

TOWN OF LUNENBURG
COUNCIL MEETING MINUTES

July 11, 2023 | 6 pm

Lunenburg Town Hall – Council Chamber and Virtually through Zoom



Present Acting Mayor Peter Mosher, Councillors Jenni Birtles, Stephen Ernst, Ed Halverson, Melissa Duggan and Susan Sanford

Also present Lisa Dagley, Director of Finance
 Michael Best, Communications Manager
 Tyson Joyce, Director of Public Works
 Arthur MacDonald, Director of Community Development
 Hilary Grant, Senior Planner/Heritage Officer
 Kayla Byrne, Municipal Clerk

Call to Order The Acting Mayor called the meeting to order at 6:11 p.m.

Land acknowledgment The Acting Mayor recognized Lunenburg’s location on the unceded territory of the Mi’kmaq people.

Approval of Agenda Moved and seconded that Council approve the agenda for the July 11, 2023, meeting.

Motion carried unanimously

Approval of Minutes Moved and seconded that Council approve the June 27, 2023 meeting minutes as presented.

Motion carried unanimously

Public input for Council meetings Council introduced a new standing agenda item called “Public Input and Questions.” This agenda item allows members of the public to briefly speak on or ask questions about items in the agenda package.

Paula Rennie, a member of the public, asked clarifying questions about the Public Input and Questions item and suggested that the parameters for speaking are too restrictive. Staff confirmed that as the process is new, it may evolve in the coming months. Rennie also noted that the Friends of Blockhouse Hill petition against the proposed development of Blockhouse Hill has more signatures than when it was initially presented to Council.

Mary Knickle, a member of the public, expressed concerns that the potential development of Blockhouse Hill could threaten the Town's UNESCO World Heritage Site status. Staff confirmed that while Blockhouse Hill is in the UNESCO World Heritage Site buffer zone, the Town has been updating Parks Canada (Canada's requisite party) on this project. Staff confirmed that Parks Canada requires a design before completing a full heritage impact assessment.

Drinking Water
within Municipal
Water Supply
Watersheds – MODL

Reid Shepard, the Manager of Planning and Development for the Municipality of the District of Lunenburg (MODL), presented an update on MODL's multi-year project for introducing land-use planning across the municipality. During this process, MODL is considering establishing three protected watershed area zones, with Dares Lakes being in the most restrictive zone, which would affect any potential development, redevelopment and expansion in the area.

The intent of this presentation was a preliminary step to make Council and the Town, as stakeholders, aware of the project. Following the presentation, it was noted Council is welcome and encouraged to submit any comments on the proposed recommendations. TOL staff indicated Council could expect a staff report on MODL's recommendations at a future meeting. It was also noted that MODL staff will provide more updates and engagement opportunities on these proposed recommendations as they become available.

Public Hearing -
Repeal Bylaw

Council held a public hearing on the proposed Bylaw to Repeal Certain Bylaws. Staff explained that this bylaw intends to repeal 15 outdated bylaws that are no longer required or aligned with the Town's current practices.

Councillors asked clarifying questions on one of the bylaws proposed to be repealed, Bylaw 13 – A Bylaw Respecting Ratepayers or Voters Meetings. Staff confirmed that the Town does not conduct ratepayers meetings and that the bylaw does not align with Council meeting voting procedures as outlined in the Municipal Government Act.

There were no written submissions received regarding the proposed bylaw. One member of the public, Rachel Martin, urged Council to keep Bylaw 13 – A Bylaw Respecting Ratepayers or Voters Meetings as it provides procedures for citizens to be more involved in Town

meetings.

Staff confirmed that repealing Bylaw 13 would not prevent Council from exploring other public participation and engagement options.

Council closed the public hearing portion of the meeting and directed staff to explore public participation and engagement and further explore public input options for the new public input and standing agenda item.

Bylaw to Repeal
Certain Bylaws – 2nd
Reading

Moved and seconded that Council approve second reading of the Bylaw to Repeal Certain Bylaws as presented.

Councillor Sanford moved a motion to amend the original motion to remove Bylaw 13 from the list of bylaws to be repealed. A seconder did not move the motion and it was not voted on.

Moved and seconded that Council approve second reading of the Bylaw to Repeal Certain Bylaws as presented.

Motion carried unanimously

Working Group
Invitation

Concerning an invitation from the Joint Regional Transportation Agency, Council made the following motion:

Moved and seconded that Council direct the Chief Administrative Officer to appoint one staff member as the primary group member and one staff person as an alternate on the Joint Regional Transportation Agency (JRТА)'s Municipal Working Group.

Motion carried unanimously

Proposed Alteration
to Municipal
Heritage Property -
Mizpah Cottage

Staff reviewed a report regarding a proposed alteration to a Municipal Heritage Property owned by a resident. It was noted that the Heritage Advisory Committee had reviewed the proposed alternation and approved the recommendation.

Moved and seconded that Council approve the proposed alterations to the Mizpah Cottage Carriage Shed at 75 Dufferin Street and direct staff to issue a Heritage Permit accordingly.

Motion carried unanimously

2023/24 Electric
Utility Operating and

Staff reviewed the 2023/24 Electric Utility Operating and Capital Budgets.

Capital Budgets

Moved and seconded that Council approve the 2023/24 Electric Utility Operating Budget as presented for a total amount of \$7,171,000; and

That Council approve the 2023/24 Electric Utility Capital Budget as presented for a total amount of \$490,000.

Motion carried unanimously

NSPI Flow Through Rate Application

Staff reviewed the NSPI flow through rate application report.

Moved and seconded that Council approve the submission of an application to the Nova Scotia Utility and Review Board (NSUARB) for its approval of a per kWh increase to offset power purchase cost increases associated with the February 2, 2023, and January 1, 2024, NSPI Municipal Rate increases.

Motion carried unanimously

WTP Membrane Replacement

Staff reviewed the Budget Increase Request report for WTP Membrane Replacement

Moved and seconded that Council approve an additional \$304,000 for the Water Treatment Plant (WTP) Membrane Replacement 2023/24 Water Utility Capital Project for a total project amount of \$659,000 (including HST); and that this additional amount be funded by the Town's Membrane Reserves and Water Utility Depreciation funds; and

That Council award Pall Water \$564,132.51 (plus HST) to provide and install the membrane replacement at the Town of Lunenburg's Water Treatment Plant (WTP).

Motion carried unanimously

Staff indicated they would explore the annual contribution to the membrane reserve during the next budget process.

Tannery Road Sidewalk Construction Tender Award

Councillors inquired if the work for this project could be conducted in-house or if a hybrid model of contract work and in-house work could be considered. Staff confirmed that if Council were to direct staff to conduct the work in-house, it would require Public Works resources to be almost entirely devoted to this project, and there are aspects of the project that would not be able to be completed in-

house. Councillors also inquired about additional funding resources.

Moved and seconded that Council defer the 2023/24 Green Street Sidewalk Renewal Capital Project and direct staff to include the project in the 2024/25 Capital Budget.

Motion carried unanimously

Moved and seconded that Council approve an additional \$300,000 for the 2023/24 for the Tannery Road Sidewalk Construction Capital Project for a total project amount of \$571,000 (including HST); and that this additional amount be funded by the Town’s Surplus Asset Reinvestment Fund.

Motion carried unanimously

Moved and seconded that Council award Dexter Construction \$440,760 (plus HST) to fulfill the Tannery Road Sidewalk Construction Tender.

Motion carried unanimously

Watermain Loop
Harbourview/Morash
Deferral Request

Staff reviewed the Watermain Loop Harbourview/Morash deferral request report.

Councillors asked clarifying questions about water pressure and securing contractors.

Moved and seconded that Council defer the award of the 2023/24 Harbourview/Morash Watermain Capital Project, and direct staff to revise the project’s budget value for inclusion in the 2024/25 Water Utility Capital Budget.

Motion carried unanimously

Public Works Capital
Status Update

Council received a Public Works capital project status update.

Potable Water
Quality Test Results

Council received the potable water quality test results for January to March 2023. The report also highlighted water main breaks and repairs and complaints received.

Wastewater Quality
Test Results

Council received the wastewater quality test results for January to March 2023. The report also highlighted complaints received.

Motion to extend

Moved and seconded that Council extend the meeting beyond three

meeting hours.

Motion carried unanimously

In camera Moved and seconded that Council move in camera at 8:49 p.m. to discuss agenda item 11.1 Acquisition, sale, lease and security of municipal property, as per Section 22 (2) (c) of the Municipal Government Act.

Recess Before discussing any in-camera items, the Acting Mayor called a 10-minute recess.

Revert to open session Council reverted to open session at 9:10 p.m.

Following a discussion in camera, Council made the following motion concerning a lease at a municipal property:

That Council approve the License amendment, as presented, between the Town of Lunenburg and the South Shore Regional Centre for Education (SSRCE) for the use of the following Town facilities:

- Lunenburg War Memorial Community Centre Auditorium;
- Lunenburg War Memorial Community Centre Arena;
- Soccer Field, Baseball Field, Track and Field; and
- the Lunenburg War Memorial Community Centre Parking Lot;

And that the Mayor and CAO are authorized to execute the License on behalf of the Town and affix the municipal seal.

Motion carried unanimously

Adjournment There being no further business, the July 11, 2023 Council meeting adjourned at 9:11 p.m.

The minutes were read and approved.