other eight private lanes, vary in degree of maintenance in terms of winter maintenance and street maintenance. The Director stated that the lanes have various owners and are narrow. Upgrading them to the Town standard and providing full year maintenance would require extensive funds. He noted there could also be an issue of liability of constructing streets on privately owned lands, some of which with unknown ownerships. The Director noted that the Town’s current capital budget cannot sustain the current streets, and that staff were recommending that the private lanes remain private and perhaps the Town even cease winter maintenance on the lanes which have been receiving that maintenance.

The CAO noted that another concern with the homes on the private lanes is that they likely have long laterals out to the main street, perhaps substandard lines, that the Town does not know the locations of.

The Town Solicitor stated that presumably, the property owners impliedly consent to the Town conducting winter maintenance because the Town has no right to go down a private lane without the owner’s consent. He noted that there could be a liability issue if, as a result of a lane that was not adequate, a Town vehicle was damaged, as to who would pay for the repairs.

Councillor B. Kinsman thanked staff for the report but stated he did not believe it captured the essence of what Council had requested. He noted that this report consisted of a “worst case scenario” option and he was looking for a report that listed a range of options. He asked for a further report for the September Council meeting.

ACCOUNTS

It was moved by Councillors T. Chisholm and R. Tynes that Council approve for payment the accounts as presented be approved for the months of June and July, 2016. Motion carried.

ADJOURNMENT

On motion of Councillors R. Tynes and B. Kinsman, it was moved that the meeting be adjourned at approximately 3:25 p.m. Motion carried.

Cheryl Fritz
Deputy Mayor

M.W. Dolter
CAO