

COUNCIL COMMITTEE

The Regular Session of the Council Committee of the Municipality of the County of Colchester was conducted virtually, via Zoom Webinars and in-person on March 16, 2023, beginning at 6:00 pm.

In peace and friendship, and in the spirit of truth and reconciliation, Deputy Mayor Stewart acknowledged that the Municipality of Colchester is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

Roll Call

The roll was called with the following Councillors in attendance:

Mayor Christine Blair	
Cllr. Laurie Sandeson	District 2
Deputy Mayor Geoff Stewart, Chair	District 3
Cllr. Mike Cooper	District 4
Cllr. Tim Johnson	District 5
Cllr. Karen MacKenzie	District 6
Cllr. Michael Gregory	District 7
Cllr. Lisa Patton	District 8
Cllr. Victoria Lomond	District 10

Regrets

Cllr. Eric Boutilier	District 1
Cllr. Marie Benoit	District 9
Cllr. Wade Parker	District 11

Staff Present

Rob Simonds, Chief Administrative Officer (CAO)
 Michelle Boudreau, Director of Public Works
 Paul Smith, Director of Community Development
 Phillip Redden, Director of Solid Waste
 Dennis James, Municipal Solicitor
 Tracey Veno, Recording Secretary
 Jenn Martin, Economic Development Officer
 Mike MacKinnon, Manager of Building Inspection/By-law Enforcement
 Tim Smith, Manager of Information Services

Approval of Agenda

Moved by Councillor Gregory and seconded by Councillor Lomond

“That the agenda be approved with the following additions:

- #8b, NSUARB/Boundary Review Public Hearing;
- #8c, CAO Recruitment Process;
- #8d, Traffic Management Options;
- #9b, Representation;
- #14, Personnel Matter in Closed Session.” Carried unanimously.

Approval of Minutes

Moved by Councillor Johnson and seconded by Councillor Cooper

“That the minutes of the meeting held on February 9, 2023, be approved as presented.” Carried unanimously.

Business Arising from Minutes

None

ACTION ITEMS

Dangerous or Unsightly Premises By-law

Dennis James, Municipal Solicitor, advised that this item has been before Council Committee on a couple of occasions as a result of concerns over

repeat dangerous or unsightly premises offenders. Council direction was to draft a by-law that would provide tools to better deal with this. The draft by-law before Council would be in addition to existing powers under the MGA to deal with dangerous or unsightly properties. Depending on the decision of Council this evening, the draft by-law can be advanced to First Reading at the end of the month or referred back to staff for further revision. Highlights of the By-law include tightening timeframes for issuance of remedial orders for subsequent offences; definitions around subsequent offences and common owners of properties; appeal rights; implementation of fees for repeat offenders; and, allowances for greater and escalating penalties. Regarding the implementation of fees, the Municipal Solicitor cautioned that there may be concerns with having fees for all cases due to some sensitivity issues and suggest that if this By-law is approved, a policy be developed to address this.

Staff were also directed to look into regulations around lawn heights. This was not included in the draft Dangerous or Unsightly Premises By-law as it could provide challenges when dealing with appeal rights if included under the definitions of dangerous or unsightly. A separate item was prepared should Council wish to deal with regulation of lawn heights.

Brief discussion included implementation of fees being a lien against the property if unpaid; and timing and collection of fees.

Moved by Councillor Gregory and seconded by Mayor Blair

“That Council Committee refer the Dangerous or Unsightly Premises By-law to Council for First Reading on March 30, 2023.” Carried unanimously.

Landscaping Regulations

The Municipal Solicitor advised that the issue of landscaping regulations was raised a couple of times. Only two other jurisdictions, Antigonish and HRM, have regulations for this. As noted above, during review, legal and staff felt this did not fit under the Dangerous or Unsightly Premises By-law. More direction would be required regarding the definition of lawns, urban versus rural areas, and grass heights. Consideration would also need to be given to resource implications around enforcement.

Discussion was held on the challenges around landscaping regulations; need for regulations in subdivisions; and broad allowances under the MGA for dealing with grass. The Director of Community Development and Manager of Inspection Services advised of the serious challenges relative to staff resources in the enforcement of landscaping regulations.

Moved by Councillor Patton and seconded by Councillor Sandeson

“That Council Committee recommends to Council that a Landscaping Regulations By-law not be considered at this time.” Carried unanimously.

Tender Award – Mosswood/First/Second Sidewalk Reconstruction

Michelle Boudreau, Director of Public Works, provided an overview of this item indicating that the condition of sidewalks on Mosswood Lane, First Court and Second Court in Valley, ranked lowest in ratings and need to be replaced. A tender was issued for the sidewalk reconstruction in February. Four out of seven companies requesting tender documents made submissions. BD Clifton Contracting was the lowest bidder and their submission was deemed

to be complete. Staff is recommending the tender be awarded to BD Clifton Contracting.

Moved by Councillor MacKenzie and seconded by Councillor Cooper

“That Council Committee recommends to Council that the tender for the reconstruction of the sidewalks on Mosswood Lane, First Court and Second Court be awarded to BD Clifton Contracting for a total contract amount of \$203,712 excluding HST; and,

That an internal contingency of \$20,000 be approved, to be spent only on authority of the Director of Public Works.” Carried unanimously.

Marketing Levy – Draft By-law

Jenn Mantin, Economic Development Officer, advised that the purpose of this item is to receive feedback on the proposed Marketing Levy By-law with the intent of advancing to First Reading at the end of the month. As presented, the By-law will impose a marketing levy upon visitors who stay at recognized accommodation providers within the Municipality. The collected funds will be used for regional marketing initiatives. The rate of the levy is set at 3% of the purchase price of the accommodation. Some exemptions apply, as outlined in the By-law. Recognized accommodation providers will be required to remit the collected levy funds on a quarterly basis, and the Municipality will have the authority to audit an operator to ensure compliance.

Moved by Mayor Blair and seconded by Councillor Patton

“That Council Committee refer the Marketing Levy By-law to Council for First Reading on March 30, 2023.” Carried unanimously.

Nova Scotia Utility and Review Board (NSUARB) Boundary Review – Public Hearing Dates

The CAO advised Council of correspondence received from the NSUARB with suggested dates for the Municipal Boundary Review Public Hearing, the final step in the review process. Dates included April 5 (afternoon only), 6, 11, 24, 27, or 28. Although not required to attend the Public Hearing, staff wanted to inform Council members for those interested in attending and confirm a couple of dates from the options provided.

Moved by Councillor Patton and seconded by Councillor Johnson

“That Council Committee approves April 6th or April 11th as possible dates for the Nova Scotia Utility and Review Board Boundary Review Public Hearing.” Carried unanimously.

CAO Recruitment Process

Referring to his notice to Council of his intent to retire, the CAO indicated that he is mindful of the timing of the recruitment process. Historically, Council has given direction to the Executive Committee with updates being provided throughout the process. Direction is being sought on how Council wishes to proceed with the recruitment process. Additionally, it was suggested that giving the time of retirement, Council should consider having someone attend the FCM Conference in place of the CAO.

Moved by Councillor MacKenzie and seconded by Councillor Cooper

“That the Executive Committee be directed to take the lead on the CAO recruitment process.” Carried unanimously.

Traffic Management Options

Councillor Patton advised that although traffic management is provincial and RCMP responsibility, as Council members are closest to the people, they receive numerous complaints on traffic matters. She would like to see solar powered signs placed on poles with data reports being fed in to the office then forwarded to the RCMP.

Debate ensued on types of speed monitoring signs; one-year versus two-year pilot; cost and budget considerations; determining target areas; and having data feed directly to the RCMP. Finalizing placement locations for the sensors, should Council proceed with a pilot project, would be determined at a later time with feedback from Council members.

“That staff investigate a two-year pilot project for traffic management sensors.” Carried unanimously.

INFORMATION ITEMS**Community Park Funding Program – Winter 2023 Applications**

The Community Park Funding Program provides support to community organizations making capital improvements to public outdoor recreation facilities by providing grants of up to 50% of total project costs.

Three applications were received under the Community Park Funding Program for the September 2022/February 2023 deadline: the Hilden Elementary School Home and School Association requested \$40,000, 14% of the estimated project cost, for extensive playground upgrades; the North Shore Recreation Centre (John K. MacDonald Memorial Sports Field) requested \$11,051, 50% of project cost, for ball field upgrades; and the Truro Alliance Church requested \$40,000, 32% of total project cost, for a public playground in Truro Heights, pending confirmation of project costs and other funding sources.

Staff have approved grants in the requested amounts totalling \$91,051, pending approval of the 2023-24 budget.

Representation

Councillor Cooper assumed the role of Chair to allow Deputy Mayor Stewart to speak on this item.

Deputy Mayor Stewart raised concerns regarding lack of municipal representation at recent events as well as the lack of sharing of information amongst Council members. The Deputy Mayor noted that he does not want to take any action at this point, rather just raise the issue for discussion at a later time.

Clarification was sought on proper processes for representation at events and raising such issues. The Municipal Solicitor advised that there is no policy in place laying out the process. General direction is provided under the MGA relative to the Deputy Mayor acting in the absence of the Mayor. This can be discussed at the Council table, a policy can be created, complaints can be processed and handled through the code of conduct, and/or it can be discussed outside of Council through individual or group meetings.

Brief debate took place on more professional ways of dealing with such matters rather than bringing them to the Council table; a disconnect amongst

Council members as a result of Covid and the protracted period of not being in the same room; improved communications and relations; the importance of open lines of communication; and benefits of getting together outside the Council table.

At this point, the Deputy Mayor resumed the role of Chair.

Director's Report

A report from the Director of Solid Waste was circulated in the package for tonight's meeting.

Responding to a queries on lumber and shingles at the landfill, Phillip Redden, Director of Solid Waste, advised of new regulations and looking into opportunities for future. Clarification was sought on solid waste/litter in various locations and what types of materials this would be and the possibility of having more specific locations. Mr. Redden provided information on litter versus illegal dumping materials.

CLOSED SESSION

Moved by Councillor Gregory and seconded by Councillor Patton

"That the meeting go into closed session at 7:22 pm." Carried unanimously.

Moved by Councillor Patton and seconded by Councillor Gregory

"That the meeting reconvene in open session at 9:08 pm." Carried unanimously.

Property Matter – Sale of Lot 216 Ventura Drive, Debert

Moved by Mayor Blair and seconded by Councillor Cooper

"That Council Committee approves the sale of Lot 216 Lancaster Crescent as outlined in Closed Session; and,

That Council Committee authorize the Mayor and CAO to execute the purchase and sale agreement prepared by Legal Counsel for this transaction." Carried unanimously.

Property Matter – Sale of 80 Venture Drive, Debert

Moved by Councillor Sandeson and seconded by Councillor Patton

"That Council Committee approves the sale of 80 Ventura Drive as outlined in Closed Session and,

That Council Committee authorize the Mayor and CAO to execute the purchase and sale agreement prepared by Legal Counsel for this transaction." Carried unanimously.

ADJOURNMENT

Moved by Councillor Patton and seconded by Councillor Gregory

"That the meeting adjourn at 9:09 pm." Carried unanimously.

Tracey Veno
Recording Secretary