

APPROVED – July 12, 2010

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# Council Advisory Committee

## MINUTES

**June 14, 2010 – 1:30 p.m.**

**PRESENT**

Mayor David Corkum (arrived at 1:45 p.m.), Deputy Mayor Bill Boyd, Councilor Tony Bentley, Councilor Bernie Cooper, Councilor Nola Folker-Hill, Councilor Eric Bolland, Councilor Mark Pearl, CAO Keith Robicheau, Town Solicitor Geoff Muttart and Town Clerk Carol Harnes

Director Debra Crowell, Director Mark Phillips, Director Bev Gentleman and Director Greg Kehoe

**CALL TO ORDER AND ROLL CALL**

Deputy Mayor Bill Boyd called the meeting to order at 1:35 p.m. and CAO Robicheau reported that all members of Council were present except for Mayor Corkum who would be arriving shortly.

*(Note: As this meeting took place in the Kentville Recreation Centre, an audio recording of the minutes was not possible.)*

**APPROVAL OF THE AGENDA**

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

**that the agenda be approved with the addition of “Contract Negotiations” to the In Camera agenda.**

**MOTION CARRIED**

**PRESENTATION**

None

**APPROVAL OF THE MINUTES**

**(a) May 10, 2010**

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

**that the Minutes of May 10, 2010 be approved as circulated.**

**MOTION CARRIED**

**BUSINESS ARISING FROM THE MINUTES**

**(a) Home Fireworks**

The issue of home fireworks and the potential injuries and dangers associated with the ignition of these was brought forward by the Fire Chief recently. He asked that Council consider creating a bylaw which would prohibit the use of

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these.

It was noted that an old bylaw – *Chapter 9 - Peace and Good Order Bylaw*, had originally contained sections prohibiting the sale and ignition of fireworks, however, these were removed and replaced with Chapter 54 – Peace and Good Order Bylaw in 1999. Council felt at the time that both Provincial and Federal legislation addressed the issue of fireworks ignition and accepted them as being safe for household use.

Points from Discussion

- It might be in order to ask UNSM to pass a resolution to review and, if necessary, update the current legislation.
- Perhaps the Fire Chief should provide some public education on the use of home fireworks, including the requirements relating to these.

**(b) UNSM Resolutions**

As a reminder to Council, it was noted that any resolutions for the UNSM Resolutions Committee should meet the deadline of August 8<sup>th</sup>.

*(Note: Upon the arrival of Mayor David Corkum at 1:45 p.m., Deputy Mayor Bill Boyd vacated the Chair.)*

**DEPARTMENTAL  
REPORTS**

**(a) Finance**

**(i) Director's Report**

Director Crowell reported that the fourth quarter utility bills were due in May, as were the interim tax bills; the 2010-2011 Operating Budget is close to completion and hopefully the tax rate will be set at the Council meeting in June, as the next Budget Meeting is scheduled for June 24<sup>th</sup>. The Capital Budget was passed in May and the Sanitary Sewer Area Service Budget should be brought forward later this evening. She added that the audit field work is complete and that draft financial statements will be forwarded to Council by June 18<sup>th</sup>, with the Audit Committee scheduled to meet at 7:00 p.m. on June 28<sup>th</sup>.

She added that although the interim taxes were due May 31, 86.8% was collected by that date, with outstanding property tax of \$687,121. The schedule for the Perpetual Investment Fund shows investments total \$13 at cost at April 30<sup>th</sup> and she provided a breakdown. The Statement of Reserves show

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dividends at April 30<sup>th</sup> being \$5,361 with distributions at \$2,592. The total income (net of fees) at April 30<sup>th</sup> is \$31,772, with capital gains at \$10,441.

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

**that the report from the Director of Finance be received.**

**MOTION CARRIED**

**(b) Planning and Development**

**(i) Director's Report**

Director Gentleman reported that there were 16 permits issued in May for \$568,075, with a year total of \$1,835,225. She added that a letter was sent to the County of Kings regarding the Shaffer C & D site application; a meeting was held regarding a new building in the Industrial Park for Purolator and work continues with the land development project in the Industrial Park which could create 12 new lots as indicated in the preliminary designs.

She noted that a student from COGS worked with the Planning Department for 3 weeks to update the Town's Zoning Map and Future Land Use Map in ArcView.

In addition, she noted that she attended the NS Planning Conference on May 20, 21 and also attended a number of other meetings, as listed in her report.

Director Gentleman noted that NSCAF (Nova Scotia Civic Address File) indicated that Chapel Hill is a non-existing street, having been closed over 20 years ago. Therefore, the sign on the street indicating "Chapel Hill" has been removed, much to the frustration of the current home owners. As the sign has continued to remain in existence and certain legal documentation exists with the name "Chapel Hill" clearly indicated, the homeowners have asked that the Town correct this problem.

Director Gentleman also noted that the department is currently in the process of acquiring a piece of land on the east side of the property, following which it will be subdivided and that this further complicates the matter.

It was moved by Councilor Mark Pearl and seconded by

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Councilor Eric Bolland

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

**MOTION CARRIED**

Points from Discussion

- Perhaps the current civic number could be used and applied to Belcher Street for a short period of time.
- In fairness to the family now living on Chapel Hill, the street name should be reinstated, until the land is subdivided.
- The solicitor will determine how much of Chapel Hill is open and what steps should be taken.
- The solicitor should physically look at the property and will then see there is a stop sign (implying a street) but the home faces away from Belcher Street.
- Chapel Hill is still listed on the 911 map.
- If the sign is reinstated, than the property owners must understand that this is only for the interim.
- Discussions have taken place regarding allowable uses in the Well Field Protection zone as these relate to Purolator.
- Adequate information is not available to allow for a discussion of this at a Water Commission meeting.
- Some developers are waiting to find out what uses are allowed at the Industrial Park.

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

*Recommendation to Council*

**that a recommendation be made to Council that the issue of the sign for Chapel Hill be referred to the Town's Solicitor;**

**and**

**that the street sign be installed in the interim;**

**and further,**

**that the home owners be made aware that the sign has been erected only on a temporary basis.**

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**MOTION CARRIED**

**(ii) Committee Report**

Councilor Mark Pearl had nothing further to report.

**(c) Parks and Recreation**

**(i) Director's Report**

A report from Director Phillips pointed out that the ice will be installed the first week of August; Memorial Pool will open on June 27<sup>th</sup>; the Tennis Courts will not be locked this year; the District Track and Field Meet was held in May; the Soccer Fields will be very busy over the summer months; 150 flowers bins and baskets have been ordered for downtown; the Ducks Unlimited bridge will be installed on June 21; the Apple Blossom Festival was successful; Princess Kentville Kara Hill was chosen Miss Congeniality; summer programs will begin on July 5<sup>th</sup>; the Senior Games were successful; plans are underway for the July 1<sup>st</sup> celebrations; work progresses on the new KCA; and a number of meetings were held.

As Mayor Corkum had some concerns about the Visitor Information Centre having been closed during the Apple Blossom Festival, Director Phillips noted that even though the VIC had not been opened in previous years, the decision to close was made independently, and in conjunction with what the businesses in Town were doing.

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

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

**MOTION CARRIED**

Points from Discussion

- The Oakdene Soccer fields are now operational.
- The roof replacement that was scheduled for the Town Hall had nothing to do with the mould smells circulating around the Council Chambers and upper level of the Town Hall; the timing was coincidental.
- An inspection by an environmental specialist (Kim Strong) identified mould in the intake system on the roof and in some of the duct work within the building. Work has been done and the Council Chambers should be operational by the end of the

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week.

- Visitor numbers are being kept and as of last week, the visits were down by about 100.

**(ii) Community Development Issues**

Director Phillips reported that an intern, Lindsay Pearl, has been hired to do some of the work during the absence of Tiffaney Connell. She has been working on the Doers and Dreamers Guide, brochures for the downtown, the Kentville Connection, the Kentville Business Directory, and also will work on some shared initiatives with Kings RDA.

**(iii) Committee Report**

Councilor Nola Folker-Hill had nothing further to report.

**(d) Police**

**(i) Chief's Report**

Chief Mander reported that with the good weather during the Apple Blossom Festival, many of the incidents addressed by the police related to drinking and partying.

He added that there were 54 hours of foot patrol, which is down from last year and from last month. With calls to dispatch after regular office hours, there were 436 calls, bringing the year-to-date total to 1966.

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

**that the report from the Chief of Police be received.**

**MOTION CARRIED**

**(ii) Board Report**

Councilor Bernie Cooper had nothing further to report.

**(e) Transportation Services**

**(i) Director's Report**

Director Greg Kehoe reported that maintenance to the streets and sidewalks continues, along with street cleaning and line painting, and that department staff appreciated the letter to the editor in the local paper noting the hard work done by town workers in cleaning up after the Apple Blossom Festival.

He added that work continues on the 2010-2011 Operating

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and Capital Budgets and also with the Regional Sewer Committee for enhanced lagoon performance. A list of priority capital projects for 2010-2011 has been tabled; the County presented its proposed Operating and Capital Budgets which will be addressed at the June 24<sup>th</sup> meeting. An adjustment has been made on the Town's contribution as a result of the closure of Eastern Protein, and therefore, the current rate for the sanitary Operating and Capital Budget can remain the same for residents and businesses in Town.

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

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

**MOTION CARRIED**

*{Note: The signage on Cornwallis Street (showing turning left or straight ahead) has not been altered to show that Webster Court is also an option on which a motorist could turn. Director Kehoe will follow-up once again with the Provincial Traffic Authority to have this change made. In the interim, he has added another street sign to make it more visible.}*

**(ii) Committee Report**

Deputy Mayor Bill Boyd had nothing further to report.

**(f) Water Commission**

**(i) Directors Report**

Director Greg Kehoe reported that the KWC met on June 8<sup>th</sup> to approve the Capital and Operating Budgets and to address the concerns surrounding the proposed construction demolition and disposal site near McGee Lake, as it relates to the supply of Town water.

Regular monitoring and maintenance of the water system continues, and the pump at the West End well has been replaced under warranty. Also vandalism damage was done to the East End # 1 pump site and some cable was stolen from the West End site at a value of \$1,200. The police have been investigating, but in the meantime, the fenced area has been repaired. He added that the new stainless steel pipe and pump have been completed which means that all the wells are back in operation.

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The analyzer will be installed in the near future, hydrant flushing and maintenance has been undertaken and 7 new meters have been installed over the last month.

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

**that the report from the Water Commission, be received.**

**MOTION CARRIED**

Points from Discussion

- Two new appointees were welcomed to the last meeting of the Water Commission - Dick Killam has replaced Janet Newton as the County representative and Ryan Stronach now represents the Fire Department.

**(ii) Commission Report**

Mayor David Corkum had nothing further to report.

**(g) (i) Chief Administrative Officer's Report**

CAO Robicheau reiterated some points from his attached report, noting that although a meeting had been scheduled with the Friends of the Library to discuss the Memorandum of Understanding, this will have to be postponed until early July, with the expectation that this will be completed by the Fall. He also met with Dan Dooks (NSBI) and Colby Clarke (KRDA) regarding undeveloped lands in the Industrial Park. Following this, he met with the Director of Planning, and the Director of Engineering, along with the consulting engineers regarding the servicing scenarios and costs. Although some work remains to be completed beforehand, Council should consider the opportunity to workshop this item as to the costs of services and the costs of the property. The CAO also has learned that regarding the acquisition of land for the new soccer field at memorial Park, another individual is now the contact person for that project.

Last week, he and the Chief of Police spent 3 days in negotiations in Halifax regarding joint bargaining issues. Another meeting, with only the CAOs will take place on Wednesday. He added that any decisions made are non-binding to the municipal units, and they will be presented to each Council for discussion.

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

**that the report from the Chief Administrative Officer be received.**

**MOTION CARRIED**

Points from Discussion

- On the designated library lot, a final plan with up-to-date survey information is required, along with where the future roadway will be and what property remains for disposal. This also involves the remaining land north of Shannex and the River Street Extension land, which must also be finalized.
- The property designated for the library has not been legally surveyed, but is a portion of that land expropriated from Welton's land.

**(ii) Town Clerk's Report**

Town Clerk, Carol Harmes submitted a report in which she noted that work continues on the HR Policy and Standard Operating Procedures, the AMA Communications Committee, Senior Administration meetings and the Student Bursary Committee. She added that Chapters 14 and 16 have been repealed and several Policy Statements have been reviewed. One known as *G34-Temporary Development Officer* is very out of date and she recommended that it be amended.

Further, she asked that council review and provide comments on *Policy Statement G2 – Recognition of Citizen Appointees Retiring from Committees, Commissions, Boards and Agencies*, as there seems to be inconsistency within some committees.

She reminded Council that a summer break has been scheduled from July 12 until August 30<sup>th</sup> unless meetings are required. Also Council members should let her know if any members are unable to attend the UNSM Conference in Sydney this fall. Lastly, she thanked those staff persons who assisted with her workload during her recent holidays.

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

**that the report from the Town Clerk be received.**

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**MOTION CARRIED**

**NEW BUSINESS**

**(a) Rotary Clock**

Director Mark Phillips presented a design of the Cornwallis /Main Street corner, showing the location where the Rotary clock will be installed. He noted that this site will not impede the flow or visibility of vehicular or pedestrian traffic through this crosswalk area, and that changes to this corner will be an attractive addition to downtown.

As part of the agreement with the Rotary Club, the Town's financial commitment will involve the installation of underground wiring, construction of supports to ensure that the clock is properly anchored and the provision of a landscaped area to enhance this structure.

With the proposed design, he suggested that planters could be installed, not only to add to the aesthetics of the corner, but also for the protection of the clock. He added that this project might make a great 125th anniversary gift to the Town and could be noted as such.

Points from Discussion

- The clock and the planters should not create problems with snow plowing.
- The Traffic Authority felt that the design of the clock allows for good visibility.
- The Police Chief felt that there shouldn't be a traffic issue.
- This item has not yet been included in the approval of the Town's Capital Budget.
- The Rotary Club wants to get this project underway so as to spend the funds in this fiscal year

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

***Recommendation to Council***

**that a recommendation be made to Town Council that the Rotary Clock Project be approved in the 2010 - 2011 Capital Budget in the amount of \$41,000, of which \$23,000 will be contributed by the Rotary Club and \$18,000 by the Town of Kentville.**

**MOTION CARRIED**

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**(b) Bonavista Subdivision Access Trails**

An email from a resident of this subdivision asked if the Town would consider the construction of access trails to the pocket park. Director Mark Phillips noted that the two entry trails into the park (Terra Nova Drive and Craig Street) had not been developed, due in part to the sensitivity of the legal issue underway at the time of development. However, some residents feel that sufficient time has passed and they are now interested in carrying forth with this work.

Points from Discussion

- Perhaps two additional entry points are not necessary, as there appears to be little use of the park.
- There have been a number of comments and recommendations from residents, who want the work completed.
- The agreement had been that the citizens would fund raise to financially contribute to the work.
- This contribution should be received prior to the completion of the work proposed.
- The Town must be careful to satisfy its contribution towards the work only, not to match funds raised by the citizens.

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

*Recommendation to Council*

**that a recommendation be made to Town Council that the Town proceed with the pathways to the Bonavista Park only after the community financial commitment has been met.**

**MOTION CARRIED**

**(c) 2010 Capital Construction Projects –  
Recommendation**

Director Greg Kehoe noted that tenders for the 2010 Capital Works projects closed on June 9<sup>th</sup> with 4 bids received and G.K. Morse being the lowest. A total of 9 projects were included - under Transportation Services, work for Station Lane, Main Street, Crescent avenue, West Main Street and Glenview Avenue. Under the Water Commission, work involved Brook Street, Academy Street and West Main Street.

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In an attempt to reduce the budget this year, the provisional item of West Main Street Pipe Work, at \$49,150.00, was deleted from the schedule of work,.

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

*Recommendation to Council*

**that a recommendation be made to Council that authorization be given to award the 2010 Capital Project award to G.K. Morse, the lowest bidder, at \$618,732.50, plus HST**

**MOTION CARRIED**

**(d) Webster Court – Parking Issues – Recommendation**

Director Greg Kehoe stated that as the Town currently finds itself having to cut Operating and Capital Projects for the upcoming year, it appears that it will not be possible to carry out the proposed work for this street during the coming year. He added that during interviews with residents and businesses in the area, parking, beautification, increased lighting and signage were seen as priorities for this street.

However, in response to the parking shortage for businesses in this part of Town, he stated that currently there exists 36 leased parking spaces on Justice Way, 5 of which are not leased, with another used in the winter to hold snow during snow removal operations. He proposed that some of the parking spots (which had originally been designated for leased parking), be converted to public, 2-hour parking. As for the beautification of the street, he noted that flower baskets, planters and seasonal banners would enhance the appearance of the area, and these items, along with additional lighting and the installation of another street sign, would require limited funding.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that a recommendation be made to Town Council to convert 4 leased parking spaces on Justice Way to 4 public, two hour parking spaces.**

An amendment to this motion was proposed by Councilor Tony Bentley and Councilor Bernie Cooper

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*Recommendation to Council*

**that a recommendation be made to Town Council to convert 6 leased parking spaces on Justice Way, to 6 public, 2-hour parking spaces.**

**AMENDMENT CARRIED**

Points from Discussion

- The local businesses are using the current parking spots, leaving none for their customers, and may use these new spaces, as well.
- Additional spots at the Cornwallis Inn would have to be co-ordinated with the owner of the Inn, as there are times when the whole parking lot is used.
- Some of the parking problems relate to the tractor trailers with deliveries at NSLC.
- When the leases have expired on the parking spots on Justice Way, these will be converted into public parking.

**(e) 2010-2011 Sanitary Sewer Capital Budget – Recommendation**

Director Greg Kehoe noted that the sanitary sewer operates on a budget separate from that of the Town and that sewage is pumped and collected through the mains in Kentville to the regional pumping station. From here it is pumped to the regional sewerage treatment plant in New Minas, with the cost of the collection and treatment shared among the County of Kings, Kentville, New Minas and two large industrial users.

He added that the County recognized and adjusted the Town's contribution to the Operating and Capital Budget, as a result of the closure of Eastern Protein and it would now, appear in order for Council to approve this budget.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

*Recommendation to Council*

**that a recommendation be made to Town Council that the 2010-2011 Sanitary Sewer Capital Budget be approved for \$216,000**

**MOTION CARRIED**

**(f)2010-2011 Sanitary Sewer Operating Budget –**

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**Recommendation**

Director Greg Kehoe reported that the sanitary sewer operates on a budget separate from the Town and finances all capital projects and operating costs through its rate base. The Regional Sewer Committee, composed of the County of Kings, Kentville, New Minas and two large industrial users has included measures to increase the performance of the lagoon which ultimately should lower costs. He added that Kentville's portion of the Regional Sewer Budget accounts for over 65% of the total expenditures in the 2010-2011 Operating Budget.

In addition, Director Kehoe stated that the Town is financially responsible for the sewer lateral line, from the property line to the sewer main, and that over the last few weeks 3 lines have required replacement at a cost of \$9,000. Although the financial responsibility has rested with the Town for the last 7 years, this may be an area that the current Council may wish to revisit.

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

*Recommendation to Council*

**that a recommendation be made to Council that the 2010-2011 Sanitary Sewer Area Service Operating Budget be approved as per the attached report.**

**MOTION CARRIED**

**(g)Sign Bylaw**

Deputy Mayor Bill Boyd noted that there exists several off-site personal advertising signs, two of which are on Town property at the corner of Park Street and Duncan Avenue. Others are here and there throughout Town.

Director Gentleman noted that in comparing these personal signs with real estate signs, they meet the size requirement, but the questions seem to be "What is considered a temporary sign?" and "How long can a temporary sign remain on a site?"

Points from Discussion

- If the Town adheres to its own bylaw, real estate signs advertising an Open House would not be permissible.
- The Planning Department has tried to reach a balance

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between what is the written word and what is reasonable.

- The Bylaw should be revisited in order to provide consistency and governance to those areas where abuse is taking place.
- Council is interested in having new people move into Town and must be careful not to appear unfriendly in advertising property for sale.

**(h) Report on Student Bursary Committee**

Councilor Tony Bentley gave a brief report from the Student Bursary Selection Committee, noting that 4 individuals have been selected to each receive a \$500 bursary. He noted that although 14 students applied, only 6 of these were Kentville residents, but all were from Northeast Kings Educational Centre. The applicants chosen were Katy Bray, Michelle Carter, Breagh Ross and Andrew Kingsbury.

He added that the Committee suggested that something special be considered for the Town's 125 anniversary year, and further, took a moment to add that all applicants were excellent students, with great marks and many extra-curricular activities. These qualifications, he noted, contradicts the information recently received in the AIMS report.

**(i) Proposed Amendment – Policy Statement  
Policy Statement G34- Temporary  
Development Officer**

Town Clerk Carol Harmes noted that amendments are required to this policy as its content is no longer accurate, as the current Development Officer is Frank MacFarlane and the Assistant Development Officer is the Director of Planning and Development, Beverly Gentleman.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Tony Bentley

*Recommendation to Council*

**that a recommendation be made to Council that  
Policy Statement G34-Temporary Development  
Officer be amended, as attached.**

**MOTION CARRIED**

**CORRESPONDENCE**

**Valley Community Learning Association (received today  
and added late)**

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This group asked to appear at Council to discuss the matter of free parking for their volunteers. Councilor Bernie Cooper, who had once been the Bylaw Enforcement Officer and the individual responsible for issuing parking tickets, noted that temporary parking for particular operations around the block is not a normal practice. He questioned why Valley Community Learning Association believed that they had permits which would allow them to park for long periods of time.

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

*Recommendation to Council*

**that a recommendation be made to Council that the requests from Valley Community Learning Association be referred to the Chief of Police.**

**MOTION CARRIED**

Points from Discussion

- The issuance of Parking Permits and/or tickets is not the business of Council.
- The good work done by this organization is certainly well known in the area, however, special privileges, like parking permits would be unfair to others.

**ADJOURNMENT**

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

**that the meeting adjourns at 4:50 p.m. to go In Camera to discuss Contract Negotiations, Land Acquisition and Legal Services**

**MOTION CARRIED**

**IN CAMERA**

- (a) Contract Negotiations**
- (b) Land Acquisition**
- (c) Legal Services**