

APPROVED – March 26, 2012

KENTVILLE TOWN COUNCIL

MINUTES

February 27, 2012

PRESENT

Mayor David Corkum, Councilor Bill Boyd, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Tony Bentley, CAO Mark Phillips, Solicitor Peter Muttart and Town Clerk Carol Harmes.

MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:04 p.m. and CAO Phillips reported that all Council members were in attendance, along with the Town Clerk, the Town Solicitor and himself, except for Deputy Mayor Mark Pearl, who was away on vacation.

APPROVAL OF THE AGENDA

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

that the agenda be approved as circulated with the addition of:

11. In Camera-Contract Negotiations

MOTION CARRIED

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.

PRESENTATIONS

none

APPROVAL OF THE MINUTES

(a) January 23, 2012
It was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that the Minutes of January 23, 2012 be approved as circulated.

MOTION CARRIED

(b) February 13, 2012 (Special Meeting)
It was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

that the minutes of the Special Meeting of Council on

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February 13, 2012 be approved as circulated.

MOTION CARRIED

(c) February 15, 2012 (Public Hearing)

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

that the minutes of the Public Hearing on February 15, 2012 be approved as circulated.

MOTION CARRIED

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

(a) Second Reading – Subdivision Bylaw – Primary Services

Director Bev Gentleman noted that First Reading to approve amendments to the Subdivision Bylaw took place on January 23rd, 2012 and a Public Hearing was held on February 15, 2012 to hear any opposition to these changes, which related to the responsibility of developers for primary services. The amendments to the primary services include the paving of roads and the installation of curb and gutters. As there was no opposition to these proposed amendments, Director Gentleman recommended that the process continue.

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

that Second Reading be given to those amendments to the Subdivision Bylaw that would allow for paving and curb and gutter installations to become part of the Primary Services provided by the developer.

MOTION CARRIED

(b) Second Reading – Development Agreement (Salvation Army)

Director Gentleman also prepared a report on the Development Agreement for the expansion of the Salvation Army building on Nichols Avenue. She pointed out that First Reading was held on January 23, 2012, and that a Public Hearing was held on February 15th, 2012, to provide the opportunity for citizens to express any opposition to this development, which is primarily a sizeable addition to their current building.

As there was no opposition received, Director Gentleman recommended that the process continue.

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

that Second Reading be given for the approval of the Development Agreement which would allow for the expansion of the Salvation Army building on Nichols Avenue.

MOTION CARRIED

(c) Hotel Study (update)

CAO Phillips reported that work continues on this project but at this date, nothing further is available to report at this time. He added that the unfortunate fire at Pineview Inn may affect the needs assessment for a hotel in our area.

(d) Cultural Mapping (update)

CAO Phillips reported that there has not been much forward movement on this issue and it appears that at least 2 municipal units have indicated a lack of interest in funding the project. No funds have been released.

**REPORTS AND
RECOMMENDATIONS**

(a) Council Advisory Committee

(i) VWRM 2012-2013 – Operating Budget

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Ross Maybee, the General Manager of Valley Waste Resource Management Authority, discussed with Council a number of factors which will affect the Operating Budget for 2012-13.

Although it was understood that the percentages may be adjusted when final Uniform Assessment numbers are established, at this time Kentville's cost share at 7.77%, amounts to \$482,306 of the total budget.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that Town Council approves the 2012-2013 Operating Budget as presented.

MOTION CARRIED

(ii) VWRM 2012-2013 – Capital Budget

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Ross Maybee, the General Manager of Valley Waste Resource Management Authority, discussed with Council a number of factors which will

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affect the Capital Budget for 2012-13.

Although it was understood that the percentages may be adjusted when final Uniform Assessment numbers are established, at this time Kentville's cost share at 7.77%, amounts to \$596,000 of the total budget.

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

that Town Council approves the 2012-2013 Capital Budget as presented.

MOTION CARRIED

(iii) VWRM Guarantee Resolution

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Ross Maybee, the General Manager of Valley Waste Resource Management Authority, discussed with Council the financial commitment made by the partnering units towards the capital borrowing of \$700,000 for the construction of the administration building.

Although it was understood that the percentages may be adjusted when final Uniform Assessment numbers are established, at this time Kentville's cost share at 7.77%, amounts to \$41,026.

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

that Town Council adopts the Guarantee Resolution as presented.

MOTION CARRIED

(iv) EKCC / VIC Joint Operations

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory, Committee Community Development Coordinator Lindsay Young, reported that the Eastern Kings Chamber of Commerce (EKCC) has proposed a partnership with the Town's Visitor Information Centre (VIC), which would involve a shared commitment from their association, the Town of Kentville and the County of Kings. This arrangement would see the EKCC and VIC sharing premises and other resources at the former Kings Transit building on Station Lane, with each sharing a portion of the associated costs.

The Development Coordinator pointed out the advantages and

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disadvantages of the proposed site and partnership, and presented a preliminary budget of those costs anticipated. In closing, she recommended Council's consideration of two of the proposed options.

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

that the proposed partnership between EKCC and the Town's VIC be accepted, on a one year trial basis, provided the County of Kings contributes the requested \$14,500, and that measurable outcomes are put into place, in order to determine if the project has been successful after the trial period.

MOTION CARRIED

Points from Discussion

- Measureable outcomes would include economic impact downtown, visitor rate, parking situations and visitor and business feedback.
- Adequate parking and signage is required if the VIC is moved.

(v) KDCL Funding Request

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, a report on the KDCL Funding Request was reviewed. It was noted that this organization has identified the need for the Town to recruit, expand and retain business in the downtown, and to reach this objective, has requested \$30,000 to research a funding model that would identify a practical and permanent source of revenue.

CAO Phillips noted that the Town has done some preliminary investigation on the funding models of other business development agencies, namely Bridgewater, Parrisboro, Spring Garden Road, Sackville, Metro and Wolfville. As a result, he has learned that these agencies all have financial commitments through dues or levies which fund their respective operations.

He agreed that there is a need to establish a funding model for Kentville, and suggested that the current 2011-12 Operating Budget (for either community development or general operating reserves) could contribute to this project, or as an alternative, monies could be included in the 2012-13 Operating Budget deliberations.

Therefore, it was moved by Councilor Eric Bolland and seconded

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by Councilor Bernie Cooper

that the Town supports the request from KDCL by allocating \$15,000, so that the Town and KDCL can jointly conduct research and investigation into a sustainable business model to identify a practical and permanent source of revenue, which will support the ongoing operations of KDCL or a similar Business Development Group

and further,

that this allocation of funding is used only if internal, or associated agencies are unable to carry out the project.

MOTION CARRIED

Points from Discussion

- There is some information lacking regarding the use of the funds requested.
- Staff was asked to make a recommendation and it was ignored.

(vi) Tax Exemption – Section 69 - MGA

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Director Debra Crowell reported that in past years, the Town has allowed for a partial tax exemption to individual property owners who meet specific criteria. She outlined the grant specifications as per the *Municipal Government Act* – Section 69 and, following an analysis of this exemption over the years, and an explanation of the qualifications, she made a recommendation for the 2012-2013 year.

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

that the attached resolution for Low Income Tax Exemption for the 2012-2013 year, be approved for the exemption of \$200 with an income ceiling of \$23,774, with the deadline for applications for June 29, 2012.

MOTION CARRIED

Points from Discussion

- This is promoted by the Town with letters sent directly to property owners who applied the previous year, and also is posted on the Town's website and in the local newspaper.

(vii) TBA 11/12-04 – Refinance – Water - \$460,000

Councilor Tony Bentley reported that at the February 13, 2012th

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meeting of Council Advisory Committee , Director Crowell reported that a debenture for Phase 2 of the well-field development, which covers a 20 year period, will soon see the expiration of its initial 10 year term. Subsequently, she recommended that the Water Utility debenture be refinanced for another 10 year term.

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

that the attached temporary borrowing resolution (TBR 11/12-04 Refinancing – Water) be authorized for the amount of \$460,000.

MOTION CARRIED

(viii) Withdrawal Equipment – Public Works - \$50,000

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Director Crowell reported that the Capital Budget for 2011-12 allowed for the purchase of equipment for transportation purposes, and now requires funding from the Equipment Reserve.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

that the attached resolution be approved for the withdrawal of \$50,000 from the Town's Equipment Reserve, to partially fund the purchase of the transportation equipment.

MOTION CARRIED

(ix) Withdrawal Town Capital – 2011-12 Construction - \$68,866.43

Councilor Tony Bentley reported that at the February 13, 2012th meeting of Council Advisory Committee, Director Crowell noted that the 2011-12 Capital Budget provided for partial funding for various construction projects, to be taken from the Town's Capital Reserve fund. She request that the funds now be withdrawn.

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

that the attached resolution be approved for the withdrawal of \$68,866.43 from the Town's Capital Reserve, to fund various capital construction projects for 2011-12.

MOTION CARRIED

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(x) Election 2012 – CAO to Control Expenses of Election
Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Town Clerk Carol Harnes submitted a report and recommendations relating to recent amendments to the *Municipal Elections Act* (Bill #100).

She noted that pursuant to this *Act*, the authority for control of those costs for municipal elections, should become the responsibility of the Chief Administrative Officer.

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

that Council delegates its authority to the Chief Administrative Officer who will make, revise and amend the tariff of fees and expenses, and will provide for a method of rendering and verifying accounts for payment, pursuant to Section 139 – Chapter 300, subsection 1 (a) of the *Municipal Elections Act*.

MOTION CARRIED

(xi) Election 2012 – Appointment of Returning Officer and Assistant Returning Officer

Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Town Clerk Carol Harnes submitted a report and recommendations relating to recent amendments to the *Municipal Elections Act*, (Bill #100).

She noted that pursuant to this *Act*, the appointments by Town Council, for the positions of Returning Officer and Assistant Returning Officer, are no longer required for each election, unless the individuals change.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

that Council delegates its powers of appointment, pursuant to Section 4 of Chapter 300, subsection 1 (c) of the *Municipal Elections Act*, to the Chief Administrative Officer or the Town Clerk.

MOTION CARRIED

(xii) Election 2012 – Returning Officer to set Polling Days

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Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Town Clerk Carol Harnes submitted a report and recommendations regarding recent amendments to the *Municipal Elections Act* (Bill # 100).

She noted that a resolution of Council is being proposed that would transfer authority to the Returning Officer for establishing polling days for municipal elections.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

that Council delegates its authority to the Returning Officer to fix a day, pursuant to Section 114 of Chapter 300, subsection 4(a) of the *Municipal Elections Act*.

MOTION CARRIED

(xiii) Parking for Webster Court – Justice Way

Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Fred Whynot, the Director of Engineering and Works, presented a report that he had prepared in response to a letter and petition from owners, employees and clients of businesses located on Webster Court. The opinion in this petition was the lack of 2-hour parking spaces in this area.

He added that several options were considered to rectify this shortfall, such as installing angled parking while creating a one-way traffic flow, converting current leased parking spots to 2-hour parking and restructuring the area somewhat, to create additional parking behind some of the buildings. Following his analysis of the options, he recommended that Council consider two of the proposals.

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

**that parking spaces on Webster Court be marked in the field, and that additional 2-hour parking signs be installed,
and further,
that staff explore the possibility of parking on lands owned by the Municipality.**

MOTION CARRIED

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(xiv) Rescind Old Policies

Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Town Clerk Harmes identified a number of old policies that have since been replaced by more current documentation, or which relate to practices that no longer exist. She noted that each document has been reviewed by the department to which it pertains and by the Town's Solicitor, who agree that they serve no useful purpose. In order to expedite the matter, she has presented them as a group to be rescinded together.

Therefore, it was moved by Councilor Tony Bentley and seconded by Councilor Eric Bolland

that the following policies be rescinded:

- PW 1 – Sidewalk Repairs (Business District)**
- PW 2 – Building Inspection (Swimming Pools)**
- PW 3 – Salting and Plowing Streets**
- PW 4 – Height of Traffic Signs**
- PW 6 – Ice and Snow Control Procedures**
- PW 7 – Public Works Vehicles**
- PW 9 – Street Paving**
- PW 10 – Driveway Culvert Installations**
- PW 12 – Collection for Sewer Accounts**
- GA 8 – Erection of Signs, Posters, etc.**
- GA 25 – Approval of Video Outlet Licenses**

MOTION CARRIED

(xv) Election 2012 – Final List of Electors Availability

Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Returning Officer Al Kingsbury, presented a resolution for Council's consideration as part of the preparations for the municipal election in October. The following recommendation deals with the availability of the final list of electors.

Therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

that the final list of electors shall be prepared on August 31, 2012.

MOTION CARRIED

(xvi) Election 2012 – Preliminary List of Electors

Councilor Bernie Cooper reported that at the February 13, 2012th

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meeting of Council Advisory Committee, Returning Officer Al Kingsbury reported that the following resolution of Council will give him direction to use the electors' list from Election Nova Scotia.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Nola Folker-Hill

that the permanent register of electors established and maintained by Elections Nova Scotia, be used as the basis for the preliminary list of electors for the Town of Kentville, in the October 20th, 2012 municipal election.

MOTION CARRIED

(xvii) Gladys Porter Drive – Street Alignment

Councilor Bernie Cooper reported that at the February 13, 2012th meeting of Council Advisory Committee, Director Bev Gentleman reported that although the Town has agreed to sell a surplus parcel of land to Kent Fields Estates, which is located on the corner of Gladys Porter Drive and Park Street, the Town's Engineer recommended that a portion of that lot be retained for street alignment at a future date.

Therefore, it was moved by Councilor Eric Bolland and seconded by Councilor Tony Bentley

that Gladys Porter Drive be expanded as part of the public street, to include Parcel B, shown on the "*Plan of Subdivision of Parcel B and Parcel C, land of the Town of Kentville, Gladys Porter Drive, Kentville, Kings County, Nova Scotia,*" dated September 20, 2011, and prepared by D. Allan Cyr, NSLS, no 563.

MOTION CARRIED

(a) Fire

(i) Chief's report

The report from Fire Chief Shawn Ripley gave a comprehensive review of the activities for the previous month. He noted that there was a total of 23 alarms sounding - 16 in the County and 7 in Town and no mutual aid calls. Five false fire alarms were also sounded. He further noted that vehicles travelled 1170 kilometers (1064 in the County and 106 kilometers in Town.)

The incidents recorded ranged in scope from MVAs, fires

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(including the Pineview Inn), to smoke, odour and carbon monoxide investigations.

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

that the report from the Fire Chief be received.

MOTION CARRIED

(ii) Joint Fire Services Committee Report

Councilor Bill Boyd reported that the committee has reviewed the Operating Budget and will review the Capital Budget tomorrow evening. These will be sent on to the Town and County for acceptance and then a Public Meeting will be scheduled for the next month.

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

that the report from the Joint Fire Services Committee Report be accepted.

MOTION CARRIED

(c) Valley Waste – Resource Management Authority

The Management Minute was received in which it was indicated that the authority anticipates that the year will end in a surplus position, which will mean that funds will be returned to the partners in their proportional shares. The Valley Region Solid Waste Resource Management Bylaw has been provided to all partners and an Investment Policy and a Signing Authority Policy are being created.

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

that the report from Valley Waste Resource Management be received.

MOTION CARRIED

(d) Kings Regional Development Agency

(a) Representative's Report

CAO Phillips reported that there was no written report and nothing further to add at this time.

(f) Kings Transit Authority

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(i) Representative's Report

General Manager, Ron Mullins reported that the Board has finalized the 2012-13 budget, and the business plan will follow. It appears at this time that there may be a deficit of \$48,381, although there has been an increased in ridership by 3.5%. It is understood that when the price of gasoline goes up, ridership on the buses increases. Conversations continue with Annapolis regarding their withdrawal from this service.

The weather has been playing a role in the installation of the new bus shelters at Valley Regional Hospital and in Greenwood.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

(h) Councilors' Report

Councilor Tony Bentley reported that he attended all meetings, had a meeting with the RDA, and with the Library Committee. He added that the Kentville Library is one of the busiest of the 11 in the Valley in spite of being the smallest in size. Circulation was 78,382 last year, computer time used is near the best in the Valley and e-books have doubled since Christmas. Kings Transit and the Library operation are meeting to discuss Kings Transit helping to mechanically service the bookmobile.

Councilor Nola Folker-Hill reported that she attended all meetings, along with the session on e-voting, the Public Hearing and the official opening of Webster Court. She added that there will be a Police seminar in Toronto next month which she plans to attend.

Councilor Eric Bolland reported that he attended the e-voting session, as well as the public information and feedback session organized by the NS Government. (Review of its Environment Goals and Sustainability Act). There were also a number of EAC meetings regarding the Home Show; he attended a meeting for the Harvest Fest's Kentville Mile, the FCM Sustainability Conference in Ottawa. Although he was not available to attend the strategy session last week, he discussed the items on the agenda with the CAO.

Councilor Bernie Cooper reported that he attended all meetings, along with the e-voting session, the Webster Court Opening, and a Valley Waste meeting (for Councilor Pearl).

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Councilor Bill Boyd reported that he attended all meetings and took note of Councilor Bentley's statistics on the library.

Deputy Mayor Mark Pearl was absent with Council's Approval.

(i) Mayor's Report

Mayor Corkum noted some highlights from his report:

- He was happy to participate in the Ribbon Cutting Ceremony for Webster Court and wanted to offer congratulations to those people who have made that street such a great addition to the Town.
- Had a meeting with Minister MacDonnell of Service Nova Scotia and another with Jamie Baillie of the Conservative Party and with Stephen MacNeil of the Liberal Caucus. These discussions revolved around the capped assessments and the inequities this creates; the renegeing of the MOU and its effects; equity for Towns vs. Rural Municipalities; and what the Town of Kentville's needs are. (i.e. retain the law courts and liquor store in town and the construction of a new bridge to replace the existing one.)
- Offered congratulations to all the nominees and winners at the recent EKCC awards and AGM which he attended, and listed those from the Town.
- Lastly, he reminded everyone of the Public Hearing this Thursday night (March 1) at 7:00 p.m.

CORRESPONDENCE

(a) none

NEW BUSINESS

(a) Request Leave from Council (Boyd)

Councilor Boyd reported that he has planned a vacation for the months of March and April and asked Council for a leave of absence.

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

that Council grants its approval for a leave of absence for Councilor Boyd, as requested.

MOTION CARRIED

PUBLIC COMMENTS

Bill Denyar of KDCL thanked Council for approving funding and noted that he will be in contact with staff for further discussions. He was also impressed with the Town's support of the EKCC and noted that the boundaries are being changed for this organization (from Hants Border to Lawrencetown) and a new name to be given.

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(Annapolis Valley Chamber of Commerce). He further noted that the relocation of their offices here in Kentville will be a good addition to the downtown.

Mayor Corkum congratulated Bill and Dawn Denyar for re-opening the Pizzazz Restaurant on Webster Court.

Bruce Beaton at 35 Klondyke Street wanted to make some comments on the parking situation on Justice Way. Although Webster Court has been nicely renovated, the shortage of parking for customers and staff, along with people using the trail system has created many problems. He asked that the Town make a real effort to create additional parking, with the leased parking changed and possibly a new parking lot.

Mayor Corkum reported that a motion was passed earlier in the evening and the direction was to create two-hour parking on Webster Court (with signage) and to try to negotiate the purchase of property nearby to create additional public parking.

ADJOURNMENT

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

that the meeting adjourns at 8:15 p.m. to go In Camera to discuss contract negotiations

MOTION CARRIED