

Committee of the Whole
APPROVED MINUTES
October 5, 2022, at 6:00 p.m.

“I/We would like to acknowledge that we are in Mi’kma’ki (MEEG-MA-GEE), the traditional (or ancestral) territory of the Mi’kmaq People”

1. Call to Order	Mayor Boyer called the meeting to order at 6:02 pm and gave the land acknowledgement
2. Present	Mayor Boyer (Chair), Deputy Mayor Power, Councillor Sanford, Councillor Tompkins, Councillor Hafting, Chief Administrative Officer (CAO) Sandi Millett-Campbell, Police Chief Kane (exited at 7:50 pm) Recording Secretary Krista Grear
3. Regrets	
4. Additions to the Agenda	New Business 9. Xii. Marketing Levy In Camera Business item iii. personnel In Camera Business item iv. property
5. Approval of the Agenda	MOTION #CoW2022-10-05-01 It was regularly moved and seconded to approve the agenda additions. Motion carried.
Edits to the Minutes	
6. Approval of the Minutes	MOTION #CoW2022-10-05-02 It was regularly moved and seconded to approve the minutes of September 7, 2022, as presented. Motion carried.

7. PRESENTATIONS:

8. PUBLIC INPUT

9. NEW / UNFINISHED BUSINESS:

i. Wharf Assessment Update

CAO Millett-Campbell shared that the final report from Able Engineering was included in the agenda package for information purposes and gave a brief overview of the recommendations. Recommendations for required maintenance include replacing the tire fenders, ladders, and timbers around top of deck. It was noted that the cost for timbers is included in the current budget and that they have been ordered. CAO Millett-Campbell read an excerpt from the report describing that the wharf is nearing its end of life, that the weight limit should remain the same, that there be no parking on outer section of wharf, and that continued corrosion of sheet piling will be the likely cause of the end of life of the wharf. It was further noted that Able Engineering provided an estimate to repair/replace the wharf at close to \$5 million.

CAO Millett-Campbell stated that the welding of holes is almost completed and that she had asked the welding company for a quote to repair the ladder rungs (on north side). With all holes, the project is over budget by about \$1000. Money for repairs to come from general

operating budget, with anticipated increased revenues due to deed transfer taxes which will be higher than projected this year.

MOTION #CoW2022-10-05-03

It was regularly moved and seconded to recommend to Council to pay Performance Welding to repair the ladder rungs on the wharf to a maximum of \$2,500 plus HST. **Motion carried.**

Council members noted that the engineer's report was well put together, comprehensive, clear, and concise. It was also noted that the community group has the report and will be making recommendations to Council regarding moving forward. It will also coincide with the anticipated report on sea level rise solutions for downtown, anticipated to come in this December. It was also suggested that there may be the need for different signage for end of wharf re: turn around only. Public can contact Ken Knox or CAO Millett-Campbell at Town Hall for copy of report.

ii. Shade Sail Poles Update

Cao Millett-Campbell shared a letter from Able Engineering. The engineering team has come up with a new design and new poles will be fabricated and installed, at no cost, in spring of 2023. Only one pole came down, but all were designed the same way, therefore we will be getting all four new poles. Sails will only go up during events and if wind and weather conditions allow.

iii. Strategic Plan Review Update

Mayor Boyer noted that the meeting in September went very well, and the group decided to initiate a review and update on how the Town performed against the proposed objectives. Once the review is completed, a report card will be created and shared with the public. Mayor Boyer also noted that there are lots of updates to be made to the main document due to more recent statistics, changes in the regulatory environment and other things and that Council will invite public input upon release of the report card and draft updated plan.

Next meeting Strategic Plan Review meeting will be held Wednesday November 23, 5:30-7:30 pm. CAO Millett-Campbell and Mayor Boyer will edit the strategic planning document to include necessary updates as mentioned above.

iv. Granville Ferry Source Water Advisory Committee

Councillor Sanford noted that she is currently the representative on this Committee and that it has not yet had a meeting. She further indicated interest to remain as the representative and hopes to see the Committee meet and be able to report back.

MOTION #CoW2022-10-05-04

It was regularly moved and seconded to recommend to Council the appointment of Councillor Sanford to the Granville Ferry Source Water Advisory Committee for the term of 2023-2024. **Motion carried.**

v. REMO Mutual Aid Agreement

It was noted that there was a previously signed a mutual aid agreement with Kings County. Deputy Mayor Power noted that there was a very good REMO meeting last week, lots of great information about Search and Rescue out of Middleton. She further noted that it was incredible to see what it was able to accomplish with a \$20,000 budget. CAO Millett-Campbell noted that it did 6 rescues last year.

MOTION #CoW2022-10-05-05

It was regularly moved and seconded to recommend to Council approval and signing of the REMO Mutual Aid Agreement between Municipality of the County of Annapolis, Town of Middleton, Town of Annapolis Royal, Municipality of The District of Lunenburg, Municipality of The District of Chester, Town of Bridgewater, Town of Lunenburg, and Town of Mahone Bay. **Motion carried.**

vi. Request for Decision: Planning and Heritage Committee By-law

CAO Millett-Campbell noted that Staff have been working on reviewing by-laws and policies, bringing them up to date and in line with each other. This one has had some minor changes, notably the removal of all mention of ADPC (Annapolis District Planning Commission) which has been dissolved for many years and CDC changed to municipal staff.

Deputy Mayor Power requested to have changes highlighted in documents if possible. CAO Millett-Campbell agreed to do so, when possible, but in this instance the resulting document was a combination of two separate documents.

MOTION #CoW2022-10-05-06

It was regularly moved and seconded to recommend to Council first reading of the Planning and Heritage Advisory Committee By-law dated September 29, 2022. **Motion carried.**

vii. Request for Decision: Building, Alterations and Renovations By-law

CAO Millett-Campbell noted that this new by-law is a consolidation of two previous documents, the Building By-law, and the Alterations Policy. It includes more definitions; all fees removed and can be found in the fees and fines policy. It clearly walks the applicant through the process and Ken Knox can assist as requested. New is that non-structural renovations under \$10,000 will not require a permit. There remains a six-month permit renewal if work has not started and work that is ongoing requires a permit annually.

MOTION #CoW2022-10-05-07

It was regularly moved and seconded to recommend to Council first reading of the Building, Alterations and Renovations By-Law dated September 1, 2022. **Motion carried.**

viii. Request for Decision: Orderly and Peaceful Conduct By-law

CAO Millett-Campbell noted that within the last six months there have been some incidents in relation to this by-law resulting in the need to strengthen and clarify it. She further noted that she had reviewed three other towns' by-laws as well as the AMANS model by-laws. Ken Knox, Chief Kane, and she have also reviewed this new version of the by-law. Noted changes include adding noise levels and time of day and clarifying definitions of neighbourhood and point of reception. Timing is 7am-10pm: 90 decibels and 10pm-7am 55 decibels. It was also noted that for monitoring and enforcement purposes, a calibrated sound meter will be required, the cost of which is approximately \$500. Exemptions are only for time extensions not for increases to allowed decibel limits. A form was added for application for exemption, noting that the application fee is \$50 for cost recovery purposes. It was also noted that enforcement of this by-law will be primarily complaint driven and that offenders would receive a warning letter(s) and repeated offenses would be subject to fines.

Chief Kane noted that many DJs include a noise meter as part of their set up due to noise restrictions in the various venues they work. He further noted that noise complaints are often about education, and that most complaints aren't about noise, but rather the thumping base. He also noted that upon receipt of a complaint, Officers will go and measure for 10-20 minutes with the certified and calibrated decibel meter. Police can then use this as fact when writing tickets or mitigating complaints.

Mayor Boyer noted that she feels that 90 decibels too high and that Occupational and Health and Safety and the World Health Organization suggest 75 and 70 decibels respectively. She also noted that the Town has many mixed-use neighbourhoods and additional investigation may be warranted so that businesses can thrive and residents can be safe.

Councillor Tompkins noted that he would like to see something in place now to see how it works and if it effectively addresses current complaints.

Chief Kane noted that the sound meter is portable and could be set up to measure over an extended period as needed.

It was agreed that there was a need to define 'sustained period of time' and to lower the maximum decibel level. The Province defines sustained period as eight (8) hours at a level of 85 decibels. Council agreed to define sustained period of time as three hours or longer and lowering the decibel limit to 85.

Chief Kane asked about the purchase of the sound meter noting that it could be put to good use prior to the enactment of any new or revised by-law.

MOTION #CoW2022-10-05-08

It was regularly moved and seconded to recommend to Council first reading of the Orderly and Peaceful Conduct By-law dated September 14, 2022, and to include the friendly amendment of an 85-decibel limit and definition of sustained period to read three hours or longer. **Motion carried.**

MOTION #CoW 2202-10-05-09

It was regularly moved and seconded to purchase a sound meter with a calibration certificate for \$500 plus HST. **Motion carried.**

MOTION #CoW2022-10-05-10

It was regularly moved and seconded to recommend to Council to set the Public Meeting for the Planning and Heritage By-law, the Building, Alterations and Renovations By-law, and the Orderly and Peaceful Conduct By-law for November 16, 2022 at 6:00 pm. **Motion carried.**

ix. Consider Date Change for November CoW Meeting

CAO Millett-Campbell noted that she and Councillor Sanford will be attending the NSFM committee in November. Councillor Tompkins noted he will also be unavailable on November 2. Alternate date determined as Monday November 7 at 6 pm.

x. Support for Cape Breton due to Fiona

Mayor Boyer noted that in the past, Council had donated trees to storm damaged areas. She put the question to Council in case it wished to do something similar for areas affected by Hurricane Fiona. Council and Staff will investigate what other Municipal units may be doing and then it can be determined what tangible gesture is appropriate and do-able.

xi. Website review and updates by Council

Mayor Boyer noted that Staff undertake a lot of work, and since there are five Councillors, perhaps each can take some time to review sections of the website regularly. Councillor Sanford noted that she did review some of the business pages and that she will send changes to Krista Grear. Mayor Boyer said she will review links to make sure they are all working. Councillor Hafting offered to review videos; CAO Millett-Campbell noted that the ones on the website are ones that the Town has purchased. Councillor Tompkins and Deputy Mayor Power will review sections upon request.

xii. Housing rental listing

Mayor Boyer noted that there are many people looking for housing and asked if there are any resources that could be shared to send information regarding rentals for landlords and renters. Councillor Hafting noted that realtors get rental questions frequently and that it is not easy to connect new owners with renters. She often refers people to ABC Property Management in Digby who do manage a couple of properties in Town. Councillor Tompkins noted that there is Kijiji and a rental/for rent in Annapolis Royal google search will result in a few options. Mayor Boyer suggested that this be something to keep in mind moving forward.

xiii. Deputy Mayor Power noted that a Marketing Levy By-law for the Town of Digby was in the paper today. It was noted that there was some email traffic from NSFM and weekly webinars that CAO Millett-Campbell and Ken Knox have attended. It was further noted that the Province is changing the MGA to allow municipalities to impose a marketing levy to a max of 3% on registered rooms only. It was also noted that there may not be enough

registered rooms in Town for this to be viable. This is something to consider during budget development. CAO Millett-Campbell also noted that last year, a Fire Department Levy was discussed that would be reflected on tax bills if one is ever approved.

10. CORRESPONDENCE

i. Twinning Committee thank you letter

For information only. It was noted that the Twinning Committee automatically gets \$500/year from the Town for its efforts.

ii. Community Health Board Report

For information only.

11. ROUND TABLE:

i. Mayor Boyer

Mayor Boyer noted that on September 22, she was consulted about the YMCA. The storm postponed attendance at the Provincial Volunteer Awards. She attended the REMO meeting with the Search and Rescue presentation in Middleton. She attended the third public session for the Health Centre which was well attended. On September 28, work began on the Strategic Plan review. On September 29, the Town received notice from CAO Dan Trope in Kentville to say that they would like to partner on the tidal power pilot project. On October 1, she made submission on Council's behalf for two nominations for the Queen's Jubilee Medal which have been accepted and she will be receiving the package outlining next steps. Today, she attended her second IMSA interim board meeting which primarily addressed a grant application for Kings Transit. She attended a meeting with the partners for the 2024 World Acadian Congress. She plans to attend the St. Luke's 200th anniversary event on October 16 and the First Poppy event at the Legion on October 27.

ii. Deputy Mayor Power

Deputy Mayor Power noted that she will be away from October 8-13 and will be unavailable to sign cheques and documents during that time. She attended the Health Foundation meeting where there was a lively discussion about the Urgent Treatment Centre that begins next Wednesday. She also noted that the community organization that formed 12 years ago when the Health Centre was looking at closing and is not looking at formalizing the group again at this point. She remains interested to see how its going to work.

iii. Councillor Hafting

Councillor Hafting noted that she attended the strategic plan review meeting, MEDC and PHAC Committee meetings, and the Queen's memorial that was well done and attended. She further noted that she is looking forward to the NSFM conference and that she hasn't gone to one in 6 years.

iv. Councillor Sanford

Councillor Sanford noted that she attended the Urgent Treatment Centre meeting and has some concern that the new model puts too much emphasis on calling 911, although it is good that it addresses those without doctors. She noted that it didn't seem like enough time was given for the community engagement sessions and disappointed that live streaming wasn't allowed. She offered a hats-off to the Explorer Guide for helping to connect people and promoting public engagement. She also stated that she would like to see some event at the amphitheatre in the future/next year for Truth and Reconciliation Day.

v. Councillor Tompkins

Councillor Tompkins noted that he also attended the Queen's memorial. He shared that the upcoming Book Drop Off for the library is on the 13th.

12. IN-CAMERA:

Under Section 22(2) of the *Municipal Government Act*:

MOTION #CoW2022-10-05-11

It was regularly moved and seconded to move into camera at 7:50 pm to discuss two personnel and two property matters. **Motion carried.**

MOTION #CoW2022-10-05-13

It was regularly moved and seconded to go out of camera at 8:21 pm. **Motion carried.**

MOTION #CoW2022-10-05-14

It was regularly moved and seconded to repeal motion # CoW2022-09-07-09. **Motion carried.**

13. ADJOURNMENT

It was regularly moved to adjourn at 8:22 pm.