

Regular Council Meeting Minutes

Date of Meeting: Monday, December 21, 2015
Location: Council Chambers, Town Hall

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

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. PUBLIC HEARING at 6:30 PM

Mayor Small called the public hearing to order at 6:30 PM and noted that there were no citizens present. Jason MacDonald described the procedure for public hearings, and the lessons learned from discussions with Department of Municipal Affairs officials. The intent is to obtain public input.

Mr. MacDonald provided a summary of the issue, stating that the Town had entered into a Memorandum of Understanding (MOU) with the Amherst Lions Club for the use of the Club lands on Hickman Street for the new West Highlands Elementary School. The terms of that MOU included "That the Town will convey the site of the current West Highlands School to the Club for use as a park at such a time as the demolition of the existing school is completed." This will entail the Town conveying the land at a price below market value (\$1). The estimated value of this property is \$57,400. The Municipal Government Act authorizes a municipality to sell property at a price less than market value to a non-profit organization that Council considers to be carrying on an activity that is beneficial to the municipality, but if the value of that property is in excess of \$10,000, a public hearing is required.

There being no citizens in attendance, there were no questions or comments.

Mayor Small closed the public hearing at 6:40 PM.

2. CALL TO ORDER at 7:00 PM

3. O'CANADA

4. INTRODUCTION OF YOUTH TOWN COUNCILLOR

Olivia Scott, representative of the Amherst Youth Town Council was in attendance and delivered her introduction/bio.

5. APPROVAL OF AGENDA/MINUTES

5.1. Approval of the Agenda (#2407)

Moved By: Councillor George Baker

Seconded By: Councillor David March

To approve the agenda with the addition of 7.2 Our Alcohol Culture

Motion Carried

5.2. Approval of Minutes (#2408)

Moved By: Deputy Mayor Terry Rhindress
Seconded By: Councillor George Baker
To approve the following minutes:
- November 23, 2015 Regular meeting
- November 26, 2015 Special meeting
- November 30, 2015 Special meeting

Motion Carried

6. REQUESTS FOR DECISION

6.1. West Highlands Park Redevelopment Committee (#2374)

Moved By: Deputy Mayor Terry Rhindress
Seconded By: Councillor David March
To approve the Terms of Reference for the West Highlands Park Redevelopment Committee and appoint Deputy Mayor Terry Rhindress and Councillors George Baker and Dave March to the committee

Motion Carried

6.2. Stadium Canteen Operation (#2107)

Councillor Baker declared a conflict and excused himself from the Council table for the discussion and decision on this agenda item.

Moved By: Councillor David March
Seconded By: Councillor Frank Balcom
To approve a further short term contract with the current concession operator to the end of April 2016 with rent of \$600 per month plus HST

Motion Carried

6.3. Sewer Rates Bylaw Amendment - Second Reading (#2081)

Moved By: Councillor Frank Balcom
Seconded By: Deputy Mayor Terry Rhindress
That the following motion which was tabled at the November 23, 2015 meeting of Council be taken from the table:

Moved By: Councillor David March
Seconded By: Councillor George Baker
That Council approve second reading and enactment of a bylaw to amend the Sewer Rates Bylaw, to take effect on April 1, 2017

Motion Carried

Moved By: Councillor David March
Seconded By: Councillor George Baker
That Council approve second reading and enactment of a bylaw to amend the Sewer Rates Bylaw, to take effect on April 1, 2017

Recorded		
Robert Small		No
George Baker		No
Frank Balcom		No
Robert Bird		No
Lisa Emery		No
David March		No
Terry Rhindress		No
Results	0	7

Motion Defeated 0 - 7

6.4. **Municipal Energy Utility (#2400)**

Moved By: Councillor Lisa Emery

Seconded By: Councillor Robert Bird

That Council request staff to do a report regarding the feasibility of the Town of Amherst setting up its own energy utility

Motion Carried

CAO clarified that it will be a fairly high level report on the issues to be considered and whether it is achievable or authorized.

6.5. **VIA Rail Station**

6.5.1. **Purchase and Sale Agreement with VIA (#1767)**

Moved By: Councillor David March

Seconded By: Deputy Mayor Terry Rhindress

That Council approve the Agreement of Purchase and Sale with VIA Rail Canada Inc. for Station Street contingent on the conditions stated within the Agreement and authorize the Mayor and CAO to sign on behalf of the Town

Motion Carried

6.5.2. **Purchase and Sale Agreement with Bembridge (#1768)**

Moved By: Councillor David March

Seconded By: Councillor Lisa Emery

That Council approve the Long Term Agreement of Purchase and Sale with J E Bembridge Enterprises contingent on the conditions stated within the Agreement and authorize the Mayor and CAO to sign on behalf of the Town

Motion Carried

Mayor Small acknowledged Roger MacIsaac's efforts in negotiating this complex agreement with VIA and Bembridge.

6.6. **BMO Building (#1764)**

Moved By: Councillor Robert Bird

Seconded By: Councillor David March

Whereas the Nova Scotia Heritage Trust made a presentation on October 26, 2015 that included a request for additional time to prepare a proposal for the sustainable repurposing of the BMO Building; and

Whereas Council is of the opinion that there is no municipal purpose for the building; and

Whereas Council has widely consulted the public on this issue and has received no sustainable plan for repurposing the building; and

Whereas Council is of the opinion that without a sustainable plan for the repurposing of the building it should be demolished;

Therefore be it resolved that the Town of Amherst advise the Nova Scotia Heritage Trust that it will entertain sustainable proposals for the sale and repurposing of the Bank of Montreal building until 4:30 PM on January 26, 2016; and

Be it further resolved that Council direct staff to issue a Request for Proposals for the demolition of the building, to close no later than January 20, 2016; and

Be it further resolved that, should Council approve the sale and repurposing of the BMO building, the award of the RFP for demolition shall be cancelled.

Motion Carried

6.7. Appointment to the Amherst Board of Police Commissioners

Deputy Mayor Rhindress withdrew his appointment due to health reasons. Councillor Baker nominated Councillor Emery to fill the vacant position to October 31, 2016. There were no further nominations.

Moved By: Councillor Robert Bird

Seconded By: Councillor David March

That Councillor Emery be appointed to the Amherst Board of Police Commissioners until October 31, 2016

Motion Defeated

7. INFORMATION / DISCUSSION ITEMS**7.1. Regionalization Discussion Paper (#2401)**

Councillor Emery reviewed the report included in the agenda. She said it contained important information for Council members to refer to when questioned about regionalization.

7.2. Our Alcohol Culture Brochure

Councillor Emery distributed the "Our Alcohol Culture" brochure to Council and extended an invitation to attend an event on January 19 at the Francis Smith Community Room, "Community Conversation: Safe & Enjoyable Sport Events". Additional brochures are available from Sophie Melanson, Health Promotion and Prevention Specialist with Cumberland Addiction and Mental Health Services.

8. INTERNAL COMMITTEE REPORTS**8.1. Amherst Youth Town Council (#2409)**

Olivia Scott presented the report included in the agenda on behalf of the Amherst Youth Town Council.

9. EXTERNAL COMMITTEE REPORTS**9.1. Cumberland YMCA (#2410)**

Councillor Bird presented the report included in the agenda on behalf of the Cumberland YMCA.

9.2. Cumberland Joint Services Management Authority (#2411)

Deputy Mayor Rhindress presented the report included in the agenda on behalf of the Cumberland Joint Services Management Authority.

9.3. Northern Region Solid Waste Committee (#2412)

Councillor Baker presented the report included in the agenda on behalf of the Northern Region Solid Waste Committee.

10. ADJOURNMENT

Mayor Small recognized Darrell Cole for having recently been awarded the YMCA Peace Medallion in recognition of having volunteered in youth sports for 33 years. He also thanked staff for the first Town newsletter that was mailed out to all residences this month, and congratulated Councillor Baker on his son Matthew Gallagher's accomplishments as a fashion designer, noting that Lady Gaga is reported to be wearing Matthew's designs.

Council members and the CAO all extended Christmas greetings to the citizens of Amherst.

0525

Moved By: Deputy Mayor Terry Rhindress
Seconded By: Councillor Lisa Emery
To adjourn at 7:45 PM

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

Robert Small
Mayor