

APPROVED ON FEBRUARY 14, 2007

**KENTVILLE TOWN COUNCIL
MINUTES
January 10th, 2007**

PRESENT Deputy Mayor Larry Honey, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Dennis Kehoe, Councilor Mark Pearl, Councilor Nola Folker-Hill, CAO Bill Boyd, Town Solicitor Peter Muttart and Recording Secretary Pamela Sansom

METTING CALLED TO ORDER AND ROLL CALL Deputy Mayor Larry Honey called the meeting to order at 7:01 p.m. and CAO Bill Boyd reported that all Council members were present, except Mayor David Corkum who was away on vacation. As well, Recording Secretary Carol Harnes was away on sick leave.

Jennifer Weisner, Erin Mason and Kirk Starratt were in the audience and were welcomed by Deputy Mayor Larry Honey.

APPROVAL OF THE AGENDA It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

**that the agenda be approved with the addition of
8 (b) NSCL Sales**

MOTION CARRIED

PRESENTATIONS: None

APPROVAL OF THE MINUTES – December 13, 2006: (a) **December 13th, 2006**
It was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that the Minutes of December 13, 2006 be approved with the replacement of the word “purchase” with “sell” on page 3.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES (a) **Environmental Advisor Committee – Campaign Launch**

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Councilor Eric Bolland gave an overview, pointing out that:

- There had been two meetings prior to tonight's meeting and one more scheduled before the launch on Wednesday, January 31, 2007.
- Data has been sent out to the Media, Acadia University and to the attention of the principals of area schools.
- Along with a good working group, senior staff has been supportive. Signs will be posted in Town Facilities.
- KCA will be promoting its own Anti-Idling Free Zone.
- Education is key.
- Anti-Idling signs will be up February 1st, 2007.
- It is important to get corporate involvement, support, and acknowledgement, and in this case, Toyota is a big supporter in Environmental Issues world wide.

Councilor Mark Pearl commended Councilor Eric Bolland for putting together a good cross section of citizens, who bring their own area of expertise to the committee. Other supporters (in addition to Best Toyota) are Just Us Coffee, NEKEC, and KCA, along with other corporate citizens, who are coming forward and asking how to get involved.

Media interviews will begin on Thursday, January 11th, 2007 and citizens will be made aware of the Anti-Idling Campaign Launch. With the help of Kings CED and Staff, the Environmental Advisory Committee hopes to have the information available to secure funding for the Anti-Idling Campaign.

Members of Town Council were shown a four minute preview of the Movie "*An Inconvenient Truth - A Global Warning*" which will be shown at the Anti-Idling Campaign Launch at Nova Scotia Community College, Kingstec Campus on Wednesday, January 31st, 2007. A storm date of February 1st has been set.

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There will be a “meet and greet” at 6:30 p.m. and the session will begin from 6:45 p.m. to 9:45 p.m.

Guest Speakers

- Meteorologist – Bob Howell
- Nova Scotia Ecology Action Centre – Andrea Flowers
- The Children’s Clean Air Network – Ron Zima, ADpPR
- Town of Kentville – Environmental Advisory Committee Chair – Eric Bolland

Due to a conflict with a Valley Waste Regional meeting not all members of Council will be able to attend.

**REPORTS AND
RECOMMENDATIONS:**

(a) Council Advisory Committee

Deputy Mayor Larry Honey reported that Council Advisory Committee did not meet in December and therefore, there were no recommendations.

(b) Finance

Director Crowell stated that as of December 31st, 2006 revenue and expenditures (if they were averaged evenly over the year), would indicate that 75 % of the budget has been consumed. She added that revenue seen on Schedule A is at 84.1% and that expenditures, (on Schedule B) show that 77.9% has been expended as of December 31st, 2006. She indicated that the Town is projecting a small deficit at the end of March 31st, 2007.

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

that the report from the Director of Finance (attached) be received.

MOTION CARRIED

(c) Planning and Development

(i) Director’s Report

Director Gentleman reported there were four permits issued during the month of December for a building value of \$158,000, thereby bringing the yearly total to \$13,753,480.

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CAO Bill Boyd noted that development activity is based on the calendar year from January to December 31st.

The other planning issues addressed in the report involved the Michael Tan project, updating of civic addresses, subdivision discussions, the NS Planning Directors meeting and the site plan approval process for the David Webster project.

CAO Bill Boyd noted that the Court Order in regards to Mr. Tan and his brother has been settled with a total of \$26,000.00 in fines, approximately \$20,000.00 of which may be possibly recovered.

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

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

MOTION CARRIED

(ii) Committee Report

It was noted that the Planning Advisory Committee will meet on Monday, January 15th, 2007.

(d) Fire

(i) Director's Report:

No report was available

(ii) Governance Committee Report

It was noted that Councilor Dennis Kehoe and CAO Bill Boyd will bring the matter of reporting to the attention of the Governance Committee at their next meeting on January 30th, 2007.

(e) Parks and Recreation

(i) Director's Report

Director Phillips reported that there are a number of Tournaments and events planned at the arena and that the 2007 Kentville Home Show will take place on the weekend of April 20th.

The Rotary Club's Sport and Wellness Needs

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Assessment has been completed and presented, by consultant Jim Morgenson, with the conclusion that there was a lack of interest in a new facility at this time.

Outdoor winter activities at Burgher Hill, Oakdene Park and Memorial Park are being monitored for safety and cleanliness. The Province's *Take the Roof off Winter Launch* is scheduled for January 15th. Promotion is being done in conjunction with KCA.

Director Phillips is now attending the meetings of the Friends of the Library and noted that fundraising will begin within the year. A logo design, fundraising strategy and volunteer training will be priorities for this group.

Christmas lighting has been removed and plans for next year will have lighting around the square. Half of this lighting is now LED.

Director Phillips will be meeting with Ducks Unlimited in the near future to discuss land encroachments, land management agreements, the construction schedule for 2007, funding partners and design.

The draft design concepts for Bonavista Park will be presented to Parks and Recreation in January for review. A representative group has been formed from the subdivision to provide feedback on the design and to summarize concerns which will impact the final plan and budget for the project.

Director Phillips has been having regular meetings with Erin Mason. Objectives include promotional material, downtown beautification, CP Land development, parking efficiency and a second bridge.

Other highlights of the Director's Report included Winter Programs at KCA.

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

that the report from the Director of Parks

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and Recreation (attached) be received.

MOTION CARRIED.

(ii) Committee Report

The Parks & Recreation Advisory Committee will be meeting on Thursday, January 18th, 2007.

(f) Police

(i) Chief's Report

Chief Mander reported that December was very busy for the Kentville Police Service. Investigation into the homicide continues. Also, a seizure of over 400 illegal drugs (Dilaudid) and some illegal tobacco resulted in one male subject being charged. Chief Mander also included in his report the Foot Patrol Comparison Charts.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that the report from the Police Chief (attached) be received.

MOTION CARRIED

(ii) Board Report

A meeting is scheduled for January 23rd, 2007.

(g) Transportation Services

(i) Director's Report

As per the attached report, Director Henderson noted that all 2006/07 capital projects have been completed except for a storm pipe replacement on Park Street. With the good weather conditions, the Public Works personnel are replacing a number of water system main gate valves on side streets.

The winter parking ban has been posted and Public Works will continue to post notices on vehicles that do not seem to be aware of the ban. It is the responsibility of the Kentville Police Service to monitor street conditions and to notify the Public Works Department.

Director Henderson continues to work with the Town's consultants and solicitor to draft a new sewer by-law

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and sewer policy. The next meeting of the Regional Sewer Committee is on January 25th, 2007. He also advised that the Province has responded to a number of questions regarding the Municipal Rural Infrastructure Program (MRI) for the upgrading of renewal and extension of services on School Street and Glenview Avenue. The Kentville Kinsmen Club again this year picked up trees for their annual fundraising campaign for Cystic Fibrosis. Trees can also be dropped off at the Management Centre during the month of January free of charge or they can be cut into 4 foot lengths, bundled and put out on normal collection day.

It was moved by Councilor Bernie Cooper and seconded by Councilor Kehoe

that the report prepared by the Director of Transportation Services (attached) be received.

MOTION CARRIED

(ii) Committee Report

Deputy Mayor Larry Honey reported that the committee met last night (January 9th) and discussed and prioritized projects for the 2007/08 Capital Budget. Deputy Mayor Larry Honey will be attending the Regional Sewer Committee meeting.

(h) Water Commission

(i) Directors Report

The Director's report is similar to last month's report as the Water Commission has not met.

It was moved by Councilor Dennis Kehoe and seconded by Councilor Bernie Cooper

that the Director's Report (attached) be received.

MOTION CARRIED

(ii) Commission Report

No commission report was available

(i) Valley Waste Resource Management Authority

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(i) Representative's Report

Councilor Mark Pearl reported that the new Valley Waste Resource Management Authority chair is Reg Ritcey from Annapolis. Valley Waste Management continues to negotiate with Scotia Cycling in the signing of an agreement at the joint Council meeting on the 25th of January. Regarding the budget, there is a current debate as to whether the surplus should go back into the Operating Budget or into a Reserve Account.

Councilor Mark Pearl reported that for future meetings he will try to have a written report for both Valley Waste Resource Management Authority and for Kings Transit.

(j) Kings Community Economic Development

(i) Representative's Report

Councilor Eric Bolland reported that the Committee has not met. Jennifer Weisner reported that there is a Board Meeting tonight and she will forward on a report to CAO Bill Boyd to circulate to the members of Town Council.

**(k) Kentville Community Development
Committee**

(i) Report

Kentville's representative Erin Mason reported that she will be focusing on four of the six goals approved by the KCDC, one of which is to produce a brochure to market the Town.

(l) Kings Transit Authority

(i) Report

Councilor Mark Pearl reported that ridership was up (5%) and revenue is up (9%).

He added that the financial status of KTA will be presented in the Joint Budget meeting in February. He added that at the Joint Council Meeting on Jan. 25th, Kings Transit will outline the purposed Capital funding through the Federal Green Fund Infrastructure program.

(m) Councilor's Report

- **Councilor Mark Pearl** had nothing further

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- to report
- **Councilor Nola Folker-Hill** had nothing further to report and apologized for missing the meeting for “late bussing for NEKEC.”
 - **Councilor Bernie Cooper** had nothing further to report.
 - **Councilor Eric Bolland** had nothing further to report
 - **Councilor Dennis Kehoe** had nothing further to report
 - **Deputy Mayor Honey** had nothing further to report.

(n) Mayor’s Report

It was noted that there was no report at this time.

(o) Chief Administrative Officer’s Report

CAO Bill Boyd reiterated parts of his report (attached) expounding on the progress of the Irving Oil site remediation, the Kings Partnership Steering Committee and the CAOs (continue to meet and that the KPSC Annual Joint meeting scheduled for Thursday Jan 25 at the Old Orchard Inn), and the workload resulting from the absence of Carol Harnes from the department. CAO Bill Boyd thought she might be back to work by January 24th depending on her doctor’s report.

CAO Bill Boyd added that the Deputy Minister of Education promised to give the Town a status report on the KCA project before the end of the year. Nothing has been heard to date.

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

that Staff send a letter to the Deputy Minister of Education stating that Town Council is still awaiting a letter from his office, in response to the proposals that were discussed regarding the replacement of KCA School (which was previously promised , but not received by the end of December 2006.)

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NEW BUSINESS:

(a) Strategy Session – re CP Lands

CAO Bill Boyd reported that in speaking with Torgny J. Vigerstad Ph. D., Director of Scientific Investigations with Environmental Solutions, he understood that the CP land is ready to sell.

It was further noted that at a recent meeting of KCDC, it was apparent that this committee needs guidance in the role that it will be playing in the marketing of the CP Lands. Therefore, it was suggested that a separate Strategy Session be held to discuss this matter further. The date for Monday, February 5th at 5:30 p.m has been set for the meeting and will include members of Town Council, Senior Staff, KCDC and invited guests.

(b) NSCL Sales

It was noted that in a recent publication of a magazine in stores, that Kentville sales of Alcoholic beverages appear to have increased. In addition, there is speculation that NSCL maybe looking for a new venue in the future and it is important that the Town make every effort to retain this business in Kentville. The NSCL lease is up in two years.

CAO Bill Boyd will add this to the CAC Agenda on January 29th.

**In-Camera –
Re: Agreement with
Kings Riverside Court**

At **8:10 p.m.** it was moved by Deputy Mayor Honey and seconded by Councilor Nola Folker Hill

that Council go In Camera to discuss the Agreement with Kings Riverside Court.

MOTION CARRIED

At **8:49 p.m.**, after an In-Camera session, it was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that the regular meeting of Town Council resumes.

MOTION CARRIED

Kings Riverside Court

It was moved by Councilor Mark Pearl and seconded

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Request

by Councilor Dennis Kehoe that

Whereas KEED/Kelley/Kings Riverside Court has requested an extension of time from the Town both to obtain its financing and its completion, and Kings Riverside Court has agreed, in return, to extend the time allotted to the Town to exercise its Option, the Town agrees as follows:

the Town will covenant with Kings Riverside Court that the Town will not exercise its option before February 15th, 2007, provided Kings Riverside Court, on or before that date, shows evidence to the Town in writing, acceptable to the Town's solicitor acting reasonably, that Kings Riverside Court has obtained all financing necessary to construct the first Phase of the Project, provided:

Kings Riverside Court grants to the Town the option to purchase the lands, exercisable upon the same terms and conditions as set out in the Agreement, as amended, provided, however, that the Town's right to give notice of exercise of its option is extended in the manner following:

In the event that Kings Riverside Court does not satisfy the February 15th deadline, the right to exercise the option by written notice is extended to the 2nd day of March, 2007; and

In the event that Kings Riverside Court does in fact satisfy the February 15th deadline, the right to exercise the option by written notice is further extended to May 31, 2007. This extended date is calculated with the intent that it be the 31st day following Kings Riverside Court's undertaking to commence the first Phase of the Project on April 30, 2007 as Kings Riverside Court as set out in the letter from Kings Riverside Court to the Town dated November 24, 2006, the terms of which are incorporated herein in their

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entirety.

MOTION CARRIED

ADOURNMENT

With no further business to address, it was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that the Town Council meeting for January 10th, 2007 be adjourned at 8:42 p.m.

MOTION CARRIED