

APPROVED SEPTEMBER 24, 2007

COUNCIL ADVISORY COMMITTEE

August 27, 2007

PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Dennis Kehoe, Councilor Bernie Cooper, Councilor Nola Folker-Hill, Councilor Mark Pearl, Councilor Eric Bolland, CAO Bill Boyd, Solicitor Peter Muttart, Town Clerk Carol Harmes.

The meeting was called to order at 5:30 p.m. and CAO Boyd reported that everyone was present.

APPROVAL OF THE AGENDA

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

that the Agenda be approved with the following additions:

5(d) Appointment of Bylaw Enforcement Officer

5(e) Stoneridge Developments

5(f) KCA Enhancements

5(g) Centre Square

7(g) Community Development

7(h) Methodone

10. In Camera - personnel

MOTION CARRIED

PRESENTATIONS

none

APPROVAL OF THE MINUTES

It was moved by Councilor Nola Folker-Hill and seconded by Deputy Mayor Larry Honey

that the Minutes of June 25, 2007 be approved with no errors or omissions.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(a) Unsightly Premises

(i) Update re: Notice to Property Owners and Photos

At the last meeting of CAC, Solicitor Muttart agreed to work with the Planning Department to create a form letter that could be sent to those property owners having unsightly premises. Photographs were also taken of these properties. These letters have been sent, although no response has been received to date.

Points from Discussion

- Fence heights (maximum and minimum) should be reviewed

APPROVED SEPTEMBER 24, 2007

when the relevant planning documents are amended.

- There is a 30 day response period for the property owners to address their unsightly premises.

(ii) Recommendation to Rescind Bylaw

During the review of the legislation relating to the issue of unsightly premises, it was noted that the existing bylaw – *Chapter 30 - Dangerous and Unsightly Premises Bylaw*, is out-of-date and is not enforceable. The Town solicitor noted that the MGA addresses Dangerous and Unsightly Premises and therefore, gives the Town an avenue to proceed. Further, the Town Clerk identified Policy Statement G-17 which presently exists in connection with this matter, and subsequently prepared a recommendation for consideration.

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

*Recommendation to
Town Council*

**that a recommendation be made to Town Council that
First Reading be given to rescind Chapter 30 -
Dangerous and Unsightly Premises Bylaw.**

MOTION CARRIED

(b) Sewer Bylaw

Some months ago, Director Hal Henderson was asked to consider amendments to the proposed Sewer Bylaw, following its First Reading and a Public Meeting to hear concerns. He has proposed some changes which refer to concentration loads, surcharges and implementation. As some of the users of the system who would be most affected, have hired a consulting firm to deal with some of these issues, the implementation process for this bylaw is being held up at the present time. Further information should be made available by mid September.

(c) Maternity Leave Policy (Police Service / Town)

CAO Boyd presented the Maternity Leave Policy as approved by the Board of Police Commissioners, along with the opinion of the solicitor. The legal advice given was that although the Board can approve policies, its authority does not extend to the point where members can make policies that affect the Town's budget.

Points from Discussion

- The top-up issue of this policy could be very expensive to the Town of Kentville, involving payment of benefits and the salary of the temporary replacement of the person on

APPROVED SEPTEMBER 24, 2007

- leave.
- The Police union contract is negotiated and the team is chosen by the Town. This benefit could be proposed at that time.
 - If the top-up was budgeted for the employee now receiving it, than it would be consistent to maintain that policy at this time.
 - There would be no obligation to continue with this aspect of the policy, as the amount budgeted was for one time only.
 - This top-up would also apply to paternal leave, where any male constable at KPS would be entitled to this benefit even though the spouse may not be an employee.
 - Although the Town of Kentville was mandated to create a policy by the Human Rights Commission, this top-up appears to be over-compensating for a bad decision in the past.
 - Traditionally any benefits, beyond those negotiated in the union contract, would be available to all Town employees.
 - The Solicitor felt that there were 2 options available to the Town: Option # 1 – Advise the Police Board that this benefit requires the Town to spend money not budgeted and therefore, the Town will not pay this amount. Option # 2 – Ask the Police Board to amend the policy to exclude the 100% top-up.
 - This top-up does not set a precedent that would expect the Town to continue with this benefit, although it was paid out once.
 - These types of benefits are becoming the norm throughout the province and several police departments have already adopted them.

It was moved by Councilor Mark Pearl and seconded by Deputy Mayor Larry Honey

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the Board of Police Commissioners be asked to amend the Maternity Leave Policy as it relates to the 100% top-up and that the payout revert back to only the Employment Insurance rate of 55%, however, that the employee presently receiving benefits at 100% be allowed to continue to do so.

MOTION CARRIED

(d) Bylaw Enforcement Officer

In response to a question regarding the appointment of a Bylaw Enforcement Officer, CAO Boyd stated that an individual has

APPROVED SEPTEMBER 24, 2007

already been appointed to this position. He reminded Council that during the budget discussions, the money allocated for hiring an officer had been removed and as a solution to the immediate need for bylaw enforcement, the Chief of Police said that the individual hired to attend to parking issues could also do that function. This would mean additional hours and a salary increase, but could be included in the police budget.

Points from Discussion

- The position should be under the jurisdiction of the Town – not the Police Department.
- The vacancy should have been advertised.
- The position should address all bylaws in the Town
- An “In Camera” meeting should be held following this meeting, so that the details could be discussed fully.

(e) Stoneridge Developments

A brief discussion took place on whether or not it is appropriate to continue with the rezoning process for this property, as the land is for sale and the present development proposal may not be suitable for any new owner. It was felt that the Director of Planning and Development should contact the property owner to discuss the continuation of this process and its limitations for other uses.

(f) KCA Enhancements

As there has not been a meeting to discuss the possible enhancements to the new KCA school, it was felt that the CAO would set up a lunch hour meeting for that committee.

Mayor Corkum added that a Site Selection meeting is scheduled for September 5th and that this will take place in Kingston, so participants can see the new school there. He added that the following meeting will be held at the present KCA school on September 12th.

(g) Centre Square

The new rules imposed in Centre Square have been effective this summer, although the signs have been posted only today. The prohibition on smoking in the Square is questionable; however, the Chief of Police can elaborate on this in his September report to Council.

FINANCE

(a) Projections

Director Crowell stated that the projections to the year ended March 31, 2008, indicate that the Town could realize a deficit of \$20,600. She elaborated on various aspects of the Town’s Operating Fund,

APPROVED SEPTEMBER 24, 2007

pointing out that the overall actual revenue may be under budget by \$54,000, while expenditures may be under budget by \$33,400.

(b) Debenture Funding – Fall 2007

Director Crowell stated that debenture funds will be issued this fall and identified the following as requiring funding at this time:

Resolution #	Purpose	Approved	Funding Required
TBR-06/07-02	Various	\$608,000	\$535,500
TBR-05/07-03	Recreation	\$124,200	\$ 73,400
TOTAL		<u>\$732,200</u>	<u>\$608,900</u>

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Bernie Cooper

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the attached resolutions for Pre-approval of Debenture Issuance be accepted:

Various	\$535,500
Recreation	\$73,400
Total	\$608,900

MOTION CARRIED

(c) Sundry Account Write-Offs

Director Crowell stated that a Sundry Write off of \$459.30 represents funds owed for a hockey program held at the arena in 2005/2006 which should have been subsidized by the Town.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Eric Bolland

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the attached sundry receivable account in the amount of \$459.30 be written off.

MOTION CARRIED

(d) Insurance Claims

Director Crowell stated that currently there are 3 outstanding insurance claims for undetermined amounts, and 4 others just recently settled. She elaborated on the details of these claims and answered some questions regarding them.

APPROVED SEPTEMBER 24, 2007

(e) TBR Various Capital - \$864,500

Director Crowell stated that the attached resolution was prepared to represent a number of items and that this would temporarily finance the 2007-2008 capital projects.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Dennis Kehoe

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the attached temporary borrowing resolution in the amount of \$864,500 for various capital projects in 2007-2008, be approved.

MOTION CARRIED

(f) TBR Renewal – Park Street Paving - \$79,700

Director Crowell stated that the temporary borrowing resolution for paving on Park Street be renewed, as the previously TBR is near expiration.

Therefore, it was moved by Deputy Mayor Larry Honey and seconded by Councilor Bernie Cooper

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the attached temporary borrowing resolution in the amount of \$79,700 for paving on Park Street, be approved.

MOTION CARRIED

NEW BUSINESS

(a) Policy Statement Draft – Flag Flying Policy / Policy Statement G14-Proclamations

In response to some recent media attention to a flag-flying issue in Truro, Town Council felt that it might be prudent to adopt a policy addressing the criteria associated with flying flags from groups and organizations wishing to promote an event. It was further noted that routine requests are received regarding banners.

A draft policy was prepared and it was felt that both the policy on Proclamations and the draft policy on Flag Flying could be reviewed together because of their similarities.

Deputy Mayor Honey assumed the chair at 7:15 p.m. to allow the Mayor to speak, following which the Mayor returned to the chair at 7:20 p.m.

APPROVED SEPTEMBER 24, 2007

Points from Discussion:

- Only the Canadian, Provincial and Municipal flag should be flown on Town-owned property.
- If there is a policy in place, the decision as to whether or not to fly a particular flag is not a political one, but an administrative decision, guided by written criteria.
- A simple statement could be incorporated in the Flag Masting Policy to state that only 3 flags should be flown on Town property.
- Banner advertising is more prevalent than flags and these should also be considered as part of this policy.
- The proposed flag-flying policy could be amended to relate to banners only, and a new flag flying policy developed.
- All banners should be approved as per the policy, but must include any costs associated with their installation.

It was moved by Deputy Mayor Larry Honey and seconded by Councilor Eric Bolland

***Recommendation to
Town Council***

that a recommendation be made to Town Council that the Policy respecting the flying of flags on Town-owned property, be limited to the flying of the Federal, Provincial and Municipal flag only.

MOTION CARRIED

It was further moved by Deputy Mayor Larry Honey and Councilor Eric Bolland

***Recommendation to
Town Council***

**that a recommendation be made to Town Council that a Banner Advertising Policy be adopted, based on the draft copy of the policy for flag-flying previously reviewed,
and further
that this policy indicate that any charges involved in the installation or removal of the banner, be the responsibility of the applicant.**

MOTION CARRIED

(Note: It was agreed that the presently existing Proclamation Policy is relevant and should not be amended at this time.)

**(b) Policy Statement Draft – CAC and Council Meeting
Cancellations**

As Council each year addresses the matter of canceling the CAC

APPROVED SEPTEMBER 24, 2007

meeting in July and December and the Council meeting in August in order to provide for a summer holiday and Christmas break, a policy was drafted to give guidance to the matter of meeting cancellations.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Mark Pearl

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the Policy Statement regarding the cancellation of meetings of CAC and Council be approved.

MOTION CARRIED

(c) Appointment of Town Clerk by CAO

CAO Boyd prepared a report to CAC members in which he stated that under his authority, as per the Municipal Government Act, he has appointed Carol Harmes as the Clerk for the Town of Kentville. He wished to have this made known to Council.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Mark Pearl

*Recommendation to
Town Council*

that a recommendation be made to Town Council that the records of the Town reflect that Carol Harmes has been appointed as Town Clerk, effective April 1, 2007.

MOTION CARRIED

(d) Swimming Pool Bylaw

It was noted that the currently existing bylaw, Chapter 38, Swimming Pool Bylaw, as approved by Council in 1979, may be eligible for review, to ensure that it is adequate, or in fact, if it is actually even necessary.

Points from Discussion

- A permit is required prior to the installation of a pool.
- Inspections are carried out by the Bylaw Enforcement Officer on the installation, fencing, etc.
- Locks are identified in the bylaw but most people have latches.
- The Town is not required to have a bylaw.
- The bylaw brings to attention certain issues for the homeowner to consider and adhere to.
- The solicitor will review this bylaw and be prepared to comment on it at a future meeting.

APPROVED SEPTEMBER 24, 2007

It was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

***Recommendation to
Town Council***

that a recommendation be made to Council that Chapter 38, Swimming Pool Bylaw be reviewed for relevancy.

MOTION CARRIED

(e) Outdoor Fireplaces

As complaints have been received from residents of Kentville regarding the smoke pollution from outdoor fireplaces, this matter was presented to CAC for review.

Points from Discussion

- Council should be responsible for the health of its community.
- Bushes and leaves can create a great deal of smoke in a neighbourhood.
- Although Wood Doctors do not appear to exist in Town at this time, we might expect them in the future.
- Smoke pollution is also created by wood burning finances and indoor fireplaces.
- For leaf burning problems, it might be possible to have the fire department not issue burning permits in Town.
- Staff should investigate what other communities are doing and propose a draft bylaw for consideration.

(f) Citizen Appointees – Status of Service

Town Clerk Carol Harmes prepared a report indicating the status of those citizen appointees who will, this fall, be due for retirement and/or who are eligible for re-appointment for another term of service. She made some recommendations based on the Policy Statement G1, relating to this issue.

Points from Discussion

- Perhaps the Executive Director of the Annapolis Valley Housing Authority could come to Council and give an annual report, instead of the Town making an appointment to their committee.
- This process would streamline the appointments and not advertise for a vacancy that may not exist.
- The policy should be checked to see if an amendment is required.
- Why not consider making the appointments for 4 years, instead of two 2-year terms.

APPROVED SEPTEMBER 24, 2007

It was moved by Councilor Dennis Kehoe and seconded by Councilor Mark Pearl

***Recommendation to
Town Council***

that a recommendation be made to Council that those citizens eligible for a second term of service on a committee, be offered that position, and further that all other vacancies be advertised, with the exception of the vacancy on the Board for the Annapolis Valley Housing Authority.

MOTION CARRIED

(g) Community Development – Alberta Conference

Councilor Dennis Kehoe wished to have an opportunity on the agenda for October, to address Council regarding the concepts and sustainability issues relating to community development in Alberta.

(h) Methodone

Deputy Mayor Larry Honey expressed his concern about the use of methodone in the community and the amount of misinformation about this substance. He felt that Council needs to know about this and should have an expert in the field of drugs and addictions present them with the facts. He recommended that Jim Morton, the District Manager for Addiction Services at AVH be asked to do a presentation at the CAC meeting in September and that the Police Chief be invited to also attend.

CORRESPONDENCE

(a) Mayors for Peace Campaign

A request was received from the organizers of the United Nations supported “Mayors for Peace” campaign. The Town of Kentville was invited to join with the many hundreds of cities and towns in over 120 countries and regions, to support the abolition of nuclear weapons on a world-wide basis.

Points from Discussion

- HRM has not signed this campaign due to the strong military presence in the city, as this could be misconstrued as being non-supportive of the military.
- Kentville also has a strong military presence.
- The project appears to only support concepts that are positive, (i.e. abolition of nuclear weapons) although the matter could be controversial.
- There appears to be no time or effort commitment if the Town joins this campaign, other than to verbally show support.

APPROVED SEPTEMBER 24, 2007

(Note: It was agreed that the Mayor would not sign support of this campaign.)

(b) The Red Door

A letter was received from the Red Door in which the Town was thanked for providing a grant to this operation.

(c) The Flower Cart

A letter was received from the Flower Cart in which the Town was thanked for providing a grant to this operation.

(d) Friends of the Library

A letter was received from the Friends of the Library in which the Town was thanked for providing a grant to this operation.

ADJOURNMENT

As there was no further business to discuss, the CAC meeting adjourned at 8:15 p.m.

IN CAMERA

Personnel