

**TOWN OF DIGBY
COMMITTEE OF THE WHOLE
October 16, 2023
Council Chambers**

MEMBERS PRESENT: Mayor Ben Cleveland
Councillor Peter Turnbull
Councillor William McCormick
Councillor Paul Saulnier (Via Zoom)

STAFF PRESENT: Tom Ossinger, Chief Administrative Officer
Leslie Brinton, Executive Assistant
Ed McCormick, Director of Public Works
Laura Lee Milner, By Law Enforcement Officer
Matthew Raymond, Director of Finance

REGRETS: Deputy Mayor Bartlett

A. CALL TO ORDER

Mayor Cleveland called the meeting to order at 6:00 PM

B. AGENDA

B.1 Additions/Deletions

Two additions to the Agenda H.1 Fundy Rose Ferry and H.2 Bill 329

B.2 Approval

Motion:

Moved by Councillor Turnbull and seconded by Councillor McCormick that the agenda for October 16, 2023, be approved as amended.

Motion Carried.

C. DELEGATIONS/PRESENTATIONS

C.1 None.

D. MINUTES OF PREVIOUS MEETINGS

D.1 September 18, 2023

Motion

Moved by Councillor McCormick and seconded by Councillor Saulnier that the Minutes of September 18, 2023, be approved as presented.

Motion Carried.

E. BUSINESS ARISING FROM THE MINUTES/UNFINISHED BUSINESS

E.1 None.

F. STAFF REPORTS

F.1 Chief Administrative Officer Report

The Chief Administrative Officer Report was presented. The planning department issued no Development permits for the month of September however there was two Development Agreements processed for the September. The building department issued four building permits during the month of September. The Fire Inspector conducted two site visits at 1 Shore Road there was deficiencies found that were given 30 days to rectify and the other one had no deficiencies noted. Digby Fire Department responded to 15 calls in the previous month 13 of the call was in the Town and 2 in the district. The Shore Road VIC has seen around 1000 visitors in the last month up to the closing on Saturday October 7th they will reopen in May of 2024 with the hopes for a busy season. The Office of the CAO is reporting on the Green Municipal Fund Community Buildings Monitoring and Analysis Grant exercise for 6 facilities was carried out by the Town of Digby with the idea of looking for opportunities to improve its environmental footprint while reducing operating costs the project outcome was installing and commissioning six web-enabled electric power meters at each of the facilities identified to allow for remote monitoring and data trending. The project was carried out with assistance from the Green Municipal fund this fund is financed by the Government of Canada and administered by the FCM. A final report had been submitted to the FCM as part of the requirements for funding and the complete report has been placed on the Digby Cloud for Council's review. The sale of the Shore Road property now has a new purchase and sale agreement executed with the buyers the new closing date is January 31, 2024, with a date of January 17, 2024, for the Town of Digby to provide proof of Rezoning of Property to Residential RCDD. The CAO provided to the Committee a copy of a job description that had been drafted and reviewed the Executive Assistant and CAO. The current Community Development Coordinator job description was found to be broader then needed which we feel resulted in some of the issues resulting in disciplinary action. The new position job title is Administrative Assistant and Special Project Coordinator which will focus on administrative duties which including funding opportunities research and being able to provide back up to the Executive Assistant when absent. The proposed salary scale for this position will also change down to a level 2 salary scale. The CAO asked Council to consider funding this position for a one-year term effective January 2, 2024. The mayor has received questions about the position to see if we will continue funding. The CAO is asking for Council to review the proposed job description and provide feedback regarding the position. The CAO met with the District CAO to discuss the necessary amendment to our Respective marketing Levy by Laws to be compliant with Section 75A of the MGA discussion about current fee going from a set rate to a percentage with a maximum of 3%. And a discussion about the challenges to keep track of the overnight accommodations due to the room limit of 1 being required to register and collect the levy both CAO's feel that the registration should be limited to accommodations with 3 or more rooms and are also suggested an amendment

to the membership of the committee in Section 18 it outlines the MPLAC shall pick a Chairperson from its voting members **whom shall not be either Warden or Mayor** and it is being suggested that the wording be amended to remove the “whom shall not be either Mayor or Warden” from Section 18. In Section 16 an amendment to that section was discussed to remove the words “increase the number of room nights sold” from Section 16 the wording appears to be open to broad interpretation by the committee members. The CAO asked the Committee to provide their feedback on the discussed amendments. The CAO asked if we could add an In Camera Session to the Agenda surrounding the Levy. Mayor Cleveland asked the Committee to review the amendments discussed and forward any comments to the CAO.

F.2 Director of Public Works

The Director of Public Works presented his report. The Director reported that the washrooms at Digby Station is still being worked on. The work being done for the splash park site will soon be done. The Director is working closely with the engineers on the Mount Street project. The 5 Ton truck is now back in the shop for repair and awaiting a part the CAO and the Director have discussed the truck and the future of it. Downtown public washrooms are almost ready, but the Director is suggesting that we don't open them until 2024. The concrete picnic table pads have been installed at the Shore Road VIC.

F.3 Director of Finance

The Director of Finance report was distributed in the package some items to highlight are the Active Transportation plan funding is believed to be on budget as per the funding received. The open house is planned for October 11 from 7 PM to 8:30 PM and I am hoping for a good crowd of people. The fall debenture for the Fire Hall upgrades and Warwick Street paving projects, which are the two largest of the projects planned to commit us to borrowing \$350,850 is now in. The King Street upgrade project for design engineering and construction inspection is closing on October 19 as well as the Church Street upgrade project for design engineering. The Mount Street update project is estimated to cost \$2,368,042 is \$28,042 over the ICIP grant budgeted amount. These are preliminary numbers and may change as the design is not finalized and the contractor has not yet been tendered.

F.4 Special Constable

a) Dangerous or Unsightly Premises Reports

The Dangerous or Unsightly administrator is reporting on five properties. 77 Montague Row sink hole was noted and has been repaired. 27 West Street email correspondence was sent because of the investigation at this time there is a written agreement to clean up the area and/or construct a fence to commence on or before December 2023. 81 Montague Row the property owner was contacted concerning the long grass in the back of the building the grass has since been cut and the file is closed. 2 Prince William Street property owner was contacted about the condition of the exterior of the site the owner indicated that they will be installing siding instead of painting the exterior the project will

start before the end of November. 140 Water Street a complaint was received on the condition of the east facing exterior of the building where a large crack in the wall was forming a written notice was sent by registered mail to the owner seeking a response to the condition of the site and was asked to reply with the intent to repair or demolish within 14 days.

b) Protective Services Reports

Protective Services report was presented.

C.C.T.V – one item to note is one camera was down after the storm and has since been repaired.

Parking Control – report of a delivery driver parking on the shoulder of the road at the Racquette however there is no signage indicating no parking, but the campground feels this interferes with the guest enjoyment of the water view perhaps signage indicating no overnight parking should be considered.

Civic Address- One civic address required verification.

Dog Control- Report of a dog at large and none were found. 125 King Street a complaint was received about two dogs running at large the owner was located and a warning provided. 51 King Street was paid an at home visit with Municipal Housing to investigate to help a senior find alternatives to surrendering a cat amid a civil dispute the investigation found no evidence of damage caused by the cat some recommendations were given to the pet owner to try and discourage defecating at the neighbours.

Crossing Guards- no issues or concerns to report.

Vending Licenses-1 event license issued, and 1 umbrella vending license issued.

Taxi licenses-two new taxi drivers were licensed and one inquiry about setting up a taxi business.

Solid Waste Management- three solid waste management files are open and will be monitored for progress.

G. CORRESPONDENCE

G.1 Shannon Halliday-Unsightly Property

Email correspondence was received from a concerned citizen regarding the multi color siding being installed along with others in the downtown core. Discussion ensued on the development of a by law that would stop this from happening however there might be hiccups around that for instance the Sydney Street pub next door is many colors. Back when the other building owned by the same owner was residing in a various color scheme it was discussed at that time. At this point in time, it will be too late to implement a by law to prohibit the use of multi color siding for this case. The Committee suggested drafting a by law and then vet it through our legal team first. The Committee discussed the policing around such by law.

G.2 District of Shelburne-Fishery Issues

Correspondence was received from Municipality of Shelburne regarding letters they wish to send to the Federal Minister of Fisheries regarding concerns around meeting to discuss the ongoing challenges around indigenous and non-indigenous fishers and economic

concerns of the communities and residents. They are seeking to add Mayor Cleveland to the letter being sent from municipal units in Southwest Nova Scotia. The Committee was in support of having Mayor Cleveland added to the letters and directed the CAO to reply to the request.

H. NEW BUSINESS

H.1 Fundy Rose Ferry

Rumor has it that the Fundy Rose will be off for maintenance which is expected this happens frequently however the rumor is that the ferry will be off for a substantial length of time this will have an impact on the area. Mayor Cleveland is trying to confirm or deny the rumor at this point it is an information item.

H.2 Bill 329

Councillor McCormick added this item to the agenda to discuss the overstepping of the government with the adoption of Bill 329 which will have financial impacts on HRM this is an overreach of the NS Government and should be discussed. At the upcoming NSFMC Conference this may be a topic of discussion.

I. IN-CAMERA

I.1 Legal

Motion:

Moved by Councillor McCormick and seconded by Councillor Turnbull that the Committee move to In Camera for Legal.

Motion Carried.

Motion:

Moved by Councillor McCormick and seconded by Councillor Turnbull that the Committee move out of In Camera for Legal.

Motion Carried.

J. ADJOURNMENT

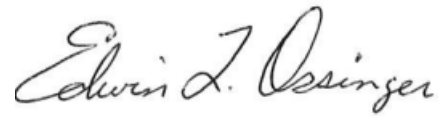
Motion:

Moved by Councillor McCormick and seconded by Councillor Turnbull that the meeting be adjourned as there is no further business at 7:27 P.M.

Motion Carried.



Mayor



Clerk