

Regular Council Meeting

Minutes

Date of Meeting: Monday, February 23, 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
 Kim Jones, HR
 Vince Arbing, Treasurer
 Bill Schurman, Director Recreation
 Rebecca Purdy, Executive Assistant

1. PUBLIC HEARING

1.1. Amend LUB re Downtown Design Guidelines

Mayor Small called the Public Hearing to order stating that Council is considering amending the Land Use Bylaw on the Core Area District. The proposed amendments will remove the requirement for new buildings in the Core Area District to have a minimum of two stories by removing section 8.4.3., and to exempt new institutional buildings from the Core Area District requirements for a 'store front' appearance. Council approved first reading of a bylaw to make these amendments at its January 26, 2015 regular meeting.

Deputy CAO Jason MacDonald provided the details of the proposed amendments and addressed comments and enquiries from Council:

The developer, Kim Maddison, and interested citizen Avis Chapman were in attendance. Ms. Chapman addressed Council saying she believes removing such requirements should be considered case-by-case, not removing the requirement for multi-story entirely. She said it is important to retain the height and setback especially at that corner.

CAO asked how an application for a one story building would proceed if this LUB amendment were not approved; D/CAO said currently there is no process. He suggested it could be done by an amendment to the Land Use Bylaw whereby a new zone would have to be created and applications would have to be by development agreement; alternatively, the bylaw could be amended specific to a property (PID#).

Kim Maddison, the developer gave a brief description of what his proposed building will look like, and said it will be higher than the previous one which it replaces, but that it will be a one storey, as was the one that it will be replacing.

Mayor Small stated that second reading of this amending bylaw is on the agenda of the Council meeting about to commence for consideration. The public hearing concluded at 6:45 PM.

2. CALL TO ORDER

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

3. O'CANADA

4. HEARINGS/PRESENTATIONS/PETITIONS

4.1. **Introduction of AYTC Member - Brandon Sutherland Metz**

Councillor Balcom introduced Amherst Youth Town Council member, Brandon Sutherland Metz. Brandon is a 17 year old, grade 11 French Immersion student at ARHS. Brandon has been a member of Amherst Youth Town Council since December 2011, and is the current Chair. In addition to AYTC, Brandon has been involved with the 154 Amherst Anson Air Cadet Squadron since age 12. Having been raised in a community minded family and his experiences with the 154 and cadet movement have contributed to Brandon's being very involved with youth in the community.

Brandon is involved in many volunteering and fundraising endeavors for non-profit organizations in Amherst. Currently, raising funds for cancer research is close at heart. Not only is Brandon committed to raising funds for the Relay for Life, he can be seen volunteering at food drives and helping with setting up Autumn House fundraisers.

Brandon is was last year's recipient for Provincial Youth Volunteer of the Year for Amherst

4.2. **Municipal Alcohol Project Report - Sophie Melanson**

Sophie Melanson made a presentation (included in the agenda) on the Municipal Alcohol Project. In addressing comments and enquiries, Ms. Melanson said the UNSM expects to have model bylaws around alcohol use at the spring workshop this year.

In terms of next steps, Ms. Melanson said they continue to meet to discuss potential actions and who would be best to undertake them. She will continue to lead this project. She has seen some changes but wants to see more. She believes we need more specific statistics such as data on how many alcohol related charges, hospital admissions, deaths, etc. at the local level. They have sales stats and crime stats, but they can't necessarily relate them to alcohol. Her presentation outlined three specific directions for follow up: Youth and parents collaboration; policy development; and social and cultural asset mapping.

Mayor Small invited Ms. Melanson to come back in six months and report on the Project's progress.

5. APPROVAL OF AGENDA/MINUTES

5.1. **Approval of the Agenda**

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

Motion Carried

5.2. **Approval of Minutes - January 26, 2015 Regular Meeting; February 12, 2015 Special Meeting**

Moved By: Councillor Terry Rhindress
Seconded By: Deputy Mayor George Baker
To approve the minutes of the January 26, 2015 regular meeting and the February 12, 2015 special meeting as circulated.

Motion Carried

6. REQUESTS FOR DECISION

6.1. **Amend Land Use Bylaw re Downtown Design Guidelines - Second Reading**

Moved By: Councillor David March
Seconded By: Deputy Mayor George Baker
To approve second reading of the Bylaw to Amend the Land Use Bylaw with the following changes:

(1) Removing the following words in paragraph 2: "8.4.3 Delete this entire clause which states: 'In the Core Area District, new development and additions

to existing multi-story buildings that constitute a 10% or more increase in building foot print shall have a minimum height of 6.2 m (20 feet), two (2) floors that can be occupied'

(2) Inserting the words in paragraph 2: "Adding 8.4.3.1 Notwithstanding paragraph 8.4.3, the minimum height requirements shall not apply to PID# 25005430."

Recorded		
Robert Small		No
George Baker	Yes	
Frank Balcom		No
Robert Bird	Yes	
Lisa Emery		No
David March		No
Terry Rhindress	Yes	
Results	3	4

Motion Defeated

Opposed: Mayor Robert Small, Councillor Frank Balcom, Councillor Lisa Emery and Councillor David March

Moved By: Councillor Frank Balcom

Seconded By: Councillor David March

That Council approve Second Reading of a Bylaw to Amend the Land Use Bylaw

Recorded		
Robert Small	Yes	
George Baker		No
Frank Balcom	Yes	
Robert Bird	Yes	
Lisa Emery	Yes	
David March	Yes	
Terry Rhindress	Yes	
Results	6	1

Motion Carried

Opposed: Deputy Mayor George Baker

By-Law to Amend the Land Use By-Law P-2

1. This is a by-law to amend the Land Use By-Law of the Town of Amherst with respect to the matter of Section 8.0 Commercial Zones.
2. In the Land Use By-Law, *Section 8.4.3 Building Height* is amended as follows:
 - 8.4.3. Delete this entire clause which states: "In the Core Area District, new developments and additions to existing multiple-story buildings that constitute a 10% or more increase in building foot print shall have a minimum height of 6.1 m (20 feet), two (2) floors that can be occupied."**
3. In the Land Use By-law, *Section 8.4.5 Commercial and Institutional Requirements* is amended as follows:
 - 8.4.5 Changing the title of 8.4.5 from "Commercial and Institutional Requirements" by removing "and Institutional", and changing the first paragraph from "In the Core Area District, all non-residential uses within new developments and additions to existing buildings that constitute a 10% or more increase in building footprint, shall satisfy the following requirements:" to "In the Core Area District, except Institutional uses, all non-residential uses within new developments and additions to existing buildings that constitute a 10% or more increase in building footprint, shall satisfy the following requirements"**

6.2. Rules of Order of Council Bylaw - Second Reading**Moved By: Councillor Lisa Emery****Seconded By: Councillor David March****That Council approve second reading of a bylaw to repeal the Bylaw Providing Rules of Order for Council, A-6, approved by Council on March 16, 1998.****Motion Carried****Bylaw to Repeal the Proceedings of Council Bylaw, A-6**

1. This is a by-law to repeal the Proceedings of Council Bylaw, A-6.
2. The Bylaw Providing Rules of Order for Council, A-6, known as the "Proceedings of Council Bylaw" approved by Council on the 16th day of March, 1998, is hereby repealed.

6.2.1. Proceedings of Council Policy and Repeal Old Policies**Moved By: Councillor Lisa Emery****Seconded By: Councillor Robert Bird****That Council approves the new Proceedings of Council Policy, 10350-24.****Motion Carried****PROCEEDINGS OF COUNCIL****POLICY 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 24 hours prior to 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 by 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 24 hours prior to 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. A motion may at any time before the Council has voted on it be withdrawn by the mover with the consent of the seconder.
35. 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.
36. 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.
37. 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.
38. 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.
39. 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.
40. 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.

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41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.
47. No Council Member shall speak more than two minutes upon any matter at one time, without the leave of Council.
48. During a meeting Council may adjourn for short periods or move to another place, without ending the meeting.

Reconsideration

49. 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.
50. Unless reconsideration is moved at the next meeting, the right of reconsideration shall be lost.
51. No discussion of the main question shall be allowed on the motion for reconsideration.
52. 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

53. 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.
54. A Notice of motion to rescind any previous resolution of the Council may be given by any member at any regular meeting of Council.
55. When giving Notice of motion to rescind, the member shall provide a brief explanation of the reason for the Notice.
56. A Notice of motion to rescind shall be dealt with at the next meeting of the Council.

57. 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.
58. 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.
59. 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

60. 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.
61. 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.
62. 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.
63. 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?"
64. 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.
65. 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.
66. 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.
67. 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.
68. 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.
69. 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.
70. 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.
71. 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.
72. Any of the rules of order may be suspended in its operation by the unanimous consent of the Council Members present.

Presentations to Council

73. 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.
74. The request will be added to the next Committee of the Whole agenda to be issued.
75. 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.
76. 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.

- 77. Presentations shall be limited to 15 minutes, unless Committee of the Whole determines a longer period of time is needed.
- 78. 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.
- 79. 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

- 80. 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.
- 81. 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.
- 82. 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.
- 83. No petition shall be presented which Council determines to contain impertinent or improper matter.
- 84. 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.
- 85.

Moved By: Councillor Lisa Emery
Seconded By: Councillor Frank Balcom
That Council repeals the following policies:

- **10350-07 Adding Items to the Council Agenda**
- **10350-09 Preparation of the Agenda**
- **10350-12 Confidentiality Issues**
- **10350-13 Council Meetings**
- **10350-06 Delegations Appearing Before Council**

Motion Carried

6.3. Repeal Anti-Litter Bylaw - First Reading

Moved By: Councillor Frank Balcom
Seconded By: Councillor Terry Rhindress
That Council approves first reading of a Bylaw to Repeal the Anti-Litter Bylaw, D-5, approved by Council on August 19, 1968 and amended on 19 February, 1981.

Motion Carried

Bylaw to Repeal the Anti-Litter Bylaw, D-5

- 1. This is a by-law to repeal Anti-Litter Bylaw, D-5.
- 2. The Town of Amherst "Anti-Litter Bylaw" approved by Council on the 19th day of August, 1968 and amended on the 19th day of February, 1981, is hereby repealed.

6.4. Repeal ABIDC Bylaw - First Reading

Moved By: Deputy Mayor George Baker
Seconded By: Councillor David March
That Council approves first reading of a Bylaw to Repeal the Amherst Business Improvement District Commission Bylaw, A-4, approved by Council on December 13, 1982 and amended on March 20, 1989.

Motion Carried

Bylaw to Repeal the Amherst Business Improvement District Bylaw, A-4

- 1. This is a by-law to repeal Amherst Business Improvement District Bylaw, A-4.
- 2. The "Amherst Business Improvement District Bylaw" approved by Council on the 13th day of December, 1982 and amended on the 20th day of March, 1989, is hereby repealed.

6.5. Policy Review Project**Moved By: Councillor Lisa Emery****Seconded By: Councillor Frank Balcom****That Council approve the following policies as amended: 2000-01 Use of Facilities – Dominion Public Building; 31000-01 Standard Specifications for Municipal Services; and 31600-01 Culvert Policy.****Motion Tabled****USE OF FACILITIES – ~~Confederation Memorial~~ Dominion Public Building POLICY 2000-01****PURPOSE:**

To set out the policy of the Town of Amherst in regard to the use of the facilities of the ~~Confederation Memorial~~ Dominion Public Building located on ~~Ratchford~~ Victoria Street by the various governments, their agencies and the general public ~~community organizations~~.

POLICY STATEMENT:Council Chamber

1. The Council Chamber is to be retained for meetings of the Amherst Town Council. Town Boards ~~Committees~~ and Commissions may use the Chamber from time to time when required.
2. The Federal Government and its agencies, upon written application, may use the Council Chamber to conduct courts, hearings and/or inquiries, **providing it is not required for a Town purpose.**
3. The Provincial Government and its agencies, upon written application, may use the Council Chamber to conduct courts, hearings and/or inquiries, **providing it is not required for a Town Purpose.**

Board Room

4. The first call for use of this room shall be for the Town Council, Council Committees, and Boards and Commissions.
5. The second priority for the use of the Board Room shall be given to Town **community** organizations requiring the use of the room for special meetings. It is not meant to be used as a regular meeting place. ~~These organizations include the Skating Club, Minor Hockey, Rotary Club, etc. Applications must be in writing.~~

STANDARD SPECIFICATIONS FOR MUNICIPAL SERVICES POLICY 31000-01**PURPOSE:**

To ensure that standard specifications for water, sewer and streets are used in the effective and efficient construction and maintenance of municipal services infrastructure.

POLICY:

The joint committee of the Nova Scotia Roadbuilders Association and the Nova Scotia Consulting Engineers Association has designed "Standard Specifications for Municipal Services" to be used for the construction of water systems, sanitary and storm sewers, and streets. These specifications meet the requirements of construction of such infrastructure for the Town of Amherst.

The Town of Amherst shall use the "Standard Specifications for Municipal Services" as amended from time to time, as its specifications for municipal services infrastructure.

RESOLUTION RE: STANDARD SPECIFICATIONS FOR MUNICIPAL SERVICES

~~WHEREAS the Nova Scotia Roadbuilders Association and the Nova Scotia Consulting Engineers Association have formed a joint committee on contract documents;~~

~~AND WHEREAS this Committee has designed standard specifications for the construction of water systems, sanitary and storm sewers and streets;~~

~~AND WHEREAS these specifications meet the requirements of construction for the Town of Amherst;~~

~~AND WHEREAS the Province of Nova Scotia has recognized that a standard specification for water and sewer work could be the key to the effective and speedy construction of municipal services;~~

~~THEREFORE BE IT RESOLVED that the Council of the Town of Amherst adopt the above noted Standard Specifications for Municipal Services and future amendments as its specifications~~

PURPOSE:

To manage the Town's new and existing driveway culverts.

POLICY

The Town Engineer will ~~investigate each culvert request and determine if a new culvert is needed or if the existing culvert can be repaired.~~ **It shall be the responsibility of the Operations Department to** investigate each culvert request and determine if a new culvert is needed or if the existing culvert can be repaired. If required, the ~~Public Works~~ **Operations** Department will install a ~~20-foot~~ **6 meter** private driveway culvert to carry surface water under driveways at no cost to the homeowner.

If a homeowner wishes to fill the ditch along the front of their property, other than under the driveway, they must have the Town Engineer **or his or her designate** investigate the situation to determine if culvert pipe is required. The homeowner would be responsible for hiring and paying a contractor to do this work, using a new concrete or PVC culvert pipe with the type and the size to be given Town approval before installation.

6.6. CJSMA Budget 2015-16

Moved By: Councillor Robert Bird

Seconded By: Councillor Terry Rhindress

That Council approve the 2015/16 operating and capital budgets for the Cumberland Joint Services Management Authority (CJSMA) as submitted.

Motion Carried

6.7. Maccan Water Main Extension - Trider Road Booster Station

Moved By: Councillor Robert Bird

Seconded By: Councillor Lisa Emery

That Council approve the cost for the construction of the Trider Road Booster Station in the amount of \$173,213 plus HST as provided by Mid Valley Construction, as has been approved by the Municipality of the County of Cumberland.

Motion Carried

6.8. Insurance Services Provider

Mayor Small declared a conflict and excused himself from the Council table for the discussion and decision on this issue. Deputy Mayor Baker chaired the meeting in his absence.

Moved By: Councillor David March

Seconded By: Councillor Frank Balcom

That Council approve renewing the insurance services provision with Fraser & Hoyt for a term ending March 31, 2016 with a 0.9% increase in premiums.

Recorded

Robert Small

George Baker

Yes

Frank Balcom

Yes

Robert Bird

No

Lisa Emery

Yes

David March

Yes

Terry Rhindress

No

Results

4

2

Motion Carried

Opposed: Councillor Robert Bird and Councillor Terry Rhindress

7. INFORMATION / DISCUSSION ITEMS

8. INTERNAL COMMITTEE REPORTS

8.1. Amherst Youth Town Council

Councillor Balcom presented a report on behalf of the Amherst Youth Town Council, as included in the agenda.

9. EXTERNAL COMMITTEE REPORTS

9.1. Cumberland Public Libraries

Councillor Balcom presented a report on behalf of the Cumberland Public Libraries, as included in the agenda.

9.2. Cumberland YMCA

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

9.3. Cumberland Joint Services Management Authority

Councillor Rhindress presented a report on behalf of the Cumberland Joint Services Management Authority, as included in the agenda.

9.4. Northern Region Solid Waste Committee

Councillor March presented a report on behalf of the Northern Region Waste Resource Committee, included in the agenda.

10. ADJOURNMENT

Prior to the adjournment, Mayor Small took a moment to give a huge thank you to the community after the highway closure and assistance that was provided to all the people stranded in town. In addition, he outlined three properties that are on Council's priority list:

BMO Building - Pursuing input from the public on what to do with this property and if anyone has an interest please let us know.

VIA Rail Station - The Town has an opportunity to take possession of it, but we don't have a business case; will be seeking public input on that as well before making a decision on that matter.

Confederation Memorial Building - We are pursuing partners in a project to use the building for a unique use which can't be disclosed yet, but it will focus on small business development and other features. We will be working through that project further with others.

He commented on the special session with the YMCA regarding immigrants, stating how important it is to have started the process to make people feel welcome in the community.

Councillor Rhindress thanked police and public works throughout the past few weeks and all the storms.

Moved By: Councillor Terry Rhindress

Seconded By: Councillor David March

To adjourn at 8:40 PM

Gregory D. Herrett, CA
Town Clerk and CAO

Robert Small
Mayor