

APPROVED – JANUARY 9, 2012

Council Advisory Committee

MINUTES

December 12, 2011

PRESENT

Mayor David Corkum, Deputy Mayor mark Pearl, Councilor Bill Boyd, Councilor Tony Bentley, Councilor Bernie Cooper, Councilor Nola Folker-Hill (arrived at 2:55 p.m.), Councilor Eric Bolland, CAO Mark Phillips, Solicitor Tom McEwan, (Solicitor Peter Muttart arrived at 2:30 p.m.) and Town Clerk Carol Harmes

Director Debra Crowell, Director Bev Gentleman, Director Hal Henderson Chief of Police Mark Mander.

CALL TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 1:30 p.m. and CAO Mark Phillips reported that all members of Council are present (except for Councilor Folker-Hill who will be arriving later), along with all department heads, the solicitor, the Town Clerk/Recording Secretary and himself, as CAO.

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.

APPROVAL OF THE AGENDA

It was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

that the agenda be approved as circulated

MOTION CARRIED

PRESENTATION

Santa Gifts

Mayor Corkum distributed gifts to council members and the press

APPROVAL OF THE MINUTES

(a) Minutes of November 14, 2011

It was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that the Minutes of November 14, 2011 be approved as circulated

MOTION CARRIED

BUSINESS ARISING FROM MINUTES/OLD BUSINESS

(a) Request from Annapolis Valley Labour Council

A letter was received from Dean Tupper, the Present of the AVLK in which he noted that the Canadian Labour Congress is lobbying

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the Canadian government to adopt measures that will enhance Canada's Retirement Security System. To facilitate this, municipal councils are being asked to pass a resolution endorsing the specific changes outlined in the letter. A sample resolution was attached.

It was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

***Recommendation to
Town Council***

that a recommendation be made to Council that it supports the resolution presented from the Annapolis Valley Labour Council

MOTION CARRIED

Points from Discussion

- UNSM should take a lead role of support for this resolution.
- Involvement in this is beyond the jurisdiction and mandate of a municipal council.
- Perhaps Dean Tupper should be asked to come to Council to answer questions.

**DEPARTMENTAL
REPORTS AND
RECOMMENDATIONS**

**(a) Finance
(i) Director's Report**

Director Debra Crowell noted some highlights from the department:

- A RFP for banking services closed, with 5 submissions.
- A new payroll module is being installed and following some testing, these are expected to be operational on January 1, 2012. This system would allow more efficiency and cost effectiveness.

With Schedule A (Revenue) based on a benchmark of 67% of the budget, overall revenue is above the average at 83.8%, With Schedule B (Expenditures), overall expenses are below the average at 65%, Schedule C (Summary of Outstanding Taxes) shows 96.2% of the current year's tax levy collected, however, Sanitary Sewer Schedules are no attached. Schedules E and F (Perpetual Investment Fund) shows the balance sheet with total investments at cost as \$13,410,329 and at market- \$13,223,295. The Statement of Reserves shows income at \$565,000 and capital gains at \$185,000 for a total of \$750,000.

Following a review of each account, it was moved by Councilor Bill Boyd and seconded Councilor Bernie Cooper

that the report from the Director of Finance be received.

MOTION CARRIED

Points from Discussion

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- Finance staff should be congratulated for undertaking the new payroll project, as it involves a great deal of work but has the potential to save the Town considerable money.

(ii) Projections

Finance Director Debra Crowell noted that a lengthy report has been distributed to Council members, which indicates that the Town may realize a surplus of \$83,500, down slightly from last month, due to changes in assessment with successful repeals.

Following an explanation of the changes in revenues and expenditures, it was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that the Projection Report be received.

MOTION CARRIED

(iii) TBR – Land Acquisition- \$200,000

Director Crowell reported that this Temporary Borrowing Resolution is being brought forward at the borrowing resolution ratified earlier this year for West Main Street has been entirely drawn down and The town has requested an additional \$200,000 to ensure that all costs are captured and financed on a short-term basis.

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

*Recommendation to
Town Council*

**that a recommendation be made to Council to authorize
the following TBR:**

TBR 11/12-03 – Land - \$200,000

MOTION CARRIED

Points from Discussion

- This TBR relates to work on West Main Street.
- There is an outstanding invoice from Mid Valley Construction.
- A wrap-up meeting is being planned through our legal council and this should be finalized shortly.

(b) Planning and Development

(i) Director's Report

Director Bev Gentleman reported that there were 7 permits issued for November, totalling \$131,000 in building value, thereby bringing the yearly total to \$11,329,685.

Highlights from the Planning & Development report were:

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- Blackberry Ridge – meetings continue regarding the construction of the streets prior to the Town’s takeover.
- Rezoning of Chester Avenue – Second Reading has been given to the rezoning of this property and the appeal period will end on December 20th, following which the property will be sold if no appeals are received..
- Kings 2050 – this project is continuing. The MOU was signed last week, interviews were held last month with various consultants for a “visioning statement.” Stantac was awarded this contract.
- Salvation Army Expansion – A Development Agreement will be brought forward under New Business later in the meeting.
- Colliers International – This firm reported some activity on the listing of the Kentville Futures Site and continue to be optimistic as some markets are “picking up.” This listing agreement expires at the end of December, however, this firm is prepared to extend the listing for another 6 months.
- Subdivision Bylaw Amendments – A full report on this issue will be addressed under New Business, later in the meeting.

It was moved by Councilor Bill Boyd and seconded by Deputy Mayor Mark Pearl

that the report from the Director of Planning and Development be received.

MOTION CARRIED

Points from Discussion

- There seems to be some misunderstanding as to what the hold up is with the land exchange for St. Joseph’s Catholic Church.
- The solicitor for the diocese confirms that the agreement is on their desk and this represents an outstanding amount of \$20,000 to the Town.
- Perhaps a meeting can be set up with the Director, the solicitors, representatives from the church, and the Deputy Mayor will work with the director.

(c)Environmental Advisory Committee

(i) Chairman’s Report

Chairman Eric Bolland reported that the next meeting will be held in January, as the meeting scheduled for last week could not meet a quorum.

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(d) Parks, Recreation and Community Development

(i) Director's Report

CAO/Director Mark Phillips reported that:

- Facility Manager Bennett should be thanked for his efforts working on the KCA playground project. The structure has been installed, however, a final inspection is needed, along with signage, landscaping, etc. A grand opening will be scheduled sometime in the future.
- 27 applications for the Department Head will be reviewed soon and information is being coordinated for the interviewers. Hopefully, a new individual will be in place around the new year.
- There was an excellent attendance of the Torchlight parade. A suggestion from the merchants was that Friday night should be considered for this event in future years, as the kick-off for Christmas shopping might be more appropriate on Friday night.
- The snowshoe program will begin with the arrival of snow, along with other programs relating to the "Take the Roof Off Winter" project.
- The after school program at KCA is running well and scheduling of gym times is being done by the Recreation Department.
- Community Development Committee members from the Kentville Rotary Club are interested in providing funds for a medium to large size project, and the capital projects are being reviewed with their involvement in mind.
- Work continues with the parks space and other issues as they relate to the Oulton subdivision

It was moved by Councilor Tony Bentley and seconded by Councilor Eric Bolland

that the report from the Director of Parks and Recreation be received.

MOTION CARRIED

(ii) Community Development Coordinator's Report

A report from the Community Development Coordinator outlined a number of activities she has addressed over the past month. Some highlights were:

- Commercial Properties Database – the Town's website will advertise some commercial spaces which are currently vacant.

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- Website updates – Information on shopping, accommodations, eateries and other services is being added to the Town’s website and businesses will provide the information needed for advertisement of their organization.
- Joint Advertising – newspaper and radio advertisements have been arranged to encourage shopping and visiting the Town.
- Meetings – An informal retail group will provide guidance and feedback on issues affecting retailers and food service provides. The next meeting of KCDC will be on December 14th and will feature business retention and expansion, along with other agenda issues.
- Other projects – Over 300 cultural assets have been identified in Kings County for the Cultural Mapping Project.
- A second publication of “the Devil’s Half Acre” was officially launched at the 125 celebration on December 7th.
- A limited edition of 125 anniversary pewter ornaments (Kentville Town Clock) has been ordered and should be available for purchase (\$12) very soon.

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

that the report from the Community Development Coordinator be received.

MOTION CARRIED

(iii) KCDC Chairman’s Report

Mayor Corkum stated that he is hoping that the KCDL project will be successful and will be a good “tie-in” with the Town’s KCDC.

(e) Police Report

(i) Chief’s Report

Police Chief Mark Mander reported that a board meeting was held on November 17th and Mr. Ray Francis, the provincial appointee was sworn in. A citizen appointee is yet to be appointed for a vacancy, however, it appears that the previous provincial appointee has expressed some interest. He added that there were 38 hours of foot patrols for November, 229 calls to dispatch after hours, 21 commercial alarms and 70 parking tickets issues.

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

that the report from the Chief of Police be received.

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MOTION CARRIED

Points from Discussion

- With the Alarms Bylaw, some promotion will be needed and over the next few months the frequent offenders will be notified, prior to charges being laid.
- The digital sign on Park Street is impacting the speed of motorists.
- Nothing has been heard on the 30 km in the school zone.
- A reduced speed limit in Annapolis Royal has created some opposition, however, this town might be able to provide some information to the town of Kentville about reduced speed.

(ii) Board Report

Councilor Bernie Cooper noted that there had been a Board meeting in November, and the Parking Ticket Administrator has been talking to the local businesses. Lastly, he noted that he was re-elected as Chairman of the Board.

It was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that the report from the Chairman of the Board of Police Commissioners be received.

MOTION CARRIED

(f) Transportation Services

(i) Directors Report

Director Henderson reported that 15 applications for the new Director were received before closing on December 9th; the first snowstorm of the season was a good exercise for both old and new operators; Webster Court has seen the installation of new lighting, which has added further to the enhancements of that street; Efficiency NS has not yet responded to the application submitted; and the regional sewer system will see work starting soon to upgrade RG6 Lift Station (behind Ultramar) and meetings continue.

It was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that the report from the Director of Transportation Services be received.

MOTION CARRIED

Points from Discussion

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- The plowing procedure of sidewalks on Webster Court and River Street can be confusing to some, as there is a mix of residential and commercial owners.
- Sidewalks in the business and commercial district of downtown are not plowed, as per the policy dated 1990.
- These streets will be plowed this winter, as time permits, however, attention will be given to the main thoroughfares in Town first. Cleaning sidewalks are ultimately the responsibility of the property owners.
- There are 6 spaces of 2 hour parking on Justice Way and some of the leased spaces will be moving. There appears to be no need for further spaces at this time.
- The speed of motorists on Forest Hill is still a concern and some further thought should be given as to how to reduce the amount and speed of traffic. (i.e. reduced speed sign, portable speed bumps, etc.)

(g) Water Commission

(i) Directors Report

Director Henderson noted that a meeting was held on December 6th and some of the agenda items involved the property at 275 Chester Avenue, extension of water service on Redden Avenue, and the request for water supply to the Village of Port Williams.

The revised water sampling and analysis program continues regarding the water quality at KCA. Testing will continue and a new system will be in place soon. It was noted once again that these water problems are not as a result of the water from the Kentville Water Commission.

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

that the report from the Kentville Water Commission be received.

MOTION CARRIED

Points from Discussion

- The water issue (nitrates in some wells) in Port Williams has been well publicised and village has also approached Kentville and New Minas, and possibly others, requesting a supply of water.
- Port Williams has purchased land around their wellhead, however, some of the land was rezoned for residential construction and the issue may fall back upon the Province to help resolve.

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- The Town could provide water to Port Williams, however, the permit to draw water from the aquifer is limited and in order to supply Port Williams, another application would be required from the Department of Environment. This might ultimately restrict our own growth.
- The water in the aquifer is limited and will some day run out, as it is being replenished only from rainwater.
- Currently the wells in Port Williams go only 50 feet deep, however, Kentville’s wells go down 200 feet and tap 2 aquifers.
- The water problem at KCA will eventually resolve itself.

(ii) Commission Report

Mayor Corkum added that Janet Newton is now back on the Water Commission.

(Note: Councilor Nola Folker-Hill was welcomed to the meeting.)

(h) Administration

(i) Chief Administrative Officer’s Report

Highlights not previously mentioned were:

- An extension is being proposed for the Agreement between the Town and Colliers International.
- New board meetings have been recruited for the Friends of the Library Committee.
- A meeting was held regarding the AV Regional Industrial Park with the study and recommendations regarding the future needs for industrial needs.
- Kentville’s Industrial park appears to be able to handle the needs for development for the next 10 years.
- 30 acres of land are needed over the next 10 years to accommodate medium growth – 26 acres exist at this time which can be purchased from NS Business Inc, however, Council must determine if this is a good investment.
- There is an argument regarding the purchasing, accessibility and affordability of the land and the lots must be “shovel-ready” and able to compete with nearby industrial parks of East and West Hants.
- The report recommends that project be managed jointly and more information will follow on this aspect.
- With Superior Propane, final inspections are being planned to complete this project.
- The 125 anniversary of the Town was celebrated all year, with the official party on December 7th at the Rec Centre.

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- Meetings for KPSC will be scheduled today at the Mayors, Warden and CAOs meeting,
- The RDA has identified its roles and responsibilities; the KCDC will also revisit their role and continue to support business development; KCDL held a meeting which was very successful and their focus was on the CEDIF program; the Kentville Merchants Group met recently.
- The Joint Fire Services Committee continues to address the recommendations from the Walsh and the Alexander reports.
- With the UNSM, the issue of “change in government” is being carried in the provincial paper.
- The selection of a Director of Public Works and Recreation will be carried out very soon.
- Work continues with the PANS agreement and CUPE has sent a notice of the expiration of their contract.
- The Town’s social event was well done; the office will be closed between Christmas and New Year – phones will be forwarded and notices will be publicised.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that the report from the Chief Administrative Officer be received.

MOTION CARRIED

Points from Discussion

- A meeting will take place early in the new year regarding the location of the Visitor’s Information Centre. There appears to be interest from the County to continue to participate.

(ii) Town Clerk’s Report

A report from the Town Clerk noted that work on the bylaw review process continues, research is being done on E-Voting, the Christmas Awards party was well attended, a schedule was prepared for proposed meeting dates for Council and CAC for 2012, updates have been done to the website and she continues with regular meetings.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bill Boyd

that the report from the Town Clerk be received.

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

***Recommendation to
Town Council***

that a recommendation be made to Town Council that the revised schedule for CAC and Council meetings be approved.

MOTION CARRIED

(i) Council Reports from Workshops and Conferences

None to report

NEW BUSINESS

(a) Recognition/nominations/awards from RNS

Councilor Bill Boyd noted that at the recent conference for Recreation Nova Scotia, it was brought to light that in every community there are a number of organizations that deserve recognition for their work. The Miner Marsh project committee was one such group and now the KCA Playground Committee comes to mind for its outstanding community efforts.

It was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

***Recommendation to
Town Council***

that a recommendation be made to Town Council that the KCA Playground Committee be recognized at the Recreation Nova Scotia Conference in the fall of 2012 for its outstanding community efforts.

MOTION CARRIED

(b) Subdivision Bylaw Amendments – Road Construction

Director Bev Gentleman noted that in 2002 amendments were made to the Subdivision Bylaw to eliminate the responsibility of developers in providing concrete curb and gutter, as well as pavement, as part of the primary services of their development. These bylaw changes were designed to entice new construction in Town and have been successful in doing so.

These costs were absorbed by the Town and the curb and gutter costs charged back to the lot owner at the time of construction. However, the Town has committed to placing the top lift of pavement on several streets, along with having taken over several streets in new subdivisions which will require paving and curbing, along with additional work which in total will exceed \$1million. Although recoverable over a 10 year period from the property

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owner, the costs of concrete curbing in the new subdivisions will be approximately \$500,000.

She pointed out that not only can paving be very expensive when the Town finally assumes ownership of a street, but, prior to this, additional costs may be incurred with extra plowing, re-grading, dust control and repair of wash-outs during heavy rains. As a result of this expense, the Capital Budget for other street renewals and maintenance has been negatively impacted, as has been the Operating Budget.

Therefore, in consultation with the Town's Engineer, she has made a recommendation to amend the Subdivision Bylaw to bring it in line with other municipalities, while vesting some developments which are currently in progress.

She recommended that amendments be made to the Subdivision Bylaw to include paving and curb and gutter installation as part of the Primary Services by the developer for new streets.

It was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

***Recommendation to
Town Council***

that a recommendation be made to Town Council that amendments be made to the Subdivision Bylaw that would allow for paving, curb and gutter installations to be included in the Primary Services provided by the developer for new streets.

MOTION CARRIED

Points from Discussion

- Those subdivisions already in progress will be vested, although those being developed in phases will not be vested.
- All developers with projects in the Town of Kentville will be notified of this change.
- If a developer comes to the Town with a tentative subdivision plan and has already paid for engineer plans and other money as required, the Town will allow the project to continue on a vested basis, but will be required to complete the development within 2 years.
- If the Town has already taken ownership of a road, it will be required to pave, curb and gutter those roads.

(c) Salvation Army – Development Agreement

Director Gentleman reported that the Salvation Army on Nichols Avenue has experienced an increased membership and requires more space to accommodate the parishioners and the services that

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the church provides. Although a current non-conforming use, such an expansion as proposed would require a Development Agreement in order to proceed.

She noted that problems have existed in the past with water drainage from Hartlen Court and Oakdene Avenue, which has affected adjacent residential lots. Therefore, a Storm Water Management Plan will become part of this application process.

As it appears that the Development Agreement is in order, she recommended that it be adopted and that a Public Hearing be provided.

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

***Recommendation to
Town Council***

that a recommendation be made to Council that First Reading be given to adopt the Development which would allow for the expansion of the Salvation Army Church on Nichols Avenue, and further that a Public Hearing be set prior to the Council Meeting in February, 2011.

MOTION CARRIED

Points from Discussion

- Parking requirements are identified in the Land Use Bylaw and this differs according to the use of the property.
- This is a beautiful building and should be compatible with the surrounding residential area.
- The whole development is within the Town's limits.
- Although some water does drain from the County area, this crosses onto Hartlen Court and from there affects the area of development, however the storm water plan has addressed this.
- In the past, snow has been placed in an area that has caused water to be directed on residential areas. The Development Agreement will address this issue to ensure that flooding does not continue.

(d) CP Lands – Colliers International - update

CAO Phillips noted that an update was given on this issue in the report from the Director of Planning and Development.

(e) Old Kings County Academy

CAO Phillips noted that this issue was discussed at the recent Strategy Session and since then correspondence has been sent to the

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School board. No reply has been received regarding the timeline for acquiring the old KCA building.

(f) **Habitant for Humanity**

Deputy Mayor Mark Pearl reported that this project was successfully adopted in the town of Wolfville and the Mayor of that Town has urged and challenged other towns to undertake this project. The Deputy Mayor asked that Council consider supporting this, with the Town contributing land.

Points from Discussion

- This is a worthwhile project and the organization is well respected.
- It would be necessary to find a suitable piece of land.
- The criteria should be determined prior to identifying available land.

Although a motion was proposed to have Council direct staff to investigate this issue, this was withdrawn due to the timing of the next council meeting.

(Note: Direction was given to staff to contact the Habitant of Humanity office to determine criteria for such a development and to further identify some land which could be donated to the project from the Town.)

(g) **December Street Parking**

Deputy Mayor Mark Pearl noted that there are some concerns about tickets being written during December, as there was some suggestion that in the past, leniency and discretion was applied.

Points from Discussion

- The Chairman of the Board of Police Commission, Councilor Cooper, stated that it was his understanding that during the month of December, discretion will be applied in the issuance of parking tickets, and that the Parking Ticket Administrator has been made aware of this.

CORRESPONDENCE

(a) **none**

ADJOURNMENT

The meeting adjourned at 3:50 p.m.

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