



The Regular Meeting of Town Council for the Town of Mahone Bay was held on Thursday June 27, 2024 at 7:00 p.m. in Council Chambers and broadcast via YouTube live.

Present:

Mayor David Devenne
Councillor P. Carver
Councillor J. Feeney
Councillor S. Lohnes-Croft
Councillor R. Nowe
Councillor K. Wilson
CAO, D. Heide
Town Clerk, K. Munroe

Absent:

Deputy Mayor F. Kangata (with regrets)
Deputy CAO, E. Levy CAO (with regrets)

Gallery:

Online & 21 in-person gallery

Land Acknowledgement

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

1. Agenda

A motion by Councillor Nowe, seconded by Councillor Carver, "THAT the agenda of the June 27, 2024 regular meeting of Council be approved as amended to add 9.1 Pedestrian Safety and 10.2 Contract Negotiations." Motion carried.

2. Minutes

A motion by Councillor Feeney, seconded by Councillor Carver, "THAT the minutes of the June 11, 2024 regular meeting of Council be approved as presented." Motion carried.

A motion by Councillor Wilson, seconded by Councillor Lohnes-Croft, "THAT the minutes of the June 21, 2024 special meeting of Council be approved as presented."

Motion carried.

3. Public Input Session

Nick Pavlinic – 126 Hawthorn Road - thanked for consideration of rezoning application

Jeff Frampton – 33 Pleasant Street – asked why discussion of municipal property is in closed session

Bryan Palfreyman – 54 Pleasant Street – spoke to proposed Parking Bylaw

Matt Krizan – 533 Main Street – spoke to proposed Noise Bylaw

Betty – no address in town – spoke to proposed Noise Bylaw

Danielle King – 319 Main Street – spoke to proposed Noise Bylaw

Heidi Walsh-Sampson – 996 Main Street - suggested major capital projects be postponed until after upcoming election

Tony Sampson – 996 Main Street – asked about remaining budget for replanting at Solar Garden site

4. Presentations

No presentations.

5. Correspondence

5.1 Honourable John Lohr, Minister, Municipal Affairs and Housing

Council received correspondence from John Lohr, Minister of Municipal Affairs and Housing to Mayor Carolyn Bolivar-Getson, President of the Nova Scotia Federation of Municipalities (NSFM) providing the NSFM with 12 months' notice on legislative regulatory and policy changes in the coming fiscal year.

A motion by Councillor Feeney, seconded by Councillor Nowe, "THAT item 5.1 be received and filed."

Motion carried.

5.2 Darryl Haley

Council received correspondence from Darryl Haley, Town resident, to John Lohr, Minister of Municipal Affairs and Housing, with concerns about the Town's financial reporting.

A motion by Councillor Feeney, seconded by Councillor Wilson, "THAT item 5.2 be received and filed."

Motion carried.

5.3 Nick Pavlinic

Council received a petition from residents of the Hawthorn Hill neighbourhood concerning support for requested amendments to the Town's Land Use Bylaw and Municipal Planning Strategy.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT item 5.3 be received and filed.” Motion carried.

5.4 Tom MacEwan, CAO, Municipality of the District of Lunenburg

Council received correspondence from Tom MacEwan, CAO of the Municipality of the District of Lunenburg with information about an adjustment to the 2024/25 Regional Emergency Measurement Organizations (REMO) operating budget.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT item 5.4 be received and filed.” Motion carried.

6. Staff Reports

6.1 Staff Report to Council

Council received the June 27, 2024 Staff Report to Council.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT the June 27, 2024 Staff Report to Council be received and filed.” Motion carried.

6.2 Staff Report – MPS/LUB Amendment Request

Council received a Staff Report concerning a request from the owner of 126 Hawthorn Road to amend the Town’s Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB), to permit only single and two-unit residential uses, and parks and playgrounds by development permit for the ‘Hawthorn Road residential area’.

A motion by Councillor Feeney, seconded by Councillor Lohnes-Croft, “THAT Town Council direct staff to schedule a Public Information Meeting and prepare draft amendments to the MPS and LUB, and related staff report.” Motion carried.

A motion by Councillor Carver, seconded by Councillor Wilson, “THAT this motion be tabled until after a report on potential hydrological studies and options for secondary access can be provided to council.” Motion defeated.

6.3 Staff Report - Crosswalk Flags

Council received a Staff Report requesting Council direction concerning the ongoing and future use of crosswalk flags in Mahone Bay.

A motion by Councillor Carver, seconded by Councillor Lohnes-Croft, “THAT Council direct staff to proceed with installation of crosswalk flags, without the requirement for a sponsoring group, at additional locations, at the discretion of the Manager of Public Works.” Motion carried.

6.4 Staff Report – Solar Garden Ownership

Council received a Staff Report presenting them with recommendations pertaining to the ownership of the Town’s solar garden.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council resolves that the ownership of the solar garden will remain with the Town of Mahone Bay, with the intention to sell power to the Mahone Bay Electrical Utility via a power purchase agreement.” Motion carried.

A motion by Councillor Nowe, seconded by Councillor Wilson, “THAT Council direct staff to write to the Nova Scotia Utility and Review Board advising them of Council’s decision with respect to the ownership of the solar garden.” Motion carried.

A motion by Councillor Carver, seconded by Councillor Lohnes-Croft, “THAT Council direct staff to develop a draft power purchase agreement between the Town of Mahone Bay and the Mahone Bay Electrical Utility for the consideration of Council.” Motion carried.

6.5 Staff Report – New Pool

Council received a Staff Report with a design brief and associated estimates for the New Pool Project included in the 10-year Capital Investment Plan in the Town’s 2024-25 budget.

A motion by Councillor Carver, seconded by Councillor Lohnes-Croft, “THAT direct staff to publicize the design brief and associated estimates for the New Pool Project for fundraising purposes.” Motion carried.

6.6 Staff Report – Growing Canada’s Community Canopies

Council received a Staff Report with a recommendation to direct staff to submit an application to the Growing Canada’s Community Canopies Fund, for the first year of street tree planning.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council direct staff to submit an application to the Growing Canada’s Community Canopy Program.” Motion carried.

6.7 Memo – Building Official Appointments

Council received a memo with a recommendation that they appoint two new Municipality of the District of Chester employees as special constables for the Town of Mahone Bay.

A motion by Councillor Nowe, seconded by Councillor Lohnes-Croft, “THAT Jeff Langille and Jared Stevens be appointed as Residential Building Officials for the Town of

Mahone Bay, effective immediately and until such time as that appointment is revoked.”

Motion carried.

7 Council Items

7.1 Mayor Devenne

Council received a draft Noise Bylaw for first reading.

A motion by Councillor Wilson, seconded by Councillor Carver, “THAT Council provide first reading to and direct staff to schedule a Public Hearing for the new Noise Bylaw, as amended to replace the word car in section 5b with the words motor vehicle.”

Motion carried.

7.2 Mayor Devenne

Council received a draft Parking Bylaw for first reading.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council provide first reading to and direct staff to schedule a Public Hearing for the new Parking Bylaw, as presented.”

Motion carried.

8. Committee Reports

8.1 South Shore Open Doors Association (SSODA)

Council received the May 2024 monthly report from the South Shore Open Doors Association.

8.2 Climate & Environment Committee

Council received the draft minutes of the June 5, 2024 meeting of the Climate & Environment Committee.

A motion by Councillor Carver, seconded by Councillor Feeney, “THAT Council direct staff to communicate to Atlantic Tree Solutions (the Town’s tree consultants) the Town’s intentions to develop a Hemlock Woolly Adelgid (HWA) monitoring process and design an analysis of treatment options.”

Motion carried.

8.3 Planning Advisory Committee

Council received the draft minutes of the June 10, 2024 meeting of the Planning Advisory Committee as well as associated Staff Report and proposed bylaw.

A motion by Councillor Wilson, seconded by Councillor Nowe, “THAT Council amend the Land Use Bylaw and Municipal Planning Strategy to rezone the property at Lot 1-A Main Street (PID: 60658069) to Residential Multi-Unit and schedule a public hearing.”

Motion carried.

A motion by Councillor Wilson, seconded by Councillor Carver, “THAT Council amend the Public Participation in Planning Policy to remove reference to advertisement in the newspaper.” Motion carried.

A motion by Councillor Feeney, seconded by Councillor Wilson, “THAT Council give first reading to and direct staff to schedule a Public Hearing for the new Subdivision Bylaw, as provided.” Motion carried.

8.4 Council Remuneration Review Committee

Council received the draft minutes of the June 11, 2024 meeting of the Council Remuneration Review Committee as well as an associated Staff Report.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council direct staff, via the Council Remuneration Review Committee, to research and provide a recommendation regarding a potential stipend amount for attending special meetings.”

Motion carried.

A motion by Councillor Feeney, seconded by Councillor Lohnes-Croft, “THAT Council direct staff via the Council Remuneration Review Committee to research and propose a mechanism to support elected officials with dependent care requirements.”

Motion carried.

A motion by Councillor Feeney, seconded by Councillor Carver, “THAT Council direct staff to review Council-related policies with an equity lens and bring forward recommendations on amendments.” Motion defeated.

8.5 Asset Management Committee

Council received the draft minutes of the June 20, 2024 meeting of the Asset Management Committee.

8.6 Policy & Strategy Committee

Council received the draft minutes of the June 24, 2024 meeting of the Policy & Strategy Committee as well as an associated proposed bylaw.

A motion by Councillor Carver, seconded by Councillor Wilson, “THAT Council give first reading to and direct staff to schedule a Public Hearing for the new Stormwater Bylaw, as provided.” Motion carried.

A motion by Councillor Wilson, seconded by Councillor Carver, “THAT Council amend the Town Council Policy, section 4.19 to remove the requirement for newspaper advertisement during the Bylaw Approval Process.” Motion carried.

9. New Business

9.1 Penny Carver - Crosswalk Safety

Councillor Carver spoke to concerns with pedestrian safety at the intersection of Clearway Street and Main Street. Councillor Carver gave Notice of Motion on this topic.

10. Closed Session

A motion by Councillor Nowe, at 9:18 p.m., seconded by Councillor Wilson, "THAT Council go into Closed Session to discuss Acquisition, Sale, Lease and Security of Municipal Property and Contract Negotiations and as permitted by the Municipal Government Act section 22(2)(a) and 22(2)(e) respectively." Motion carried.

Council arose from closed session at 10:05 p.m.

Council adjourned at 10:05 p.m. on conclusion of business.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Mayor, David Devenne

Town Clerk, Kelly Munroe