

SEPTEMBER 26, 2005
7:00 PM

COUNCIL CHAMBERS

MAYOR WRIGHT CALLED MEETING TO ORDER AT 7:00PM. PRESENT WERE MAYOR WRIGHT, DEPUTY MAYOR SLIPP, COUNCILOR CLUFF, KENNEDY, LEECH, SUTHERLAND, CAMPBELL. ALSO PRESENT WERE CAO HARDING , DAS DICKINSON, DAVID FORREST, ANN WINSLOW AND THE MEDIA.

OPENING REMARKS

MAYOR WRIGHT CONGRATULATED THE ORGANIZERS OF THE TERRY FOX RUN ON A SUCCESSFUL EVENT AND REMINDED COUNCIL OF THE WALK TO SCHOOL EVENT PLANNED FOR OCTOBER 5, 2005.

AGENDA

MOVED BY COUNCILLOR SUTHERLAND, SECONDED BY COUNCILLOR CLUFF TO APPROVE THE AGENDA AS PRESENTED.
CARRIED.

MINUTES

MOVED BY COUNCILLOR SUTHERLAND, SECONDED BY COUNCILLOR CLUFF TO ACCEPT THE MINUTES OF THE SEPTEMBER 12TH MEETING AS CIRCULATED.
CARRIED.

BUSINESS OUT OF THE MINUTES

THERE WERE NO ITEMS ARISING FROM THE MINUTES.

REPORTS FOR THE MONTH OF AUGUST, 2005

FINANCIAL AND DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST 2005 WERE REVIEWED.

MOVED BY COUNCILLOR KENNEDY, SECONDED BY COUNCILLOR SUTHERLAND TO ACCEPT THE FINANCIAL AND DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST 2005. CARRIED.

PAYMENT OF BILLS

PAID AND UNPAID BILLS FOR THE MONTH OF AUGUST WERE REVIEWED.

MOVED BY COUNCILLOR KENNEDY, SECONDED BY COUNCILLOR SUTHERLAND

TO RATIFY PAID BILLS IN THE AMOUNT OF \$184,234.88 AND APPROVE FOR PAYMENT THE UNPAID BILLS IN THE AMOUNT OF \$120,873.06 AS AND WHEN FUNDS ARE AVAILABLE FOR A TOTAL OF \$305,107.94 . CARRIED.

CORRESPONDENCE

1. A LETTER WAS RECEIVED FROM BRIAN FOX REGARDING THE PROPOSED WALL/BUFFER AT THE SUPERSTORE AND THE PROPOSED BY-LAW REGARDING NOISE. (SEE ATTACHED).
2. A LETTER WAS RECEIVED FROM JOYCE MACFARLANE REGARDING DEVELOPMENT WITH THE ATLANTIC SUPERSTORE BUFFER AND THE PROPOSED NUISANCE (NOISE) BY-LAW. (SEE ATTACHED)
3. A LETTER WAS ALSO RECEIVED REGARDING THE NUISANCE/NOISE BY-LAW FROM WHITEWAY BROWN. (SEE ATTACHED).

NEW BUSINESS

1. NUISANCE BY-LAW

BY-LAW #153-1 A BY-LAW TO AMEND BY-LAW #153, A BY-LAW RESPECTING NUISANCES WAS REINTRODUCED. (SEE ATTACHED). THIS PROPOSED AMENDMENT WAS GIVEN 1ST AND 2ND READING ON SEPTEMBER 12, 2005.

COUNCILLOR SUTHERLAND EXPRESSED CONCERN WITH THE OPERATION OF SNOW REMOVAL EQUIPMENT ESPECIALLY PRIVATE OPERATORS/CONTRACTORS THAT THIS BY-LAW MAY PREVENT THESE ESSENTIAL SERVICES FROM OPERATING OUTSIDE THE PROPOSED HOURS AND ALSO THAT DUE TO THE SHORT CONSTRUCTION SEASON A NUMBER OF OPERATIONS NEED TO TAKE PLACE ON SUNDAYS AND STAT HOLIDAYS.

THIS WAS DISCUSSED AND GENERAL CONSENSUS WAS THAT A MORE THROUGH REVIEW WAS NEEDED.

MOVED BY COUNCILLOR LEECH, SECONDED BY COUNCILLOR SUTHERLAND TO TABLE 3RD READING OF THIS BY-LAW AMENDMENT UNTIL THE NEXT MEETING. CARRIED.

THE PROPOSED FENCE DESIGN AT THE ATLANTIC SUPERSTORE WAS DISCUSSED. COPY OF THE PROPOSED FENCE (SECOND DESIGN) WAS DISTRIBUTED.

CHARACTERISTICS OF THE FENCE WERE DISCUSSED AS WELL AS LOCATION ON

THE PROPERTY LINE. ITEMS RAISED IN THE FOX / MACFARLANE LETTERS REGARDING THE FENCE/BUFFER DESIGN WERE REVIEWED.

MOVED BY COUNCILLOR SUTHERLAND, SECONDED BY COUNCILLOR CLUFF TO ACCEPT THIS PROPOSAL FOR THE DESIGN OF THE BUFFER FENCE AT THE ATLANTIC SUPERSTORE. CARRIED WITH FOUR YEA AND THREE NAY VOTES. (DEPUTY MAYOR SLIPP, COUNCILLORS CAMPBELL AND KENNEDY VOTING NAY). COMMENTS FROM THE FOX / MACFARLANE LETTERS REGARDING NOISE AND TRAFFIC CONCERNS WERE REVIEWED.

2. PROPOSED REZONING, 161 BROADWAY

THIS PROPOSED REZONING AT 161 BROADWAY (FORMER BROADWAY SCHOOL) WAS REINTRODUCED.

DISCUSSION TOOK PLACE ON THE MEETINGS THAT HAVE BEEN HELD REGARDING THIS PROPOSED REZONING. TWO MEETINGS WERE HELD WITH THE OWNER AND RESIDENTS SINCE THE AUGUST 19TH PUBLIC PRESENTATION. THE INCLUSION OF TERMS AND CONDITIONS WAS ALSO DISCUSSED.

MOVED BY COUNCILLOR SUTHERLAND, SECONDED BY COUNCILLOR CLUFF TO SET THE PUBLIC HEARING FOR THIS PROPOSED REZONING OF 161 BROADWAY AS JANUARY 23RD, 2006. CARRIED WITH ONE NAY VOTE (COUNCILLOR CAMPBELL).

3. REPORT OF THE PLANNING ADVISORY COMMITTEE

MINUTES OF THE PLANNING ADVISORY COMMITTEE MEETING DATED SEPTEMBER 19, 2005 WERE READ. (SEE ATTACHED).

SIGN BY-LAW(S)

RECOMMENDATION FROM PLANNING ADVISORY COMMITTEE WAS DISCUSSED.

MOVED BY COUNCILLOR SUTHERLAND, SECONDED BY COUNCILLOR CAMPBELL TO TABLE THIS ITEM UNTIL THE NEXT COUNCIL MEETING OF OCTOBER 11, 2006. CARRIED WITH ONE NAY VOTE.

MCRAN MOBILE HOME PARK

COUNCIL REVIEWED THE RECOMMENDATION FROM THE PLANNING ADVISORY COMMITTEE.

MOVED BY COUNCILLOR LEECH, SECONDED BY DEPUTY MAYOR SLIPP TO ACCEPT THE RECOMMENDATIONS OF THE PLANNING ADVISORY COMMITTEE AS

SHOWN IN THE MINUTES (ITEM 1 TO 14). CARRIED.

4. **DATE OF NEXT MEETING**

IT WAS NOTED THE DATE OF THE NEXT MEETING OF TOWN COUNCIL WILL BE TUESDAY, OCTOBER 11, 2005 AT 7 PM.

MOVED BY COUNCILLOR CAMPBELL, SECONDED BY COUNCILLOR SUTHERLAND TO MOVE INTO COMMITTEE. CARRIED.

MOVED BY COUNCILLOR LEECH, SECONDED BY COUNCILLOR CLUFF TO REVERT TO REGULAR SESSION. CARRIED.

MOVED BY COUNCILLOR KENNEDY, SECONDED BY COUNCILLOR CLUFF TO ADJOURN . CARRIED.

JEFF WRIGHT, MAYOR

E.L. DICKINSON
DIRECTOR OF ADMINISTRATIVE SERVICES

COMMITTEE OF THE WHOLE

SEPTEMBER 26TH, 2005

THE FOLLOWING MATTERS WERE DISCUSSED:

1. CAPITAL PROJECTS.
2. LAND TRANSACTIONS.
3. LABOUR NEGOTIATIONS.

E. L. DICKINSON, DIRECTOR
OF ADMINISTRATIVE SERVICES