



Truro Town Council Meeting
Monday, October 1st, 2018 at 1:00 pm
Council Chambers – Town Hall

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A regular public meeting of Truro Town Council was held on Monday, October 1st, 2018 at 1:00 pm in the Council Chambers of the Truro Town Hall.

Present: Mayor W.R. (Bill) Mills, Deputy Mayor T. Chisholm, Councillors D. Joseph, C. Hinton, B. Kinsman, and W. Talbot

Regrets: Councillor C. Fritz and CAO M. Dolter

In Attendance: Acting CAO A. MacKinnon, Director of Corporate Services A. Currie, Fire Chief B. Currie, Director of Planning J. Fox, Assistant Director of Parks, Recreation and Culture J. Dawe, Police Chief D. MacNeil, and Town Solicitor J. Rafferty

APPROVAL OF AGENDA

On motion of Councillors C. Hinton and W. Talbot, the agenda was approved as circulated. Motion carried.

APPROVAL OF MINUTES

On motion of Deputy Mayor T. Chisholm and Councillor B. Kinsman, the Public Council minutes of September 10th, 2018 were approved as circulated. Motion carried.

MOTIONS AND NOTICES OF MOTIONS

a) Public Hearing – 1 Willow Lane, Amendments to Planning Documents

The acting CAO advised that the Town Planning Advisory Committee was recommending amendments to the Municipal Planning Strategy and Land Use Bylaw to change the Future Land Use Designation and Zoning of 1 Willow Lane from the General Commercial Designation and General Commercial (C4) Zone to the General Residential Designation and General Residential (R3) Zone, to permit a single unit dwelling.

The Director of Planning reviewed his report with Council. He was recommending that Council approve the amendments to the Municipal Planning Strategy and Land Use Bylaw to change the Future Land Use Designation and Zoning of 1 Willow Lane from the General Commercial Designation and General Commercial (C4) Zone to the General Residential Designation and General Residential (R3) Zone, to permit a single unit dwelling.

On motion of Councillor D. Joseph and Deputy Mayor T. Chisholm, the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw to permit the development of a single unit dwelling at 1 Willow Lane was approved as circulated. Motion carried.

b) Public Hearing Date – 18 Munroe Court, Development Agreement

The acting CAO advised that the Town Planning Advisory Committee was recommending Council establish a public hearing date to consider a Development Agreement for 18 Munroe Court that would permit the development of 5 additional dwelling units in an existing 35-unit residential building.

On motion of Councillors C. Hinton and B. Kinsman, a public hearing date of November 5th, 2018 at 1pm was set for Council to consider a Development Agreement for 18 Munroe Court that would permit the development of 5 additional dwelling units in an existing 35-unit residential building. Motion carried.

c) Public Hearing Date – 90-92 Park Street, Municipal Heritage Designation

The acting CAO advised that the Heritage Advisory Committee is recommending that Council establish a public hearing date to consider the municipal heritage designation of 90-92 Park Street. The research on the heritage value and character defining elements of 90-92 Park Street has been completed and it has been determined that the property, constructed in 1908, is valued for its role as Truro's first hospital and advancing health care delivery. The Heritage Advisory Committee is requesting that Council authorize staff to proceed with the municipal heritage designation in accordance with the Heritage Property of the subject property and establish a public hearing date. The benefits of municipal designation include a sense of pride in the community while ensuring commemorative integrity for present and future generations. The building will be commemorated with the installation of a municipal heritage plaque.

On motion of Councillors C. Hinton and B. Kinsman, a public hearing date of November 5th, 2018 was establish for Council to consider the municipal heritage designation of 90-92 Park Street in accordance with the Heritage Property Act. Motion carried.

PETITIONS AND DELEGATIONS

a) Presentation – Lenore Zann

Lenore Zann and representatives from the Lotus Centre gave a presentation to Council on the community need for a S.A.N.E. (Sexual Assault Nurse Examiner). If the Colchester Hospital had a S.A.N.E., then when a person arrives at the hospital due to a sexual assault, the nurse will take them through all the necessary steps and stay with them for emotional support.

Ms. Zann noted that she has brought this issue to the Nova Scotia Legislature and she believed it would be helpful if the Town Council wrote a letter of support to the Minister of Health, the Minister of Justice and the Colchester North MLA.

The Mayor confirmed that the Town would forward letters to the various governmental departments.

OLD BUSINESS

a) Strategic Review Update

The acting CAO advised that an update on the Strategic Review is contained in the CAO report. He stated that the CAO has made final arrangements with the strategic moderator Gordon MacIntosh for the meetings in February.

b) Deer Update

The acting CAO gave a presentation to Council on staff plans regarding education for residents on the deer population. Steps moving forward include erecting more bylaw signage in strategic locations, regular social media and website posts focusing on education regarding no feeding, types of plants for gardening that would deter the deer, and the reporting process for deer feeding. The acting CAO advised that the Town is starting a process for deer sightings and bylaw violations. The Town will continue to survey and monitor the population trends as per the Department of Natural Resources recommendation. The acting CAO advised that the Town has the right to restrict hunting on Town owned property and if the Town allows for hunting, it will be arranged through the Federation of Anglers and Hunters Association and monitored very closely.

IN-CAMERA SUMMARY REPORT

The acting CAO advised Council that there were two legal issues discussed at the incamera meeting for the month of September and there are no issues to be discussed by Council at the incamera meeting today.

COMMITTEE REPORTS

CAO Report

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

On motion of Councillors C. Hinton and W. Talbot, it was moved that the CAO Report for the month of September, 2018 be approved as presented. Motion carried.

Corporate Services Report

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

On motion of Councillors W. Talbot and C. Hinton, it was moved that the Corporate Services report for the month of September, 2018 be approved as presented. Motion carried.

Fire Report

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

On motion of Councillor C. Hinton and Deputy Mayor T. Chisholm, it was moved that the Fire Report for the month of September, 2018 be approved as presented. Motion carried.

Planning and Development Report

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

On motion of Deputy Mayor T. Chisholm and Councillor W. Talbot, it was moved that the Planning and Development report for the month of September, 2018 be approved as presented. Motion carried.

Police Report

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

On motion of Councillors C. Hinton and B. Kinsman, it was moved that the Police Report for the month of September, 2018 be accepted as presented. Motion carried.

Public Works Report

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

The Director of Public Works advised that the CN letter regarding fencing is still under review.

On motion of Councillors D. Joseph and C. Hinton, it was moved that the Public Works Report for the month of September, 2018 be accepted as presented. Motion carried.

Parks, Recreation and Culture Report

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

On motion of Councillors W. Talbot and D. Joseph, it was moved that the Parks, Recreation and Culture Report for the month of September, 2018 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

The Mayor asked for an update on the curb garbage container situation on Beechwood.

The Director of Planning advised that the garbage container issue would be referred to the Rental Standards Committee when it was officially formed.

Deputy Mayor T. Chisholm noted that the Town would be started a new garbage collection contract and collection would be moving to four days a week.

The Director of Public Works advised that the new contract would be starting November 1st and the County Waste Management team would be sending out all of the communications to residents about the switch to four days a week.

NEW BUSINESS

a) Heritage Advisory Committee – Citizen Resignation

The acting CAO reviewed a letter received from Sarah Muise, a member of the Town's Heritage Advisory Committee advising that she was moving and therefore had to resign from the Committee. The vacancy will be advertised. The Committee is requesting that the Town send a letter of appreciation to Ms. Muise.

The Mayor advised that a thank you letter would be sent.

b) Water Account Write Offs

The acting CAO advised that after review by staff and following discussion with the Town's external collections agency, it is the recommendation of staff that the balance of the water utility accounts (totalling \$6,487.10) presented to Council at the incamera meeting on September 10th, 2018 be approved for write off.

On motion of Deputy Mayor T. Chisholm and Councillor B. Kinsman, the water account write offs were approved as presented. Motion carried.

c) No Smoking Bylaw Amendments – 1st Reading

The acting CAO advised that with the legalization of cannabis occurring later this month, staff is recommending amendments to the Town's No Smoking Bylaw. These changes include updating the Bylaw to cover the use of cannabis and will provide additional protection to non-smokers for designated municipal spaces. This is the first reading of the proposed amendments with second reading and proposed approval taking place at the Council meeting on November 5th, 2018.

The Town Solicitor stated that the proposed amendments will add the use of cannabis as part of the items that cannot be smoked, and the addition of sidewalks in various locations where individuals will not be permitted to smoke any type of product.

On motion of Councillors W. Talbot and D. Joseph, 1st reading of the amendments to the No Smoking Bylaw were approved as presented, with 2nd reading to take place at the November 5th, 2018 Council meeting. Motion carried.

d) Employee Code of Conduct Policy and Procedure Amendments

The acting CAO advised that staff have reviewed the Town's current Employee Code of Conduct Policy and Procedures and are recommending amendments that will ensure measures are in place to better address the legalization of cannabis later this month.

Councillor W. Talbot expressed concerned over the proposed changes as there are still many unknowns in terms of cannabis use and workplace safety, such as how long a person is impaired for, what constitutes "unfit to work". He felt amendments would need more research prior to approval.

The Mayor stated that the policy could be amended today to start the process and then changes could be implemented at a later date as more information becomes available.

The Town Solicitor advised that he would recommend a further amendment regarding the first bullet point of the amendments to the policy in which it states "any legal drug". He noted that the way the policy currently reads, it would suggest that any legal prescription drug could be considered misconduct. He suggested the wording be amended to say "cannabis or an illegal drug".

Deputy Mayor T. Chisholm asked how the policy would apply if an employee had a prescription for medical marijuana.

The Town Solicitor stated that if the wording is changed as he previously suggested, then the use of medical marijuana would not be misconduct, but then regarding the second bullet point of the amendments to the policy, how would the Town prove that the use is adversely affecting an employee's performance.

On motion of Councillors D. Joseph and B. Kinsman, it was agreed that the words "or any legal" would be removed from the first bullet point of the amendments to the Employee Conduct Policy and replaced with "cannabis". Motion carried with four votes in favour and two nay votes cast by Deputy Mayor T. Chisholm and Councillor W. Talbot.

On motion of Councillors D. Joseph and B. Kinsman, the recommended changes to the Town's Employee Code of Conduct Policy and Procedure were approved as presented. Motion carried.

e) Extended Producer Responsibility Resolution Endorsement

The acting CAO advised that this agenda item was in regards to a resolution, resolution #6, that the Nova Scotia Federation of Municipalities has produced. The Interim Resolutions Report Item #6 identifies the issues, background information, and impact on municipalities on the extended producer responsibility for printed paper and packaging (ERP for PPP), with proposed action and a resolution for EPR for PPP. The resolution highlights how Nova Scotia municipalities recycling programs cost of \$25 million per year, 80% of consumers live where producers fund PPP, Nova Scotia consumers are already paying prices that support PPP programs in other provinces, that NSFM has developed a proposed EPR for PPP model, and that EPR for PPP would significantly decrease both costs and risks associated with municipal curbside recycling programs. The NSFM resolution #6 therefore resolves that NSFM request the province develop legislation for full EPR for PPP as proposed by NSFM in consultation with municipalities.

On motion of Deputy Mayor T. Chisholm and Councillor W. Talbot, it was agreed that Town Council will endorse Proposed Resolution #6, Extended Producer Responsibility for Printed Paper and Packaging (EPR for PPP), of the September 7th, 2018 NSFM Resolutions Report as a priority for the Fall Conference. Motion carried.

MUNICIPAL GRANT REQUESTS

a) Colchester East Hants Hospice

The acting CAO reviewed a letter received from the Colchester East Hants Hospice requesting a grant. He noted that the Hospice does receive a tax exemption from the Town. It was agreed that this letter would be sent for budget deliberations in the New Year.

ACCOUNTS

It was moved by Councillors C. Hinton and W. Talbot, that Council approve for payment the accounts as presented for the month of September, 2018. Motion carried.

ADJOURNMENT

On motion of Councillors D. Joseph and C. Hinton, it was moved that the meeting be adjourned at approximately 3:30 p.m. Motion carried.

W.R. (Bill) Mills
Mayor

A. MacKinnon
Acting CAO