

APPROVED – October 27, 2014

# KENTVILLE TOWN COUNCIL

## MINUTES

### September 29, 2014

**PRESENT** Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Nola Folker-Hill, Councilor Bill Boyd, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Tony Bentley, Solicitor Cris Shirrett, CAO Mark Phillips and Clerk Carol Harmes.

**CALL TO ORDER AND ROLL CALL** Mayor David Corkum called the meeting to order at 7:00 p.m., and CAO Phillips reported that all members of Council were present, along with the solicitor, the Town Clerk and himself as CAO.

**APPROVAL OF THE AGENDA** It was moved by Deputy Mayor Mark Pearl and seconded by Councilor Bernie Cooper

**that the agenda be approved with the addition of  
8 (a) Keeping Kentville Clean**

**MOTION CARRIED**

**PRESENTATIONS** (a) **Orchard Valley United Church Trustees (Ian Godfrey)**  
Mr. Godfrey noted that the United Church of St. Paul and St. Stephen is for sale, and that recently a proposed residential development for the site was not approved by the Town, due to restrictions in the Town's Land Use Bylaw. This current stipulation (Section 4.11) would eliminate certain development on the existing property, if it does not meet the required set-backs and side yards. As the property, being a church, has a limited use, there is the strong possibility that it may sit vacant and deteriorate over the upcoming months.

Therefore, Mr. Godfrey asked, that during the current review of this document, if consideration could be given to amending this part of the Land Use Bylaw and relating parts of the Municipal Planning Strategy, thus allowing more flexibility with side yard and set back issues.

#### Points from Discussion

- The previous application for development did not meet the present criteria, however, attempts will be made to provide more flexibility if possible.
- Although each application is evaluated on its own, a mixed use is preferred in this regard.
- The Planning Department will research this situation and bring back some recommendations for amendments at the next

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meeting of CAC. These options will be examined by Council who will make the decision.

- Residential is allowable if it complies, however, construction from scratch is a different situation, as the current language provides some distinction.
- This building is a land-mark in the community and council want to see it re-purposed and will work towards that end.
- Such amendments must go through a process, however, Council will give this request priority.

**APPROVAL OF THE  
MINUTES**

**(a) July 28, 2014**

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

**that the minutes of July 28, 2014 be approved, as circulated.**

**MOTION CARRIED**

**(b) September 8, 2014**

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

**that the minutes of September 8, 2014 be approved, as circulated.**

**MOTION CARRIED**

**BUSINESS ARISING  
FROM THE MINUTES**

**(a) Kings 2050 Project (Recommendation to table Item 6 (a) 5.**

A report from Director Bev Gentleman noted that this issue has been brought to CAC earlier in the month and a recommendation was made to support the resolution at this Council meeting. However, since that time, Kings County PAC has recommended that the proposed resolution not be supported, and made amendments. As these amendments have not been addressed by the partners in the Kings 2050 Project, it would appear futile to proceed with the current resolution at this time. As such, she felt that Council should table this recommendation until there is an agreement between the municipal units.

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

**that the recommendation to support the resolution for Municipal Support of the Kings 2050 project, be tabled until the municipal units can resolve the issue.**

**MOTION CARRIED**

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**RECOMMENDATIONS  
AND REPORTS**

**Council Advisory Committee**

**(1) Off-Leash Dog Park**

Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Director Rachel Bedingfield presented a report on constructing an off-leash dog park in the town of Kentville. She pointed out the benefits to the community of having such a recreation facility here in Town; proposed a possible location on the pasture land beyond Miner's Marsh, and noted that construction would be about \$25,000, with an ongoing maintenance and operational cost of \$2,000 per year.

As there was some uncertainty regarding the need for an off-leash dog park, and on funding options at this point in time, it was agreed that the project should be community-driven.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

**that Recreation staff continue work on the dog park project on a low priority basis.**

**MOTION CARRIED**

**(2) Appointment of Development Officer**

Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Clerk Harmes reported that the *Municipal Government Act (section 243.1)* directs Council to appoint a development officer to administer its land-use bylaw and subdivision by-law. Further, Town of Kentville's Policy Statement G34 – Temporary Development Officer, allows for the transfer of those responsibilities to the Assistant Development Officer, when necessary.

She added that with the recent resignation of Frank MacFarlane from that position, and the uncertainty of when a Development Officer will be appointed, it would seem in order to appoint the Assistant DO to that position at this time.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

**that Beverley Gentleman be appointed to the position of Development Officer for the Town of Kentville.**

**MOTION CARRIED**

**(3) Citizen Complaint Policy (G66)**

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Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Clerk Harmes presented a draft document - G66-Citizen Complaint Policy - which will assist the Town in addressing any program and service delivery concerns or complaints that a citizen may wish to have on record.

In those cases where frontline resolution is not successful, this policy will outline a procedure to provide fairness and consistency in response by staff, and a tracking process leading to the final decision reached and further action taken.

Subsequently, it was moved by Councilor Eric Bolland and seconded by Councilor Bill Boyd

**that Policy Statement G66-Citizen Complaint Policy be adopted.**

**MOTION CARRIED**

**(4) Citizen Recognition Policy**

Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Clerk Harmes presented a draft policy (Municipal Lands and Facilities or Elements Naming Policy) prepared by Director Bedingfield for the recognition of citizens who make a contribution to the Town of Kentville.

During the creation of this document, it was brought to light that three additional policies (previously approved by Council) also relate to acknowledging citizen commitment to the Town.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Eric Bolland

**that all four policies (G-67, G-2, G-35 and G27) be combined into one, with separate headings to address each specific issue,**

**and further,**

**that the following pre-existing policy statements be repealed,**

- **G2-Recognition of Citizen Appointees Retiring from Committees, Commissions, Boards and Agencies**
- **G35-Public Recognition for Outstanding Heroism**
- **G27-Street Naming Policy**

**MOTION CARRIED**

**(5) Kings 2050 – Resolution for Municipal Support**

(This issue was addressed under Agenda Item 5 (2) and has been tabled.)

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**(6) TBR – Town and Sanitary Sewer Area Service Capital  
2014-15**

Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Director Crowell reported that the attached TBR represents various items (as identified in Schedule A), totals \$1,353,000 and now requires Council's authorization.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

**that TBR14/15-1 for various purposes, in the amount of \$1,353,000, be ratified.**

**MOTION CARRIED**

**(7) Interest Rate Charged for Outstanding Accounts**

Councilor Bernie Cooper reported that at the September 8, 2014 meeting of Council Advisory Committee, Director Crowell reported that in accordance with the Policy Statement relating to this issue, outstanding balances are charged for non-payment when passed the due date. The interest rate for unpaid accounts is currently 2% per month (26.8% per annum), has been in effect since 2002, and has been very effective.

The Financial Condition Index (FCI) adds support to the need for an appropriate interest rate because one of the financial condition indicators relates to uncollected taxes, which can impact actual revenue and working capital, thereby hindering a municipal unit from providing services.

Therefore, it was moved by Councilor Bill Boyd and seconded by Councilor Tony Bentley

**that the interest rate on outstanding accounts for the Town of Kentville remain at 2% per month, or part thereof, (26.8% per annum) for the year April 1, 2014 to March 31, 2015.**

**MOTION CARRIED**

**b) Fire**

**(i) Chief's Report**

CAO Phillips reported that there is no written report

**(ii) Joint Fire Services Committee Report**

Councilor Bill Boyd noted that this group has not met for some time, however, the next meeting will be later in October.

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**(c)Valley Waste Resources Management –Representative’s Report**

Deputy Mayor Mark Pearl noted that the Management Minute is attached, however, added that:

- On August 7<sup>th</sup> a meeting took place with the Premier McNeil and the Minister of Environment, at which an open discussion took place regarding the challenges faced by municipalities. A presentation also took place regarding the new technology for the conversion of solid waste into energy. Both the Premier and Minister appeared interested and VWRM is hopeful that consideration will be given to their concerns.
- Upcoming meetings on budget issues will see the creation of a new Municipal Agreement and this will come to Kentville Council soon for approval.
- A resolution has been prepared for the UNSM Conference, regarding emergency interim funding to the units in support of the costs relating to this service.
- At the Regional Chair’s level, a motion was made that a letter be sent to the NS Environment Office to express support in moving forward with extended producer responsibility and stewardship programs. These shift the financial burden from the municipal tax base to manufacturers/producers of products and packaging, and ensure municipal partnership with NSE and its implementation. It is hoped that this new program will be operational within a few years.
- With the cancellation of fall clean-up, education has been done extensively on this issue. Any concerns regarding this change in the service level can be made at the Valley Waste Administrative level.

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

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

**MOTION CARRIED**

Points from Discussion

- A service group (Kinsmen) has a model which they use for Christmas Tree pick-up, that might be employed for leaf pick-up. This would be viewed as a fund-raising opportunity and the Town is exploring ways to offer support. The Kinsmen will advise the Town if there is an interest in this project by club members.

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**d) Kings Transit Authority**

Deputy Mayor Mark Pearl noted that the report is in the package but added that:

- Ridership has shown growth over this period, with some up a little and others down a little. Constant growth is seen in the core.
- Rates on the WCB will drop by .34 cents per assessable \$100 on payroll. This results from the priority given by Kings Transit to occupational health and safety issues.
- One of Kings Transit's new busses was taken to Halifax to play a part in a movie being filmed; \$8,000, plus costs were given for this service.
- The UNSM members were appreciative of the service given to this group when visiting the area.

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

**that the report from the Kings Transit Authority be received.**

**MOTION CARRIED**

**(e) Councilor's Report**

Deputy Mayor Mark Pearl – nothing to report

Councilor Bill Boyd – attended all meetings required. He noted that at the last meeting of CAC, a discussion took place regarding a Joint Council Meeting with Kings Partnership on Monday, October 20<sup>th</sup>, although unfortunately, Gordon MacIntosh is not available to facilitate that meeting at this time. However, an annual meeting will still take place and this date should be kept reserved for that meeting.

Councilor Bernie Cooper – attended all meetings

Councilor Tony Bentley – attended all meetings, although one recently held for the AV Regional Library was adjourned early due to internal staff issues.

Councilor Nola Folker-Hill – attended all meetings and noted that she has been very busy with a number of issues. A meeting was held with the Minister of Justice for the NSAPG; the Town's Caucus meeting in Stewiacke; the NSAPG Conference in Cape Breton; in Toronto last week at a CAPG Retreat. She represented the Town at the NS Continuing Care Day at Evergreen.

Councilor Eric Bolland – attended all required meetings except KCA/PTA, along with an Eco-Kings Transit sub-committee meeting, many meetings on the Shannex Pumpkin Mile and attended the fund-raising event at Paddy's Pub in support of the Skate Board Park.

**f) Mayors Report**

Mayor Dave Corkum recapped some highlights from his report which

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related to activities in August and September:

- He attended a number of events –Swim team, Lions Club Assembly, Rotary events, Streetfest, Premier’s breakfast, Big Bike (Heart and Stroke), Kings Riverside Court, Police Commission Golf tournament, ALS Ice Bucket Challenge, Mosquito Baseball Championships, Gorge Races.
- He attended a number of meetings- Coalition, developers, Valley Waste meeting with premier, Police Commission, UNSM, Minister Furey, Chamber of Commerce, meeting in Lunenburg with Justin Trudeau, CAC, Wayne MacIntosh (President of NS Real Estate Association re: CAP, Deed Transfer Tax), meeting regarding new sign on Park Street, UNSM (One NS), Golf Tournament Cancellation, KDCL, One NS Meeting, Town’s Caucus, REN, BBC, Citizen Engagement Meeting, Henry Hicks.
- Workshops – Imagine Kentville, Branding, FCM Board Meetings in Quebec, (Home Town Proud event, election readiness for Federal Election) Round-table Ministers, and UNSM Executive Committee ( Re: Approval of Fiscal Review).
- Other things involved the Town softball practice, Town’s softball game, farewell staff events, Town Washer Toss and Corn Boil.
- Interview and Photo Session – Wendy Elliott, Acadia.

## CORRESPONDENCE

### **(a) Doctors McGillivray, Dugus, Blenkhorn and Waterbury (Re: Fluoridated Public Water)**

CAO Phillips summarized this correspondence, noting that these dentists support the efforts of the NS Dental Association to keep public drinking water fluoridated.

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

**that this letter be sent to the Kentville Water Commission.**

## MOTION CARRIED

### **(b) Transportation and Infrastructure Renewal – Office of the Minister (Re: Cornwallis Bridge)**

CAO Phillips reported that this correspondence related to confirmation of the construction of the Cornwallis River Bridge, noting that planning and design stages are underway.

It was moved by Councilor Bernie Cooper and seconded by Councilor



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Tony Bentley

**that the letter from the Minister Geoff MacLellan be received.**

**MOTION CARRIED**

**(c) CUPW – Changes to Postal Services**

CAO Phillips reported that this letter relates to changes being proposed to the public postal service and asked if the Town would support the attached resolution in asking the FCM to request that the federal government properly consult with the public about what kind of postal service they need, before allowing Canada Post to make such major changes to the service.

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

**that the letter from this organization be received.**

**MOTION CARRIED**

Points from Discussion

- Many citizens will be affected by the elimination of this service and it might be in order to support the continuance of door-to-door delivery, by supporting the resolution.
- It was agreed that Councilor Bolland would review the recommendation of the proposed resolution, proposing any amendments, and if necessary will bring this back for discussion at CAC.

**NEW BUSINESS**

**(a) Clean**

Mayor Corkum asked to vacate the chair to Deputy Mayor Mark Pearl so that he could address a specific concern and recommendation that he has. Following that, he noted that although many areas of the Town are kept clean, others are in need of some serious attention. Although bylaws exist that will directly affect this type of littering, it might be time to consider stiffer penalties.

As another approach, he would like to see more citizen involvement, whereby a routine clean-up takes place, with the ultimate goal of making Kentville the cleanest town in Canada. He added that some coffee drinkers are negligent of this type of litter, although the doggy poo bags are being deposited in the receptacles for that purpose. Perhaps the staff can devise an initiative that would meet that end. This could be a “Home Town Proud Initiative.”

It was moved by Mayor David Corkum and seconded Councilor Eric Bolland

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**that staff be asked to prepare a report for CAC regarding a clean-up initiative that would make Kentville the cleanest Town in the Country.**

**MOTION CARRIED**

Points from Discussion

- More waste receptacles would encourage more clean-up by the general public.
- More signage on keeping the community clean would help as well.

**PUBLIC COMMENTS  
Q & A on Council Size  
Review Process**

**(a) No questions on Council Size**

**ADJOURNMENT**

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

**that the meeting be adjourned at 8:15 p.m.**

**MOTION CARRIED**