

Regular Council Meeting Minutes

Date of Meeting: Monday, June 22, 2015
Location: Council Chambers, Town Hall

Members Present: Mayor Robert Small
 Deputy Mayor George Baker
 Councillor Frank Balcom
 Councillor Robert Bird
 Councillor Lisa Emery
 Councillor David March
 Councillor Terry Rhindress

Staff Present: Greg Herrett, CAO
 Roger MacIsaac, Director CED
 Ian Naylor, Police Chief
 Jason MacDonald, Deputy CAO Operations
 Vince Arbing, Treasurer
 Bill Schurman, Director Recreation
 Rebecca Purdy, Executive Assistant

1. HEARINGS/PRESENTATIONS/PETITIONS

1.1. Presentation to the Town by the 22nd Battalion, the Vandoos

Perry Fullum, President of the Vandoos Association for the Maritimes and Mrs. Fullum, Vice President Andre Cloutier and his wife from Oromocto, and Major Marc Langelier, Deputy Commandant, Tactics School, Combat Training Centre, Gagetown made a presentation to Council to commemorate the 100th anniversary of the French Battalion's departure from Amherst, the Van Doos.

Major Langelier read the following:

"We are here today to commemorate our pat history and once again thank the population of Amherst for the reception and hospitality received by our Battalion between March and May, 1915.

The 22nd Battalion CEF was formed in October 1914 as a totally French Canadian battalion. The fact that the unit was locally raised, it was the centre of much attention and this created major distractions. Moreover, with the lack of an appropriate training area in St-Jean, Quebec, it was determined that the Unit needed to be moved closer to Halifax, which was to be the embarkation port. The 22nd Bn left St-Jean for Amherst on the 12th of March, 1915.

ON their arrival the reception was rather cold. All shops were closed and streets deserted. The authorities and the local clergy must have warned the public to avoid these troops; those French Canadians with the reputation of partygoers. Very quickly our diaries state that less fortunate were invited to share meals at the foundry, soldiers collected funds to clothe some children and friendships were forged and trust was shared forever. Never in a military community had a regiment won more sympathy than the 22nd reaped in Amherst.

The new armouries built in 1913 were not sufficient to house all; therefore the troops were housed in Canada Car and Foundry Company while the officers were accommodated in local hotels. I would like to add that some great men and officers were present here in those days. Without undermining the feats accomplished by many of these men, one that needs to be mentioned was that of a young Lieutenant George Vanier, who would eventually become the Governor General of Canada.

The training was hard: 20km ruck marches with full equipment and rifles, bayonet training, as well as shooting practice and trench digging. However, on Sundays and public holidays the Bn paraded to Church to celebrate mass.

We are not certain when our regiment was coined the term Vandoos but many feel it was in Amherst that the Anglophones had a problem saying "Vingt-deux".

When talk came up of their departure for England, the town was once again closed and streets deserted, but for a very different reason. The population had gathered to acclaim our Vandoos. In the main street, all the windows were adorned with garlands and traffic was forbidden. They asked the soldiers to form two rows, one on each side of the street. Then a very meaningful ceremony started that touched everyone's heart. Hundreds of children, led by their teachers, all dressed up in their best holding in their hands little Union Jacks and French Flags, walked through the rows of soldiers wishing them good luck, farewell, courage. The procession of children was for the soldiers, touching proof of the good heart of an English community towards them.

During the speeches the crowd sang "La Marseillaise" and our Vandoos responded by singing "God Save the King". The Bn then Marched Pass to the sound of O Canada as played by the 6th Mounted Rifles.

At your municipal Council meeting held on the 17th May6, 1915, this motion was made: "Moved by Councillor Moffatt, seconded by Councillor Eaton, that a Committee consisting of Mayor Douglas, Councillor McCully and Councillor Gordon be authorized to prepare an address on behalf of the Council and the citizens of the Town to the 22nd French Canadian Regiment, and also to the 6th Mounted Rifles upon their departure from Amherst."

That was not all; on May 20th, 1915, the date of departure, Amherst gave us evidence towards their renewed trust towards French Canadians. Being a civic holiday all stores were closed. At the train station, an excited crowd was waiting for them. More than 10,000 people waved handkerchiefs to greet them, shaking their hands and cheering. When the train started to move, all the voices united with shades of anguish and regret, to tell them one last time "Good bye" "Good Luck".

Your Mayor Mr. J. H. Douglas, as well as your Federal MP Mr. Edgar Nelson Rhodes accompanied the Bn to Halifax to see them off on the Saxonia. That same evening, near 1800 hours, the Saxonia left Halifax in direction of the British Isles.

In a book published by Sergeant Major Claudius Corneloup "L'épopée du vingt-deuxieme", and I quote: "Never will we see in our Canadian History such a lively sympathy that our soldiers had for the population of Amherst; and Amherst will always remain in the hearts of the French Canadians a floral city of delicacy and fragrant hospitality."

Today, 100 years later, we wish to present you a small token to show you our appreciation for the hospitality that the Bn received in its early history. When the Bn left Amherst, they went on to fight and receive many battle honours so today we give you a gift showing the honours that it received. The regiment was formed in 1914 but it was in Amherst that they became a family and first earned the respect of the English community.

Amherst, we continue to be grateful for your part in our glorious history."

Following that speech, these representatives of the 22nd French Battalion presented the mayor with a beautiful framed tapestry depicting significant battles and events of the 22nd Battalion since it departed from Amherst in 1915.

1.2. Presentation of Long Service Awards to Town Employees

Council recognized Town employees and presented the following long service awards :

- Aaron Bourque – 10 years
- Lester Fromm – 10 years
- Rebecca Purdy – 20 years
- Charles Miller – 40 years

2. O CANADA

3. CALL TO ORDER

3.1. Introduction of AYTC Member, Connor Scott

Councillor Balcom introduced and welcomed Amherst Youth Town Council member, Connor Scott.

4. APPROVAL OF AGENDA/MINUTES

4.1. Approval of the Agenda

Moved By: Deputy Mayor George Baker
Seconded By: Councillor David March
To approve the agenda

Motion Carried

4.2. Approval of Minutes

Moved By: Councillor Terry Rhindress
Seconded By: Councillor Lisa Emery
To approve the minutes of the May 25, 2015 regular meeting and the June 12, 2015 special meeting.

Motion Carried

5. REQUESTS FOR DECISION

5.1. Firearms and Rifles Bylaw - Repeal & Replace - 2nd Reading

Moved By: Councillor Lisa Emery
Seconded By: Councillor Frank Balcom
That Council approve second reading and enactment of a new Discharge of Firearms Bylaw, C-2, which repeals and replaces the Town of Amherst Firearms and Air Rifles Bylaw approved on September 16, 1985

Motion Carried

DISCHARGE OF FIREARMS BYLAW

1. This by-law is entitled the "Discharge of Firearms By-law".
2. Definitions
In this by-law:
 - (1) "firearm" means a gun, rifle, or any barrel or device from which any shot, bullet or other projectile maybe discharged and includes anything that has been adapted for use as a firearm but does not include water guns or foam based weaponry (Nerf) designed to be played with by children;
 - (2) "owner" has the same meaning as in the Municipal Government Act;
 - (3) "public place" means any place to which the public have access as of right or by invitation, express or implied;
 - (4) "Town" means the Town of Amherst;
3. No Discharge of Firearms
Except as authorized in this bylaw, no person shall fire or discharge any firearm in the Town of Amherst.
4. Exceptions
Section 3 does not apply to:
 - (1) Any peace officer or licensed armed guard who discharges a firearm in the performance of duty;
 - (2) The use of CO2 powered paint marking devices, provided that:
 - a. Such devices shall not be discharged at or near persons who have not consented to participate in a game or recreational activity involving firing of CO2 powered paint marking devices; and
 - b. The owner of land upon which such devices have been discharged has consented to the discharge of such devices on his or her property.
 - (3) The use of an air or compressed gas gun or pistol provided that the owner of land upon which such devices are used has consented to the discharge of such devices on his or her property and providing the person discharging the air or compressed gas gun or pistol has taken proper precautions for the safety of others in the operation of the said air or compressed gas gun or pistol, including the proper installation of a suitable backdrop for target shooting.
 - (4) A person discharging a flare in the case of an actual or apprehended emergency;
 - (5) A person participating in a historical re-enactment under, and in accordance with, the directions of the organizers of the re-enactment.

5. Penalties

Any person who contravenes section 3 of this bylaw is guilty of an offence punishable on summary conviction by a fine not less than that stipulated by a Category C offence under the Summary Proceedings Act and not more than \$10,000 and to imprisonment of not more than one year in default of payment thereof.

6. Repeal

The Town of Amherst Firearms and Air Rifles Bylaw, C-2, approved by Council on the 16th day of September, 1985 is hereby repealed.

5.2. Tree Planting on Town Lands Policy - Amend

Moved By: Councillor Terry Rhindress

Seconded By: Councillor David March

That Council approve the amended Tree Planting on Town Owned Land Policy, #64000-01

Motion Carried

**TOWN OF AMHERST POLICY
TREE PLANTING ON TOWN LANDS**

NUMBER 64000-01

PURPOSE

The purpose of this policy is to set a standard for planting trees by community groups on all Town owned or leased properties.

POLICY STATEMENT

Planting of new tree/s will be as follows:

1. Community groups or individuals wishing to plant tree/s on Town lands must make a request in writing to the Recreation Director. This request must indicate purpose of planting, species of tree and location. (See Schedule A REQUEST FORM.)
2. Tree/s shall be a caliber not less than 40mm (1.5 inches) in diameter, and not less than 2.5 meters (8 feet) in height.
3. Tree/s must meet Nova Scotia Power Tree Zones for power lines:” Right Tree, Right Place”.
4. Trees shall be No.1 grade in accordance with the Canadian Standards for Nursery Stock.
5. Trees are to be planted no closer than 3 meters from utility polls, water shutoffs, sewer laterals, or under ground utilities and no closer than 5 meters from a fire hydrant.
6. Community groups or individuals wanting to have members of Council present at planting ceremonies, must contact the Executive Office (Town Hall) for scheduling.
7. The Recreation Department will, if requested in writing, purchase suitable trees on behalf of community groups or individuals on full cost recovery basis.

**TOWN OF AMHERST POLICY
TREE PLANTING ON TOWN LANDS**

**NUMBER 64000-01
SCHEDULE A – REQUEST FORM**

NAME OF ORGANIZATION OR INDIVIDUAL: _____

PURPOSE OF TREE PLANTING: _____

LOCATION REQUESTED: _____

TYPE OF TREE(S) REQUESTED: _____

Must meet Nova Scotia Power’s “Right Tree, Right Place” requirements.

<http://www.nspower.ca/en/home/for-my-home/tree-trimming-and-removal/tree-planting-.aspx>

REQUEST RECREATION DEPARTMENT PURCHASE SUITABLE TREE(S) ON FULL COST RECOVERY BASIS: _____

SIGNATURE

REQUEST MEMBERS OF COUNCIL ATTEND PLANTING CEREMONY: YES NO

DATE AND TIME OF PLANTING CEREMONY (if applicable) _____

5.3. Travel Policy - Amend

Moved By: Councillor Frank Balcom

Seconded By: Deputy Mayor George Baker

That Council approve the amended Travel Policy, #3000-01

Motion Carried

**TOWN OF AMHERST POLICY
TRAVEL POLICY**

NUMBER 3000-01

PURPOSE:

To set out a policy of the Town of Amherst to reimburse any authorized individual who is required to travel on Town business. An authorized individual could be an employee, elected official, appointed committee or commission member, etc

POLICY:

The following travel expenses will be eligible for reimbursement from the Town, provided such expense is incurred in the course of carrying out duties and responsibilities associated with their employment and duly authorized by the Director or CAO on the Prior Approval Form (Schedule B).

1. **Town-owned Vehicle** – Upon approval of the Director, and if a Town-owned vehicle is available, the employee will use this vehicle for their travel needs. Persons authorized to drive Town-owned vehicles must have a valid driver's license. Employees shall not use Town-owned vehicles for personal travel.
2. **Privately Owned Vehicle** – The Town will reimburse any authorized individual for the use of privately owned vehicles on Town business. Reimbursement will be made using the Kilometrage and Transportation Allowance Rates for the Province of Nova Scotia (Section A – Regular Rates) in effect on the date of travel.
3. **Insurance** – To ensure that any authorized individual is adequately protected, privately owned vehicles used for Town business shall, as a minimum, have basic insurance coverage. The authorized individual is responsible for payment of their respective insurance premiums. When the use of a privately owned vehicle is authorized, the Director/CAO must ensure that the authorized individual is informed that the Employer assumes no financial responsibility beyond payment of the authorized kilometre rate and that, in the event of an accident, the Employer assumes no responsibility for the deductible amounts related to comprehensive or collision coverage.
4. **Accommodation** – Authorized individuals will be reimbursed for actual accommodation costs incurred while on Town business. Authorized individuals should request government rates whenever possible. Receipts are required for all accommodation charges.

Authorized individuals who use private accommodations while on Town business will be reimbursed \$30 per night. No receipt is required.
5. **Meals** – For each full day of travel, an authorized individual shall be reimbursed the total allowance shown on Schedule A for meals.

For partial days, the authorized individual shall be reimbursed at the separate meal allowance rates. Related amounts for partial days of travel shall be prorated according to the current meal breakdown. In order to claim for a full day, the employee/elected official must leave at 8:00 am or prior and return later than 6:00 pm.

Reimbursement for meals shall not be claimed where meals are included a part of registration fees for conferences or seminars, etc.

It is expected that from time to time Town Directors and above may incur costs to facilitate the conduct of official Town business. Such costs may include conference room rentals, equipment rentals, hospitality and other related service costs. Such costs shall be reimbursed and all such claims shall state the purpose of the costs and the number of persons involved. Receipts must be submitted and, where costs are significant, prior approval is required by the CAO.
6. **Air Travel** – The Town will reimburse for air travel and related fees (receipt required) at the economy rate to scheduled service airport nearest destination.
7. **Car Rental** – Reimbursement will be made for rental of car at destination. Attempts should be made to acquire economy type of transportation. (Receipts required.)
8. **Taxi/Bus** – Taxi/bus fares to and from accommodation to place of business as well as from airport to accommodation, etc. (Receipts required.)
9. **Park/Toll** – Highways and bridge tolls, parking fees. Receipts required if charges are over \$10 per day.
10. **Incidentals** - Where an authorized individual is travelling on the Town's business and overnight accommodations have been authorized and used, the authorized individual will be reimbursed an allowance as set out in Schedule A per overnight stay to cover miscellaneous out-of-pocket expenses.
11. **Registration fees** – Expenditures for conference registration, etc. (Receipt required.)

- 12. **Travel Advance** – The Town does not routinely issue travel advances. If there are extenuating circumstances, an advance may be approved by the CAO.
- 14. **Per Diem Allowance** – The mayor and/or designate(s), while on official Town business shall be allowed an amount equivalent to their normal wages and benefits paid by their employer(s). Arrangements shall be made between the Town and the employer to reimburse the employer directly for wages paid to the Mayor and/or designate(s) while absent from their office of employment on Town business. Such amounts shall not exceed the amounts actually expended by the employer. Town business shall not include attendance at conferences or seminars and must be approved by Council.
- 15. **Spouses** – The Town of Amherst is not responsible for the costs of travel, lodging, meals, registration, etc. of the spouses when they are accompanying the employee to a conference or meeting. Exceptions will be considered for events at which a spouse is normally expected to attend and prior approval of Council is obtained.

TRAVEL POLICY

SCHEDULE A

SCHEDULE OF ALLOWABLE INCIDENTALS AND MEALS PER DIEM RATES

Incidentals: \$10 per overnight stay.

Meals: In order to claim breakfast, travel must commence before 8:00 am.
In order to claim dinner, travel must end after 6:00 pm.

Breakfast	\$12.00
Lunch	\$17.00
Dinner	\$26.00
Maximum daily allowance	\$55.00

The above amounts are inclusive of all taxes and gratuities.

TRAVEL POLICY

SCHEDULE B

PRIOR APPROVAL FORM

- 1. Applicant's Name: _____
- 2. Present Position: _____
- 3. Department: _____
- 4. Proposed Conference, Course, Seminar: _____
- 5. Location: _____
- 6. Date: _____
- 7. I certify that I, as a minimum, will always have basic motor vehicle insurance coverage and that if for whatever reason I do not have insurance coverage, I will notify the Town in writing.
(signature) _____
- 8. Approved: _____
- 9. Rejected: _____
- 10. Subject to the following conditions, if any: _____

If this application is approved, expenses may be claimed in accordance with the Town's Travel Policy.

TRAVEL POLICY

SCHEDULE C

TRAVEL ADVANCE REQUEST FORM

Name

Department

Destination

Purpose of Request

Dates Involved

Estimated Expenses:	Registration	\$
	Travel	\$
	Accommodations	\$
	Meals	\$
	ESTIMATED TOTAL	\$

Charge to: Signature:

Approved by: Date:

5.4. Proceedings of Council Policy - Amend

Moved By: Councillor David March

Seconded By: Councillor Lisa Emery

That Council approve the amended Proceedings of Council Policy #10350-24

Motion Carried

**TOWN OF AMHERST POLICY
PROCEEDINGS OF COUNCIL**

NUMBER 10350-24

General

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation. Authority to enact this policy is under Section 23(1)(a) and (b) of the *Municipal Government Act*. The rules of order set out in this policy shall apply to all Town committees and commissions.

Definitions

2. In this Policy, unless the context otherwise requires,
 - (a) "business day(s)" means a day when the Town of Amherst office is open for business;
 - (b) "Chair" means the presiding officer;
 - (c) "committee" means any standing or adhoc committee or commission, the members of which are appointed by Council;
 - (c) "Council" means the Council of the Town of Amherst;
 - (d) "Council Member(s)" include(s) the Mayor unless the context indicates otherwise;
 - (e) "majority" means more than one half of those present, unless the context indicates otherwise.

Time, Place, Date and Notice of Meetings of Council and Committee of the Whole

3. Unless otherwise specified pursuant to section 5, regular meetings of Council shall be held:
 - (a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;
 - (b) On the fourth Monday of every month except that there shall be no regular meeting during the months of July and August;
 - (c) Commencing at 7:00 PM and concluding not later than 9:00 PM; when public hearings are scheduled, the hearing will commence at 6:30 PM and the Council meeting will commence at 7:00 PM.
4. Unless otherwise specified to section 5, regular meetings of Committee of the Whole shall be held:
 - (a) In Council Chambers, Dominion Public Building, 98 Victoria Street, Amherst;
 - (b) On the third Monday of every month except that there shall be no regular meeting during the months of July and August;
 - (c) Commencing at 4:00 PM and concluding not later than 6:00 PM.
 - i. Should there remain unfinished business on the agenda at 6:00 PM, the meeting shall be adjourned until 4:00 PM on the fourth Monday when the balance of the business on the agenda shall be addressed.

5. Regular meetings of Council or Committee of the Whole may be rescheduled, relocated or cancelled:
 - (a) By resolution of Council at a previous meeting three or more days in advance of the additional or special meeting;
 - (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances, provided the Mayor believes that the majority of Council Members would support such a step.
6. Additional or special meetings of Council or Committee of the Whole may be convened
 - (a) By resolution of Council at a previous meeting three or more days in advance of the additional meeting;
 - (b) By resolution of Committee of the Whole at a meeting three or more days in advance of the additional or special meeting; or
 - (c) By the Chief Administrative Officer on behalf of the Mayor, owing to unforeseen circumstances provided the Mayor believes that the majority of Council Members would support such a step.
 - (d) Business conducted at a special meeting must conform to what is specified in the call of the meeting.
7. Specific notice to Council Members and to the public need not be provided of
 - (a) Meetings held pursuant to section 3 or 4; or
 - (b) Meetings held pursuant to subsection (a) and (b) of section 5 or 6;

but, subject to any statutory relaxation of notice requirements, three days' notice shall be specifically provided for other meetings to Council Members in the manner described in section 9 and to the public in the manner described in section 10.
8. Within 30 days following the first meeting of Council after a municipal election or by-election:
 - (a) The CAO shall provide a cellular phone to each Council Member which the Council Member will check at least once per day; and
 - (b) The CAO shall provide an electronic email address to each Council Member, and the Council Member will check at least once per day;
9. Subject to section 7, notice of meetings shall be provided by electronic mail to each Council member through the Town electronic mail address as provided in section 8.
10. Subject to section 7, notice of meetings shall be provided to the public by posting in the lobby of the Dominion Public Building and in a prominent place on the Town's website, a "Notice of Council Meeting" containing the time, date and place of the meeting.

Conduct of Meetings

11. It shall be the duty of the Chair to:
 - (a) Open the meeting of Council by taking the chair and calling the Council Members to order;
 - (b) Receive and submit to Council motions properly presented by a Council Member;
 - (c) Put to a vote a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote.
 - (d) Decline to put to a vote, a motion which infringes upon the rules of procedure;
 - (e) Restrain the Council Members, when engaged in debate, within the rules of conduct of debate;
 - (f) Enforce on all occasions, the observance of order and decorum;
 - (g) Call by name any Council Member persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
 - (h) Inform the Council when necessary, or when referred to, on a point of order;
 - (i) Permit the Chief Administrative Officer to speak on any point upon request;

- (j) Permit proper questions to be asked through the Chair or any official or employee of the Town of Amherst, to provide information to assist any debate;
- (k) Declare a meeting dissolved if no quorum has been achieved within 15 minutes of the scheduled meeting time. And
- (l) Adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or when the adjournment time has been reached, except when it is extended by unanimous consent.

Council Agenda

12. All items appearing on the Council agenda will only consist of items that have been:
 - (a) Recommended or referred to Council by motion through either Committee of the Whole or a committee of Council;
 - (b) Placed on the agenda by Council through a motion or notice of motion at a previous meeting;
 - (c) Submitted by a member of Council prior to the issuing of the final agenda;
 - (d) Approved as an addition to the agenda of a regular meeting at the time the agenda is approved at the meeting.
13. Except for matters arising from correspondence, committee or other reports, agenda items, or notices of motion or other material circulated to Council Members on or before the business day before the meeting, and except for matters arising from an *in camera* meeting, no motion committing the Town of Amherst to the expenditure of funds shall be accepted by the Chair for the consideration of Council except with the unanimous consent of Council Members present.
14. Preliminary Council agendas will be issued by 4:30 PM on the Friday preceding the regularly scheduled meeting.
15. Final Council agendas will be issued by noon on the day of the meeting.
16. Items included on the Council agenda will include a copy of the motion to be made when the item arises on the agenda.
17. Copies of the agenda and supporting documentation will be made available to the public in electronic format by 9:00 AM the day of the meeting except for the supporting documents related to matters to be dealt with *in camera*.
18. At Council meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:
 - (a) Call to Order
 - (b) National anthem
 - (c) Presentations
 - (d) Approval of agenda, including additions or deletions
 - (e) Approval of minutes from the previous meeting
 - (f) Follow up action list
 - (g) Requests for Decision
 - (h) Information / Discussion Items
 - (i) Additions
 - (j) Internal Committee Reports
 - (k) External Committee Reports
 - (l) Adjournment
19. Councillors who have been appointed to outside Boards and Agencies shall provide a written report to the Council to be included in the agenda package. Recognizing that such reports provide Council with the ability to make informed decisions, reports may contain such elements as:
 - (a) The date the meeting was held;
 - (b) A review of the key issues or discussion points covered that have an impact on the Town;
 - (c) Information and decisions that may impact a current Council position, or future Council course of action;
 - (d) A summary of the organization's key operations and events.

Committee of the Whole Agenda

20. The Committee of the Whole will meet for the purpose of discussion and possible referral to Council and no formal decisions will be made by Committee of the Whole, except to the extent that Committee of the Whole is specifically designated bylaw, policy or delegated by a resolution of Council as having the authority to make a decision.

21. Items appearing on the Committee of the Whole agenda will only consist of items as follows:
 - (a) Placed on the agenda by Council or Committee of the Whole through a motion or notice of motion from a previous meeting;
 - (b) Submitted by a member of Council prior to the issuing of the final agenda;
 - (c) Staff reports;
 - (d) Items from the administration requiring a decision or direction;
 - (e) Items approved as an addition to the agenda at the time the agenda is approved at the meeting.
22. Preliminary Committee of the Whole agendas will be issued by 4:30 pm on the Friday preceding the regularly scheduled meeting.
23. Final Committee of the Whole agendas will be issued by noon on the day of the meeting.
24. Items included on the Committee of the Whole agenda will include a copy of the motion to be made when the item arises on the agenda.
25. Copies of the Committee of the Whole agenda and supporting documentation will be made available to the public in electronic format by 9:00 AM the day of the meeting, except for the supporting documents related to matters to be dealt with in camera.
26. At Committee of the Whole meetings, unless a majority consents to a different order for the meeting, Council shall conduct business in the following order:
 - (a) Call to Order
 - (b) Approval of Agenda
 - (c) Approval of Minutes
 - (d) Presentations
 - (e) Council Direction Requests
 - (f) Information / Discussion Items
 - (g) Monthly Departmental Reports
 - (h) Adjournment

Minutes

27. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the minutes of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.
28. The minutes shall be kept by the Clerk who may, in his or her discretion, appoint recording secretaries as appropriate
29. The Minutes shall:
 - (a) Record the time when any Council Member joins or leaves a meeting which is in progress;
 - (b) Contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders, and shall record the outcome of each vote;
 - (c) Mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents.

Motions, Voting and Speaking

30. The Chair shall start every question properly presented to Council and before putting it to a vote, shall ask, "Is Council ready for the question" and if no Council Member offers to speak, the Chair shall put the question, after which no Council Member shall be permitted to speak upon it.
31. The usual form of voting shall be by the Chair calling for "yeas" and "nays", but any Council Member, before or after a voice vote can call for, and obtain through the Chair, a show of hands and any two Council Members can call for, and obtain through the Chair, a recorded vote with each Council Member's vote entered into the minutes.
32. A motion must be seconded and then repeated by the Chair or read aloud by the Chief Administrative Officer before it is debated. The Chair may direct that the motion be put in writing.
33. After reading of a motion by the Chair or Chief Administrative Officer, it shall be open for discussion.
- 34.

35. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.
36. The Chair must vote and shall be deemed to have voted in the affirmative on any resolution unless the Chair indicates clearly it is voting in the negative.
37. When any question is before the Council, the only motions in order shall be:
 - (a) A motion in amendment of the original motion;
 - (b) A motion to refer the question, including the motion and amendment if one is moved, to any committee;
 - (c) A motion to defer the consideration of the question either indefinitely or to a specified time;
 - (d) A motion to close the debate at a specified time;
 - (e) A motion that the question be put to a vote;
 - (f) A motion to adjourn.
38. When any one of the motions mentioned in the next preceding section has been made as an amendment to the original motion, no other motion may be made as an amendment except to the original motion or to the amendment, except the following:
 - (a) To refer to a committee;
 - (b) To defer the consideration of the question;
 - (c) To close the debate at a specified time;
 - (d) That the question be put to a vote;
 - (e) To adjourn

Any of which may be moved either to the original motion or to the amendment of the original motion.

39. A motion:

- (a) That the debate be closed at a specified time; or
- (b) That the question be put to a vote,

Shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not itself be put to a vote until every Council Member who has not spoken on the question and claims a right to speak has been heard.

40. A motion that the question be put to a vote shall preclude all amendments to the main question until the motion is decided, and shall be put to a vote, without debate, in the following words: "That this question be put to a vote". If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate, but if such motion is resolved in the negative, then the Council shall proceed to other business.
41. A motion to adjourn shall always be in order except in the following cases:
 - (a) When a Council Member is in possession of the floor;
 - (b) When the "yeas" and "nays" are being called;
 - (c) While the Council Members are voting; or
 - (d) When the adjournment was the last preceding motion.
42. The following questions shall be decided without debate:
 - (a) A motion to reconsider;
 - (b) All motions as to priority of business or as to the suspension of the order of the day;
 - (c) Applications to speak more than the prescribed number of times;
 - (d) A motion to allow any person other than the Council Members or CAO to address the Council;
 - (e) A motion to postpone to a specified time or day;

- (f) A motion to lay on the table when claiming a privilege over another person; and
 - (g) A motion to adjourn.
43. Amendments shall be put in the reverse order to that in which they are moved. Every amendment submitted shall be decided or withdrawn before the main question is put to a vote. Only one amendment shall be allowed to an amendment and any further amendment must be to the main question.
 44. Any notice of motion given by a Council Member for a subsequent meeting may, in the absence of the Council Member giving such notice, be taken up by any other Council Member.
 45. Every Council Member, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more Council Members raise their hands to speak, the Chair shall designate as the Council Member who has the floor the Council Member who, in the opinion of the Chair, first raised a hand.
 46. No Council Member may speak more than twice, without the leave of Council, on any motion except to explain a misconception of his remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.
 47. When a Council Member wishes to explain, the Council Member shall raise a hand and ask leave of the Chair, without further comment, and if permitted by the Chair, shall explain only an actual misunderstanding of language.
 48. No Council Member shall speak more than two minutes upon any matter at one time, without the leave of Council.
 49. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.

Reconsideration

50. After any question has been decided in the affirmative, any Council Member who has voted in the affirmative, may, after the decision has been announced from the chair but before adjournment of the meeting, give notice of an intention to move a reconsideration at the next meeting of the Council. The giving of such a notice operates as a stay or suspension of Council's decision.
51. Unless reconsideration is moved at the next meeting, the right of reconsideration shall be lost.
52. No discussion of the main question shall be allowed on the motion for reconsideration.
53. The following matters are not eligible for reconsideration:
 - (a) A motion approving the first or second reading of a bylaw enactment, amendment or repeal;
 - (b) A motion to decide upon a matter which was the subject of a statutory hearing by Council;
 - (c) A matter which has been reconsidered once; and
 - (d) A vote to reconsider.

Rescission

54. No motion to rescind any resolution of Council shall be made unless Notice of intention to move the same has been given at the regular meeting of Council just previous to that at which the same is moved.
55. A Notice of motion to rescind any previous resolution of the Council may be given by any member at any regular meeting of Council.
56. When giving Notice of motion to rescind, the member shall provide a brief explanation of the reason for the Notice.
57. A Notice of motion to rescind shall be dealt with at the next meeting of the Council.
58. At such meeting, the giver of such Notice, or in the absence of the giver, any other member on the giver's behalf shall move the motion to rescind and shall briefly state the reasons therefor.
59. If the motion to rescinded is seconded the same becomes subject to debate according to the normal rules except that it may not be amended.
60. A motion to rescind requires the same vote as was required for the resolution which is subject to rescission. That is, if the resolution subject to rescission required a majority vote of Council the motion to rescind such resolution shall require a majority vote of Council.

Points of Order

61. It shall be the duty of the Chair, and the privilege of any Council Member, to call any Council Member to order, who violates any established rule or order. A point of order must be decided before the subject under consideration is proceeded with.
62. When a Council Member is called to order, the Council Member shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
63. A point of order is not debatable amongst other Council Members, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Council Member shall speak more than once.
64. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council Chambers pursuant to sections 65 and 66, are not debatable but are appealable to Council by any Council Member. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
65. No Council Member shall use offensive or unparliamentary language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.
66. If a Council Member resists the rules of Council, willfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair or otherwise disrupts the proceedings of council, the Council Member may be ordered by the Chair to leave the Council Member's seat provided that a majority vote of Council shall be required to sustain the expulsion.
67. If the Council Member refuses to leave the Council Member's seat, the Chair may order the Council Member to be expelled and excluded from the Council Chambers.
68. Such Council Member may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.
69. Persons who are not Council Members or officers or employees of the Town of Amherst shall observe silence and order in the Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council shall be called to order by the Chair, and, if they fail to comply, shall be ordered by the Chair to be expelled and excluded from the Council Chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
70. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers with or without conditions.
71. An order of the Chair to expel a person from the Council Chambers pursuant to section 68 of this Policy constitutes a direction from the Town of Amherst to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.
72. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided according to the ruling of the Chair, having regard to general principles of parliamentary procedure to the best of the Chair's ability but the Chair shall not be expected to conform its decisions with parliamentary procedure texts or precedents.
73. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

Presentations to Council

74. Persons wishing to make a presentation to Council shall write one week in advance of the next Committee of the Whole meeting to the CAO outlining their issue and the decision they wish Council to consider, and request to make a presentation.
75. The request will be added to the next Committee of the Whole agenda to be issued.
76. Committee of the Whole will discuss the matter when it appears on the agenda, and will determine if they wish to have the presentation at a future meeting.
77. The CAO shall advise the person or group requesting to make a presentation of the decision of Committee of the Whole including, if approved, the date and time of the presentation.
78. Presentations shall be limited to 15 minutes, unless Committee of the Whole determines a longer period of time is needed.
79. When a delegation is recognized and offered an opportunity to speak, the Mayor or Chairperson of the meeting will request the spokesperson to come forward from the gallery to present. Only one person shall be permitted to speak.

80. No debate or decision on the presentation will occur during the meeting in which the presentation is made, unless the item was previously an agenda item for that meeting.

Petitions

- 81. Persons wishing to present a petition to Council shall file a copy of the petition with the CAO before 12:00 noon on the Wednesday prior to the meeting of Council at which it is proposed to be presented.
- 82. The CAO shall circulate a copy of any such petition to each member of Council before the meeting at which it is proposed to be presented.
- 83. The body of the petition itself, excluding the list of names, shall, if determined by the Chairperson to be practical, be read by the CAO on behalf of the group supporting the petition.
- 84. No petition shall be presented which Council determines to contain impertinent or improper matter.
- 85. No persons shall be permitted to speak, whether supporting or opposing the petition, unless the petition comes up for discussion which shall be at the next regular meeting of Council unless Council decides according to the rules to hold a special meeting of Council for that purpose.

5.5. Temporary Borrowing Resolution

Moved By: Councillor Robert Bird

Seconded By: Councillor David March

That Council approve the Temporary Borrowing Resolution, File No. 15/16-1 in an amount not exceeding \$3,258,085 for the temporary financing of the new police facility in the amount of \$2,449,998, the salt storage building in the amount of \$31,952, the sportsplex in the amount of \$350,000, water main replacements on Victoria Street East in the amount of \$192,790 and Mill Street in the amount of \$46,667 and a sewer main replacement on Mill Street in the amount of \$186,678 and that the Temporary Borrowing Resolution be forwarded to the Department of Municipal Affairs for Ministerial approval

Motion Carried

**TOWN OF AMHERST
TEMPORARY BORROWING RESOLUTION**

\$3,258,085

File No. 15/16-1
Various Purposes

WHEREAS Section 66 of the Municipal Government Act provides that the Town of Amherst, subject to the approval of the Minister of Municipal Affairs, may borrow to expend funds for a capital purpose authorized by statute;

AND WHEREAS clause 65 of the Municipal Government Act authorizes the Town of Amherst to expend funds for the capital purpose of:

- playgrounds, trails, bicycle paths, swimming pools, ice arenas and other recreational facilities;
- lands and buildings required for a municipal purpose, namely a salt storage building;
- police services;
- water systems;
- wastewater facilities and stormwater systems;

AND WHEREAS the specific amounts and descriptions of the projects are contained in Schedule "A" (attached);

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Town borrow a sum or sums not exceeding Three Million Two Hundred Fifty-Eight Thousand Eighty-Five Dollars (\$3,258,085) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the Town to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Town borrow from time to time a sum or sums not exceeding Three Million Two Hundred Fifty-Eight Thousand Eighty-Five Dollars (\$3,258,085) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs of this resolution.

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THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

SCHEDULE 'A'

\$3,258,085	File No. 15/16-01 Various Purposes
New Police Facility	\$2,449,998
Salt Storage Building	31,952
Water Main - Mill Street ~Victoria to East Pleasant	46,667
Water Main - Victoria Street East ~ Herbert to Rupert	192,790
Sewer Main - Mill Street ~ Victoria to East Pleasant	186,678
Sports Plex	350,000
	<u>\$3,258,085</u>

5.6. West Highlands School

Moved By: Councillor Frank Balcom

Seconded By: Councillor David March

That Council accept the recommendation from the Heritage Advisory Committee and permit the demolition of the Municipal Registered Heritage Property located at 30 Hickman Street, the former West Highlands Elementary School.

Motion Carried

5.7. Community Support Grant - Fibre Arts Festival

Moved By: Councillor Lisa Emery

Seconded By: Councillor Terry Rhindress

That Council approves funding in the amount of \$8,000 in support of the 8th annual Fibre Arts Festival, scheduled for October 2015.

Motion Carried

6. INTERNAL COMMITTEE REPORTS

6.1. Planning Advisory Committee

Councillor March presented the report included in the agenda on behalf of the Planning Advisory Committee

6.2. Amherst Board of Police Commissioners

Councillor Emery presented the report included in the agenda on behalf of the Amherst Board of Police Commissioners.

6.4. Downtown Business Advisory Committee

Councillor March presented the report included in the agenda on behalf of the Downtown Business Advisory Committee. Deputy Mayor Baker pointed out an error in the report saying that there was, in fact, a quorum at the June 11th meeting.

Moved By: Councillor David March

Seconded By: Councillor Lisa Emery

That Council recognize the request from the Downtown Business Advisory Committee to be dissolved, with Council's appreciation

Motion Carried

Moved By: Deputy Mayor George Baker

Seconded By: Councillor David March

That Council offer to meet regularly with the business community, three or four times per year.

Motion Carried

7. EXTERNAL COMMITTEE REPORTS

7.1. Cumberland Public Libraries

Councillor Balcom presented the report included in the agenda on behalf of the Cumberland Public Libraries Board.

7.2. Cumberland Joint Services Management Authority

Councillor Bird presented the report included in the agenda on behalf of the Cumberland Joint Services Management Authority.

7.3. Northern Region Solid Waste Committee

Deputy Mayor Baker presented the report included in the agenda on behalf of the Northern Region Waste Resource Committee.

8. ADJOURNMENT

Prior to the adjournment, Mayor Small commended Town employees and extended Council's appreciation to the Fire, Police and Public Works departments for their proactive efforts in dealing with the fire and flooding Sunday night and Monday.

Moved By: Councillor Terry Rhindress

Seconded By: Councillor David March

To adjourn at 7:55 PM

Motion Carried

Gregory D. Herrett, CA
Town Clerk and CAO

Robert Small
Mayor