

KENTVILLE TOWN COUNCIL

MINUTES

June 10, 2009

PRESENT

Mayor David Corkum, Deputy Mayor Bernie Cooper, Councilor Mark Pearl, Councilor Tony Bentley, Councilor Nola Folker-Hill, Councilor Bill Boyd, CAO Keith Robicheau, Town Solicitor Peter Muttart and Town Clerk Carol Harmes.

Regrets – Councilor Eric Bolland

MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:00 p.m. and CAO Robicheau reported that all Council members were in attendance, except for Councilor Bolland

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 Deputy Mayor Bernie Cooper

that the agenda be approved with the addition of:

3 (c) - *Applicious Certificate*

MOTION CARRIED

PRESENTATIONS

(a) Queen Annapolisa Lindsay Pearl

Mayor Corkum introduced and congratulated Princess Kentville, who had been chosen as Queen Annapolisa during the recent Apple Blossom Festival. In return, she thanked the Town for its support, and some individuals in particular, for the role they played during the Apple Blossom Festival.

(b) Platinum Sponsor Plaque (Apple Blossom Festival)

Mayor Corkum noted that as a major sponsor of the Apple Blossom Festival, the Town was presented with

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a Platinum Sponsor Plaque in appreciation for its support. Kentville was the only Town in the Valley to receive this plaque this year, and few have been given out over the years.

(c) Applicious Certificate of Appreciation

Mayor Corkum added that the Royal Tour met for the Applicious Tea today at Blair House, at which the Town received an appreciation certificate.

APPROVAL OF THE MINUTES

(a) May 20, 2009

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

that the Minutes of May 20, 2009 be approved.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(i) LUB/MPS Amendments – Thom Oulton Development

It was noted that at a Public Meeting at 7:00 p.m. last evening (June 9th), the issue of amendments to the zoning for the remaining property at Fox Hill Subdivision was brought forth. This application would see the zone changed from Residential Future, to C-2 (Commercial Highway), R-2 (Residential Two Unit Dwelling) and R-1. First Reading had been given to this change at the May meeting of Council.

Some twenty-five residents of the area attended this Public Meeting, many of whom expressed concerns regarding the density of the development, and about the potential institutional use of a portion of the development. Because of the number of concerns, Mr. Oulton offered to meet with the citizens to answer any further questions they may have.

Therefore, it appeared that consideration for Second Reading of these amendments might be better deferred to the July meeting of Council.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Tony Bentley

that Second Reading of the amendments to the Land Use Bylaw, relating to the Thom

Oulton Development Limited rezoning application, be deferred until the July 2009 regular meeting of Town Council.

MOTION CARRIED

(ii) Second Reading – Chapter 79 (Non Smoking on Town Owned Recreation Facilities Bylaw)

The attached report from Town Clerk Carol Harmes pointed out the steps which have been taken in the adoption process for this new bylaw, with First Reading having been given at the March meeting of Council. She added that to that date, no verbal or written concerns have been expressed from recent advertising of Second Reading, and accordingly, advised that the bylaw be adopted.

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

that the Town give Second Reading (final) to adopt Chapter 79 – Non-Smoking on Town-Owned Recreation Facilities Bylaw.

MOTION CARRIED

(iii) Second Reading – Chapter 5 – Rules Governing Town Council (Rescind Bylaw)

The attached report from Town Clerk Carol Harmes outlined the steps taken to rescind this bylaw, as it is comprised primarily from outdated information and/or articles that are covered under other legislation. She added that on the May 20th meeting of Town Council, First Reading was given to rescind the bylaw, and following public notification, no verbal or written concerns have been expressed. Therefore, she recommended that the final reading be given.

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

that the Town give Second Reading (final) to rescind Chapter 5 – Rules Governing Town Council Bylaw

MOTION CARRIED

**REPORTS AND
RECOMMENDATIONS**

(i) Policy Statement G-56F NSF Cheques

Councilor Mark Pearl noted that Director Crowell recommended at a recent meeting of CAC that as a deterrent for customers writing NSF cheques, the administrative fee be increased to \$20 per cheque per occurrence, and that a policy to address this issue be adopted by Town Council.

She added that Section 49 (1) (a) of the Municipal Government Act allows for the implementation of this charge, and therefore, drafted a policy to address several concerns regarding this issue.

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

that the Policy Statement NSF Cheques be approved.

MOTION CARRIED

(ii) Sanitary Sewer

Councilor Mark Pearl reported that at a recent meeting of Council Advisory Committee, Director Greg Kehoe presented a report and recommendation on the 2009-2010 Sanitary Sewer Capital Budget.

Firstly, he noted that the Regional Sanitary Sewer treatment plant is operated by the County of Kings, and that costs for sewerage collection and treatment is shared between the County, Kentville and New Minas. Recent increases in costs have been passed along to the partners.

He further noted that three capital projects (School/Glenview Avenue, Nichols Avenue and River Street) were added together to get a better price during the tendering process and this has brought the total amount to \$245,000, which he had previously recommended through the 5-year capital budget attached.

However, since that time, tenders have closed and the lowest bidder has come in at \$248,700, thereby increasing the budget by \$3,700.

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

that the 2009 – 2010 Sanitary Sewer Capital Budget be approved in the amount of \$248,700.

MOTION CARRIED

(iii) Tartan Day

Councilor Mark Pearl reported that at a recent meeting of CAC, a letter from Warden Newton was read, in which he asked other municipalities to consider the initiative of the Federation of Scottish Clans of having a national recognition of Tartan Day and the Maple Leaf Tartan. The purpose of this is to enhance public awareness of the contributions made by generations of Scottish people in Canada.

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

that Council supports the initiative of the Federation of Scottish Clans in Nova Scotia to have the Federal Government declare April 6th annually as Tartan Day and the Maple Leaf Tartan recognized as Canada's "National Tartan."

MOTION CARRIED

(a) Finance

(i) Director's Report

Finance Director Crowell reported that cash received during the last week of May totalled \$1.76 million; the budget process is nearly complete and it is hoped that the tax rates will be set at the Special Meeting of Council on June 16th. Further work continues on the Sanitary Sewer Area Service and the Water Commission budgets; and the Audit Committee will meet on June 29th, with the hope that the audited consolidated financial statements will be ratified in July.

She added that Schedule C (Summary of Outstanding Taxes) indicates that 84.9% of the interim levy has been collected, leaving a balance of \$626,885 to be collected.

With Schedule D (Sanitary Sewer Area Services), indications are that a small surplus of \$1,181 has been posted.

Following further notations from the attached report, it was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

that the report from the Finance Director be received.

MOTION CARRIED

(b) Planning and Development

(i) Director's Reports

Director Bev Gentleman reported that there were 17 permits for the month of May, for a building value of \$625,282, bringing the year total to \$2,057,032. She noted that the ICSP process continues and 2 students have been approved through NS Youth Corps, and that this organization will pay 75% of their salary.

Director Gentleman noted that 2 rezoning applications have been received and work continues with the applicants. With the Oulton development, Second Reading for amendments to the LUB was deferred to July earlier in this meeting. Another issue involves rezoning for property of St. Joseph's Church.

Lastly, she identified the many meetings relating to various aspects of planning and development which had taken place over the month.

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

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

MOTION CARRIED

(ii) Report – Property of St. Joseph's Catholic Church

Director of Planning and Development Bev Gentleman submitted a report for Council's consideration regarding the request for amendments to the LUB and

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MPS that would allow the church to become a conforming use. She added that currently this property consists of three separate parcels and is zoned R2. This would mean a change in land use designation, mapping and a policy within the MPS.

It was noted that land swap/sale between the Town and the Church has been delayed due to a transfer of ownership of the property into the church's name. Trustees, currently listed as the owners, have since deceased. However, the Town is permitted to initiate an amendment and concurrent rezoning, without the approval of the property owner. The Planning Department is requesting that Council approves this process and forwards an application to the Planning Advisory Committee.

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

that Council initiate the Concurrent Amendment to the Municipal Planning Strategy and Land Use Bylaw on behalf of the Roman Catholic Episcopal Corporation of Yarmouth, and forwards the application to the Planning Advisory Committee on Monday, June 22, 2009 at 4:00 p.m.

MOTION CARRIED

Points from Discussion

- The Town has the authority (and doesn't have to be the landowner) to undertake this procedure, and will take out an application to allow the amendment to move forward.
- The proposed amendments to the LUB and MPS will have to proceed as usual, with a Public Hearing.
- The R2 designation prevents any expansion to the church property.
- It is commonplace that Trustees are given the title to church property, however, when they die, this can create problems for the church.
- The Town has two parcels of land in this application, and these will be swapped with the church at a later date.

- The lot near the upper parking area could be used for residential, however, that was not the implied use during the preliminary negotiations for this land swap.
- Father Craig has implied that the long-term use of this property would be determined later. He noted that in the event that the church needed to be rebuilt, than the building would be repositioned on the property.
- The appraisal of the property had been done some time ago and these costs should be brought up-to-date.

(iii) Committee Report

Councilor Mark Pearl had nothing further to report.

(c) Fire

(i) Chief's Report

Fire Chief Shawn Ripley reported that there were 12 alarms in the Town over the last month and that vehicles travelled a distance of 180 kilometers to respond. In the County, there were 12 alarms and a distance of 448 kilometers was travelled. Mutual Aid saw 2 calls, for a distance traveled of 166 kilometers.

Alarms related to a gas spill, propane leak, fire alarms sounding, MVAs, medical response and burning brush. There were also car, power line and chimney fires along with investigations.

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

that the Fire Chief's Report be received.

MOTION CARRIED

(ii) Governance Committee Report

Councilor Bill Boyd reported that there had been a meeting on May 26th at which recovery costs from motor vehicle accidents and an Alarm Bylaw for false alarms were both addressed. This proposed Alarm Bylaw would also incorporate house alarms and police alarms.

The committee has agreed to support the UNSM

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resolution regarding recovering costs from motor vehicle accidents and awaits further information on this.

During this meeting, the Committee also considered the hiring a full time chief, and a report has been prepared by the CAOs to amend the current agreement. This was reviewed by the Governance Committee and solicitor, and the County of Kings will address this next Tuesday and it will return to Kentville Council very soon. The Town's past concerns about hiring a full time chief were that the competition would be open for anyone to apply, and further, that need for a full time position would be established.

The report proposes that the Fire Chief will report to the Governance Board, not the KVFD Board of Directors, and this individual will be an employee of the KVFD.

(e) Parks and Recreation

(i) Director's Report

Director Mark Phillips reported that the department has been busy with seasonal work, preparing the ice at the arena and capital work for its opening in August; opening the swimming pool for the summer; offering early bird tennis programs; hosting the District Track Meet; hosting and scheduling a number of soccer tournaments; preparing baskets and flowers for downtown and park areas; working with the Apple Blossom Festival (at which Princess Kentville Lindsay Pearl was selected Queen Annapolis); hiring staff and preparing for summer camps and programs; preparing for Kings Senior Games and the July 1st Canada Day Celebrations. He noted that a change in venue and activities can be expected for July 1st. Lastly, he noted a number of meetings and events which he had attended.

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

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

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker-Hill reported that the committee met on May 21 and that everyone is looking forward to the changes in the July 1st celebrations.

(f) Police

(i) Chief's Report

Police Chief Mark Mander reported that with the Apple Blossom Festival a few disturbances were encountered, however, generally everything went well. He added that there were 193 hours of foot patrol in May and there were 439 calls to dispatch after regular office hours.

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

that the report from the Chief of Police be received.

MOTION CARRIED

Police Board Report

Deputy Mayor Bernie Cooper reported that a meeting will be held on June 25th and a discussion will take place regarding false alarms. He added that parking statistics will be added to future reports.

Points from Discussion

- It was noted that in Calgary an Alarm Bylaw allows for 1 free false alarm, with penalties charged to individuals from that point on.
- These penalties are a good revenue source for the city.

(g) Transportation Services

(i) Director's Report

Director Greg Kehoe reported that Public Works crews have been busy with street cleaning, repairs, and line painting in preparation for the Apple Blossom Festival. With Capital Projects, the tender prices from contractors have been higher than anticipated for the area and this may mean some of this work is deferred to future years. He added that the next meeting of the Regional Sewer Committee is scheduled for June 11 and the budget will be presented by the County of

Kings at that time.

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

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

MOTION CARRIED

(ii) Report – Paving Tenders

Director Greg Kehoe reported that tenders for 2009 Capital Works projects saw 7 bidders, with the lowest being Howard Little Excavating. He pointed out that the lowest bid was \$2,427,459.43, which exceeds the Engineer Consultant's estimate of \$2,147,000 and the budget of \$1,965,000.

Therefore, in order to meet the approved funding, some levels of work were reduced and several projects were deferred to future years. Director Kehoe expounded upon these and made a recommendation based on his attached report.

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

that Council awards the 2009 Capital Works Projects to Howard Little Excavating in the amount of \$1,920,410.52, which includes HST.

MOTION CARRIED

Points from Discussion

- This whole project involved 16 individual jobs.
- There is a very tight timeline to complete this work during the summer months.
- Paving will be done to create an urban loop for walking, running, biking, etc. from the Soccer fields (near new School) to West Main Street.
- The areas around Shannex will be shaped up and paved in future years.
- The use of recycled asphalt shingles has not been proven to be effective in this application, as its longevity and quality are unknown.
- It is encouraging to see a good response to this

tender as it allows the opportunity to pick the best price and quality.

(iii) Committee Report

Councilor Bill Boyd reported that there was nothing further to add.

**(h) Water Commission
(i) Directors Report**

Director Greg Kehoe reported that a meeting of the Water Commission was scheduled for June 9th, however was rescheduled for another time.

He added that flushing of fire hydrants has been carried out, as this cleans the distribution system and tests the operation of the hydrants. With the water leak detection program, a number of water leaks have been detected and repaired.

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

that the report from the Water Commission be received.

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum had nothing further to report.

**(i) Valley Waste Resource Management
Authority
Representative's Report**

Councilor Mark Pearl noted that there was nothing further to report, as the regular meeting was rescheduled

**(j) Kings Community Economic
Development**

(i) Representative's Report

CAO Robicheau noted that a report had been received, which outlines a number of issues being currently addressed by this agency. Some of the items expounded upon through a progress report were the Annual General Meeting (June 16th), Scotland Trade Mission, Business Retention and Expansion, Value

Added Agriculture, Grand Pre UNESCO, Physician Recruitment, Employer of Choice, Immigration Activities, Innovation Council, Community Development Activities.

Jennifer Weisner took the opportunity to invite everyone to attend the annual meeting next Tuesday (June 16th) at the Legion on River Street, starting at 6:30 p.m. (*A show of hands indicated that everyone would attend.*)

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

that the report from Kings Community Economic Development Agency be received.

MOTION CARRIED

(k) Kentville Community Development Committee

(i) Report

No report was available at this point in time. There has been no meeting held recently, however the coordinator has been busy with the ICSP, the Applicable events and the Farmer's Market.

Nothing definite has resulted from the Webster Court survey for a future vision, although a meeting with these citizens is being planned.

Mayor Corkum reported a meeting with Tiffany Connell and Madonna Spinazola regarding a tourist bureau in downtown Kentville and another meeting is being scheduled, involving the Warden of Kings.

**(l) Kings Transit Authority
(i) Representative's Report**

Councilor Mark Pearl noted that as the group meets biweekly, with the next meeting on July 8th, there is little to report. He did add that Kings Transit recently celebrated Clean Air Day during which Kings Transit saw over 2500 free riders on the busses. There were only 2 transit companies (Kings Transit and Cape Breton Transit) which took part in this project. This was very well supported by commuters and was

initiated by Ron Mullins.

(m) Environmental Advisory Committee

Councilor Eric Bolland was not in attendance, however, previously reported that there was no report this month.

(n) Councilor's Report

Deputy Mayor Bernie Cooper reported that he attended all meetings.

Councilor Tony Bentley reported that there was nothing further to report.

Councilor Eric Bolland was not present.

Councilor Mark Pearl reported that he attended FCM and enjoyed the keynote speakers and national leaders (Stockwell Day, Jack Layton, Michael Ignatief Elizabeth May). He was pleased to learn some great ideas which could be employed in Kentville – one such being that our current cenotaph should be relocated to another area (perhaps the little league field). Funding opportunities exist for this type of venture if Council wishes to proceed with this idea. Lastly, he commented on the election and suggested that correspondence be sent to Premier-elect Darrell Dexter, MLA-elect Jim Morton and Past-MLA Mark Parent.

Councilor Nola Folker-Hill reported that she attended all meetings and yesterday participated in the Student Bursary Selection Committee. The process was well organized and enjoyable.

Councilor Bill Boyd reported that he attended all meetings and attended the FCM Conference. He enjoyed discussing new ideas. (i.e. tour of waste water and composting facility). Solar compactors are being used in larger cities and can handle large volumes of coffee cups; also lots of the sessions dealt with sustainability issues, greening funds, etc. Some of these projects have been initiated as part of the facilities being constructed for the Olympics.

(o) Mayor's Report

Mayor Corkum reiterated some items on his monthly report, pointing out that he had attended a number of meetings, such as Rotary, a meeting about tourism with Madonna Spinazola and Tiffany Connell and the Public Hearing last evening. He attended a number of events, the Wildcats opening, the Candidates' Debate,

several Apple Blossom Festival events, the Legion's anniversary, the Kinsmen's Rally, the Graduation Ceremony from Kingstec, which was a moving event. He added that this graduating group seemed to have a great rapport with their teachers.

He added that he was delighted that Lindsay Pearl was chosen as Queen Annapolis and her parents should be congratulated as well, for raising such a charming young lady.

(p) Chief Administrative Officer's Report

CAO Robicheau reported that:

- Planning staff and economic development staff are working together on an report on the Industrial Park and water source protection. Another meeting will be held on June 15th.
- The CAOs continue to meet and are updating some of the initiatives; he will pick up the recreation study issue and will call upon some Town resources for help.
- A letter was received from the Deputy Minister of NS Economic Development regarding RDAs which were not incorporated under the Regional Community Development Act. He understood that some updates were required to this Act, however, the CAOs may have some suggestions about that process and more will follow.
- He also met with the Director and the Development Officer regarding the contract with building inspection services with the County. A review is being done on this.
- With the Collective Bargaining for CUPE, a meeting is scheduled for July 6th.
- The common bargaining concept with PANS was further explored at a meeting today and further work continues with that.
- Lastly, he thanked the Town for allowing him to attend the CAMA and FCM Conferences. Such a diverse group from all over the world provided a huge amount of networking and idea exchange.

CORRESPONDENCE

(a)DM Reid Jewellers Limited

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Dave Reid sent a letter of appreciation for his business having received the Mayor's Corporate Award at the recent Volunteer Recognition Ceremony.

(b) Muscular Dystrophy Canada

The Town received a copy of a letter of appreciation to the Kentville Volunteer Fire Department for raising \$3123 for this disease last year.

(c) Town of Hantsport

A letter from Mayor Folker of Hantsport asked the Town to participate in their "Hit the Road" fund raiser for breast cancer, being held on August 13th.

He advised that anyone interested should advise the Administration Department if they can attend and arrangements can be made.

(d) Denise Young – Hadassahouse Society

A letter from this organization was requesting a letter of support from the Town for their operation as a non-profit organization that assists with long term care for women suffering from addictions. This letter will allow them to apply for funding.

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

that this organization be asked to come to a CAC meeting to give more information on the project, prior to the Town writing a letter of support.

MOTION CARRIED

NEW BUSINESS

none

PUBLIC COMMENT PERIOD

none

ADJOURNMENT

It was moved by Councilor Bill Boyd and seconded by Councilor Mark Pearl

that the regular meeting of Town Council adjourns at 8:49 p.m.

MOTION CARRIED