

**DIGBY TOWN COUNCIL
REGULAR MEETING
JANUARY 5, 2009**

MEMBERS PRESENT: Mayor Ben Cleveland
Deputy Mayor Mike Bartlett
Councillor Jean Brittain
Councillor Danny Harvieux
Councillor Brian Manzer
Councillor Ron Matsusaki
Councillor Peter Turnbull

STAFF PRESENT: Tom Ossinger, Town Clerk
Matthew Raymond, Deputy Clerk
Susan Rice, Recording Secretary

A. CALL TO ORDER

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

B. AGENDA

B.1 Additions/Deletions

There was one addition under new business delegation H.5
CAO Format.

B.2 Approval of the agenda

a) January 5, 2009

Moved by: Deputy Mayor Mike Bartlett
Seconded by: Councillor Harvieux

That the agenda of January 5, 2009, be approved as
presented.

MOTION CARRIED.

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C. DELEGATION

None.

D. MINUTES OF PREVIOUS MEETING

D.1 DECEMBER 1, 2008

Moved by: Councillor Brittain
Seconded by: Councillor Manzer

That the minutes of December 1, 2008, be approved as presented.

MOTION CARRIED.

E. BUSINESS ARISING FROM THE MINUTES

E.1 Wharf Rat Rally

The Wharf Rat Rally is asking permission to close both parking lots (Digby Centre and Digby Courier) from Wednesday, September 2, 2009, at 8:00 a.m. until Monday, September 7, 2009, at 5:00 p.m. and to close Water Street and a section of Montague Row from Warwick Street and Montague Row intersection northward to Prince William Street to car and truck traffic only allowing motorcycles to enter this area as well as business deliveries and other such necessities on Friday, September 4, 2009, to Sunday, September 6, 2009, from 8:00 a.m. to 9:00 p.m. Discussion ensued with closing Water Street off on Friday because of the banks and business deliveries. Council asked if there was a reason for the extra day. Mrs. Robertson stated that this event has grown in the past four years and hopefully in the future this event will be a week long. A suggestion was made that downtown business owners and one councillor go to their meetings. Mrs. Robertson stated that some vendors will only come to an event that is 5 days long. S/Cst. Parry stated that maybe look at closing down

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½ the street and make it one way traffic. S/Cst. Parry stated that he will attend the meetings to help out with traffic issues. Mrs. Robertson stated that the Wharf Rat Rally Committee meets with all emergency vehicle representatives to discuss emergency situations.

Moved by: Councillor Brittain
Seconded by: Councillor Matsusaki

That Council accept the Wharf Rat Rally Committee's proposal but inform the Committee of Council's concerns.

MOTION CARRIED.

F. REPORTS

**F.1 FINANCE COMMITTEE/ADMINISTRATION
COMMITTEE**

Report for December 2008 was reviewed and accepted as presented.

a) Accounts Payable

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That the accounts payable in the amount of \$193,696.29 be approved for payment for the month of December.

MOTION CARRIED.

b) Kids Help Phone

Moved by: Councillor Brittain
Seconded by: Councillor Manzer

That the Council not make a financial contribution to the Kid's Help Phone this year as requested.

MOTION CARRIED.

F.2 FIRE, POLICE, AND LICENSE COMMITTEE

Report for December 2008 was reviewed and accepted as presented.

a) Waive Fee for Peaceful Protest

Moved by: Councillor Harvieux
Seconded by: Deputy Mayor Bartlett

That the Council approve to waive the \$500.00 fee for the peaceful protest that will be held on January 29, 2009.

MOTION CARRIED.

b) Town Hall Security System

Special Constable Parry presented a memo to Council in regards to the Town Hall Security System. He received four quotes from various companies and S/Cst. Parry recommends to Council to go with Langsecure Security at a cost of \$2,596.74 installed and monitored in Dartmouth at a cost of \$271.20 per year. Discussion ensued.

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Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Matsusaki

That Council approve the security system for the Town Hall at a cost of \$2,596.74 by Langsecure Security and the monitoring fee of \$271.20 per year.

MOTION CARRIED.

**F.3 STREETS, SEWER, AND PUBLIC PROPERTY
COMMITTEE**

No report was presented.

a) UNSM CODE OF CONDUCT

Moved by: Deputy Mayor Bartlett
Seconded by: Councillor Harvieux

That Council approve the UNSM Code of Conduct.

MOTION CARRIED.

F.4 TOURISM COMMITTEE

Report for December 2008 was reviewed and accepted as presented.

F.5 TIDEVIEW TERRACE

No report.

F.6 DIGBY AND AREA RECREATION COMMISSION

Report for December 2008 was reviewed and accepted as presented.

F.7 LIBRARY BOARD

No meeting.

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F.8 WASTE CHECK

Report for December 2008 was reviewed and accepted as presented.

F.9 PLANNING ADVISORY COMMITTEE

Report for December 2008 was reviewed and accepted as presented. Councillor Brittain stated that the Committee is reviewing the MPS/LUB and under provincial guidelines we are mandated to review it every 5 years and she strongly urges all Councillors to come to the meeting.

a) Rezoning of 34 Third Avenue

Moved by: Councillor Brittain
Seconded by: Councillor Harvieux

That Council approve to proceed with the rezoning of 34 Third Avenue from R1 to R2 zone.

MOTION CARRIED.

The date of the public hearing will be March 2, 2009 at 6:00 p.m.

F.10 EMERGENCY MEASURES ORGANIZATION

No meeting.

F.11 WATER COMMISSION

Report for December 2008 was reviewed and accepted as presented.

F.12 INDUSTRIAL COMMISSION

No meeting.

F.13 DIGBY AREA LEARNING ASSOCIATION

No meeting.

F.14 SENIOR SAFETY BOARD

No meeting.

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F.15 PESTICIDE COMMITTEE

No meeting.

**F.16 ANNAPOLIS/DIGBY ECONOMIC DEVELOPMENT
AGENCY**

The Mayor stated that they hired a Development Officer from Irving Oil.

F.17 CLERK TREASURER'S REPORT

Report for December 2008 was reviewed and accepted as presented.

F.18 POLICE ADVISORY BOARD REPORT

No meeting.

F.19 AIRPORT COMMITTEE

No meeting.

G. CORRESPONDENCE

None.

H. NEW BUSINESS

H.1 Acceptance of Petition – Royal Propane (Susan Bent)

The Mayor stated that he spoke to the Town Clerk regarding the petition. The person that did up the petition is not in attendance. The Mayor stated that there will be no decisions made this evening. Councillor Harvieux asked Mr. & Mrs. Bent about regular inspections. Mr. Bent stated that they have to have governed inspections from Department of Environment, Occupational Health and Safety, etc. and it is ongoing and we have had no troubles in the past with the inspections or if the Town had any problems we always worked with them to resolve it. Councillor Manzer asked about the Land Use Bylaw in Town and the development permit and was a permit issued and required. The Town Clerk stated that at the time the business opened the Town did not require a development

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permit. The development permit did not come into effect until 2003/2004. The Town Clerk stated that Mr. & Mrs. Bent always checked with him before they did anything to make sure there were no problems. This issue came up because of the incident in Toronto, Ontario and in the summer a car went through the fence and hit the propane tanks. Discussion ensued.

Council decided that there should be a meeting with a councillor, Mrs. Verilea Ellis and Mr. & Mrs. Bent. Councillor Manzer stated that he will meet with them in regards to the above issue.

H.2 Borrowing Resolution – Municipalities and School Boards

Moved by: Councillor Turnbull
Seconded by: Councillor Harvieux

That the borrowing resolution for the Municipalities and School Boards in the amount of \$350,000 be approved as presented.

MOTION CARRIED.

H.3 Alzheimer Awareness Month

The Mayor stated that we recognize January 2009 as Alzheimer's Awareness Month in the Town of Digby.

H.4 Wilson Collier Committee

The Wilson Collier Committee is requesting \$500.00 to help fund the promotional pamphlet. Councillor Harvieux asked that under the Grants to Organization Policy Council receives a copy of their financial statements or budget. Councillor Brittain stated that this is to do with the library and probably has no financial statement. The Town Clerk stated that there is enough money in the library budget to help cover the \$500.00.

Moved by: Councillor Brittain
Seconded by: Councillor Turnbull

That Council approve the \$500.00 to the Wilson Collier Committee.

MOTION CARRIED.

H.5 Brief Discussion on CAO system

Councillor Matsusaki brought up about the CAO system and how it works. At the training in Truro, they talked about the difference between a CAO and a Town Clerk. With the municipalities having a Town Clerk everything has to go to Council and if it is a CAO the CAO can make the decisions for example administration decisions. The Mayor stated that we can bring this issue up at the retreat that the Council will be having in the near future.

I. QUESTION PERIOD

None.

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J. ADJOURNMENT

There being no further business the meeting adjourned on motion of Councillor Harvieux and Councillor Turnbull.

TIME: 8:00 p.m.

MAYOR

TOWN CLERK