

Regular Council Meeting

Minutes

Date of Meeting: Monday, October 26, 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. CALL TO ORDER

Mayor Small called the meeting to order at 7:00.

2. O'CANADA

3. HEARINGS/PRESENTATIONS/PETITIONS

3.1. Bill Digdon & Mike Johnson

Bill Digdon and Mike Johnson made a powerpoint presentation to Council on the results of the Bordertown Biker Bash. They reported that, organizationally, the event was a success, with 750 participants. Financially, they feel it was a success as well; \$19,888 was spent and they have close to \$10,000 to start with next year. They will still require fund raising to finance the event but they are starting from a positive position. Rain over the weekend had an impact but the event went over well anyway. The organization wants this event to self-perpetuate. What they did this year worked well for them, in spite of the weather and in spite of the numbers. They expect next year's event to cost them in the vicinity of \$40,000. Mayor Small thanked them for their presentation.

3.2. Joe Ballard - Heritage Trust of Nova Scotia on the BMO Building

Councillor Emery is a member of the Heritage Trust Association; she excused herself from the Council table for this presentation and took a seat in the audience.

Joe Ballard, President of the Heritage Trust of Nova Scotia made a presentation on preserving the BMO building on Victoria Street. He said it is important to be able to offer a perspective from someone 'from away' saying that Amherst has a wonderful collection of Amherst Red Sandstone buildings - in particular, the BMO Building. He acknowledged that it is in bad shape, and encouraged Council to look at it with a wider context, as it is an important part of the streetscape. He suggested the Town take whatever funds were earmarked for demolition and put that into preservation, stating that Heritage Trust may be able to help. He listed pledges of money and in kind donations including masonry services, a heritage masonry engineer and expert in stone buildings, a construction company, and a couple of carpenters. Heritage Trust believes the existence of this building is important to the Town's streetscape and unique character. He said he understood Council had already made the decision to demolish the building, but he hoped it will revisit that decision.

Elizabeth Pacey, author of a number of books on historic architecture, addressed Council saying Amherst is different among Nova Scotia communities, architecturally,

with individual masterpieces which form a remarkable ensemble of buildings. Very few communities have this. Sydney Dumaresq designed the BMO building, a stellar architect with a classical design. She said the Town's legacy will be diminished if the building is demolished, and that there is an economic potential in preserving heritage buildings - they can be used to market the Town. BMO is in the register of historic properties in Canada. It is valued as an example of commercial architecture of 20th century NS and is a key property. It is a landmark in Amherst, and it matters to the surrounding streetscape. A cluster of stone buildings on this scale is unusual in NS and together the streetscape speaks to the wealth and rapid growth of Amherst in the late 19th and early 20th centuries

She suggested ways to fund preservations - fund raises, pledges, gifts in kind. She stated Sid Dumaresq (grandson of original architect) would be delighted to help out for free. The new government's proposed program includes "increase funding for Young Canada Works programs ... working in the heritage sector" and potential program money, "Cultural infrastructure - preserve heritage facilities used by communities to express and preserve their culture." Prime Minister Elect Justin Trudeau said "culture is what defines us; it brings us together." There is potential to get ongoing help from the federal government. One focus on Canada 150 will be fathers of confederation; four of them were from here. She asked Council to let the building stand as a significant architectural legacy.

Joe Ballard added, "We do have \$50,000 in pledges as well as in kind work. We hope you will grant us time to try and come up with some more. "

Mayor Small thanked them for their presentation.

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 - September 28, 2015 Regular Meeting

Moved By: Councillor Terry Rhindress

Seconded By: Councillor Frank Balcom

To approve the minutes of the September 28 2015 regular meeting

Motion Carried

5. REQUESTS FOR DECISION

5.1. Council Committee Appointments

Moved By: Councillor David March

Seconded By: Councillor Terry Rhindress

That Council approves the following committee appointments for terms ending October 31, 2016 unless otherwise stated:

Mayor Rob Small

- Regional Emergency Management Advisory Committee

Councillor George Baker

- Amherst Board of Police Commissioners (balance of two year term to October 31, 2016)
- Northern Region Solid Waste Committee
- Victorian Order of Nurses Board
- Municipal Alcohol Project Committee (alternate)

Councillor Frank Balcom

- Amherst Board of Police Commissioners (three year term ending October 31, 2018)
- Amherst Youth Town Council
- Cumberland Public Libraries Board
- LA Animal Shelter Board
- Susan Taylor Theatre Advisory Committee

Councillor Robert Bird

- YMCA Board

Councillor Lisa Emery

- Amherst Board of Police Commissioners (extend current term to December 31, 2015)
- Cumberland Joint Services Management Authority Committee
- Municipal Alcohol Project Committee
- Planning Advisory Committee
- Regional Emergency Management Committee
- Tyndal Wellfield Advisory Committee
- Tree Committee

Councillor Dave March

- Planning Advisory Committee
- Senior Safety Advisory Group

Councillor Terry Rhindress

- Cumberland Joint Services Management Authority
- Planning Advisory Committee
- Tyndal Wellfield Advisory Committee
- Amherst Board of Police Commissioners (three year term Jan. 1, 2016 to Oct. 31, 2018)

And further, that all members of Council be appointed to the Committee of the Whole of Amherst Town Council and the Town of Amherst Audit Committee.

Motion Carried

5.2. Office of Deputy Mayor

Councillor Rhindress nominated himself for the position. There were no other nominations. Mayor Small thanked Deputy Mayor Baker for his term.

Moved By: Councillor David March

Seconded By: Councillor Lisa Emery

That Terry Rhindress be appointed to the Office of Deputy Mayor for a one year term ending October 31, 2016

Motion Carried

5.3. Lease Agreement - Super 8 Motel Limited

Moved By: Councillor Robert Bird

Seconded By: Councillor Lisa Emery

That Council approve renewal of the agreement to lease a small portion of land on Lord Amherst Drive to Super 8 Motel Limited for a further five year term ending August 31, 2020

Motion Carried

5.4. Amherst Youth Council Appointments

Moved By: Councillor Frank Balcom

Seconded By: Councillor Terry Rhindress

That Council approve the re-appointment of the following seven members to the Amherst Youth Town Council for one year terms:

- Olivia Scott, 12 Forest Glen Court – EB Chandler (grade 8)
- Allie Degenstein, 20 Belliveau Avenue – ARHS (grade 9)
- Ethan McAloney, 31 Clarence Street - ARHS (grade 10)
- Ben Eaton, 67 Rupert Street – ARHS (grade 11)
- Madelynn Carter, 44 Townshend Avenue – ARHS (grade 11)
- Noah Sangster, 7 Harding Avenue – ARHS (grade 11)
- Connor Scott, 12 Forrest Glen Court – ARHS (grade 12)

And further, that Council approve the appointment of the following five new members to the Amherst Youth Town Council for one year terms:

- Austin Coates, 115 Fox Ranch Road – EB Chandler (grade 7)
- Justin Bennett, 30 Donald Avenue – EB Chandler (grade 8)
- Keira Dyck, 22 Queen Street – EB Chandler (grade 8)
- MacKenzie Sears, 13 Boylston Avenue – EB Chandler (grade 8)
- Rohin McKenny, 5 Regent Street - ARHS (grade 9)

Motion Carried

5.5. Dog Bylaw Amendments - First Reading**Moved By: Councillor Frank Balcom****Seconded By: Councillor David March****That Council approve first reading of a bylaw to amend the Dog Bylaw****Motion Carried****Bylaw to Amend the Dog Bylaw, C-4**

1. This is a by-law to amend the Dog Bylaw, C-4.
2. The Dog Bylaw of the Town of Amherst is hereby amended as follows:
 - a) Renaming the bylaw from "Dog" to "Companion Animal"
 - b) Add the following new definitions under Section 2 INTERPRETATION:
 - "Cat" means a male or female animal of the species feline
 - "Companion Animal" means a domestic cat or dog
 - "Register" means annual no-cost voluntary registration of domestic cats with the Town by cat owners
 - c) After Section 3 IMPOUNDING, changing the heading "CONTROL, LICENSING AND IMPOUNDING OF DOGS" to "CONTROL, LICENSING, REGISTERING AND IMPOUNDING"
 - d) After section 9.5, adding the following section 10, and renumbering the remaining paragraphs accordingly:

Registering of Cats

 10. Every owner of every cat may register the cat with the Town on the first day of April in each year, and may obtain a registration tag for the cat. There is no cost for such registration.
 - 10.1 Applications for and the issuance of a cat registration shall be the responsibility of Town Hall staff, or person so designated by the Town of Amherst.
 - 10.2 The Town of Amherst and/or its recognized agent for this purpose will maintain a record of all cats registered, showing the date and number of the registration, and the name and address of the owner of the cat.
 - 10.3 Every person who obtains a cat registration shall be given a metal tag which shall be fastened to a collar or harness worn by the cat for which the registration was obtained.
 - e) At paragraph 13, replace the word "dog" with the words "companion animal".

5.6. Wastewater Discharge Bylaw Amendment - First Reading**Moved By: Councillor David March****Seconded By: Councillor Lisa Emery****That Council approve first reading of a bylaw to amend the Wastewater Discharge Bylaw****Motion Carried**

Bylaw to Amend the Wastewater Discharge Bylaw, D-3

1. This is a bylaw to amend the Wastewater Discharge Bylaw, D-3.
2. The Wastewater Discharge Bylaw is amended as follows:
 - (1) Add the following definition for "Heat pump" as subsection 2. (k) and renumber the remaining definitions in Section 2 accordingly:

"Heat pump" means is a device that provides heat energy from a source of heat to a living or working space. Heat pumps are designed to move thermal energy opposite to the direction of spontaneous heat flow by absorbing heat from a cold space and releasing it to a warmer one. For purposes of this by-law a heat pump refers to a water to air heat pump device, which is a device that extracts heat from a groundwater source to be used to heat a residential or commercial space.
 - (2) In Section 2. Definitions, remove duplicate definition (af) "Wastewater"
 - (3) Add the following subsection 3. (6):

(6) No person shall discharge into wastewater facilities any effluent from a heat pump that extracts heat from a groundwater source.
 - (4) Remove Section 17 Fees and replace it with the following new Section 17 Fees:

The owner of every property fronting on any street in which there is a public sewer and which has been or may hereafter be connected with a public sewer by a building service connection from said house, shall pay to the Town the amount as set out in the Town's Annual Review of User Fees Policy, 03470-03.
 - (5) Remove Section 19 Repeal of Bylaws, Regulations and Ordinances.
 - (6) Make the following housekeeping amendments:

Spell the word "bylaw" consistently throughout the document;

Replace the word "sewerage" with the word "sewage" throughout the by-law;

Section 2. Definitions, make the following amendments:

 - (a) Replace "B.O.D." with "BOD"; after "Standard Methods" replace "." with ";
 - (b) Replace "C.O.D." with "COD"; after the words "per litre" remove the ";" and after the words "Standard Methods" replace "." with ";
 - (j) Replace the "." after the word "facilities" with ";
 - (m) Replace the "." after the word "by-law" with ";
 - (n) Replace the "." after the word "groundwater" with ";
 - (p) Replace "N.B.C." with "NBC" and replacing the "." After the word "Canada" with ";
 - (z) Replace the "." at the end of the definition with ";
 - (aa) Remove the word "sewers" and replace it with the words "storm sewer"
 - (ab) Replace the "." at the end of the definition with ";
 - (ag) Replace the ";" at the end of the definition with "."

Subsection 3. (3)(o), insert "," after the word "ashes" and ")" after the word "etc."

Subsection 3. (4) Table 1, replace the word "Sulphahides" with the word "Sulphides"

Subsection 5.(4) replace the ";" after the word "facilities" with "." and capitalize the word "Removal"

Subsection 6.(2) replace the word "whall" with the word "shall" and at 6.(2)(c) replace ";" after the word "spill" with "."

Subsection 7.(3) replace the word "withink" with the word "within"

Subsection 9.(4) replace the word "Section" with the word "subsection"

Subsection 9.(6) add the word "to" after the word "discharger"

Subsection 10.(5) add the word "to" after the word "discharger".

5.7. Sewer Rates Bylaw Amendment - First Reading**Moved By: Councillor David March****Seconded By: Councillor Robert Bird****That Council approve first reading of a bylaw to amend the Sewer Rates Bylaw****Motion Carried****Bylaw to Amend the Sanitary Sewer Rates Bylaw, D-19**

1. This is a by-law to amend the Town of Amherst Sanitary Sewer Rates Bylaw, adopted by Council on June 24, 2002 and amended on June 12, 2015.
2. The Sanitary Sewer Rates Bylaw is amended as follows:
 - a) Removing section 2 in its entirety and renumbering the remaining sections of the bylaw accordingly;
3. This amendment has an effective date of April 1, 2017

5.8. Minor Hockey - Christie Foundation Donation**Moved By: Deputy Mayor George Baker****Seconded By: Councillor Terry Rhindress****That Council approve a donation of \$10,000 to Cumberland County Minor Hockey Association to be funded by a donation from the Christie Foundation****Motion Carried****5.9 Salt Shed RFP****Moved By: Councillor Terry Rhindress****Seconded By: Councillor Frank Balcom****That Council accept the proposal from Maritech Construction for RFP 15-11, Option B, for the Construction of a Salt Shed in the amount of \$144,488.07 plus HST.****Motion Carried****6. INFORMATION / DISCUSSION ITEMS****7. INTERNAL COMMITTEE REPORTS****7.1. Planning Advisory Committee**

Councillor March presented the Planning Advisory Committee report included in the agenda.

7.2. Amherst Board of Police Commissioners

Councillor Emery presented the Police Commission report included in the agenda.

7.3. Amherst Youth Town Council

Councillor Balcom presented the Youth Town Council report included in the agenda.

8. EXTERNAL COMMITTEE REPORTS**8.1. Cumberland YMCA**

Councillor Bird presented the report included in the agenda.

8.2. Cumberland Joint Services Management Authority

Councillor Rhindress presented the CJSMA report included in the agenda.

8.3. Northern Region Solid Waste Committee

Deputy Mayor Baker presented the Northern Region report included in the agenda.

8.4. Amherst Community Garden (Verbal Report)

Councillor Emery presented a verbal report on behalf of Amherst Community Gardens. The gardens are at the end of the season, and she wanted to acknowledge and thank participating organizations and individuals.

9. ADJOURNMENT

Prior to the motion to adjourn, Mayor Small made a couple of announcements:

Daylight Saving time change is November 1; Christmas light up will be November 20th and the parade is the 21st. He extended congratulations to the Cumberland County Museum and YMCA on a very successful multi-cultural dinner and Fibre Arts Festival organizers on a job well done. He also extended congratulations to Deputy Mayor Baker's son, Matt Gallagher a fashion designer who participated in a major fashion show in Toronto and was on the TV program, Entertainment Tonight.

Moved By: Councillor Terry Rhindress

Seconded By: Councillor David March

To adjourn at 8:25 PM

Gregory D. Herrett, CPA, CA
Town Clerk and CAO

Robert Small
Mayor