

Approved – June 28, 2010

KENTVILLE TOWN COUNCIL

MINUTES

May 25, 2010

PRESENT

Mayor David Corkum, Deputy Mayor Bill Boyd, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Mark Pearl, Councilor Tony Bentley, CAO Keith Robicheau

Regrets: Town Clerk Carol Harmes

(Minutes transcribed by Carol Harmes)

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 Bernie Cooper, who was absent with leave.

APPROVAL OF THE AGENDA

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

that the agenda be approved with the addition of:

5 (b) Land for Kings Transit Garage

10 (b) Contract Negotiations

10 (c) Collective Bargaining – PANS

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

(a) Deputy Mayor Boyd (Chair-Joint Fire Services) Congratulatory Remarks to Fire Chief Shawn Ripley

Deputy Mayor Bill Boyd noted that over 20 applications were received for the full-time position of Fire Chief for the Kentville Volunteer Fire Department. The consulting firm of Gerald Walsh recruited the applicants and short-listed them to 4 candidates. These were reviewed by Mr. Walsh and the Selection Committee, following which the unanimous choice was

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“Shawn Ripley.”

Having served with the KVFD for over 30 years, Fire Chief Shawn Ripley will continue on in a full-time capacity to address the over 400 calls received each year.

Fire Chief Ripley thanked the Town for its support and stated that he is looking forward future service.

APPROVAL OF THE MINUTES

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

that the minutes of April 26, 2010 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(i) Chapter 14 –Non Ratepayers Commencing Business Bylaw – Second Reading

Town Clerk Carol Harmes reported that First Reading was given to rescind this bylaw on April 26, 2010; advertisement for Second Reading has been done; and it would now appear in order to proceed with Second Reading.

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

that Second Reading be given to rescind Chapter 14 – Non Ratepayers Commencing Business Bylaw, and that a Notice of Passing be placed in the local newspaper.

MOTION CARRIED

(ii) Chapter 16 –Plebiscite Bylaw

Town Clerk Carol Harmes reported that First Reading was given to rescind this bylaw on April 26, 2010; advertisement for Second Reading has been done; and it would now appear in order to proceed with Second Reading.

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

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that Second Reading be given to rescind Chapter 16 –Plebiscite Bylaw, and that a Notice of Passing be placed in the local newspaper.

MOTION CARRIED

(b) Land for Kings Transit Garage

Councilor Nola Folker-Hill asked if the land transaction has occurred, for the land on which the Kings Transit Garage will be built. Councilor Mark Pearl, Chairman of KTA, responded that preliminary negotiations continue.

**REPORTS AND
RECOMMENDATIONS**

(a) Council Advisory Committee

(i) Withdraw \$100,000 – Operating Reserve Fund

Councilor Tony Bentley noted that at the May 10, 2010 meeting of Council Advisory Committee, Finance Director Debra Crowell reported a projected deficit of \$193,600 for 2009-2010, due mainly to a revenue shortfall of \$190,000. All other revenue and expenditures had netted out to a small deficit of \$3,600 including unbudgeted legal fees and the Town's share of deficits of two joint boards.

The Director noted that one reason to maintain an Operating Reserve is to have some capacity to buffer a shortfall in revenue sources that may be subject to fluctuation or unforeseen events. Accordingly, she indicated that it would be appropriate, and advised transferring \$100,000 from the Operating Reserve, to reduce the 2009-10 deficit. This would offset some of the tax rate increase that would otherwise be necessary in 2010-11 to fund the deficit.

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

that a withdrawal of \$100,000 be made from the Operating Reserve and transferred to the General Operating Fund to reduce the 2009-10 deficit.

MOTION CARRIED

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(ii) **Bishop's Landing Wine and Specialty Store – letter of support**

Councilor Tony Bentley noted that at the May 10, 2010 meeting of Council Advisory Committee, CAO Robicheau reported that a request for a letter of support had been received from the Kings Regional Development Agency for a new Bishop's Landing Wine and Specialty Store, proposed to be located in Wolfville. A draft letter was presented, addressed to the Hon. Graham Steele, Minister of Finance and Minister Responsible for the *Liquor Control Act* and the Nova Scotia Liquor Corporation.

Councillor Pearl reported that the proponent of the new location in Wolfville made a presentation at a recent Kings RDA Board meeting, highlighting the importance of this proposed outlet in support of the local wine industry, which is not well-represented in NSLC stores. He advised that the Kings RDA Board hoped that the County of Kings and the Towns of Berwick, Kentville and Wolfville will all provide letters of support and submit them as soon as possible. It was the consensus of CAC that the letter be sent right away under the Mayor's signature, with copies to local MLA's and that this action be ratified at the next Council meeting.

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

that Council ratifies the submission of a letter of support to the Hon. Graham Steele for the proposed Wolfville location of Bishop's Landing Wine and Specialty Store.

MOTION CARRIED

(b) Fire

(i) **Chief's report**

Fire Chief Shawn Ripley reported that for the month of February, there were 12 calls in Kentville for a distance travelled of 208 kilometers, 16 calls in the County for a distance travelled of 1232 kilometers, and 1 mutual aid call for a distance travelled of 60 kilometers. These call-outs ranged in scope from leaks, various types of fires, and alarms sounding to MVAs, HazMat

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conditions and investigations.

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

that the report from the Fire Chief be received.

MOTION CARRIED

Points from Discussion

- Although fireworks can be purchased by the general public, permission to ignite them must be given by the Fire Marshall or Fire Chief; citizens need to have insurance for this purpose and the appropriate training, prior to igniting them.
- The ignition of fireworks should be discussed further at the next CAC meeting.
- Perhaps all communities should address this issue and a resolution sent to UNSM.
- Fire Chief Ripley promised to send documentation from other areas regarding fireworks.
- There have been some fines given for outdoor burning which had not conformed to the Town's bylaw.

(ii) Fire Governance Report

Deputy Mayor Bill Boyd noted that there is a meeting scheduled for June 21, at which discussions will take place on the Alarms Bylaw, along with the progress being made regarding the fire department acting as first responders to MVAs.

(c) Valley Waste – Resource Management Authority

Councilor Mark Pearl reiterated some points on the attached reports, noting that in the May Minutes, the Operating and Capital Budgets have been completed but the audit has not been completed, although it appears that the Authority will end the year with a surplus of \$190,000. In addition, the Working Group continues to meet and develop principles that support and compliment the capital reserve fund policies. More information will follow.

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He also reported that the Valley region has been selected as the “Region of the Year” for the Annual Mobius Environmental Award, which will be presented on June 2nd in Halifax. The Valley Region has received this award before.

Finally, he reported that plans continue with the construction of new administrative offices adjacent to the management centre.

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

that the report from the Valley Waste Resource Management Authority be received.

MOTION CARRIED

(d) Kings Regional Development Agency

(i) Representative’s Report

Councilor Mark Pearl reported that an invitation has been sent for the Annual General Meeting in lower Wolfville on June 17th at 7:00 p.m., and he encouraged everyone to attend.

He further agreed to circulate the written report which he will ask Jennifer Weisner for tomorrow.

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

that the report from Kings RDA be received.

MOTION CARRIED

(d) Kentville Community Development Committee

(i) Report

Mayor David Corkum reported that there has been no meeting and therefore, no report.

(e) Kings Transit Authority

(i) Representative’s Report

Councilor Mark Pearl reported that the last meeting was held on May 13, and although a written report has not been received, there is nothing further of interest at this

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point. He added that when the written report has been received, he will forward a copy on to members of Council.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

(m) Environmental Advisory Committee

Councilor Eric Bolland reported that there has been no meeting since the last reporting

(n) Councilor's Report

Councilor Tony Bentley reported that he has scheduled the meetings for the AV Regional Library Committee and has attended the new facility.

Councilor Nola Folker-Hill reported that she attended all meetings.

Councilor Mark Pearl had nothing further to report.

Councilor Eric Bolland reported that he attended all meetings, along with the Planning Conference. He enjoyed the conference and noted that the #1 issue addressed across the province with the ICSP was Environmental Protection. Also, he attended a meeting regarding access to the trail behind Evergreen.

Councilor Bernie Cooper was not present

Deputy Mayor Bill Boyd had nothing further to report.

(o) Mayor's Report

From Mayor Corkum's written report, he added that he continues to work with Minister Ramona Jennex to ensure that the UNSM Task Force moves forward; the Princess Tea was very well done; the Spring Workshop of UNSM was well attended and successful; and sadly noted that he attended the funeral of Scott Gillis who had served on the Planning Advisory Committee.

He added that the Mayors and Warden's meeting was held and is a good start to continue co-operatively working together. He also met with Minister Moore (along with the CAO and Deputy Mayor) regarding the school issue; he attended the VIC Opening with Councilor Bentley, attended the 50th anniversary party

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for John and Mildred Crowell and the 100th birthday of Horace Morton, who had worked for the Town's Electric Commission many years ago..

CORRESPONDENCE

(a) Eric Mullen and Anne Freiss-Mullen – Civic Address

A letter from these residents addressed their concerns about the civic number "63 Chapel Hill Street" as it appears that Chapel Hill Street was officially closed years ago and is now a non-existing street. The residents were notified that their address may change and this will happen when work is completed with the St. Joseph Church land swap.

Points from Discussion

- A separate driveway might be an alternative.
- The post office delivers mail to that address.
- The street was closed in 1987.
- This property could become part of Belcher Street, but it is out of sequence with the numbering; and there is currently no sign that indicates "Chapel Hill."
- 911 is aware of this issue and have brought it to the Town's attention.
- Perhaps the sign could be erected on a temporary basis, as the long term plan is to renumber this address.
- Staff should write a letter to these homeowners as to what Council has decided.

(b) UNSM Resolution Deadline – Annual Conference

CAO Robicheau noted that the annual conference will take place in the Membertou Convention Centre in Sydney from October 26 until 29th, and that the deadline for resolutions will be on August 8th. If the issue is brought to the June Meeting of CAC, this will allow enough time for staff to prepare any resolutions to meet this deadline.

Points from Discussion

- Room reservations should be made prior to the general booking date, in order to ensure that Council members get rooms nearby. This may cost more per room, as the conference rate may not apply.

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- UNSM does have some controls in place, that prohibit pre-bookings with future cancellations.
- A membership survey was conducted and it was determined that this conference would be held 2 years in a row in the Halifax area and the third year in another part of the province.
- Indications were that 6 individuals may attend.

(Note: A show of hands indicated that 6 individuals planned to attend the Fall Conference)

NEW BUSINESS

(a) 2010-11 Capital Budget

(i) \$2,424,400 for 2010-11 in principle for 4 years.

The Director of Finance prepared a memo regarding some items that could be either cut from the budget, modified or deferred to later years. The previous budget presented was for \$3.127 million with borrowing requirements in excess of \$1.8 million.

The revised budget is for \$2,795,400 and would require borrowing of \$1,501,900, reflecting work for paving Webster Court, modification to Glenview - deleting the sidewalk. Deferred for 2 years would be sidewalk construction on Prospect Avenue, the soccer field at Oakdene, fencing, lighting and parking lot paving. Therefore, this revised capital budget would be for \$2,424,400 and would require under \$1,200,000 in borrowing. It would also involve a separate discussion about the Glenview project and a subsequent discussion regarding the Town Clock.

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

**that the revised capital budget of \$2,424,400 be approved,
and further
that the 2011-2012 to 2014-2015 capital budgets be approved in principle.**

MOTION CARRIED

Points from Discussion

- The residents on Webster Court will be disappointed to learn that the street work is being deferred for a year.

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- There may be subsidization for this work in a future year.
- The underground infrastructure on Glenview Avenue project was funded, however, the asphalt and curbing is over and above that amount. There was no deadline as to the completion of this work and therefore, it could be deferred.
- The work on Webster Court for paving, sidewalks and ornamental lighting did not include underground infrastructure.
- ACOA puts money into street-scaping projects and this is sometimes leveraged by the businesses.
- The reduction of \$25,000 on Glenview Avenue, was for sidewalks, however, there is uncertainty about the future high volume traffic on this street and sidewalks may not be needed.
- Parking was a large issue for the people on Webster Court, even though future street-scaping was not promised, but hoped for.
- Construction of the sidewalk only on Webster Court would be very costly, as curb and gutter and a great deal of preliminary work would be required.
- Perhaps parking, signage and street lighting could be done at a reasonable cost, and would appease the high expectation of residents until more funding becomes available.
- The line item for the new police vehicle should be pulled.
- The Police Commission should be asked to review this issue, as it is their decision.

(ii) Approval 2010-11 Glenview Avenue Project - \$325,000

CAO Robicheau reiterated that the Glenview Avenue project should be reviewed separately, as it is funded by long term borrowing. As staff is recommending that the project proceed, the issue should be addressed by Council under a separate motion.

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

that Council approves the Glenview Avenue

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project at \$325,000, as it is funded by long term borrowing.

MOTION CARRIED

(iii) Award 2010-11 Asphalt Paving Contract – Dexter - \$147,465

CAO Robicheau noted that the asphalt paving contract is funded from borrowing and as the HST can be rebated, the amount to the Town would be under \$135,000. The reduction of this work from \$197,812 can be reduced from the tender, and therefore, a recommendation is being made at this time to do so.

Director Kehoe added that Park Street requires some additional work, as does Chester Avenue, near the water tanks.

He added that there has been a consolidation of paving contractors, resulting in few potential tenders and therefore, advertising was done in other areas . However, he was disappointed with the submissions, as the competitors for this job quoted for work that was not “apples to apples” and none were nearby.

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

that Contract 2010-01 Asphalt Street Paving be awarded to Dexter Construction Company Limited in the amount of \$147,465 (HST included) on a unit price contract.

MOTION CARRIED

(b) 2010 Operating Budget

(i) Approval 2010-11 Budget and Tax Rates or scheduled meeting

CAO Robicheau noted that staff was not able to find any additional cuts in service levels and staffing, and therefore, suggested that Council consider approving this budget with an increase in the tax rate. If further discussion is needed than Council should set another budget meeting date.

It was moved by Councilor Mark Pearl and seconded

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by Councilor Tony Bentley

that a Budget Meeting be held at 4:30 p.m. on Tuesday, June 15th and that a working dinner will be brought in.

MOTION CARRIED

PUBLIC COMMENTS

none

ADJOURNMENT

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

that the regular meeting of Town Council be adjourned at 9:10 p.m. to go In Camera to discuss land acquisitions, contract negotiations and collective bargaining.

MOTION CARRIED

IN CAMERA

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

that the In Camera Meeting adjourns at 9:50 p.m. and that the Council meeting resumes.

MOTION CARRIED

COUNCIL MEETING RESUMES

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

that the regular meeting of Council resumes and adjourns at 9:51 p.m.

MOTION CARRIED