

APPROVED – July 25, 2011

KENTVILLE TOWN COUNCIL

MINUTES

June 27, 2011

PRESENT

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

MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:35 p.m. and Interim CAO Phillips reported that all Council members were in attendance.

APPROVAL OF THE AGENDA

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

that the agenda be approved with the addition of:

3. Presentation - Media

5(a) CAO Appointment

5(b) Proposed Second Reading – LUB Amendments – Rezone Belcher Street Property from R2 to R3

5(c) Colliers International (update)

8(c) Council/CAC Summer Meeting Schedule

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.

PRESENTATION

Mayor Corkum wanted to congratulate Jennifer Hoegg on her recent promotion with the Kentville Advertiser, and further wanted to wish good luck and present a small gift to Julia Kirky of K-Rock, who will be leaving the local radio station for a job in Halifax.

APPROVAL OF THE MINUTES

(a) May 30, 2011

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

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**that the Minutes of the May 30, 2011
Regular Meeting of Council be approved**

MOTION CARRIED

(b) June 13, 2011

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

**that the Minutes of the June 13, 2011 special
meeting of Council be approved**

MOTION CARRIED

(c) June 21, 2011 (Public Hearing)

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

**that the minutes of the Public Hearing of
June 21, 2011 be approved:
*with the addition of Councilor Mark Pearl
under attendance and, a correction of the
spelling of name, under attendance.***

MOTION CARRIED

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

**(a) Appointment of Chief Administrative
Officer**

Deputy Mayor Bill Boyd reported that Council met
with Interim CAO Mark Phillips a few weeks ago,
following which Council later appointed Mr. Phillips
to the position of full-time CAO, subject to an
agreement to be negotiated between the Finance and
Administration Committee and Mr. Phillips.

A meeting subsequently took place between the
Finance and Administration Committee and Mr.
Phillips, from which a satisfactory agreement was
reached. The agreement will be reviewed by the
solicitor and will be filed.

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

that Mark Phillips be appointed as the Chief

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**Administrative Officer for the Town of
Kentville.**

MOTION CARRIED

(Note: The Finance and Administration Committee will meet with Council In Camera to discuss the content of this agreement.)

**(b) Proposed Second Reading – LUB
amendments – Rezone Belcher Street
Property from R2 to R3**

Planning Director Beverly Gentleman reported that the request from Terry Whynot, to rezone this property, received First Reading at the May meeting of Council, and has subsequently gone before a Public Hearing on June 21, 2011.

All Council members were present at this Hearing, at which it was pointed out that several adjacent property owners did not receive a notice from the Town (via a registered letter) advising them that the property was being sold. They felt that this put them at a disadvantage, should they have decided to purchase the land together as green space for themselves. Subsequently, only one response was received, and the Town entered into a Purchase and Sale Agreement with Mr. Whynot.

It was pointed out that the request for rezoning is a separate issue from the sale of the property, and one that does not involve the Town sending registered letters. Two ads are placed in the newspaper prior to the Public Hearing to advise the public.

It was therefore, moved by Deputy Mayor Bill Boyd and seconded by Councilor Nola Folker-Hill

**that Second Reading be given to amend the
Land Use Bylaw, thereby allowing this
property to be rezoned from Residential
Two Family (R2) to Residential Multiple
(R3) zone.**

MOTION CARRIED

Points from Discussion

- Kentville needs higher density residential development and R3 is the best use of this

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- property.
- An equal opportunity did not exist for all adjacent homeowners to purchase the property, as all were not informed that the Town was intending to sell the property.
- Council has to support development in the Town, although it is unfortunate that the abutting neighbours will not have green space in their back yards in the future.
- This land has sat vacant for years, with the intention of future development being R3, and this application fulfills that expectation.
- The property line that was in dispute on the driveway will be sorted out.

(c) Colliers International Update

CAO Phillips reported that the draft document is ready, although it hasn't been thoroughly reviewed at this point in time. Director Gentleman added that Council's comments have been included (i.e. proposed land prices), however, Council wanted to approve any sale of the property, prior to that action being taken. The agreement has been posted on the Council website and should come for discussion to the next meeting of CAC.

The Listing Agreement and the draft Purchase and Sale Agreement are ready to move to the next step. The solicitor explained that there are two agreements – one to engage Colliers to seek a buyer for the property, and the second to be used when a potential buyer has been found. Proposed site plans, environmental people, etc. are issues addressed in the Purchase and Sale Agreement, and Colliers are happy with the content.

It is important that Council, and those staff dealing with this issue, understand the documents and have the opportunity to ask questions.

**REPORTS AND
RECOMMENDATIONS**

(a.1.) Council Advisory Committee

**(i) Financial Commitment – Operating
Costs for Library**

Councilor Tony Bentley noted that at the June 13, 2011 meeting of Council Advisory Committee, a discussion took place regarding financial support for

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the proposed new library. It was noted that the Town has previously committed \$250,000, minus the cost of the land (at a reduced rate) and that this amount has been matched by the County of Kings, with \$25,000 to be paid over 10 years.

However, as the library is seen as a regional facility, Town Council felt that all costs, including those for operation, should be shared. A report prepared by Interim CAO Mark Phillips identified a number of expenses to be included when estimating the costs of maintenance and operation of this structure. He proposed that \$59,500 might be a reasonable annual budget, however, with anticipated savings in power consumption due to the building's LEEDS construction, felt that a savings of \$5,000 a year would be realistic, thereby reducing the costs considerably.

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

**that the Town of Kentville cost-shares the operational expenses of the new library with the Municipality of the County of Kings on an equal basis,
and further,
confirms its financial contribution up to \$30,000, or 50%, of the total operating costs per year.**

MOTION CARRIED

(ii) **Park Street – Reduction of Speed Limit**
Councilor Tony Bentley reported that at the June 13, 2011 meeting of Council Advisory Committee, Traffic Authority Hal Henderson noted that there is very heavy traffic on Park Street, with an average annual traffic count in excess of 10,000 vehicles per day. With further future development in the area of the Industrial Park, concerns were expressed (through the West-end Wellfield Protection Plan) about the potential of accidents, and subsequent spillage of fuel, oil and other contaminants in this area. To lessen the possibility of such incidents, a reduction in the speed limit was recommended for that section of the highway that posts a 60-kilometer per hour limit.

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

that the speed limit on that portion of Park Street, from east Harrington Crossing to Harrington Road, is currently posted at 60 kilometers per hour, be reduced to 50 km/hr.

MOTION CARRIED

(iii) Fox Hollow SD – Street Names

Councilor Tony Bentley noted that at the June 13, 2011 meeting of Council Advisory Committee, Director Bev Gentleman reported that Thom Oulton is developing the next phase of Fox Hollow Subdivision which incorporates two cul-de-sacs. In accordance with *Policy Statement G-27 – Street Naming Policy*, Mr. Oulton has proposed two names to identify these streets.

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

that the names “MacKinnon Avenue” and “Blackberry Ridge Lane” be approved for the newly proposed streets in Fox Hollow Subdivision.

MOTION CARRIED

Points from Discussion

- There should be some consistency when naming streets (i.e. lanes, avenues, etc.)
- Some cities have “roads” running in one direction (i.e. North and South), while “streets” run in the other direction (East and West), making travel a lot easier.

(iv) January 2012 Council Meeting Date Change

Councilor Tony Bentley noted that at the June 13, 2011 meeting of Council Advisory Committee, Councilor Mark Pearl requested a date change for the Council meeting in January of 2012, from the 30th to 23rd, as he will not be available on the 30th.

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

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that the January 2012 meeting of Town Council be changed to January 23rd from January 30th.

MOTION CARRIED

Points from Discussion

- This request is not typical, as in the past, Council has not changed meeting dates to accommodate only one individual.
- The meeting dates were agreed upon months ago, and individuals should either change their personal plans to attend the meeting, or be reported absent.

(a.2) Audit Committee

(i) Adopt Consolidated Financial Statements

At the annual Audit Committee Meeting held earlier this evening, Darrell Richards, CA and Partner of Grant Thornton, LLP, presented the Town's Consolidated Financial Statements.

Following this presentation and some questions, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

that the Consolidated Financial Statements for the year 2010-2011 be adopted by the Town of Kentville

MOTION CARRIED

(ii) Report from the Audit Committee

At the Audit Committee Meeting held earlier this evening, Darrell Richards, of Grant Thornton, LLP presented the audit report to the Audit Committee.

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

that Council receive the "Report to the Audit Committee – Communication of Audit Strategy and Results."

MOTION CARRIED

Points from Discussion

- CAO Phillips was asked (in the future) to schedule the opportunity for Council (the Audit

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Committee) to meet with the auditors, prior to the presentation of the financial statements.

(a) Fire

(i) Chief's report

A report from Fire Chief Shawn Ripley indicated that the Town had 16 alarms, with 247 kilometers travelled, the County had 8 alarms, with 510 kilometers traveled and there was 1 mutual aid call, with 52 kilometers traveled. These calls ranged in scope from alarms sounding, outdoor fires and chimney fires, to medical assists, haz mat issues, and motor vehicle accidents.

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

that the report from the Fire Chief be received.

MOTION CARRIED

(ii) Fire Governance Report

Deputy Mayor Bill Boyd reported that the committee has not met, but members are being kept abreast of the follow-up review of the Walsh Report. This work will involve work on policies and more operational-related issues.

He also noted that the Town of Kentville will be taking over the financial responsibilities of the fire department, and that the KVFD will be charged for these services.

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

that the report from the Fire Governance Committee be received.

MOTION CARRIED

(c) Valley Waste – Resource Management Authority

The Management Minute for June was not available due to staff vacations, however, Councilor Mark Pearl reported that the RFP has been put out for tender for

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the construction of the new administration office. A more comprehensive report will be delivered next month.

It was moved by Councilor Mark Pearl 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**

A report from Kings RDA outlined the progress of a number of projects - the hiring of an Assistant Development Officer for 8 months; the attraction of new businesses to Kings County; and the Industrial Park expansion project. A study on the availability of industrial space, indicated the need for more industrial park space. With the Grand Pre application to UNESCO, contact is expected shortly from a representative of UNESCO to arrange a site visit.

Jennifer Weisner reported that work on strategic planning will begin soon for the Eco Kings Action Plan and that Chair Eric Bolland is very involved with that.

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

that the Kings Regional Development Agency report be received.

MOTION CARRIED

(e) Kentville Community Development Committee

(i) Report

Mayor Corkum reported that there has been no meeting, however, one will be scheduled very soon. He added that newly appointed Community Development Officer, Lindsay Young has been busy with new initiatives and work continues on many of these projects.

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(f) Kings Transit Authority

(i) Representative's Report

A report from Kings Transit indicated that additional bus shelters are being installed, one of which is at the hospital, adding a great addition to the bus route, because of the heavy usage.

It was further noted that the Grand Opening of the new facilities was well attended and that the unaudited Financial Statements represent only 2 months, so no real trends can be captured at this time, and the Authority is trying to mitigate the use of diesel fuel, which is very costly.

It was moved by Councilor Mark Pearl and seconded by Councilor Tony Bentley

that the report from Kings Transit Authority be received.

MOTION CARRIED

(g) Environmental Advisory Committee

(i) Report

Councilor Eric Bolland reported that a meeting was held in mid May. A policy can be expected soon on the use of styrofoam in the Town Hall, a report is forthcoming from citizen member Robert Howell regarding the economic and environmental impact of water use here at the Town of Kentville.

In addition, a Town clean-up took place on Saturday, June 18 and Monday evening June 20th, with the Kentville Youth Group. Well over 20 bags of garbage and recyclables were collected from the streets, ditches, along the trail and so forth.

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

that the report from the Environmental Advisory Committee be received.

MOTION CARRIED

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(h) Councilors' Report

Councilor Tony Bentley reported that he spoke to the principal of the new school who felt that the facility was ready for immediate occupation, which contradicted what the site manager has reported. He added that he attended all meetings required, the budget meetings, the FCM Conference, the Water Commission, a bursary committee meeting, Kings Transit's Grand Opening, a tour of the new school, the ribbon cutting ceremony for the new clock, the CAO interviews, etc.

Councilor Nola Folker-Hill reported that she attended most meetings and the FCM Conference in Halifax, and enjoyed the sessions and the networking. She thanked Council for its support regarding an unexpected health issue in her family.

Councilor Mark Pearl reported that he took a tour of the new KCA school recently, along with Councilor Bolland and Bentley. He, too, was surprised to learn from the site manager that work is still underway and that the school is not ready for occupancy. This was contrary to what was reported in the provincial papers, which stated that the school was sitting there, ready to be occupied.

Councilor Eric Bolland reported that he attended budget meetings, the CAO interview, clean-up days on the 18th and 20th of June, Eco Kings Action meetings, CAC and other meetings which were held.

Councilor Bernie Cooper reported that he attended all meetings, along with the FCM Conference.

Deputy Mayor Bill Boyd reported that he attended all meetings required.

(i) Mayor's Report

Mayor Corkum reported that his monthly report is attached, however, wished to reiterate a few points. While at the FCM conference he met the former mayor from Whitecourt, Alberta, who visited the Kentville area during a provincial tour. Mayor Corkum hosted him during this trip, acting as a guide at local attractions and facilities here in Town and even

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providing accommodations for the night, as nothing was available in the area. Mayor Corkum added that this gentleman was impressed with the Miner Marsh and the number of services (i.e. hospital) and facilities available right here in Kentville.

Mayor Corkum thanked Councilor Pearl for his efforts with the Kings Transit Authority and on his dedication in helping to move the service to another level. He gave a brief speech, recapping some of the history of this operation and made the connection between the leadership of former Mayor Gary Pearl (Mark's brother) and Mark himself, who has carried on the legacy of this work.

Mayor Corkum also noted that a large T.O.P.S. convention is scheduled for the Kentville area; the Relay for Life had a great turnout, with a gold sponsorship of (\$11,000); a meeting took place with the County on the 2050 Plan, which involves area projects and regional co-operation; Life Cycle was also well attended (500 people) and was in Kentville in response to a special invitation from the Mayor. The organizers of this event were very impressed with the co-operation and involvement of so many town staff, the quality of our facilities and the general support.

CORRESPONDENCE

(a) **None**

NEW BUSINESS

(a) **Discharge of Development Agreement – Gladys Porter Drive**

Director Bev Gentleman reported that there is a requirement in the MGA (section 229) to discharge Development Agreements prior to proceeding with another development. In the case of Gladys Porter Drive, Kingshire Development Limited intends to sell the property to another developer, and therefore, the current development agreements from 1996 (Leeside Estates) and 2005 (Kingshire Development – Roscoe Construction) must be discharged. She further added that a policy is attached to her report for Council's discharge of the development agreements.

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

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that the attached Resolution be ratified by Council, thereby discharging the 2 Development Agreements, previously proposed on PID#55351977, lands known as the BFM Hospital Site.

MOTION CARRIED

Points from Discussion

- The discharge is needed as the construction proposed does not conform to the development agreements.
- This is the first time this requirement was enforced here at the Town.

(b) Recommendation – Award for Capital Works Projects - 2011

Director Hal Henderson reported that 5 bidders submitted responses to the 2011 Capital Projects – Construction Contracts tender, which closed on June 23rd. This tender involved nine construction projects which were identified in the attached report, along with copies of the bids. The bids were reviewed by Hiltz and Seamone, and a recommendation was provided by them to accept the lowest bidder.

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

that Council awards the 2011 Capital Projects award to Howard Little Excavating Limited, the low bidder at \$485,803.10, which includes HST.

MOTION CARRIED

(c) Meeting Schedule

CAO Phillips reiterated the content of *Policy Statement G-45 – Cancellations of Regular Council and CAC Meetings*. He recommended that instead of having the proposed summer break, it would seem more efficient, and less confusing to the press and attending public, if the break be for both the CAC Meeting and the Council Meeting in August, instead of staggering them over two months.

Another concern was that any recommendations from the July's CAC, would need to be approved at Council

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which would not be until the end of August. This might be a problem with time-sensitive issues.

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

that an amendment be made to the existing policy, *Policy Statement G-45 – Cancellations of Regular Council and CAC Meetings*, to cancel both CAC and Council Meetings in August, unless required.

MOTION CARRIED

Points from Discussion

- The current policy worked better when the CAC and Council meetings were reversed.
- If a special meeting of Council is required, the policy allows for this to be scheduled.
- The policy should be amended, as it is not being applied as it currently exists.

PUBLIC COMMENTS

Julia Kirky thanked the Town for the support and graciousness that councilors have shown to her over the last 3 years.

ADJOURNMENT

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

that the meeting adjourns at 8:38 p.m. to go “In Camera” to discuss land negotiations and personnel.

MOTION CARRIED