

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Tuesday, July 12, 2016, at 7:00 p.m.

Present:

Mayor J. Feeney
Deputy Mayor D. Devenne
Councillor K. Wilson
Councillor K. Nauss
Councillor L. Hennigar
Councillor P. Carver
CAO, J. Wentzell
Deputy Clerk M. Hughes

Regrets: Councillor J. Bain

Gallery: One

Minutes

A Motion by Councillor Nauss, seconded by Councillor Hennigar, **“THAT the Minutes of the June 14, 2016 regular meeting be approved as presented.”** Motion carried.

A motion by Councillor Hennigar, seconded by Councillor Carver, **“THAT the minutes of the July 7, 2016 special council meeting be approved as presented.”** Motion carried.

A motion by Councillor Hennigar, seconded by Councillor Nauss, **“THAT the minutes of the July 7, 2016 budget meeting be approved as presented.”** Motion carried.

Council met In Camera on June 14, 2016 to discuss legal proceedings, as permitted under Section 22(2)(f) of the Municipal Government Act.

Council met In Camera on July 7, 2016 to discuss legal proceedings, as permitted under Section 22(2)(f) of the Municipal Government Act.

Correspondence

Correspondence was received from:

1. Lyle Goldberg, UNSM, with information regarding the updated UNSM Regions.
2. Nova Scotia Department of Seniors, with an invitation to participate in a survey for the Action Plan for an Aging Population.
3. Tracey Verbeke, UNSM, advising that UNSM will not be accepting resolutions from municipal units for the 2016 annual conference.
4. William A. Smith, Ombudsman, introducing himself upon his appointment as ombudsman.

5. Elena Wentzell, MODL Director of Finances, with information regarding partner billing for 2010 to 2013 HST Audit.

A motion by Councillor Nauss, seconded by Councillor Carver, **“THAT the above correspondence, numbered 1 – 5, be received and filed.”** **Motion carried.**

Committee & Other Reports

Municipal Joint Services Board

Council received the minutes of the April 27, 2016 and May 25, 2016 meetings of the Municipal Joint Services Board (MJSB).

In response to items noted in the minutes of the April 27, 2016 meeting of the MJSB, the CAO clarified that the Town of Mahone Bay software licenses are in order and have been forwarded to the IT manager.

South Shore Regional Library Board

Council received the minutes of the May 18, 2016 meeting of the South Shore Regional Library Board.

Municipal Governance Review Steering Committee

Council received the minutes of the June 23, 2016 meeting of the Municipal Government Steering Committee .

A motion by Councillor Carver, seconded by Councillor Wilson, **“THAT Council accept the recommendation of the Municipal Governance Review Steering Committee and that the operation of this committee be suspended until after the October 15, 2016 municipal election with the intention to initiate a meeting of the new committee in early 2017.”**

Motion carried.

Lunenburg County Seniors Safety Program

Council received the June 2016 Monthly Report from the Lunenburg County Seniors Safety Program.

Municipal Finance Corporation

Council received the June 2016 Quarterly Newsletter from the Municipal Finance Corporation.

Region 6 Solid Waste Management

Council received the June 2016 Coordinator’s Update from Region 6 Solid Waste Management.

Unfinished Business

Nova Scotia Utility and Review Board Public Hearing

Mayor Feeney advised Council that on July 6, 2016, the Nova Scotia Utility and Review Board (NSUARB) heard a planning appeal against the development agreement for a five unit residential building with commercial space approved for 629 Main Street. Following the Hearing, the NSUARB requested further information from the Town, which has been provided, and no decision has yet been made.

Public Hearing – Amendment to Development Agreement

Council was reminded of the July 14, 2016 Public Hearing to receive verbal and written submissions regarding Council's consideration of an amendment to the Development Agreement with M.A.D.E. for Mahone Bay Ltd., Scott W.R. Youden and Cara M. Youden. The proposed amendment to the development agreement, signed in 2013, would permit the construction of a residential apartment building containing up to 26 units on property located on Cara Lane, identified as PID 60374493.

New Business

Twelve Month Notice of Legislation, Regulation or Administrative Actions

Council received correspondence from Hon. Zach Churchill, Minister of the Department of Municipal Affairs, providing notice of any Provincial legislation, regulation or administrative actions that could decrease revenues or increase the required expenditures of municipalities, as required under the MGA. Noted in the potential changes were negotiations between the Department of Municipal Affairs and the UNSM which may increase funding for some municipalities and decrease funding for others. Other potential changes include new regulations from the Department of Environment regarding municipal waste-water, the removal of the requirement of a plebiscite for wet areas from the Liquor Control Act, the development of a new funding formula for libraries, the introduction of new accessibility legislations and the consolidation of provincial land holdings in one governmental agency.

Tender Results – Natural Playground RFP

Following the issue of a Request for Proposals for the design and build of a natural playground, two proposals were received. Council received a recommendation for the award of contract from the proposal review committee.

A motion by Councillor Wilson, seconded by Councillor Hennigar, **“THAT Council approve the contract for the Design/Build: Natural Playground at Jubilee Park to Cobequid Trail Consulting in the amount of \$60,000 plus HST.”** **Motion carried.**

Request to Amend Land Use Bylaw

Council received a request from Rae Kraushar, Jo-Ann's Deli Market, to amend the parking requirements of the Town of Mahone Bay Land Use Bylaw.

A motion by Deputy Mayor Devenne, seconded by Councillor Carver, **“THAT the letters from Rae Kraushar requesting to amend the Land Use Bylaw to amend the parking requirements for small businesses along Main Street, and in particular for the property located at 529 Main Street, be referred to the Planning Advisory Committee and the Planners for study and recommendation back to Council.”** Motion carried.

Nova Scotia Community Solar Program

Council received information regarding legislation passed by the Province requiring that NSPI purchase 0.1% of their revenue from solar power, at a set rate of \$0.20/KwH. The intent is to ensure renewable other than wind power. Municipal Electrical Utilities of Nova Scotia has been asked if they would like to participate in the program.

A motion by Councillor Nauss, seconded by Deputy Mayor Devenne, **“THAT the Town participate with the other municipal electric utilities in the Departments of Energy's Solar Energy Program with each utility expected to purchase up to 0.1% of the utility's revenue in solar energy.”** Motion carried.

Accounts

A motion by Councillor Nauss, seconded by Deputy Mayor Devenne, **“THAT the accounts in the amount of \$161,874.56 be paid as presented.”** Motion carried.

A motion by Deputy Mayor Devenne, seconded by Councillor Nauss, **“THAT Council go In Camera to discuss possible acquisition of land, as permitted under Section 22(2)(a) of the MGA.”** Motion carried.

A motion to Rise and Report at 8:15 p.m.

A motion by Councillor Nauss, seconded by Deputy Mayor Devenne, **“THAT the CAO be authorized to negotiate the purchase of land in the Oakland Lake Watershed area, as discussed with Council.”** Motion carried.

Council adjourned upon motion at 8:15 p.m.

TOWN OF MAHONE BAY

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CAO, James A. Wentzell

Mayor C.J. Feeney