

APPROVED ON OCTOBER 13, 2009

COUNCIL ADVISORY COMMITTEE

September 28, 2009 – 1:00 p.m.

PRESENT

Mayor David Corkum, Deputy Mayor Bernie Cooper, Councilor Bill Boyd, Councilor Nola Folker-Hill (arrived at 1:12 p.m.), Councilor Mark Pearl, Councilor Eric Bolland, CAO Keith Robicheau, Solicitor Peter Muttart (arrived at 1:25 p.m.) and Town Clerk Carol Harnes

Regrets: Councilor Tony Bentley

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

CALL TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 1:05 p.m., and CAO Keith Robicheau reported that all Council members were present, except for Councilor Bentley who was ill.

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 Deputy Mayor Bernie Cooper and seconded by Councilor Eric Bolland

that the agenda be approved with the addition of :

7 (a) Education Agreement (later moved to In Camera and items renumbered)

7 (b) Kings Transit – Garage Facility

7 (c) Committee Street Review – moved from 4(b)

MOTION CARRIED

APPROVAL OF THE MINUTES

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

that the Minutes of August 31, 2009 be approved as circulated.

MOTION CARRIED

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**BUSINESS ARISING
FROM THE MINUTES
/ OLD BUSINESS**

(a) Webster Street Survey (status report)

Director Greg Kehoe gave an update on some preliminary discussions held with residents of Webster Court. He stated that comments were made regarding landscaping and paving and it was felt that this work should be done similar to the rest of the town streets. Some businesses were concerned about parking, especially with those that have clientele coming and going throughout the day.

Points from Discussion

- The Capital budget for next year includes some sidewalk and paving work for Webster Court.
- The rear of the Cornwallis Inn has some parking but that is privately owned and not available.

(b) Committee Structure Review

CAO Robicheau felt that if this item was moved to the end of the agenda, it would be better placed following other discussions. Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Mark Pearl

that this item be moved to 7(c).

MOTION CARRIED

**(c) Annapolis Valley Regional Industrial Park
(expansion options)**

CAO Keith Robicheau reported that some discussion has taken place with CAO Brian Smith of the County of Kings, Colby Clarke and Dan Dooks of NS Business Inc. regarding the expansion of industry in the area and the sale of existing lots. The land in question is 32 acres to the south of the existing Park. However, funds are not available from NS Business Inc. to develop this property, although there have been a number of enquiries.

CAO Robicheau advised that during previous discussions with the County of Kings, indications were that the County had initiated a \$60,000 study on the opportunity to develop a new industrial park, however, that was cut from their budget. As a result, the County and the Town met to discuss a joint venture. In the end, County Council felt that there were unresolved issues regarding the wellfield expansion and therefore, had some concerns about a partnership.

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Points from Discussion

- NS Business Inc. is interested in working in a partnership with the Town, the County or some other municipality to further develop the park.
- The 30 acres of property is in the most southerly section of the park and runs back to the 101 Highway.
- There are advantages of developing an existing industrial park.
- This is a lost opportunity for the County, as they have been embroiled in struggles over development on agricultural land.

It was the consensus of Council

that the CAO meet with Nova Scotia Business Inc., work with senior staff to identify various scenarios for the development and then report back to Council.

AGREED

**DEPARTMENTAL
REPORTS AND
RECOMMENDATIONS**

(a) Finance

(i) Director's Report

Director Debra Crowell reported that projections as of August 31, 2009 indicated a surplus of \$17,200. She pointed out the various items affecting both the revenue and expenditures and reviewed these accounts in detail. A copy of her report forms part of these minutes.

Points from Discussion

- Full taxes are not yet being received from Kings Riverside Park but the full assessment should be identified on the December assessment roll.
- If the Town is not happy with the assessment value, it has the right to appeal that amount.
- The Assessment Act allows for only the assessed value as indicated by the Property Valuation process.
- Federal government assesses its own property.

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

that the Finance Director's report be received.

MOTION CARRIED

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**(ii) Temporary Borrowing Resolution –
Sanitary Sewer Area Service – Capital**

Director Debra Crowell reported that this TBR relates to the capital programs for wastewater facilities and storm water systems, and that the resolution requires authorization at this time.

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

*Recommendation to
Council*

**that a recommendation be made to Council that
TBR 09/10-02 – Sanitary Sewer, in the amount of
\$135,000 be authorized.**

MOTION CARRIED

**(iii) User Fees for Tax Information (Proposed
Chapter 81)**

As this item was returned to CAC from a previous meeting, the Director of Finance presented the bylaw once again, pointing out that the document would allow for the collection of fees for the provision of tax information. This would increase revenue to mitigate some of the Town's expenses. She proposed a fee on property tax information and another on property tax financial information, adding that a significant sum of money could be realized over the course of time, at very little expense to the Town. No extra staff would be hired, as collections would be done through Aliant with a 1-900 number. As the information must be accumulated anyway, additional work would not be added to current staff workloads.

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

*Recommendation to
Council*

**that a recommendation be made to Town Council
for First Reading of Chapter 81 – User Fees for
Tax Information Bylaw.**

MOTION CARRIED

Points from Discussion

- Using Aliant and the 1-900 program is the most effective way to manage the billing for this information.
- A “real person” will answer the phone to provide this information.

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(b) Planning and Development

(i) Director's Report

Director Beverley Gentleman reiterated several aspects of her report, noting that there had been a total of \$847,000 for the nine permits issued in September, bringing the yearly total to \$5,305,532. She also pointed out that with the ICSP, 95% of citizens support the Kentville Vision Statement, 79% are concerned about the declining air quality and that 77% are concerned about the local impacts of global climate change. She included other aspects of Phase 2: Survey Findings Report and noted that this upcoming Wednesday, ICSP representatives will be at the Farmer's Market with information.

With rezonings, she noted that 2 applications were recently addressed at a public hearing – one for Rodger Cameron and another for St. Joseph's Church.

Relating to the Cameron Development on Chester Avenue, she noted that First Reading was given on July 15th, a Public Hearing was held on September 8th and a proposed Second Reading was intended for September 9th. Additional information was required before proceeding to Second Reading and therefore, this information was brought forth for review at this meeting. As all appears in order at this point, she recommended that the approval process for amendments to the Land Use Bylaw continue.

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

Recommendation to Council

that a recommendation be made to Council to give Second Reading to amendments to the Land Use Bylaw Zoning Map to rezone PID # 55490270 from Residential Future (RF) to Residential Two Unit Dwelling (R2).

MOTION CARRIED

Points from Discussion

- There was a change in the date for the proposed Second Reading (from October to this September 28th meeting).
- Those individuals who had attended the Public Hearing were notified about this change of date.
- A Memorandum of Understanding was undertaken between the neighbouring properties and the developer.

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- There will be about 25 dwelling units in this phase of the development.
- The traffic authority has concurred with this development.

Director Gentleman also noted that a currently existing *Policy Statement G-27 Street Naming Policy* dictates criteria regarding the naming of new streets in Kentville. In the phase currently being developed by Mitch Brison in MacDougall Heights, he is proposing new street names for two of these cul-de-sacs. The other street is actually an extension of MacDonald Park Road.

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

Recommendation to Council

that a recommendation be made to Town Council that the following street names be adopted by the Town for those roads specified in MacDougall Heights:

- **Memorial Court**
- **Queens Court**

MOTION CARRIED

Following some questions on other aspects of Director Gentleman's report, it was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

that the Director's report be received.

MOTION CARRIED

(ii) Committee Report

Councilor Mark Pearl had nothing further to report.

(c) Fire

(i) Chief's Report

Fire Chief Shawn Ripley did not have a report, however, it was agreed that this report should remain on the Council Agenda, as that department is a agency similar to Valley Waste and Kings transit.

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

that the Fire Report remains on the Council

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Agenda

MOTION CARRIED

(ii) Governance Committee Report

Councilor Bill Boyd had nothing further to report.

(d) Parks and Recreation

(i) Director's Report

Director Phillips reported that the winter schedule has been prepared for the arena and a site tour will take place tomorrow regarding the NS Power Solar Thermal project. It appears that panels will be installed on the south side of the building to provide power for heating hot water for flooding and Zamboni operations. Highly visible solar panels on the front of the building will provide hot water for the showers, etc.

The Zamboni is scheduled for replacement in 2010 and 2011 due to ongoing breakdowns and reserves have been established for this purchase.

Fencing is being erected at the pool and tennis courts, both as part of a Capital Works project; a Site Celebration is planned for October 3rd for the new library location; work continues on the trail; the Ducks Unlimited bridge should arrive in November; meetings continue with the Rotary Club on the DU project and the installation of a Town Clock; Harvest events have been well planned with the festival on October 3rd; some concern has been expressed regarding proposed classrooms at the new school; ground work will begin at the school site on October 12 and trees, irrigation and playground equipment have been removed.

Although not included on his written report, Director Phillips wished to discuss the option of relocating the Visitors' Information Centre to the downtown.

Points from Discussion

- Regarding the new school, the major concern seems to be the number of class rooms, as 23 classrooms have been identified for the new school, although currently, there are 25 classrooms required for the number of students enrolled.
- Darrell Spencer of the Dept. of Education has been asked 2 additional classrooms can be added.
- The Dept. of Education is trying to find a balance

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between what is needed and what will be sacrificed to attain this.

- Residents of West Main Street have been notified by the Department of Transportation of the Capital Work being done for the new school.
- Personal one-on-one contact has been made with some individuals.
- Any communication going out to the residents should be copied to members of Council.
- An Open House should be arranged for this fall and anyone interested in the school, the dyke development, the new bridge on the trail etc. should be invited to attend.
- There are a number of items that can be showcased to the public.
- The Parks and Recreation Advisory Committee and the Kentville Community Development Committee have both discussed the pros and cons of establishing the VIC in the downtown area.
- Both committees supported the move of the VIC, however, the proposed location was questioned.
- The County of Kings has agreed to allocate some funds towards the downtown VIC.
- When this presentation was made, the County of Kings chose an earlier start up date, November 1, 2009 whereas, the Town was not in the position to begin this project until next Spring – April 1, 2010.
- The difference was between \$7,000 and \$11,000 depending on start-up time.
- The current year's funds have been expended.
- Destination SW Nova would provide the additional staff to allow this to operate year around.
- The former Fred's Shoes location presents some traffic and parking problems in the downtown, although it has high visibility.
- More information is also required on on-going operational costs.
- The Town currently spends about \$20,000 yearly for staff and operational costs, but this new plan would allow for year-around service for the same amount.
- Madonna Spinazola should be asked to come back to CAC on October 13th.

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

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*Recommendation to
Council*

that a recommendation be made to Town Council, that subject to the approval of an appropriate location and reasonable operating costs for the downtown VIC, that the Town considers withdrawing the required funds from its surplus, as projected for year-end.

MOTION CARRIED

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Mark Pearl

that the Director's report be received.

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker Hill reported that she missed the meeting, however, it appears that the Director covered all items.

(e) Police

(i) Chief's Report

Chief Mark Mander reported that over the summer months incidents involving fighting and other disturbances continued in and around a local bar. He added that during the month of June, 123 hours of foot patrol were carried out, while 148 hours were done in July and 86 in August.

Also in keeping with the request of Council, Chief Mander reported various statistics regarding types of incidents during the summer, noting that over the 3 summer months 3454 calls to dispatch after hours had been received, with 433 9-11 calls, 57 domestic disturbances and 696 parking tickets issues.

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

that the Chief's report be received.

MOTION CARRIED

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**(ii) Chapter 82 – Board of Police Commissioners
Bylaw (Proposed First Reading)**

Chief Mark Mander presented a draft copy of the *Board of Police Commissioners Bylaw – Chapter 82*, which replaces an out-of-date bylaw – *Chapter 35* currently in force. He noted that this new bylaw has been reviewed by the Board and by the Town's solicitor, and he therefore, recommended that it proceed through the adoption process.

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

*Recommendation to
Council*

**that a recommendation be made to Town Council
that First Reading be given to adopt *Chapter 82 –
Board of Police Commissioners Bylaw.***

MOTION CARRIED

(ii) Board Report

Deputy Mayor Bernie Cooper reported that the next meeting will be on October 1st. He added that he attended the NS Chiefs of Police and Board of Police Commissioners Conference, and felt that the ideas on how to make safer communities could apply to Kentville. Another interesting agenda item was about how mental health issues relate to policing.

(f) Transportation Services

(i) Director's Report

Director Greg Kehoe reported that Public Works staff has been busy with street and sidewalk work which involved repairs, sweeping, signage, ditching, pumping out catch basins and lining. He also outlined a number of capital projects, giving a status report on the progress. With the Regional Sewer System, he advised that work continues and that the Kentville Futures Site has seen most of the clean-up work completed. Preliminary discussions have taken place with representatives from Irving Oil and cost recovery figures are being prepared for the remediation work.

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

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

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MOTION CARRIED

(ii) Committee Report

Councilor Bill Boyd had nothing further to report.

(g) Water Commission

(i) Director's Report

Director Greg Kehoe reported that during a commission meeting on September 22, members made a motion to apply to the NS Utility and Review Board for a rate review. A copy of the Water Rate Study has been completed and it is expected that the process will continue for a number of months.

Lastly, he noted that staff continues to monitor and maintain the water system, and that the 2nd quarter billing has been done.

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

that the report from the Director of the Water Commission be received.

MOTION CARRIED

Points from Discussion

- These new water rates in Kentville will still be some of the lowest of other municipalities of NS – in the bottom 25%.
- A notice about the water quality should be included in the water billing.
- The current water rates being proposed, do not employ the two block system. This means that the larger users of water will not get the reduced rate and this might encourage conservation.

(ii) Commission Report

Mayor David Corkum reported that there may be a significant increase in water rates to offset spiraling costs in infrastructure. This is as a result of trying to keep the rates low over the years and not reflective of the cost to provide the service.

(h) Administration

(i) Chief Administrative Officer's Report

CAO Keith Robicheau reported that the profile from Dr.

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Vigerstad is expected soon and will be made available to those developers who have submitted an expression of interest to purchase property at the Kentville Future's Site. Senior staff will workshop some of the outstanding issues relating to this property and a report to CAC in October can be expected. This will involve the property's limitations and strengths.

He added that NS Power has set up its first session at the local community college to train installers of the solar thermal systems.

Some discussion has taken place regarding the conveyance of the Library site (at the County of Kings property) and thoughts are that this might be best handled with the Memorandum of Understanding.

Lastly, he noted that a labour management committee meeting is scheduled soon regarding the CUPE negotiations.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Mark Pearl

that the report from the Chief Administrative Officer be received.

MOTION CARRIED

(ii) Town Clerk's Report

Town Clerk Carol Harnes noted that although there is no written report or recommendations for this meeting, she and the solicitor have been working on some of the older bylaws, with the expectation that some will come forward to CAC for review next month. She added that all members have been booked at the Westin for the UNSM conference.

NEW BUSINESS

(a) Education Agreement

Councilor Bill Boyd felt that as this item might involve litigation, it should be discussed "In Camera" after adjournment.

(b) Kings Transit – Garage Facilities

Councilor Mark Pearl noted that there was a good attendance at the meeting of the Kings Transit garage facility, at which time the Business Case Plan was presented. The consultants felt that the garage should be closer to Kentville and Representative Mark Pearl asked that

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Council support the consultant's report.

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

*Recommendation to
Council*

that Kings Transit Authority builds a pre engineered, steel building to be used as a transit garage, and that this be located within close proximity to the terminal in Kentville, with construction to begin by March 31st, 2010.

MOTION CARRIED

Points from Discussion

- A time frame should be established for the completion of this building.
- Some board members feel that the Federal Transit Funds could be better used in purchasing buses.
- Other board members feel that \$100,000 can be saved in operating costs if a garage is built to carry out maintenance.
- The money is in the bank but these are federal stimulus funds and must be spent by March 31, 2010.
- If this money is not spent, the government could ask to have the funds returned.
- Councilor Pearl and Ron Mullens met with MLA Morton and Minister Jannex to ask her to speak with Federal Minister MacKay.
- A letter can be expected from him soon and this may grant an additional year to use these funds.
- Minister Jennex should be commended for her support of public transportation and for local issues.

(c) Committee Structure Review

CAO Keith Robicheau reported that Council expressed an interest in reviewing the governance structure of committees and of those citizens appointed on these committees. The intention was to evaluate the role of each and to establish a mandate. He outlined the powers of municipalities as they relate to the Municipal Government Act, and noted that some committees can be addressed under policy, while others are mandated under a bylaw.

Points from Discussion

- All of Council should be present before full discussion is undertaken.

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- Citizen participants might be interested in continuing on a month-to-month or meeting-to-meeting basis if the issue cannot be finalized by November.
- The inclusion of senior staff and the expansion of CAC in some ways allows for all Council members to be fully informed, which has not been the case for those Council members not on the committee.
- Some committees have already been streamlined.
- Citizen input is important and Council must ensure that citizens continue to have an avenue for this.
- Perhaps citizens could serve on a committee on an ad hoc or project basis.
- The CAO and staff will create a policy and bring it back to CAC for review at the October meeting.

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

Recommendation to Council

that a recommendation be made to Council that staff prepares a policy that allows for the identification of the mandate and role of each committee of Council.

MOTION CARRIED

The Finance and Administration Committee will review the CAO's performance on October 20, 2009 (12:00 - 2:00 p.m.)

CORRESPONDENCE

none

ADJOURNMENT

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

that the meeting adjourns at 4: 15 p.m.

MOTION CARRIED

IN CAMERA

- (a) **Educational Funding**
- (b) **Covington Property (review of agreement)**