



Truro Town Council Meeting
Monday, September 14th, 2009
Council Chambers – Civic Building

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A regular public meeting of Truro Town Council was held on Monday, September 14th, 2009 at 1:00 pm in the Council Chambers of the Truro Civic Building.

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

In Attendance: CAO J. Langille, Director of Finance R. Putnam, Director of Planning J. Fox, Director of Public Works A. MacKinnon, Director of Parks, Recreation and Culture D. MacKenzie, Police Chief D. MacNeil, Deputy Fire Chief Dave Westlake, Town Solicitor J. Rafferty

Prior to the meeting beginning, the Mayor extended a congratulatory message to local artist Alan Sylliboy, who recently received a prestigious commission by the 2010 Winter Olympic Committee to paint a mural for display at the Olympic Games.

APPROVAL OF AGENDA

The CAO requested that "Request from Rec Committee/Department" be added as 10 (j) under New Business. The Mayor request that "Letter from Concerned Citizens of Truro" be added as 10 (k) under New Business.

On motion of Councillors B. Kinsman and D. Bennett-Cook, the agenda was approved as amended. Motion carried.

APPROVAL OF MINUTES

On motion of Councillors S. Byers and D. Bennett-Cook, the minutes of the Public Council Meeting held July 6th, August 10th, and August 17th, 2009 were approved as circulated. Motion carried.

MOTIONS AND NOTICES OF MOTIONS

a) CCRSB Educational/Teacher Assistants

NSGEU President Joan Jessome addressed Council on the Educational Assistant layoffs issues. She did recognize that the Town of Truro had limited power over the School Board. The Mayor advised that the Town has made a request to the School Board to meet and discuss this issue.

OLD BUSINESS

There was no new business.

IN-CAMERA SUMMARY REPORT

The CAO advised Council that there were four personnel issues and three legal issues discussed by Council at the last In-Camera meeting. An in-Camera meeting will be held following this Public Council Meeting.

COMMITTEE REPORTS

Finance Report

The Finance for the month of August was presented to Council.

On motion of Councillor C. Cox and Deputy Mayor G. MacArthur, it was moved that the Finance report for the month of August, 2009 be approved as presented. Motion carried.

Fire Report

The Fire Report for the months of July and August were presented to Council.

Councillor R. Tynes requested that the Fire reports include the ongoing training that the firefighters are participating in.

On motion of Councillors D. Bennett-Cook and B. Kinsman, it was moved that the Fire Report for the month of July and August, 2009 be approved as presented. Motion carried.

Planning and Development Report

The Planning and Development report for the months of July and August were presented to Council.

Councillor S. Byers noted that under the Building and Developments permits for July, the numbers looked good, considering the state of the economy in the rest of the Country.

Councillor D. Bennett-Cook asked what the status was on the appeal for the development agreement for 100 Victoria Street. The Director of Planning advised that the decision of Council was appealed by a resident, but was dismissed by the Utility and Review Board. That dismissal was then appealed to a higher court, but that appeal

was also dismissed. The Town Solicitor confirmed this and advised that the Nova Scotia Court of Appeal level, the case was complete.

Deputy Mayor G. MacArthur requested that the Bylaw Enforcement Officer have a look at the corner of Brunswick Street and Cottage Street, as there seems to always be a collection of shopping carts there.

On motion of Deputy Mayor G. MacArthur and Councillor D. Bennett-Cook, it was moved that the Planning and Development report for the months of July and August, 2009 be approved as presented. Motion carried.

Police Report

The Police Report for the months of July and August were presented to Council for review.

On motion of Councillors S. Byers and R. Tynes, it was moved that the Police Report for the months of July and August, 2009 be accepted as presented. Motion carried.

Public Works Report

The Public Works report for the months of July and August were presented to Council for consideration.

Councillor R. Tynes noted that Council is waiting for the traffic study on the McClures Mills Road area. The Director of Public Works advised that he is waiting on the study from the Civic Centre Committee which should be in this month and can be provided to Council at the next Council meeting.

Councillor R. Tynes asked about the clean up at the Walker Street Public Works site. The Director of Public Works advised that he would check the contract to see what part of the cleanup is the contractor's obligation and what part was the Town's obligation and make sure it is completed.

On motion of Councillors S. Byers and C. Cox, the Town of Truro will deed the remaining portions of land north and south of the new Public Works building to the Truro Industrial Development Society. Motion carried.

On motion of Councillors S. Byers and C. Cox, it was moved that the Public Works Report for the months of July and August, 2009 be accepted as presented. Motion carried.

Parks, Recreation and Culture Report

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

Councillors S. Byers asked about the repairs required at the Skate Park and the status of a supervisor. The Director of Recreation advised that the repairs had taken place. He stated that the Town did advertise for a supervisory position at the Skate Park, and did interview, but determined that none were particularly suited for the position. The Director of Recreation noted that the situation was improved at the Park and the Department had decided not to proceed with a supervisory position this year. Councillor S. Byers requested that this issue be addressed next year.

Councillor S. Byers noted that although the Town does a lot of advertising and promotion to get people to visit Victoria Park, parking is a problem and people are getting parking tickets. The Police Chief advised that a lot of the streets around the entrance to the Park are narrow, and when cars are parked on one or both sides, it makes it impossible for emergency vehicles to pass through.

Councillor D. Bennett-Cook stated that she was pleased to see the fencing completed at the newly formed dog park on Marshland Drive. She asked about the status of signage, doggy bags and garbage bins. The Director of Recreation advised that the doggy bags are in place at the park, and benches would either be arriving today or tomorrow. He noted that some signage was posted last week and plans are in place to get the rest of it in the next day or two. The Director of Recreation noted that he has received positive feedback from users of the park, and advised that once the ball season was over, the Town would designate the large ball field as a completely fenced in dog park.

Councillor R. Tynes noted that the Victoria Park parking lot was in rough shape, and asked if there was a plan in place to fully pave the lot. The Director of Recreation noted that the Recreation Committee has considered paving the parking lot many times over the last number of years, but noted that it was always a financial challenge during budget deliberations. The Mayor noted that this request could be included in next year's budget deliberations. The Mayor suggested that perhaps chip seal would work. The Director of Recreation advised that he would have this discussion with the Director of Public Works and provide an update in his report at the next Council meeting.

Councillor R. Tynes noted from the Recreation report that there were plans to replace the fencing on Prince and Golf Street around the TAAC grounds. He questioned whether the fence was in that bad of shape. The Director

of Recreation advised the fencing was old and rusted in a few sections and the old fence would be used to fence in the new Recreation maintenance facility on Willow Street. He noted that if Council did not wish to proceed with the replacement fencing, then the project could be cancelled. Councillor R. Tynes suggested that if the fence was replaced, that the old fence could be installed at the new dog park to completely fence it in.

Councillor R. Tynes asked for clarification on the Recreation Department's request for smoke free playgrounds, if this was just Town owned playgrounds, or included athletic fields as well. The Director of Recreation advised that the specific request was for playgrounds only at this time, not for athletic fields.

The Mayor stated that he wanted to compliment the staff and contractors involved in the recent renovation work to the Colchester Legion Stadium, and how well the first phase had turned out.

On motion of Councillors S. Byers and D. Bennett-Cook, it was moved that the Parks, Recreation and Culture Report for the months of July and August, 2009 be accepted as presented. Motion carried.

Safety Coordinators Report

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

On motion of Councillors S. Byers and C. Cox, it was moved that the Safety Coordinators Report for the month of August, 2009 be accepted as presented. Motion carried.

QUESTIONS BY MEMBERS

Councillor S. Byers thanked Council for their support in permitting her to be the representative on the FCM Board, and she was honored and privileged to hold this title.

Councillor S. Byers noted that she had heard of another community in Canada having bylaw against loud mufflers. She advised that she is waiting to find out what will happen in Nova Scotia regarding this issue and hoped that Council would support such a decision.

Councillor S. Byers asked for an update on the former Heroes location on the Esplanade. The Mayor advised that it has been one year since the fire, and it is still under investigation with the insurance company.

Councillor S. Byers noted that the land around the fiber optics facility belonged to the Town, but had not been mowed all summer, and suggested that it be addressed soon.

Councillor S. Byers noted that some of the sidewalks and driveways in the downtown area had a severe slope to them and could be hazardous to those in wheelchairs. The Director of Public Works advised that he would look into these ramps.

Councillor R. Tynes thanked the Town residents and Council for supporting him during his illness while in British Columbia. He advised that he is in the process of writing a report on his experience in British Columbia's health care system compared to the health care system here in Nova Scotia.

Councillor R. Tynes noted that it was good foresight to place a crosswalk on Cross Street, but was concerned about the condition of the sidewalks on Ford Street. He requested that the Director of Public Works have a look at this area, and perhaps install a cap on the sidewalk to improve the condition.

Deputy Mayor G. MacArthur noted that while he was in Whistler for the FCM Conference, he learned how important their trail systems are to the city, and wanted to make Truro a place to come for its trails as well.

Councillor D. Bennett-Cook noted that the sidewalks in the section from Millbrook into Town were also not in very good shape. She requested that the Director of Public Works have a look at this area as well, and perhaps re-asphalt and pave a line to designate the walking area on the street.

Councillor S. Byers asked if the Town had received any response back from the government departments and businesses contacted about help with funding in relocation Ross Salvage Yard. The CAO advised that two responses had been received, one from Nova Scotia Business Inc. and one from ACOA, both advising that they would review their programs and see if anything was appropriate for this project. Councillor S. Byers noted that it was important to meet with these people about funding. She requested that a letter be forwarded Ramona Jennex, Minister of Service Nova Scotia, asking for her assistance as well.

NEW BUSINESS

a) Resignation of Fire Chief Tom Bremner

The CAO reviewed a letter received from Fire Chief Tom Bremner resigning as Fire Chief for the Town.

The Mayor and Councillors C. Cox and R. Tynes all noted what a great job Chief Bremner did while he was here and he would be missed.

b) Letter from Millbrook Band Council re: Willow Street Sidewalks

The CAO reviewed a letter received from Millbrook Band Council regarding the Willow Street sidewalks. The letter noted that the Town's share of half of the \$600,000 cost to complete the curb/sidewalk project for Willow Street was scheduled within the next two or three years. Millbrook requested that the Town agree to pay its share back to Millbrook at the originally scheduled if Millbrook fronted the cost at this time.

Councillor R. Tynes suggested that this letter be sent back to the CAO and staff for review and recommendation back to Council at the next Council meeting.

The Director of Public Works clarified that the plan to replace this section was in Year 5 of the Town plan, and Millbrook is requesting that the work take place in Year 2 or 3. He advised that the problem would be in the actual elevations of the street and the construction of the curb, gutter and sidewalk before the repaving of the street, could result in a higher cost when repaving the street.

It was agreed that Council would decide on this issue at the next Council meeting after receiving a recommendation from Town staff.

c) Finance System Recommendation

The CAO reviewed a recommendation from the Director of Finance for a new finance system for the Town for a cost of \$312,761.

On motion of Deputy Mayor G. MacArthur and Councillor D. Bennett-Cook, the recommendation of the Director of Finance to purchase a new municipal Diamond Solution finance system for a cost of \$312,761 was approved. Motion carried.

d) Water Rates

The CAO reviewed a recommendation from the Director of Finance for Council's approval of the Rate Study completed, which would increase the water rates of residents over the next four years. The Study will be presented to the Nova Scotia Utility and Review Board before implementation.

Councillor D. Bennett-Cook noted that in a presentation by the consultants, Council was advised that if the Town did not increase the water rates, the Town would incur a deficit. It was the Utility and Review Board that suggested that rate take place over a number of years instead of at one time.

On motion of Councillors D. Bennett-Cook and S. Byers, the recommended water rate increase over the next four years will be presented to the Nova Scotia Utility and Review Board for implementation. Motion carried.

e) Recommendation from HAC re: Fence Study

The CAO reviewed a recommendation from the Heritage Advisory Committee regarding fencing in Truro from the late 19th to early 20th century. The Committee was recommending to Council that they encourage new fencing projects, public and private, to replicate these styles. They also requested that a reference to the study be in the next Newsletter and post a copy of it on the Town's website.

It was agreed that Council would review the recommendation and study and make a decision at the next Council meeting.

f) Draft RFP for Performing Arts School

The CAO reviewed a recommendation from the School for the Performing Arts Steering Committee. The Committee was recommendation that Council approve the issuance of the draft RFP for a Market/Feasibility Study, subject to the review of the Town's Purchasing Department and Town Solicitor.

On motion of Councillors R. Tynes and B. Kinsman, Council approved the issuance of a draft RFP for a Market/Feasibility Study by the Performing Arts Steering Committee, subject to review by the Town's Purchasing Department and Town Solicitor. Motion carried.

g) Borrowing Resolutions - Civic Centre/Stadium, Dam Remediation, Hospital

The CAO advised that all of these matters had been brought to Council previously through the budgetary process and have been approved by Council during those considerations. He noted that a resolution of Council for each of these was required in order to present them to the Department of Municipal Affairs. Once the Department approved them, the Town could then proceed with borrowing the funds from the Municipal Finance Corporation when necessary.

The Director of Finance advised that he had prepared a schedule of debt servicing charges for interest and principal for all loans which extends through and up to including these borrowings.

The CAO noted that the resolution for borrowing for the Lepper Brook Dam Remediation would be completely funded by the Water Utility and would not be part of the general tax rate. He advised that the Town may not have to borrow any funds for these projects, or may only have to borrow a portion.

On motion of Councillors R. Tynes and D. Bennett-Cook, a resolution was passed to permit the Town to borrow four million dollars towards construction of the new Civic Centre and renovations to the Colchester Legion Stadium. Motion carried.

Councillor S. Byers advised that she was concerned about the Town's percentage of debt. The CAO advised that the percentage of debt is always a concern for the Town, and Municipal Affairs limits the percentage ratio to an acceptable level. The Mayor noted that the Town is allowed to have a ratio of 15%, and is currently at 13%.

On motion of Councillors R. Tynes and S. Byers, a resolution was passed to permit the Town to borrow one million three hundred thousand dollars for remediation of the Lepper Brook Dam. Motion carried.

On motion of Councillor D. Bennett-Cook and Deputy Mayor G. MacArthur, a resolution was passed to permit the Town to borrow one million dollars towards construction of the new Colchester Hospital. Motion carried.

h) Letter re: Feasibility Study on Old Fire Hall

The CAO reviewed a letter received from the Truro Farmers' Market requesting a contribution from the Town of \$3,000 towards a feasibility study on the old Fire Hall.

On motion of Councillors D. Bennett-Cook and R. Tynes, a contribution of \$3,000 will be made towards the cost of a feasibility study on the old Fire Hall, and permission was granted for use of the "Truro Have Your Say" logo. Motion carried.

i) Request from Recreation Committee re: Use of Reserve Funds

The CAO reviewed a request received from the Recreation Committee requesting that Council authorize the use of \$11,600 from the Committee's reserve for cost sharing related to the bike study, and purchase of bike racks, and the possibility of erecting "Share the Road" signs and lane paving through Town.

On motion of Councillors R. Tynes and D. Bennett-Cook, the request from the Recreation Committee for use of \$11,600 from the Committee's reserve fund for the purchase of bike racks, erection of signage and lane paving was approved, subject to the written request from the Committee to be provided to Council. Motion carried.

k) Letter from Concerned Citizens of Truro

The Mayor advised that a letter had been received from the Concerned Citizens of Truro requesting the Town to officially endorse the Pesticide Free Nova Scotia position, to limit the sale of cosmetic pesticides, etc. The Mayor recommended that Council forward this request to the Pesticide Advisory Committee for study and recommendation back to Council.

Councillor D. Bennett-Cook also requested that the report back to Council include how well the new Pesticide Bylaw is working.

ACCOUNTS

It was moved by Councillor S. Byers and Deputy Mayor G. MacArthur that Council pay the accounts as presented be approved for the month of August, 2009. Motion carried.

ADJOURNMENT

On motion of Councillors S. Byers and R. Tynes, it was moved that the meeting be adjourned at approximately 3:35 p.m. Motion carried.

W. R. (Bill) Mills
Mayor

J.K. Langille
CAO