

**TOWN OF DIGBY
REGULAR COUNCIL MEETING
MAY 7, 2012**

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

STAFF PRESENT: Tom Ossinger, CAO
Matthew Raymond, Director of Finance
Leslie Young, Accounts Payable Clerk

Regrets: Councillor Ron Matsusaki
Susan Rice, Administrative Assistant

A. ROLL CALL/CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

B. PUBLIC HEARINGS

A. Municipal Planning Strategy and Land Use Bylaw

a) Opening Remarks

Chris Millier from the 4 Site Group presented to Council a powerpoint presentation on the Municipal Planning Strategy and Land Use Bylaw, he spoke about the purpose of the hearing, the review process, major changes, such as the future land use map and zoning map, simplified development policies and regulations, the 4 different residential zones, and the 3 commercial zones, site plan approval had been eliminated to streamline and simplify the approval process, development agreements will be used for a number of developments where site planning and building form is important. Development of lands east of Lighthouse Rd and north of Shore Road will require comprehensive planning. Industrial designation in the South end in the area of Second Avenue, St George St and Montague Row has been eliminated in favour of mixed use residential and commercial designation and zoning. A broad range of commercial uses are permitted and encourage in the downtown, land use controls are incorporated into the strategy and by-law to protect ground water quality.

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b) Acceptance of Written Submissions

None.

c) Acceptance of Oral Submissions

None.

d) General Discussion

None.

AGENDA

C.1 Additions/Deletions

Addition under Committee of the Whole F) Accounts Payable

C.2 Agenda

Motion:

Moved by Councillor Harvieux and seconded by Deputy Mayor Bartlett that the agenda of May 7, 2012 be approved with the following additions under Committee of the Whole F) Accounts Payable

Motion Carried.

D. DELEGATION AND PRESENTATIONS

None

E. MINUTES OF PREVIOUS MEETING

E.1 April 2, 2012

Motion:

Moved by Councillor Brittain and seconded by Councillor Turnbull that the minutes of April 2, 2012, be approved as presented.

Motion Carried.

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F. BUSINESS ARISING FROM THE MINUTES/UNFINISHED BUSINESS

F.1 Second Reading of the Municipal Planning Strategy and Land Use Bylaw

Motion:

Moved by Councillor Brittain and seconded by Councillor Harvieux that Council approve the second reading of the Municipal Planning Strategy and Land Use Bylaw.

Motion Carried.

F.2 Policy for Grants to Organization-2002/2003

This was brought forward tonight as an information item and to see if council would like to see any changes for a new policy. Discussion ensued on suggestions for changes for a new policy.

G. REPORTS

G.1 CAO's Report

The CAO Report for May was presented.

G.2 COMMITTEE OF THE WHOLE

A. Guarantee of DARC Loan

Motion:

Moved by Councillor Brittain and seconded by Deputy Mayor Bartlett that Council accept the responsibility of the guarantee loan in DARC's name for 50% of the \$300,000.

Motion Carried

B. DATA-funding of feasibility study for BoFEx project

Motion:

Moved by Deputy Mayor Bartlett and seconded by Councillor Harvieux that Council approve \$2,000 for BoFEx.

Motion Carried.

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C. Provincial Power lifting contest

Motion:

Moved by Deputy Mayor Bartlett and seconded by Councillor Turnbull that Council approve \$250 for the Provincial Power lifting contest.

Motion Carried.

D. Noise Exemption for Vanessa Pulley-Relay for Life

Motion:

Moved by Councillor Brittain and seconded by Councillor Turnbull that Council grant a Noise Bylaw exemption for Saturday May 26, 2012 from 6 pm to 7:30 pm at Digby Regional High School soccer field to Vanessa Pulley.

Motion Carried.

E. Letter from Transport de Clare Society

Discussion ensued regarding the request for funds in the amount of \$3500 for a pilot project. Council by consensus decided that we are currently in a pilot project with another carrier and until that project ends we are not able to enter into an agreement with another carrier.

G.3 TIDEVIEW TERRACE

No report. The Mayor stated that the budget to demolish the old Tideview building is complete and they are now going to tender.

G.4 DIGBY AND AREA RECREATION COMMISSION

Report in package.

G.5 LIBRARY BOARD

No meeting.

G.6 WASTE CHECK

Report for April was reviewed and accepted.

G.7 PLANNING ADVISORY COMMITTEE

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A Public hearing and seconded reading of the Municipal Planning strategy and Land Use Bylaw was held at tonight's council meeting.

G.8 REGIONAL EMERGENCY MANAGEMENT ORGANIZATION

A short meeting was held concerning parking for Wharf Rat Rally.

G.9 WATER COMMISSION

No report.

G.10 INDUSTRIAL COMMISSION

No report. The next meeting will be held on May 8th to discuss the request for proposal for the site selection for Tidal Power.

G.11 DIGBY AREA LEARNING ASSOCIATION

No report. Councillor Manzer stated that their new venture the Valley Wave lost \$900 after the first publication, they are planning to publish it 3 times and review from there.

G.12 SENIOR SAFETY BOARD

No meeting. No report.

G.13 ANNAPOLIS/DIGBY ECONOMIC DEVELOPMENT AGENCY

No report. The next meeting will be held this week.

G.14 POLICE ADVISORY BOARD REPORT

No meeting. No report.

G.15 AIRPORT COMMITTEE

No meeting. No report.

G.16 MAYOR'S REPORT

Report in package.

G.17 UPPER CLEMENTS PARK

Deputy Mayor Bartlett stated that their annual general meeting was held a few weeks ago, and their Adventure Park is opening in June.

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G.18 OCCUPATIONAL HEALTH & SAFETY REPORT

No meeting. No report.

G.19 DATA Report

No meeting. No report.

H. CORRESPONDENCE

H.1 Western Counties Regional Library

A letter was received from the Library requesting continued funding for the 2012/13 year for the same amount as 2011/12 in the amount of \$12,645.

Motion:

Moved by Councillor Brittain and seconded by Deputy Mayor Bartlett that the funding request for the 2012/13 year be granted in the amount of \$12,645 for the same amount as 2011/12.

Motion Carried.

H.2 Nova Scotia International Ferry Partnership

Discussion ensued about a ferry for the Yarmouth area. It is possible they may have something for the 2013 year. Council would like to see a copy of a budget and campaign costs before consideration would be given for any financial support.

H.3 Friends of Point Prim

Friends of Point Prim Secretary Robert Hersey sent a letter asking for support from Council for the Point Prim Lighthouse to be designated a Heritage Lighthouse.

Motion:

Moved by Councillor Turnbull and seconded by Councillor Harvieux that a letter of support be sent to Friends of Point Prim.

Motion Carried.

H.4 Town Task Force-UNSM

Included in the package was the presentation from the Regional meeting of April 2012. Mayor Cleveland encourages council to attend their presentation at the fall conference.

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H.5 Donation to Welcoming Heritage and Diversity Event

A letter requesting financial support was not received in time for approval. Mayor Cleveland did speak at the event which was well attended.

H.6 Upper Clements Park

A request was received for advertising for the new Upper Clements Parks Adventure Park Grand Opening, this ad will be in The Chronicle Herald on June 9th.

Motion:

Moved by Deputy Mayor Bartlett and seconded by Councillor Harvieux for a small logo size ad at a cost of \$250.

Motion Carried.

I. NOTICE OF MOTIONS

None.

J. NEW BUSINESS

J.1 Awarding of tenders for Phase II and III of the Waste Water Treatment Plant Upgrading Project.

Phase II-Lagoons

A total of 8 tenders were received for Phase II-Lagoons. The highest being \$2,771,500.00 and the lowest was \$1,511,074.70. Tenders were reviewed and a budget was done, we are over budget by \$512,277 before removing any provisional items. Some of these provisional items can be done after the initial project is complete, which will create some cost savings.

Motion:

Moved by Councillor Manzer and seconded by Councillor Harvieux that the low bidder GK Morse be awarded tender for Phase II at the upper limit of 1,511,074.70 less negotiated amendments.

Motion Carried.

Phase III-Sewage Pumping Station

A total of 5 tenders were received for Phase III-Sewage pumping station. The highest being \$1,647,278.40 and the lowest was \$1,001,65.90. Tenders were reviewed. There is some area for

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cost saving, such as parking area which could be done by the public work department.

Motion:

Moved by Councillor Manzer and seconded by Councillor Turnbull that the low bidder Brown Bros. Excavating be awarded tender for Phase III at the upper limit of \$1,001,365.90 less negotiated amendments.

Motion carried.

K. IN CAMERA

Motion:

Moved by Councillor Harvieux and seconded by Councillor Turnbull that Council move to go into In Camera to discuss RCMP-Contract.

Motion Carried.

L. ADJOURNMENT

There being no further business the meeting adjourned on motion of Councillor Harvieux and Councillor Turnbull. TIME: 8:20 p.m.

MAYOR

CLERK