

Council Advisory Committee

MINUTES

October 9, 2012

PRESENT

Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Nola Folker-Hill, Councilor Bernie Cooper, Councilor Bill Boyd, Councilor Tony Bentley Councilor Eric Bolland, CAO Mark Phillips and Town Clerk Carol Harmes. Regrets: Solicitor Tom MacEwan (Peter Muttart to take his place, although he did not arrive)

Also present: Finance Director Crowell, Planning Director Gentleman, Town Engineer Whynot and Police Chief Mander

CALL TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 1:38 p.m. and CAO Mark Phillips reported that all members of Council were present, all directors were present, as were Town Clerk Harmes and himself, as CAO. Although Solicitor MacEwan was not available, Solicitor Peter Muttart was expected to take his place.

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 Bill Boyd and seconded by Councilor Tony Bentley

that the agenda be approved with the addition of:
5(d) Kings Point-to-Point Funding
7(d) Freedom of the Town
8(c) HRM

MOTION CARRIED

PRESENTATIONS

(a) None

APPROVAL OF THE MINUTES

(a) **Minutes of October 9, 2012**

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

that the Minutes of September 10, 2012 be approved as circulated.

MOTION CARRIED

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**BUSINESS ARISING
FROM MINUTES/OLD
BUSINESS**

(a) Report – Bylaw Revisions – Summary Offence Tickets

As a result from a previous request, a report from Police Chief Mark Mander noted those current bylaws that would be best suited to allow for the issuance of SOTs in the event of violations. SOTs are provincial tickets which compel the person violating the bylaw to either pay a fine (out of court settlement) or to plead not guilty and to have a trial.

Upon review of all Town bylaws, a recommendation was made that in addition to those already listed as having SOTs, the following should be included on that list: *Chapter 75 (Swimming Pool Bylaw)*, *Chapter 77 (Idling Control Bylaw)*, *Chapter 78 (Outdoor Fires Bylaw)*, *Chapter 83 (Streets Bylaw)*, *Chapter 90 (Alarms Bylaw)* and *Chapter 64 (Taxi Bylaw)*.

He noted that in order to expedite these changes, the Town should update the proposed bylaws; arrange a schedule of court fines for each bylaw, and have the town's lawyer review them and then contact our local MLA to bring the proposed changes to the legislature. Discussion with the County of Kings is advised regarding the Taxi Bylaw, as the Town offers a contracted service to the county. In preparation, Chief Mander recommended that staff meet (perhaps at Senior Administration meetings) to review these bylaws and to propose a range of fines.

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

that the report from the Police Chief be received.

MOTION CARRIED

Points from Discussion

- This process is more of a “house-keeping” matter and does not fall under the category of a private members bill.
- The issue of unsightly premises may be best handled outside of a SOT procedure, as the Long Form Information process will allow the Town to take the offender to court and allows that individual to be faced with a wider range and heftier penalty.(i.e. clean up an area may be thousands of dollars)
- There may be a real or perceived conflict of interest if the Police Chief is involved in reviewing and setting a range of fines, as the police department is responsible for bylaw enforcement, as well.

(b) Community WiFi

In response to a request at the last CAC meeting, IT Specialist,

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Jason Bethune was asked to address the issue of free wireless service for those businesses in the downtown. He added some discussion points relating to costs, coverage and utilization.

Contact with Bell Aliant indicated a need for a site survey (\$3500) following which an accurate cost for implementation could be determined.

To provide valuable feedback on utilization of a small free wireless system, IT specialist Bethune suggested that a single access point be installed in Centre Square for approximately \$3500-\$5000.

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

that this report be considered for discussion at this meeting.

An amendment was proposed by Councilor Bill Boyd and Councilor Tony Bentley

that the issue be explored in more detail prior to the next year's budget.

AMENDED MOTION CARRIED

Points from Discussion

- This is not a budgeted item.
- Most cafes and coffee shops have already installed wifi and although the Town's involvement would assist them financially, the Town should ask itself if it should assume this business cost.
- This service should be considered under a new budget in the spring when its usage might be higher.
- It would not be necessary to do a survey after the test in Centre Square has been assessed.
- This proposal is a good first step, however, if feasible, Council should expand the range to include all businesses.

(c)KCA – Purchase/Sale Update

CAO Phillips reported that in addition to the detailed email sent to Council and staff, regarding the safety and security of the old KCA buildings, he added that AVRSB granted availability of the additional 3 acres, as requested, however this property must be appraised. The Town has arranged for this appraisal.

As for the previous agreement of purchase, the Town has taken steps in risk management to shut the facility down - water turned

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off (fire hydrants are on site) - heating turned off - power left on.
The facility can be described as a dry, cold storage area.

As for the demand for the purchase of this property, there is a recreational group which has expressed an interest, however, nothing definite has come forward. There appears to be no need for additional recreational space at this point in time, as all groups have been accommodated in other facilities.

Points from Discussion

- Adjacent land (2.7 acres) would be an asset and it appears unusual that a buyer would be doing the appraisal and not the seller.
- With the Town now having ownership of the old KCA, Council should have some input into the content of the RFP and this should be addressed soon.
- This building should be winter tight.
- More discussion on future development should take place at a future strategy session and this project should be moved forward for action in the Spring.
- Normally a buyer would undertake the task of getting an appraisal and would ultimately be responsible for this.
- Both Lavinia Parish Zwicker (Chair of Board) and Margo Tait (Superintendent) have been very cooperative in finalizing this deal.

(d) Kings Point-to-Point.

At a previous meeting of CAC, the comment was made that because the Town had not financially contributed to the costs of the Kings Point-to-Point service at the time of advertising, Kentville was not named as a contributing partner. A report from the Director of Finance indicated that funds were distributed to this organization as follows:

2007 - \$1,000
2008 - \$1,000
2009 - \$3,000
2010 - \$4,800
2011 - \$5,000
2012 - \$7,200

The amount contributed by the Town was \$22,000 from 2007 to 2012.

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**DEPARTMENTAL
REPORTS AND
RECOMMENDATIONS**

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

Director Debra Crowell noted some highlights from the department:

- The second quarter utility bills will be generated and sent out in October.
- Following the tax billing due date of October 1, \$2.56 million has been paid.

With Schedule A (revenue), if averaged evenly over the year, the benchmark would be 50%. However, revenue is above the average at 81.4%. With Schedule B (expenses), overall expenses are slightly under the benchmark at 45.9%, although some departments are over, due to annual payments and bulk purchasing. With Schedule C (Summary of Outstanding Taxes), 91.4% of the current tax levy has been collected, with an outstanding amount of \$779,047.

Schedules E and F (Perpetual Investment Fund) saw investments total \$13.2 million at cost, with dividends at \$71,582. The Fund Manager indicated that because interest rates are low, it will be difficult to achieve 6-7% return with the current rates.

Following a review of each account, it was moved by Councilor Bill Boyd and seconded by Deputy Mayor Mark Pearl

that the report from the Director of Finance be received.

MOTION CARRIED

(2) Projections

Director Debra Crowell submitted a very lengthy report from which she noted that overall (as of September 30, 2012) the Town could realize a deficit of \$80,200.

Following an in depth review of the accounts impacting these projections at this time, it was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

that the Projection Report from the Finance Department be received.

MOTION CARRIED

Points from Discussion

- As the Town is only 6 months into the year, a projected \$80,000 deficit could swell into a serious problem should this trend continue.
- As the year continues on, more specific savings can be identified.

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- The cost for a full time Recreation Director has been included in the budget.

(3) Transfer to Capital Reserve Fund – General Allocation

Director Deb Crowell noted that in previous budgetary discussions, Council discussed the use of the 2011-2012 operating fund surplus. She noted that the annual surplus of the operating fund was \$176,384, from which the operating budget deduction of \$86,400 and the capital reserve – general allocation deduction of \$59,433 resulted in an annual surplus to the accumulated surplus of \$39,551. She further noted that that the transfer of \$59,433 was an over-run relating to land acquisition, and that this withdrawal was brought to Council in April 2012. As this over-run was unexpected, Council felt that these funds must be returned to the capital reserve fund – GA.

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

***Recommendation to
Council***

that a recommendation be made to Council to transfer \$59,433 from the Operating Fund to the Capital Reserve Fund – General Allocation, as a partial use of the 2011-2012 Operating Fund annual surplus.

MOTION CARRIED

(b) Planning and Development

(i) Director's Report

Director Bev Gentleman reported that there were 6 building permits, amounting in building value of \$64,500, which brings this year's valuation to \$7,010,481.

She added that:

- Kings 2050 group continues to meet and there was a workshop on September 26 with over 85 people in attendance. The CAOs will be discussing the next steps for this project and a future meeting will be held with all councils to discuss governance.
- Valley Waste's small scale wind turbine issue held a Public Participation meeting on September 12 with no opposition to the project. If no further objections are received at the Public Hearing on October 17th, Second Reading will be scheduled for the November meeting of Council.
- Rafuse Machine Shop saw approval of the non-conforming use by the Province, and should no opposition to this amendment be received at the October 17th Public Hearing, Second Reading will be scheduled for the November

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- Council Meeting.
- Parking Study – The results are being analyzed and a report should be available for the November Council Meeting.
 - Colliers International – Details are being discussed with an interested party on the sale of the Kentville Futures Site property.

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

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

MOTION CARRIED

Points from Discussion

- All 7 council members will be available for the October 17th Public Hearing.
- The Development on Gladys Porter Drive is coming along very well and is an attractive building.

(iii) Environmental Advisory Committee Report

Chairman Eric Bolland reported that there has been no meeting, although the water cooler and banner installations are being carried out. A clean-up with the Baptist Church is being done.

**(c) Parks, Recreation and Community Development
(i) Director's Report**

CAO/Director Mark Phillips reported that:

- The programs are up and running and the after-school programs appear successful. The Department is finding ways to utilize the indoor facility.
- Mike Ouelette (new principal at KCA) is very cooperative and the availability of the school for recreation has been excellent.
- At the arena, there are a number of events being scheduled.
- Memorial Park is being shut down, however, there have been some late ball tournaments and some youth football practices still being carried out. Football is a well attended program.
- Another sign will be installed at Memorial Park, with animation; any changes can be done from a computer.
- Parks and Trails remain popular and the Participark has been busy with Annapolis Valley Mountain Bike Association race being arranged. The Recreation Department is assisting.
- Work continues to increase the walking school bus interest

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- in Palmetter Subdivision.
- Harvestfest was well attended, although the Octoberfest part of this event was not well attended. A meeting will be held to help determine what else can be done to assist this additional event.
 - The Terry Fox Run will be coordinated through the school, as general participation has lessened.
 - The Pumpkin People displays have been put up, however, a fair amount of vandalism has been suffered.
 - At the new park area, (near KCA) work continues on the drainage and grading, top soil and sodding. A type of new sod with deep root growth will be sourced out for the new areas at the park.
 - Irrigation is being done and some tree planting will make the area very attractive.
 - An area has been designated (at the old Esso site) for a dirt track with BMX biking, a welcome area, a pump track, a mountain bike skills area, a climbing park with a miniature rope course and zip line, and a potential for a small skateboard park area. This will be an adventure park and will be developed with funds from a capital budget. Some ground work can be done in advance.

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

Points from Discussion

- The new fencing is appreciated by the tennis users.
- There are no immediate plans to install a football field in this area although fields are made available for this use.
- The new sign may be up by Remembrance Day, although some preparations must be done prior to its operation.
- Mayor Corkum was also speaking with Principal Mike Ouelette and received a lot of encouragement for a good relationship with KCA.

(ii) Community Development Coordinator's Report

- KCDC recently met and dealt with several agenda items, one of which was the potential merging of KCDC and KDCL.
- There was some interest in a joint committee, although

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- others were not supportive of the concept.
- Results on the hotel feasibility study are anticipated soon.

(iii) KCDC Chairman's Report

Mayor Corkum felt that the merging of these committees would be a better use of resources.

(d) Police Report

(i) Chief's Report

Police Chief Mark Mander reported that video training is being shared with officers across Canada and one such training video is being done in Kentville. The "Freemen's Society" is a movement making itself known across the country. Basically, its members do not support government involvement in peoples lives, and should not collect taxes, issue licenses and so on.

On October 25th "A Fan Day" will be held for the Special Olympians and a torch run has been organized between Kentville and Bridgewater. The Town will host a barbecue. Also, on October 27th at 7:30 p.m., the Police Service will celebrate its 125th anniversary at the KVFD Hall. Tickets will be \$25 for a social event, with a portion of the funds raised, being given to Special Olympians.

He added that at the Ghost Walk event, a former Police Chief (Davis) was recognized as a community hero; and the actor who played Chief Davis has been asked to participate, in that character, in the Anniversary celebration. Lastly, he noted that the Police Board will be meeting next in November.

Amongst other statistics:

- There were 67 hours of foot patrol in September.
- 378 calls were made to dispatch after hours.
- 23 commercial alarms and 4 residential alarms were responded to.
- 48 parking tickets were issued

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

that the report from the Chief of Police be received.

MOTION CARRIED

Points from Discussion

- The disturbances reported involve situations of fighting, nuisance behaviour and mentally disturbed citizens.

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(ii) Board Report

Councilor Bernie Cooper had nothing further to report.

(e) Transportation Services

(i) Directors Report

Director Whynot reported that:

- The capital program projects continue to progress.
- Staff was trained to use the sewer cameras and learned that some sewer mains are in good shape while others indicated blockages.
- Training in Safe Excavation was done with staff.
- Regional Sewer System – capital projects for the treatment plant continue; a payment schedule is being prepared to help municipal units and commercial businesses to project future costs for the sewer system.

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

- Work on the pumping station near the Cornwallis Bridge, will alleviate much of the smell in that area.

(f) Water Commission

(i) Directors Report

Director Whynot noted that:

- Water quality continues to be within acceptable limits.
- The East # 1 pump may need to be replaced, as will a couple of variable frequency drives for the booster stations near Prospect Street reservoir, and a replacement scheduled is being prepared.
- Water meter readings were conducted and unusual bills are investigated.
- Defective equipment has been identified and will be replaced or repaired as part of the fall protection inspection.

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

that the report from the Kentville Water Commission be

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received.

MOTION CARRIED

(ii) Commission Report

Mayor Corkum had nothing further to report.

(g) Administration

(i) Chief Administrative Officer's Report

Highlights from the report:

- *Kings Partnership Steering Committee* – meetings will be cancelled until after the election.
- *Kings County Fire Services* has had its scheduled meeting cancelled.
- *KCDC* – a meeting on Sept. 26 was held to discuss a number of issues (old KCA, joint advertising, fall events, the hotel study and the phasing out of KCDC.)
- *JFSC* – met Sept. 25 with board – looking at and administration model to be used on a go-forward basis. Further discussion of Walsh Report will deal with a number of issues identified.
- *Kings Transit Authority* – work continues with the installation of a new station, Timbertec has been awarded the project, and some tree removal is required beforehand. A strategy session was held in Berwick on October 3rd.
- *AMANS* – The Fall convention will be held Nov. 6-9
- *UNSM* – Fall conference – all present except Councilor Bentley; the Town's Task Force report was debated and accepted; Mayor Corkum was elected Vice President of UNSM and Councilor Folker-Hill was appointed to Town's Caucus executive.
- *Valley Waste Resource Management* – The grand opening of the administration building was held on October 4th and was well attended.
- *Fire and Building Inspection Agreement with County* – these two agreements will be reviewed prior to budget deliberations and will focus on improved communication, better reporting, and increased resources. The Town can expect future increased costs for this service.
- *2012 Municipal Election* – the first day of e-voting will take place on October 11.
- *HR Management* - Some 40 applications have been received for the Recreation Director position; these will be reviewed and shortlisted by Councilor Bill Boyd.
- *CUPE* – The multi-sector pension plan began August 1 for CUPE members.

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- *OHS* – meetings and training continue on a regular basis.
- *Finance and Administration Committee* – Evaluated the CAO and identified some strengths and weaknesses.
- *The Kentville Gravely Ghost Walks*- These events were well attended and very enjoyable. Participation in this should be urged.

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

that the report from the Chief Administrative Officer be received.

MOTION CARRIED

Points from Discussion

- Gerry Little's work with the Pumpkin People has remained outstanding.
- There was an excellent turnout for the Harvest celebrations.

(ii) Town Clerk's Report

Clerk Carol Harmes reported on the number of meetings and also gave an update on the status of the election preparations and some other projects of an on-going nature.

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

that the report from the Town Clerk be received.

MOTION CARRIED

(h) Council Reports from Workshops and Conferences

Councilor Bill Boyd reported that at the UNSM Conference, he noted that the membership approved the viability report, however, implementation of report will be a challenge. His concern is in getting the units to work together.

Councilor Nola Folker- Hill felt that some of the topics at the UNSM conference would have been good items of discussion for staff as well as Council.

NEW BUSINESS

(a) Street Name Change

Director Gentleman reported that developer Thom Oulton has asked that the small cul-de-sac, originally named "Blackberry Ridge Lane", be named "Little Fox Court" instead. A confirmation with the NS Civic Addressing files indicates no conflict with this name and therefore, it was moved by Deputy Mayor Mark Pearl and seconded by Councilor Bernie Cooper

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***Recommendation to
Council***

that a recommendation be made to Council that the street known as “Blackberry Ridge Lane” be changed to “Little Fox Court.”

MOTION CARRIED

(b) Cost Share Agreements 2012-030

Town Engineer Fred Whynot reported that work is being done to the infrastructure in North Kentville to address a flooding problem, and in order to drain the problem area, a connection is necessary to the Town’s storm sewer system at the intersection of Nichols Avenue and Cornwallis Street. \$200,000 of these costs will be shared between the County and the Department of Transportation and Infrastructure Renewal, and the successful contractor will be responsible for reinstatement. As some of the work required is within the Town, a resolution of Council is required.

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

***Recommendation to
Council***

that a recommendation be made to Council that direction be given to the Mayor and the Director of Finance to sign Construction Agreement No. 2012-030 for the installation of new drainage piping and connection to the Town’s existing underground drainage system.

MOTION CARRIED

(c) Cornwallis Inn

CAO Phillips reported that construction at the Cornwallis Inn has been discussed a great deal in the community lately and noted that some concerns related to:

- The number of units being constructed (42 units).
- Anticipated parking problems.
- Property related uses (as per the LUB and MPS). However, conformance of use is in effect.
- Use of Town utilities and payment of property taxes. (The building owner is working with the Town and conforms to existing Town policies.)
- The structure itself conforms to the MPS and LUB, in spite of comments otherwise.
- Building Inspection – The building conforms to the building codes in respect to residency. Although the Building Inspector has a code of compliance, he does have some discretion. Building Occupancy and temporary permits are his responsibilities.
- Some deficiencies prohibit full occupancy at this time, although work is being done to accommodate

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those.

- Another copy of the original plan should be circulated to Council.
- Parking issues appear to be a problem for the entire area. As parking has been addressed with cash-in-lieu instead of the creation of additional parking spots, this has created a burden on this community.
- The intended use of the property has changed, even though it does conform to the MPS and LUB.
- Some residents and businesses in the area have concerns, as the original development was proposed as an attractive fit into the nearby community.
- Developers are required to follow the Town's guidelines and although this appears to be the case, all information was not made available at the time the project was first brought forward for discussion.

(d) Freedom of the Town

This Saturday, there will be a reception for Council and Senior Administrative staff in the Council Chambers at 9:00 a.m. on Saturday, and then at 10:00 a.m., the military will march from Leverett Avenue to Town Hall. Following a presentation, the military will march over to the Legion.

Points from Discussion

- This is the highest honour that a Council can make on the military and Kentville's recognition of the military is a significant event.
- A rehearsal will take place on Friday at 2:00 p.m. at Camp Aldershot.
- The training centre in Gagetown is involved.
- The presence of all staff and council members would be appreciated.

CORRESPONDENCE

(a) Dept. of Health and Wellness

A letter from Health and Wellness Minister, David Wilson addressed the project – Municipal Physical Activity Leadership Program - which is part of a policy and environmental approach to healthy eating and physical activity. Grants, a MOU, priorities and evaluations were identified.

Although \$20,000 has been granted for leadership in the past, \$25,000 is being given this year.

(b) Economic and Rural Development and Tourism Re:

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RDA

A letter from Deputy Minister d'Entremont reiterated that ACOA will no longer fund RDAs, effective May 25, 2013, however, the Province is interested in maintaining a partnership with municipalities, to support these services. The Province's work through the RDA Review Panel of UNSM is to give advice on the most effective delivery structure of this service.

In support of this initiative, the province is asking municipal units to maintain their investments in the provision of local economic development.

Points from Discussion

- This letter should be discussed by the Kings Partnership Steering Committee or at the next meeting of the Mayors, Warden and CAOs.
- The County of Kings is not interested in the current model for economic development, nor is Wolfville. Berwick is concerned about liability following May 25th, so there may be no interest in meeting to discuss future partnering, unless the model for the service has changed.
- There appears to be no discussion on proposed changes to the existing model.
- Support of Kings RDA should be sustained until it can be improved.
- It appeared that the County wanted to use their 60% funding to hire its own community development staff.
- Meetings of Kings RDA continue on a monthly basis.
- Kings RDA was the leader in successful regional development in the province, and it is very unfortunate that support has been withdrawn.
- The Mayor, on behalf of Council, should write letters as soon as possible, to the Mayors, Warden and CAO group, to the individual partnering councils, and to the Kings Partnership Steering Committee, to ask if there is an interest in discussing this letter.
- A letter to each Council might ensure that this matter will be discussed at a public Council meeting.
- Attitudes may change with the possibility of new council members in some units.

It was recommended

that direction would be given to staff to prepare a letter to the partnering councils of Kings RDA, perhaps at the Mayors/Warden and CAO level, along with the Kings

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Partnership Steering Committee, to request the opportunity to address the Kings RDA in light of the recent letter received from the Province.

AGREED

(c) HRM – Thank you

A letter from Mayor Peter Kelly thanked the Mayor and Council for its support over the years, while expressing his pride in the work being done in other municipalities and through the membership of UNSM .

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

that the letter from Mayor Peter Kelly be received.

MOTION CARRIED

ADJOURNMENT

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

that the meeting adjourns at 4:08 p.m.

MOTION CARRIED