

APPROVED – December 12, 2007

KENTVILLE TOWN COUNCIL

MINUTES

November 14th, 2007

PRESENT

Mayor David Corkum, Deputy Mayor Larry Honey, Councilor Eric Bolland, Councilor Dennis Kehoe, Councilor Bernie Cooper, Councilor Mark Pearl, Councilor Nola Folker-Hill, CAO Bill Boyd, Town Solicitor Peter Muttart and Town Clerk Carol Harmes.

Development Officer Frank MacFarlane, Jennifer Weisner, Kings CED and Erin Mason, KCDC

MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:00 p.m. and CAO Boyd reported that all Council members were in attendance.

PRESENTATIONS

none

APPROVAL OF THE AGENDA

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

that the agenda be approved with the addition of
6(a) xii – Presentation
7(a) Letters from Ian Maxwell

MOTION CARRIED

APPROVAL OF THE MINUTES

(a) October 10th, 2007

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

that the Minutes of October 10th, 2007 be approved

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES

(i) Outdoor Fire Bylaw – Chapter 74 – Second Reading

It was noted that First Reading to adopt this bylaw was held on October 10th following which advertisements had been placed in the local newspaper and on the Town's website that Second (final) Reading would be proposed

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for this meeting. In a report prepared by the Town Clerk, it was noted that no public objection was received.

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

**that Second Reading to adopt Chapter 74 –
Outdoor Fire Bylaw, be given.**

MOTION CARRIED

**REPORTS AND
RECOMMENDATIONS**

**(a) Council Advisory Committee
(i) Amendments to Subdivision Bylaw Re:
Road Classifications (arterial roads) First
Reading**

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, Director Gentleman reported that various road classifications were addressed at a meeting of Planning Advisory Committee, and the issue of sidewalk construction on arterial roads was noted. Acadia Drive has been identified as an arterial road, and in accordance with the present Subdivision Bylaw, a sidewalk should be installed on one side of the street.

However, as Acadia Drive is 40 feet wide (instead of the standard 30 feet) pedestrians and motorists can safely share this street at the present time. When, in the future, Acadia Drive is connected to the cross-town collector road, sidewalks can be installed to handle the increased traffic.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Dennis Kehoe

**that Council gives First Reading, and notice of
intent, to amend the provisions of the
Municipal Service Standards and
Specifications of the Subdivision Bylaw, on
November 14, 2007, and further that a Public
Hearing be scheduled for December 12th, 2007
at 7:00 p.m.**

MOTION CARRIED

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(ii) (ii) **Amendments to Subdivision Bylaw
Re: Materials and Products - First Reading**

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, Director Gentleman reiterated that a report for the Planning Advisory Committee was prepared by Director Henderson, in which he recommended several amendments to the current Subdivision Bylaws and Regulations.

He stated that changes in the type of material and products available for construction and for Public Works, require additions and alternative products to suit the acceptable practice being carried out. He felt that for continuity and consistency in the document, those amendments proposed (as attached) should be considered at this time.

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

that Council gives First Reading, and notice of intent, to amend the provisions of the Municipal Service Standards and Specifications of the Subdivision Bylaw, on November 14, 2007, and further that a Public Hearing be scheduled for December 12th, 2007 at 7:00 p.m.

MOTION CARRIED

(iii) **Swimming Pool Bylaw – First Reading**

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, it was noted that the currently existing bylaw - Chapter 38, Swimming Pool Bylaw - as approved by Council in 1979, may not be up-to-date and relevant. Therefore, staff was requested to research this issue.

Subsequently, a draft Swimming Pool Bylaw, Chapter # 75 was created, following research with other municipalities and input from the Planning Department staff and the Town's solicitor. This document was reviewed at this time.

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

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**that First Reading be given to Chapter 75 –
Swimming Pool Bylaw (attached).**

MOTION CARRIED

(iv) External Audit Services

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, Director Crowell reported that the term for external audit services expires on March 31, 2007 and that written invitations to submit proposals for the next three years were forwarded to eligible firms, who are registered with SNSMR.

Following an explanation of the process, she recommended the appointment of the incumbent, based on their qualifications and auditing experience, their audit staff resources, staff continuity, the audit approach, knowledge of PSAP, their ability to conduct the audit in a computer environment and their fees.

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

that Grant Thornton LLP be retained for external auditing services for the year ended March 31, 2008 for the fee of \$14,900, plus HST and further, that they be retained for the external auditing services for the fiscal years ended March 31, 2009 and March 31, 2010, for the fees of \$15,900 and \$16,900 respectively, plus HST, contingent on Council's satisfaction with performance and fees (among other things.)

MOTION CARRIED

**(v) Municipal Conflict of Interest Act –
Amendments.**

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that amendments are being proposed to the Municipal Conflict of Interest Act, and that UNSM is urging municipal councils to provide feedback on this document.

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Although clarification has been needed on the issue of conflict of interest, concern was expressed about the expanded definition for conflict, as some councilors felt that this may make the process more confusing, and further, might stifle participation when a councilor is in doubt as to whether or not a conflict exists.

Council agreed that in the past each has participated in debate and voting based on personal conscience, however, the new interpretation may, at times, require a legal opinion. Therefore, they wished to ensure access to this resource, if necessary.

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

that those amendments proposed to the Municipal Conflict of Interest Act be recommended, with the addition that the Town's Solicitor be able to determine if a conflict of interest exists.

MOTION CARRIED

(vi) Carbon Off-Setting Credit Program

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, the Chairman of the Environmental Advisory Committee, Councilor Eric Bolland, outlined the concept of purchasing carbon off-setting credits which would help reduce greenhouse gas emissions by providing funds for the planting of new trees. He suggested that when Council and staff members travel by air on Town business that they use the calculator as provided through the program, to tabulate the amount of carbon generated and then to make a monetary contribution in that amount.

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

that Council adopts a policy to ensure that each time the Mayor or a member of Town Council or Town Staff travel by air (as part of their Town duties) that the Town purchases carbon neutral credits through Zerofootprint,

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or a similar provider, to help fight climate change, deforestation, biodiversity loss and watershed degradation, and further, that if possible, another means of transportation be arranged.

MOTION CARRIED

(vii) Kentville Research Station

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that a letter was copied to the Town from Scott Brison, written to Dr. Kelvin Ogilvie, who is a member of the Independent Panel of Experts appointed by the President of the Treasury Board.

It appears that this committee is mandated to identify five labs from across Canada which could be transferred to an academic institution or to the private sector. Mr. Brison is urging Dr. Ogilvie's committee to involve all stakeholders in public meetings, should the Kentville Research Centre be considered for transfer. He further wished at this time, to inform the municipality of this potential occurrence.

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

that a letter be sent to Scott Brison, thanking him for the update on this matter.

MOTION CARRIED

(viii) SPCA Donation

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, CAO Boyd noted that the new SPCA has opened in Waterville, and is requesting financial support from the municipal units.

It was further noted that the SPCA does provide a service to the Town, as this organization assists with the feral cat situation and with stray dogs which are picked up by the animal control officer.

Therefore, it was moved by Councilor Mark Pearl and

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seconded by Councilor Nola Folker-Hill

that a small donation of \$300 be made to the SPCA at this time and that a larger amount be considered during next year's budget deliberations.

MOTION CARRIED

(ix) Citizen Appointments – 2007

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, the Town Clerk outlined the procedure undertaken in recruiting applicants for those vacancies on the various committees, commissions and boards for the Town of Kentville. Council reviewed this report which indicated that there were four vacancies at this time, but only two applications received.

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

that, subject to the approval of the applicants, the following vacancies be filled as follows:

**Parks and Recreation Advisory
Committee (1 position) – appoint Fred
Cumby
Kentville Water Commission (1
position) – seek an applicant
Kentville Board of Police
Commissioners (2 positions) – appoint
Rob Suffron and seek another
applicant**

MOTION CARRIED

(Note: Additional applications will be reviewed and a recommendation made at the next meeting of CAC)

(x) Council Appointments – 2007

Councilor Mark Pearl stated that at a recent meeting of Council Advisory Committee, it was noted that appointments of Council members to the various committees, commissions, boards and agencies for the Town, are also made during the fall of each year. Members of CAC reviewed the present committee structure and agreed that no changes were felt necessary at this point in time, however, additional appointees (as

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alternates) were needed for some of the agencies and affiliations.

Therefore, it was moved by Councilor Mark Pearl and seconded by Councilor Nola Folker-Hill

that the presently serving council members on the Town's committees, commissions, boards and agencies, remain in those positions for the upcoming year

however,

that the following individuals be added as alternates as indicated below:

- **Annapolis Valley Regional Library – Councilor Bernie Cooper (alternate)**
- **Kings Community Economic Development – Councilor Nola Folker-Hill (alternate)**
- **Kings Transit Authority - Councilor Bernie Cooper (alternate)**
- **Kings Regional Sewer Committee – Councilor Mark Pearl (alternate)**
- **Parking Committee – Deputy Mayor Larry Honey (alternate)**

MOTION CARRIED

(xi) Deputy Mayor Appointment

Councilor Eric Bolland stated that at a recent meeting of Council Advisory Committee, it was noted that the appointment of the Deputy Mayor is done annually and is also due at this time. Subsequently, nominations were called from the floor and three candidates were proposed. Following this, an election was held by secret ballot and the winner was declared.

Therefore, it was moved by Councilor Eric Bolland and seconded by current Deputy Mayor Larry Honey

that Councilor Mark Pearl be appointed as the Deputy Mayor for the upcoming year, and that the ballots be destroyed.

MOTION CARRIED

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(xii) Presentation

Mayor David Corkum stated that at the recent election for the position of Deputy Mayor, 3 candidates allowed their names to stand for consideration. He congratulated all three candidates for their commitment to the Town; welcomed Mark Pearl as Deputy Mayor; and presented out-going Deputy Mayor Larry Honey with a certificate of appreciation.

(a) Finance

(i) Director's Report

A report from Director Debra Crowell stated that utility billings were generated during the month and finance staff has attended a number of conferences and meetings.

She added that revenue overall exceeded the average with a benchmark of 58%, expenditures are at the average mark, and although some departments have exceeded this percentage, bulk order and annual payments have been factored in.

With the Summary of Outstanding Taxes, 95.5% of the current tax levy has been collected and with Sanitary Sewer Area Service, she noted that the second quarter ended in September and with this account, a 50% benchmark would indicate that revenue is below the guideline and expenditures are also below the guideline, with an anticipated deficit of \$44,612.

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

**that the report from the Director of Finance
be received.**

MOTION CARRIED

(Note: The deficit with the Sanitary Sewer Area Service will be discussed at CAC.)

(b) Planning and Development

(i) Director's Report

Director Gentleman reported that there were 14 permits issued for a total building value of \$1,920,800. This brings the yearly value to \$8,423,536. She added that the 3 rezonings that received Final Reading by Council in September have exceeded their appeal periods, with

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no appeals reported to URB. She added that meetings have taken place with the Friends of the Library (site selection) and with John Parsons regarding Weavex land. Also the NS Planning Directors met in Cape Breton and that ICSP was discussed. Graham Fisher of NSMSR will attend CAC in November to add information on this subject.

Further, the site plan review process has been initiated with the proposal of an accessory structure to Ron Martin's Plumbing and Hearing on Park Street, and lastly, amendments have been proposed and discussed earlier in the evening regarding the Subdivision Bylaw.

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

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

MOTION CARRIED

(ii) Committee Report

Councilor Nola Folker-Hill reported that the committee will meet on November 19th.

(c) Fire

(i) Chief's Report

Fire Chief Shawn Ripley reported that there were 14 Town alarms in October, for a distance traveled of 376 kilometers. These ranged in scope from brush fires, medical assists, investigations, MV fires, fire alarms sounding, etc. There were 18 calls in the County, for a distance traveled of 1328 kilometers. These represented MVAs, grass fires, chimney fires, medical assists, etc. Mutual aid was called for 2 incidents, with 350 kilometers traveled.

Therefore, it was moved by Councilor Dennis Kehoe and seconded by Councilor Eric Bolland

that the attached report from the Fire Chief be received.

MOTION CARRIED

(i) Governance Committee Report

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Councilor Dennis Kehoe reported that the next meeting will be on December 5th.

(e) Parks and Recreation

(i) Director's Report

A report from Director Mark Phillips indicated that programs at the Centennial Arena are up and operational, that the Ducks Unlimited project has seen some capital work with trail construction, interpretive signage, viewing and rest stations and potential *Greengym* locations. With Bonavista Park, he stated that although there has been a slow down in work, contractors will resume activity during this month. With Special events, the Pumpkin People were a huge success again this year and winners of the competitions will be recognized at the November committee meeting.

Veterans Lane has been made ready for the Remembrance Day ceremony at the cenotaph, the Town has applied for the Christmas lighting purchase plan for LED lights, a tree has been promised to VRH for their Festival of Lights, KCDC is assisting with lighting around town and participants will receive assistance with lighting and decoration costs.

Director Phillips added that the RNS was held at Digby Pines and was well attended, and lastly, that he attended a number of meetings which were outlined in his report.

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

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

MOTION CARRIED

(Not: The Mayor wished to pass on congratulations for the exceptional displays of Pumpkin People this year)

(ii) Committee Report

Deputy Mayor Mark Pearl reported that the committee is scheduled to meet tomorrow evening (November 15th)

(f) Police

(ii) Chief's Report

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Police Chief Mark Mander reported that *a ticket and tow strategy* is being enforced for violators of downtown parking. This is in response to downtown employees refusing to park their vehicles further from their place of employment, in order that customers can use the spaces. He added that two new members will begin employment with KPS in November and that meetings with the Union will begin soon. Lastly, he added that there were very few incidents on Hallowe'en night, which he felt was as a result of additional officers on patrol.

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

that the report from the Chief of Police be received.

MOTION CARRIED

(iii) Board Report

Councilor Dennis Kehoe reported that the next meeting is on Tuesday, November 27th.

(g) Transportation Services

(i) Director's Report

Director Henderson reported that the snow plow equipment is ready and salt and plowing tenders have been awarded. The Capital Projects have been completed, with some remaining patching projects being done. The Town's Consultants are preparing a design and cost estimate for the Rural Municipal Infrastructure project on School and Glenview Streets.

He added that the concrete tunnel should be removed shortly at the CP lands and that the design and layout of the dyke and storm water control structures along Cornwallis River are being planned. A strategy session will be called prior to month end. Lastly, he added that leaf collection is scheduled for either November 12 or 13th.

It was moved by Councilor Larry Honey and seconded by Councilor Bernie Cooper

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

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MOTION CARRIED

(ii) Committee Report

Councilor Larry Honey reported that the committee met last evening and discussed the retirement of Hal Henderson. Also a discussion took place on fall leaf collection, as it was noted that this has been the second year in a row when it snowed on leaf collection day. This has resulted in some difficulty in raking and removing the bagged leaves. Further, it was noted that many of the leaves still remained on the trees at that collection date.

(Note: The Valley Waste representative, Deputy Mayor Pearl, will discuss this with the board)

(h) Water Commission

(i) Directors Report

Director Henderson reported that the Capital Projects have been completed and that the continuous chlorine and ph analyzers are on site and will be soon installed.

With the Balsor/Eaglecrest/Ward Avenue Service, the county has recently learned that SNSMR will contribute up to 1/6 of the costs for this project with a maximum of \$400,000 through the PCAP.

With the issue of Water Audit and Balance, Director Henderson noted that the report will be presented to the KWC in December, with one of the key steps being to implement an active leak detection program. The study was awarded to G & M Management.

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

**that the report from the Director of the
Kentville Water Commission, be received.**

MOTION CARRIED

(ii) Commission Report

Mayor David Corkum had no committee report.

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

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Deputy Mayor Mark Pearl reported that Scotia Recycling has selected Roscoe Construction as their contractor and work at the site will begin shortly. The Procurement Policy is being initiated and clear bags for waste collection will see a bylaw change and implementation by April, 2008.

Negotiations with Northridge Farms have been finalized and revenue and expense projections are on budget, with YTD revenues at \$4,503,919 and YTD expenses at \$4,518,795. Requests for proposals for Banking Services and Legal Services have been issued and will be awarded later this month. Lastly, he added that the OHS manager is now working and should be considered a resource person for the units.

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

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

MOTION CARRIED

(Note: It is hoped that Valley Waste will do a presentation to CAC in November or January, regarding the bylaw changes.)

(j) Kings Community Economic Development

(i) Representative's Report

A report from Erin Beaudin (Executive Director), as attached, was presented by Councilor Eric Bolland. This outlined a number of projects being addressed by this agency with Councilor Bolland pointing out the project of pathways, the Fibre network, Eco Kings and the pilot project involving Erin Mason.

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

that the report from Kings CED be received.

MOTION CARRIED

(Note: A joint workshop will be held on December 6th)

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from 6 until 9 pm, regarding the business plan for Kings CED. The location will be announced.)

**(k) Kentville Community
Development Committee
(i) Report**

The attached report from Executive Director Erin Beaudin outlined a number of projects being addressed by the KCDC. In addition, a late report from Erin Mason added further items she has undertaken. It was noted that the second publication of the Kentville Connection met with some printing delays, the final report of the Farmers Market will be presented at the next meeting of CAC, the results from the Communities in Bloom Awards will take place on November 27th, promotion materials and advertising has involved banners for Centre Square and the designing of a Town logo.

Plans are underway for the Torchlight Parade for November 22nd, which this year, will involve a Community Christmas Tree, and lastly she noted that plans are underway for a holiday beautification program for the downtown.

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

that the reports from KCDC be received.

MOTION CARRIED

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

Deputy Mayor Mark Pearl reported that ridership was 22,245 with revenue at \$54,800, both down from last year. He added that discussions have taken place regarding shared working space between KTA and Valley Waste. He noted that revised advertising policies have been approved, service agreements with outside units are being reviewed, Kings Para Transit has been discussing flow-through agreements, a Board Retreat is scheduled for Saturday, December 8th, the next meeting will be on November 27th, and Councilor Bernie Cooper is the Town's alternate on this board.

It was moved by Deputy Mayor Mark Pearl and

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seconded by Councilor Nola Folker-Hill

that the report on Kings Transit Authority be received.

MOTION CARRIED

(m) Councilor's Report

Councilor Bernie Cooper – attended all meetings and enjoyed the sessions at UNSM.

Councilor Eric Bolland – attended the conference in Digby on Recreation and UNSM in Halifax on sustainability. He has also been busy with Eco-Kings projects and with radio ads on anti-idling, etc. He is working with students from NKEC who will promote the anti-idling message.

Councilor Dennis Kehoe - nothing further to add.

Deputy Mayor Mark Pearl.- thanked Council for supporting his election to Deputy Mayor, and thanked outgoing Deputy Mayor Honey for doing such a good job in the past.

Councilor Nola Folker-Hill - attended all meetings and the Recreation Conference in Digby. She felt that there were some excellent conference items. She also attended the UNSM and was pleased to see the province assuming financial responsibility for some of their costs. She publicly thanked the White family for offering their facilities for the Remembrance Day ceremonies.

Councilor Larry Honey - attended the Friends of Library book sale, and also the Wayzgoose celebration where he represented the Town; he attended an AVRLB meeting and the UNSM Conference. He added that he was pleased to hear that the province has promised a cap on education and will also pick up some costs on housing and corrections. Lastly, he stated that he attended the Remembrance Day service.

(n) Mayor's Report

Mayor David Corkum reported that he also attended the UNSM conference and was very pleased that Bob Wrye is the new President. He expressed concern that HRM may be given their charter, because of the uncertain impact on other units. He added that the outdoor gym will help provide a healthy active lifestyle for citizens in Kentville.

He also attended the smoker during Hallowe'en night

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and offered his congratulations on the Fire Fighters and Police for an outstanding job in protecting the community. With the Tools for Life Conference (Age Friendly Cities and Communities), he asked if he could meet with the seniors' group to survey their opinion on how they rate Kentville as an age friendly community.

(Note: Council supported the Mayor in taking this issue to the seniors)

He added that he attended a focus group for South West Nova in Windsor and spoke 3 times in disagreement about the identity of this group, and was later told that the group has changed its name.

He also noted that he attended the AVESTA meeting on the Valley Events for Sports and Tourism and that he has a copy of their business plan to share with Council.

(o) Chief Administrative Officer's Report
CAO Boyd reported that work continues with the CAOs and that the KPSC continues work with the Fire Study and the Recreation Study. He added that recruitment for a new engineer continues; that the Kentville Futures site will soon see the sale of additional land; the UNSM conference was excellent and that a strategy session has been planned for November 30th and December 1st.

CORRESPONDENCE

(a) Letters from Ian Maxwell.

CAO Boyd reported that several letters have been received from Ian Maxwell regarding the difficulty he is having with the development of his lots. Staff has also met with him last week, however, he has not brought forth anything new which would allow him to move forward. Both hard copies and electronic copies of these letters had been circulated to Council earlier in the week.

(Note: It was felt that some discussion could be held at the next meeting of CAC to try to resolve this item once again.)

NEW BUSINESS

(a) Declaration Re: Racism and Discrimination

A declaration was received in which it was noted that municipal units are being asked to join a coalition against racism and discrimination, and that this has been

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proposed by UNESCO and supported by FCM.

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

that this declaration be approved by Town Council.

However, as the commitment to this declaration was not made clear, it was moved by Councilor Larry Honey and seconded by Councilor Nola Folker Hill

that the motion be referred to CAC.

MOTION CARRIED

{Note: It is important to identify what type of support is being requested. (i.e. active, in principle, financial.)}

Mayor Corkum reported that Solicitor Muttart recently received an award from EKCC and congratulated him on behalf of Council.

PUBLIC COMMENT PERIOD

No members of the public wished to comment on this meeting.

However, Mayor Corkum took this opportunity to advise Erin Mason about a meeting he had with Minister of Transportation Scott who has promised to come to Kentville to have a look at the bridge, which is in need of repairs or replacement.

ADJOURNMENT

Councilor Larry Honey moved adjournment at 8:25 p.m.