

A regular public meeting of Truro Town Council was held Monday, June 11, 2007, at 1:00 PM in the Council Chambers of the Truro Civic Building.

Present: Mayor W.R. (Bill) Mills; Councillors S. Byers, B. Kinsman, D. Bennett Cook, G. MacArthur and R. Tynes

Regrets: Deputy Mayor C. Cox

In Attendance: CAO J. Langille, Director of Public Works A.J. MacKinnon, Director of Finance R. Putnam, Director of Planning J. Fox, Parks and Recreation Director D. MacKenzie, Police Chief K.C. MacLean, Fire Chief T. Bremner and J.T. Rafferty, Town Solicitor

APPROVAL OF AGENDA

It was requested by Mayor Mills that the following item be added to the agenda as item 9 (d) under the New Business section:

- Support for Atlantic Accord

Councillor R. Tynes advised Council members that he had a document that he intended to introduce during the discussion of item 3 (d), Standard Hiring Practices Policy (Draft).

On motion of Councillors B. Kinsman and S. Byers it was moved to approve the agenda as amended. Motion carried.

APPROVAL OF MINUTES

On motion of Councillors D. Bennett Cook and S. Byers it was moved to approve the minutes of the Public Hearing and Public Council Meeting held May 7, 2007 as circulated. Motion carried.

MOTIONS & NOTICES OF MOTIONS

576 Prince Street, Development Agreement Application

During the Public Hearing portion of the Public Council Meeting, a staff report dated June 7, 2007, was presented by Director of Planning J. Fox and discussion was held regarding an application from Gremar Investments Limited to enter into a development agreement with the Town to permit the development of 14 new residential units in an existing mixed use building at 576 Prince Street.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved to enter into a development agreement with Gremar Investments Limited to permit the development of 14 new residential units in an existing mixed use building at 576 Prince Street, as recommended in the Staff Report dated June 7, 2007. Motion carried.

This agreement is subject to a fourteen day appeal period.

By-law to Amend Taxi By-law – 2nd Reading

A copy of the draft amendments proposed for the *Town of Truro Taxi By-law* was circulated to Council at the May Meeting for their review and first reading was passed at that time. The objective of these amendments is to place stricter conditions on the issuing of taxi licenses. The Town Solicitor provided Council with an overview of the draft amendments.

On motion of Councillors B. Kinsman and G. MacArthur it was moved to pass second reading and to adopt amendments to the Taxi By-law as recommended by staff. Motion carried.

Draft Firearms By-law – 2nd Reading

A copy of the draft *Firearms By-law* was circulated to Council at the May Meeting for their review and first reading was passed at that time. The objective of the by-law is to prohibit the discharge of firearms within the Town of Truro. It was noted by the Town Solicitor that an existing by-law, the *Public Safety – Firearms and Fireworks By-law*, will be revoked upon adoption of the new by-law.

Councillor S. Byers advised that she would not be able to support a motion to adopt the draft by-law because it does not apply to air or compressed gas guns or pistols, which she felt are still capable of causing harm.

On motion of Councillors D. Bennett Cook and B. Kinsman it was moved to pass second reading and to adopt the Firearms By-law as recommended by staff. The motion carried by a vote of five in favour of the motion and one nay vote cast by Councillor S. Byers.

Standard Hiring Practices Policy (Draft)

All Council members received a copy of the draft *Standard Hiring Practices Policy* for review and were asked to advise the CAO of any changes they would like to recommend; the draft policy will be considered for adoption at the July Public Council Meeting.

In response to a question from Councillor R. Tynes, the Town Solicitor stated that he had reviewed the draft policy and felt that it was an extremely good policy. The Solicitor advised that he had drafted correspondence with only a few minor comments and this would be circulated to Council members.

Councillor R. Tynes provided Council members with information regarding a coalition that has been formed of municipalities from across the country whose purpose is to involve communities in combating racism and discrimination in all forms. This coalition is being supported by the Federation of Canadian Municipalities. Councillor Tynes advised that it was his opinion that it would be a great benefit to the Town to join the coalition as it would give them access to resources and support from a national organization (FCM).

On motion of Councillors R. Tynes and S. Byers it was moved that upon adoption of the Standard Hiring Practices Policy at the July Council Meeting, that Truro Town Council become a member of the Coalition of Canadian Municipalities Against Racism and Discrimination. Motion carried.

7 Elm Street, Rezoning Application

The CAO read correspondence from J. Bigelow, Secretary for the Town Planning Advisory Committee, regarding an application from The People's Church to rezone lands at 7 Elm Street from the Medium Density (R3) Zone to the Institutional (P3) Zone. The purpose of the rezoning is to permit the property at 7 Elm Street to be developed as a parking area for the Church at 13 Elm Street. The Committee recommended that Council establish a hearing date for the application, and consider amending the *Land Use By-law Zoning Map* as recommended in the staff report dated May 25, 2007.

Mayor Mills advised that he would be declaring a conflict of interest related to this public hearing as he is a member of the church.

On motion of Councillors S. Byers and R. Tynes it was moved to establish a hearing date for Monday, July 9, 2007, at 1 pm, to consider the application from The People's Church to rezone lands at 7 Elm Street to allow for the development of a parking area. Motion carried.

PETITIONS AND DELGATIONS

Presentation – Historica Fair Award, Ms. Erin Brocklehurst, TJHS

The presentation of the Historica Fair Award to Ms. Erin Brocklehurst was made prior to the opening of the Public Hearing.

OLD BUSINESS

Truro Tree Committee Re Amendments to Land Use By-law

Council was advised that the review has not yet been completed on the request from the Truro Tree Committee to amend the *Land Use By-law* to provide the Town authority to require new tree planting, particularly street side planting, on all new developments regardless of zoning. It was agreed that this issue would be placed on the agenda for the July Council Meeting.

Joint Use Agreements for Truro West and Truro South Elementary Schools

The CAO read correspondence from Mr. Dave Fulton, Facilitator of New School Construction for the Chignecto-Central Regional School Board, regarding the joint use agreements for the new elementary schools. The correspondence advised that the School Board did not yet have a final response in regard to the Town Of Truro's requested changes to the joint use agreements, but one would be provided as soon as it is available. This was given as an update for Council's information.

Report – Parking Recommendations for Downtown Business Core

Council was presented with a report reviewing all currently available on-street parking options which was prepared by staff at the request of Council. Police Chief K. MacLean reviewed the report with

Council and advised that it was the recommendation of staff that the Town maintain the status quo and thereby continue to use time restricted space parking. The report also recommended that consideration be given to increasing the fine amounts for parking violations and imposing other restrictions, for example, driver's license suspension for non-payment of fines.

Council held discussion related to the report and recommendation. Councillor S. Byers voiced concerns that the current practice of time restricted space parking has not been working and other options should be considered to address the issue of individuals who violate the Town's parking regulations.

On motion of Councillors S. Byers and R. Tynes it was moved to accept the recommendation of staff to maintain the status quo in terms of the current time restricted parking regulations in the downtown business core with an agreement to revisit the issue in six months; this motion also includes a requirement for the Truro Police Service to increase enforcement of parking regulations within the downtown. Motion carried.

On motion of Councillors R. Tynes and D. Bennett Cook it was moved that a staff report be prepared for Council's consideration at the July Council Meeting that will identify the status of negotiations with the province pertaining to linking the payment of parking violations to the renewal of drivers' licenses. This report will also include staff recommendations on increasing the levels of fines charged for parking violations as permitted under the Motor Vehicle Act. Motion carried.

Update – Nonconforming Use at 451 Robie Street

The CAO read correspondence from Issac and Joan Dixon, property owners of 451 Robie Street, regarding a letter they had received from the Town's Development Officer. Mr. and Mrs. Dixon's correspondence advised that they were objecting to the Development Officer's order that the car wash business currently operating at 451 Robie Street be ceased immediately as it is a nonconforming use.

Director of Planning J. Fox reviewed a report with Council that was prepared in response to Mr. and Mrs. Dixon's request that Council reverse the decision of the Development Officer concerning the operation of the car wash. The report recommended that Council support and uphold the Development Officer's order.

On motion of Councillors R. Tynes and S. Byers it was moved that Council support the decision of the Development Officer to issue an order that the car wash business operating at 451 Robie Street be ceased. Motion carried.

Update – Ron Wallace Realty Ltd. Appeal of 16 Park Street

Council was advised that the Nova Scotia Utility and Review Board has set a hearing date for Wednesday, July 18, 2007, beginning at 10 am to hear the planning appeal from Ron Wallace Realty Ltd. in regard to Truro Town Council's refusal of the development agreement application at 16 Park Street.

Update – Flood Plain Issues

The CAO read a brief report from Director of Public Works A.J. MacKinnon as an update to the concerns raised at the last council meeting regarding upgrading/updating of the Flood Plain By-laws. The report recommended that a working committee of town staff and representatives of the provincial Department of Agriculture be formed to move the process forward.

Discussion was held among Council members as to the possible membership of this committee.

On motion of Councillors R. Tynes and B. Kinsman it was moved that a working committee be formed consisting of the Director of Planning, the Director of Public Works, Councillors S. Byers and D. Bennett Cook, along with representatives of the provincial Department of Agriculture, to move the process of revising the flood plain by-laws forward. Motion carried.

INCAMERA SUMMARY REPORT

The CAO advised that an incamera session of Council was held on Monday, May 7, 2007, at which time three legal matters and two issues involving employees were discussed. Two legal issues and two issues pertaining to employees are scheduled to be discussed by Council incamera following the Public Council Meeting.

COMMITTEE REPORTS

Finance Report

The Finance Report was submitted to Council for the month of May 2007.

On motion of Councillors S. Byers and D. Bennett Cook it was moved to receive the Finance Report for the month of May 2007 as submitted. Motion carried.

Fire Report

The Fire Report was submitted to Council for the month of May 2007.

On motion of Councillors B. Kinsman and S. Byers it was moved to receive the Fire Report for the month of May 2007 as submitted. Motion carried.

Planning & Development Report

The Planning & Development Report was submitted to Council for the month of May 2007.

In response to questions from Councillor G. MacArthur, Director of Planning J. Fox clarified that when development applications are received for properties within the Heritage Districts there are very strict policies that require planning staff to review the application with the Heritage Advisory Committee. However, when applications for properties within other areas of Town are received the Committee is advised only as a courtesy and there is no policy or procedure for the membership to have input. J. Fox also stated that there is a specific policy which dictates that the Parks and Recreation Committee are asked for their input on all development applications.

Councillor R. Tynes requested an update on the progress of the development agreement that was approved by Council at 651 Prince Street. J. Fox stated that the anniversary date of the development agreement is coming up at the end of the summer and as yet no permits have been issued and no documents have been received for approval. Councillor R. Tynes recommended that should the property owner allow the agreement to expire, the Development Officer should visit the site to ensure that it is safe and secure.

On motion of Councillors G. MacArthur and R. Tynes it was moved to receive the Planning & Development Report for the month of May 2007 as submitted. Motion carried.

Police Report

The Police Report was submitted to Council for the month of May 2007.

On motion of Councillors D. Bennett Cook and R. Tynes it was moved to receive the Police Report for the month of May 2007 as submitted. Motion carried.

Engineering Report

The Engineering Report was submitted to Council for the month of May 2007.

Councillor R. Tynes requested that Engineering staff prepare a report detailing all capital works projects completed over the last year, the amount that was budgeted for each project and the actual costs to complete the projects. Councillor Tynes stated that he would like to receive the report by September.

Mayor Mills advised that the railway tracks on East Prince Street and Young Street by the Truro Centre are in very rough condition. Director of Public Works A.J. MacKinnon stated that he would contact CN immediately in regard to getting these tracks repaired.

On motion of Councillors S. Byers and D. Bennett Cook it was moved to receive the Engineering Report for the month of May 2007 as submitted. Motion carried.

Parks & Recreation Report

The Parks & Recreation Report was submitted to Council for the month of May 2007.

On motion of Councillors S. Byers and D. Bennett Cook it was moved to receive the Parks & Recreation Report for the month of May 2007 as submitted. Motion carried.

QUESTIONS BY MEMBERS

Mayor Mills requested that the Town Solicitor review the *Town of Truro Dog By-law* to determine if it would be appropriate to amend the by-law to require that certain types of dogs be muzzled, such as the Rottweiler breed.

Concern was raised by Councillors R. Tynes and S. Byers relating to the number of street light outages within the Town and the response time of Nova Scotia Power in carrying out repairs.

Councillor S. Byers raised concerns relating to the number of water line breaks experienced in the Town over the past winter; Director of Public Works A.J. MacKinnon stated that this was the result of a harsh winter with not much snow for ground cover.

Councillor S. Byers echoed the comments of Mayor Mills in regard to much needed repairs to the tracks on East Prince and Young Streets.

Councillor S. Byers raised concern with the request currently before Council to require new tree planting on all new developments, stating that she felt this could be an increased safety concern because of the density of the trees.

Councillor S. Byers informed Council members that some towns and cities across the country have adopted regulations to require business owners to keep the areas around their business clean. Those who do not abide by the regulations can be fined from \$125.00 up to \$4,000.00.

In response to a question from Councillor G. MacArthur, the CAO stated that a promotional plan has not yet been developed for the new RV parking area behind the Truro Centre but once it has it will be promoted through the Truro Welcome Centre and other facilities. Councillor S. Byers recommended that the Building Inspector take a look at the area behind the Truro Centre to determine what may need to be done to improve the appearance of the site.

NEW BUSINESS

Request – Ron Wallace Realty Ltd.

The CAO advised Council that a request had been received asking that the Town of Truro convey Munroe Court to Ron Wallace Realty Ltd. On recommendation of the CAO it was agreed that staff would be asked to prepare a report for Council's consideration at the July Council Meeting on whether or not Munroe Court could be closed and made available for development. Council was advised that it would be necessary to institute a street closing by-law in order to consent to this request.

Historic Sites and Monuments Board Re Old Normal College

The CAO read correspondence from the Historic Sites and Monuments Board of Canada which advised that the Town's submission report on the Old Normal College for consideration by the Board has been put on hold. The Board feels that the Town's plans for refurbishment of the Civic Block could have an impact on the integrity of the building and are requesting to be informed of the measures taken with regard to the protection and new function of the Old Normal College as well as the work that will be carried out on the building and its site.

It was agreed that this correspondence be referred to the Normal College Restoration Committee for consideration and response. Councillor R. Tynes requested that any response prepared by the Committee come back to Council for review.

Recommendation – Signage Strategy Design

The CAO advised Council that as part of Phase II of the Downtown Revitalization Plan a request for proposals had been issued for the development and design of a signage strategy for the Town of Truro. One proposal had been received and was reviewed by the Downtown Revitalization Committee at a meeting held May 22, 2007. It was the recommendation of the Committee that Form Media be approved as the consultants for the signage project. Council was also advised that Form Media has been asked to give priority to looking at the content of the three highway signs as soon as possible. It was noted that the cost of the project is within the budget as approved by Council.

On motion of Councillors S. Byers and R. Tynes it was moved that Form Media be approved as the consultants for the development and design of a signage strategy for the Town at a cost of \$15,075.00. Motion carried.

Support for Atlantic Accord

Mayor Mills requested that Council consider passing a motion to support local MP Bill Casey and Premier Rodney MacDonald in the position that they have taken on the Atlantic Accord.

On motion of Councillors D. Bennett Cook and G. MacArthur it was moved that Council support local MP Bill Casey and Premier Rodney MacDonald in the stance that they have taken on the Atlantic Accord. Motion carried.

Councillor G. MacArthur stated that everyone is very proud of Mr. Casey and all the work that he has done in representing the concerns of his constituents.

ACCOUNTS

On motion of Councillors S. Byers and D. Bennett Cook it was moved to pay the accounts for the month of May 2007. Motion carried.

ADJOURNMENT

On motion of Councillors R. Tynes and G. MacArthur the meeting adjourned at approximately 4 PM. Motion carried.

W. R. (Bill) Mills
Mayor

J. K. Langille
CAO