

APPROVED – MAY 25, 2009

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# COUNCIL ADVISORY COMMITTEE

## April 27, 2009 – 3:30 p.m.

### PRESENT

Mayor David Corkum (arrived at 3:40 p.m.), Deputy Mayor Bernie Cooper, Councilor Bill Boyd, Councilor Nola Folker-Hill, Councilor Mark Pearl, Councilor Tony Bentley, Councilor Eric Bolland, CAO Keith Robicheau, Solicitor Peter Muttart, Town Clerk Carol Harmes.

Director Debra Crowell, Police Chief Mark Mander, Director Greg Kehoe, Director Mark Phillips, Director Bev Gentleman

### CALL TO ORDER AND ROLL CALL

Deputy Mayor Cooper brought the meeting to order and CAO Keith Robicheau reported that all Council members were present, except for Mayor Corkum who would be a few minutes late.

### NOTE

*“Points from Discussion” below show various comments made by individual councilors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.*

### PRESENTATION

**(a) Kentville Futures Site (Remediation of Irving Site)**  
Director Kehoe welcomed Dr. Torgny Vigerstad, Director for Scientific Investigations, who gave some history on the remediation work required on the land previously leased by Irving Oil Limited. He noted that although the property had been remediated in 2007, migration of the free petroleum product has affected surrounding property. Three areas owned by the Town have been contaminated with this product and it seems likely that another claim will be presented to Irving Oil for indemnification for this additional clean up.

Dr. Vigerstad pointed out that the cost for clean-up could vary, according to the future use of this property, however, an estimate of these costs would be an additional \$400,000. This remedial work would prevent future migration of the product to clean land and recontamination to those lands already cleaned.

Following this presentation and several questions, it was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

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**Recommendation to  
Council**

**that a recommendation be made to Town Council  
that an additional \$400,000 be allocated for  
remediation of lands at the end of River Street.**

**MOTION CARRIED**

*(Note: The motion carried unanimously, however, Irving Oil Limited will be notified and asked to carry out the remediation themselves.)*

**APPROVAL OF  
AGENDA**

It was moved by Councilor Eric Bolland and seconded by Deputy Mayor Bernie Cooper

**that the Agenda be approved with the addition of:  
7 (b) Unsightly Premises (later moved to # 10 – In  
Camera)  
7 (c) Grand Pre – Support for UNESCO Designation  
5 (a) Shannex Contract (moved to # 10 - In Camera)**

**MOTION CARRIED**

**APPROVAL OF  
MINUTES**

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that the Minutes of March 30, 2009 be approved as  
circulated.**

**MOTION CARRIED**

**BUSINESS ARISING  
FROM MINUTES**

**(a) Shannex Contract (legal opinion) – moved to  
Agenda Item # 10. In Camera**

At a previous meeting of Council, Solicitor Peter Muttart was asked to review the contract existing between the Town of Kentville and Shannex. However, as this issue related to contract negotiations, it was moved to In Camera.

**FINANCE**

**(a) Finance Department  
(i) Tax Account Write-Off**

Director Crowell submitted a report from the Town's Collection Officer, who stated that business occupancy tax of \$224.52 remains unpaid after the bankruptcy of a business here in Kentville. She recommended that this be written off.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

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***Recommendation to  
Council***

**that a recommendation be made to Town Council that the business occupancy tax account in the amount of \$224.52 be written off.**

**MOTION CARRIED**

**(b) Planning and Development**

**(i) Thom Oulton Development**

Director Bev Gentleman reported that an application has been received from Thom Oulton Development Limited to amend the zoning for the remaining property in Fox Hill Subdivision from Residential Future to other zones, as specified on the attached plan. A report from R. Wayne Gibbons Consulting Services outlined the history of this development and pointed out that approval had been required from the Department of Transportation to extend Fox Hollow Drive to access Belcher Street, and that Mr. Oulton's poultry barn will be relocated from the area. (This relocation is currently in progress).

Director Gentleman added that this report addresses the various sections of the Town's Land Use Bylaw and Municipal Planning Strategy which would require amendment to satisfy Mr. Oulton request. The matter was reviewed by the Planning Advisory Committee, which concurred with the recommendation for approval.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

***Recommendation to  
Council***

**that a recommendation be made to Town Council to hold First Reading for amendments to the Land Use Bylaw and Municipal Planning Strategy, to allow for the proposed development by Thom Oulton Development Limited, and that a Public Meeting be held on Monday, June 8<sup>th</sup>**

It was further moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that the Public Meeting be held on June 9<sup>th</sup> to accommodate those who were away at FCM Conference.**

**AMENDED MOTION CARRIED**

An amendment was proposed by Councilor Nola Folker-Hill and seconded by Councilor Mark Pearl

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**that the Public Meeting on June 9<sup>th</sup>, be held at 4:00 p.m.**

As this late afternoon time might not be convenient for citizens, it was further moved by Councilor Tony Bentley and seconded by Councilor Eric Bolland

**that the Public Meeting be held on June 9<sup>th</sup> at 7:00 p.m.**

**AMENDED MOTION CARRIED**

**(c) Fire Department**

No issues

**(d) Parks and Recreation Department**

No issues

**(e) Police Department**

**(i) Parking Meters**

Chief Mark Mander submitted an advertising brochure from MacKay Guardian and a report which had been reviewed by the Parking Committee in 2006 on parking meters. This report recommended that meters be installed in the downtown area and that a minimum of \$1 per hour be charged. The report also described the prepaid Smart Card concept which would be a convenience to users, would ensure accuracy of timing and would reduce vandalism. The issue regarding tickets and potential revenue was also addressed.

Chief Mander added that it would cost between \$300,000 and \$400,000 to install the meters, however, this could be recovered through the meters and tickets.

He asked Council to consider this option as a solution to the parking problem in Town, however, felt that further research should be conducted and a complete assessment undertaken.

Points from Discussion

- The 10-15 minute free parking will facilitate good turn-over in parking places
- Short-term free parking should encourage people to stop in Kentville, run errands and return in a short period of time.
- People using the street for long term parking

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will be discouraged with the costs of feeding the meter or paying for parking tickets.

- Leasing parking to businesses might be a solution instead of meters.
- Meters are discouraging for older citizens, and this demographic amounts to large numbers in Kentville.
- Kentville Community Development Committee has expressed concerns that appointments with many service providers in Kentville could easily over-run the anticipated amount of time, resulting in tickets.
- There appears to be lots of parking around Town, however, employees should park in these out-of- the way lots, leaving spaces for their customers.
- There have been studies done in the past on parking and there should be no need to carry out another.
- The Parking Committee and KCDC should work together on this project, but ultimately, it will be Council's decision.
- Some input from HRM and other towns would be valuable.
- Parking must also be considered for other areas (i.e. arena) as well as around the block.

It was moved by Councilor Mark Pearl and seconded by Deputy Mayor Bernie Cooper

*Recommendation to Council*

**that a recommendation be made to Town Council that an analysis on the effectiveness of parking meters be carried out with other communities**

**MOTION CARRIED**

**(ii) Content of Council Reports**

Police Chief Mander asked Council members about what they would like to see as information in his reports. Some suggestions were the number of 911 calls, after hours calls and parking tickets; the activities of the community policing officer and other things (special projects and programs) that would be of interest to the general public.

**(f) Transportation Services**

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**(i) Recommendation to Award Tender for Paving**

A report from Engineer Greg Kehoe noted that tenders closed on April 23 for Asphalt Street Paving Capital Projects, which will be funded by the \$160,000 allocated in the budget for this work. The tendering process resulted in the receipt of only one tender, however, this was from a reputable contractor and was for a reasonable cost, which would meet the budgeted amount.

Therefore, it was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

***Recommendation to  
Council***

**that a recommendation be made to council to award Contract 2009-10, Capital Paving/Repaving to Lafarge Canada Inc. in the amount of \$160,000**

**MOTION CARRIED**

Director Kehoe noted that in addition to the capital projects proposed under the \$160,000 budget allocation, Council should consider additional funds for further paving work in those heavily traveled areas, where the streets have broken down from continuous freeze-thaw cycles over the winter and spring.

It was also moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

***Recommendation to  
Council***

**that a recommendation be made to Council to consider additional funding to Paving/Repaving in the 2009-2010 budget in order to repair and/or reconstruct heavily traveled roads, with the deferral of some capital projects in order to add an additional \$100,000 plus HST to carry out this additional work.**

**MOTION CARRIED**

Points from Discussion

- This pre-approval will take advantage of the tendering unit prices.
- Some projects could be deferred to the second phase of their work, in order to free some funds.

**(g) Kentville Water Commission**

No issues

**(h) Administration**

**(i) Recommendation for First Reading to Rescind**

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**Chapter 5 – Rules Governing Town Council**

Town Clerk Carol Harmes pointed out several areas in *Chapter 5 – Rules Governing Town Council*, which were either outdated or addressed in other legislation, like policy statements recently updated by the Town or in sections of the Municipal Government Act. The Town’s solicitor also reviewed this bylaw and agreed, with the recommendation that it serves no purpose and should be rescinded.

Therefore, it was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

*Recommendation to Council*

**that a recommendation be made to Town Council to give First Reading to rescind Chapter 5 – Rules Governing Town Council Bylaw.**

**MOTION CARRIED**

**NEW BUSINESS**

**(a) Communication Method/Frequency with Citizens**

Councilor Eric Bolland expressed concerns that much information doesn’t seem to be reaching the general public on a regular basis, so asked that Council consider better and more frequent types of communication. He suggested that publication of the newsletter could be more frequent, the website could be updated to include more information and Town Hall meetings could be held.

Points from Discussion

- The newsletter received some good response and if possible, more frequent publication should be undertaken.
- Town Hall meetings would provide an opportunity for citizens to address specific issues (i.e. Glenwood Subdivision, the ISCP)
- The newsletter is very costly and time-consuming to publish.
- Door-to-door delivery of the newsletter is more effective vs. sending it out with the flyers.
- Council had intended to have a public meeting on the Kentville Futures Site, the dyke and the new school.
- Plans for more communication should be considered.
- The public has the opportunity to attend any, or all meetings of council or sub committees, however, chose not to. This could be construed as satisfaction for the decisions being made or that enough information is

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available.

**(b) Unsightly Premises**

Councilor Tony Bentley commented on the unsightly premises near the Ducks Unlimited property. Garbage and old construction material has been thrown in the rear of a residential property which borders on this site and detracts from the enjoyment of people coming to this area. Some of this garbage may affect the soil and water quality, as well.

It was suggested that if this individual is encroaching on Town property, then direct action can be taken.

*(Note: The issue was moved to In Camera – Prosecution under a bylaw)*

**CORRESPONDENCE**

**(a) Thank you Re: support of French Immersion Program**

A thank you note was received from KCA for the financial assistance which the Town of Kentville provided for two students to attend the Universite Sainte Anne.

**(b) Minister of Transportation and Infrastructure Renewal**

A letter from Minister Brooke Taylor stated that his staff will work with the Town to determine if the existing bridge should be upgraded or replaced. He stated in this letter that he understood that this work would negate the need for a second bridge crossing over the Cornwallis River.

**(c) Grand Pre – UNESCO support**

Councilor Mark Pearl made reference to a letter recently written from Kings CED asking each municipality to support the application of Grand Pre for UNESCO designation.

It was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

*Recommendation to Council*

**that a recommendation be made to Town Council to endorse the nomination of Grand Pre as a World Heritage Site, as per the resolution proposed (and attached) from Kings Community Economic Development Agency.**

**MOTION CARRIED**



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**ADJOURNMENT**

It was moved by Councilor Tony Bentley and seconded by Councilor Mark Pearl

**that the meeting adjourns at 6:05 p.m. to go In Camera to discuss the contract between the Town and Shannex and the possibility of prosecution of a Kentville citizen for Unsightly Premises.**

**MOTION CARRIED**

**IN CAMERA**

- (a) Contractual Negotiations**
- (b) Consideration of Bylaw Prosecution**

**ADJOURNMENT**

It was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Bernie Cooper

**that the regular meeting of CAC resumes, and adjourns at 7:25 p.m.**

**MOTION CARRIED**