

Council Advisory Committee

MINUTES

October 5, 2015

PRESENT Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Nola Folker-Hill (arrived at 1:34 p.m.), Councilor Bernie Cooper, Councilor Eric Bolland, Solicitor Geoff Muttart, CAO Mark Phillips and Recording Secretary Gillian Yorke.

Also present: Finance Director Deb Crowell, Recreation Director Rachel Bedingfield and Acting Police Chief Ken Reade.

CALL TO ORDER AND ROLL CALL Mayor David Corkum called the meeting to order at 1:30 p.m. and CAO Mark Phillips reported that Town Clerk Harnes is off at this time.

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 Nola Folker Hill and seconded by Councilor Bernie Cooper

**that the agenda be approved with the addition of:
8(d) Live-Streaming CAC Meetings**

MOTION CARRIED

PRESENTATIONS (a) none

APPROVAL OF THE MINUTES (a) **Minutes of September 14, 2015**
It was moved by Councilor Nola Folker Hill and seconded by Councilor Bernie Cooper

that the Minutes of September 14, 2015 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES/OLD BUSINES (a) **Report on Public Housing Costs**
CAO Phillips reported that at a recent CAC meeting, staff was asked to research the issue of Public Housing costs, as they relate to charges to municipalities. He has had a conversation with local representative from the Province about housing inventory, the

application process, the allocation of units and properties. The purpose of that conversation was to develop a better understanding on the costs of housing and some of the procedures, prior to having a discussion with the Province.

(b) KDCL Funding Request

This issue had been brought forward from a previous presentation by KDCL at which time the Town was asked for \$100,000 additional funding. The membership on their Board is changing and Council had wanted to have support of the board members prior to making a decision. It is expected that within a few months, the new board should be in place and ready to respond to the revitalization plan for downtown.

**DEPARTMENTAL
REPORTS AND
RECOMMENDATIONS**

(a) Finance

1.Directors’s Report

Director Debra Crowell reported that:

- Over \$1.7 million was deposited following the due date for taxes in September
- The second quarter billing for the utility will be released in October.

At a benchmark of 50%, revenue exceeded that at 82.4% and Expenses were slightly below at 49.3%, although some departments exceeded the guideline due to bulk order and annual payments. Outstanding Taxes saw 88.9% of the current levy collected, with a total of \$1,181,267 outstanding.

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

that the report from the Director of Finance be received.

MOTION CARRIED

Points from Discussion

- Kings Point-to-Point Transit receives one lump sum from the Town.
- From those taxes outstanding, some have been in arrears awhile and a Notices of a pending tax sales have been issued.

(2) Projections

Director Crowell submitted a projections report as of September 30, noting that Kentville could realize a surplus of \$87,800 at year end. She reviewed the various funds that created this surplus at this point

in time.

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

that the Projections Report be received.

MOTION CARRIED

(b) Planning and Development

1. Director's Report

CAO Phillips presented the report submitted by Director Beverly Gentleman and noted that there were 12 permits issued in September for a building valuation of \$1,284,400, bringing the yearly total to \$6,221,519. She added that:

- A Development Agreement for the expansion of Valley Ford Dealership will be reviewed at the Water Commission meeting prior to a recommendation to CAC.
- A Site Plan Approval / Development permit has been approved for a triplex at 150 Park Street.
- A Review of the Minimum Maintenance and Housing Standards Bylaw has resulted in this bylaw being deemed obsolete, with a recommendation under New Business for first reading to repeal it.
- MPS Review meeting with Council is scheduled for Thursday, October 8th. (The time will be confirmed)
- Special Events Bylaw – First Reading was given to this bylaw and a Public Hearing is scheduled for October 26th at 6:00 p.m.
- Eastlink staff are applying to install a cell tower in the Industrial Park and staff are requesting additional information.

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

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

MOTION CARRIED

2. Environmental Advisory Committee Report

Chairman Eric Bolland had nothing new to report.

3. Community Development Coordinator's Report

A report received from CDC Lindsay Young, indicated that:

- A lot of marketing and promotional arrangements have been made for October (Herald, Valley Harvester, K-rock, Metro News, CJHK – Bridgewater) and Fine Lifestyles Magazine).
- The Pumpkin People Festival (October 3-30) is themed Lego, and directional maps are available from the Planning Department.
- The Kentville Merchants Group has extended the Friend raiser campaign and a “Shop to Win” campaign is being planned.
- KDCL held a board meeting on September 30th regarding the Kentville Way, bylaw enforcement and parking and the review of the work place from CEO MacCulloch.
- New Promotional Material for River Street Properties and Industrial Park Land will see a dedicated page on the Town’s website for the Industrial Park.
- Downtown beautification will see new holiday lighting, a street wide banner and new proto-star tree decals for this Christmas season.
- A draft contract has been prepared for an increased LTE service for high traffic areas and review by the Director of Public Works and CAO is pending.
- Rebranding RFPs have been posted on the procurement site and Town’s web page, with a due date of October 14th.

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

that the report from the Community Development Coordinator be received.

MOTION CARRIED

Points from Discussion

- Perhaps another conversation might be required on the fibre network, as a service provider.
- The Town’s IT staff could answer questions regarding the advantages and disadvantages of not being connected by the fibre network.
- There has been no public outcry demanding this fibre network service, although the two neighbouring towns are very supportive of the value.
- The CAO will gather information and report back.

(c) Parks, Recreation and Community Development

(1)Director’s Report

Director Bedingfield reported that:

- Some new natural elements with a multi-age focus are being added to the Memorial Park Playground.
- The Arena is up and running and a calendar has been added to the arena website with a schedule of events.
- A fund raising cabinet has been created by the Kings County Skateboard Association to begin sponsorship solicitations.
- Pickleball takes place Monday evenings at KCA and is enjoyed by all ages. Equipment was supported by a Regional Development Grant from the Dept. of Health and Wellness – Active Living Branch.
- Trailblazers After-School Program is staff by very talented individuals and have seen the program filled with older children enjoying unstructured play outdoors after school.
- The Online Community Recreation Guide has grown to almost 400 recreational opportunities, with 64 located in Kentville and 188 serving the Kentville area.
- The KCA School Travel Planning Committee has set its priorities for the year.
- The Super Happy Family Time will see some of the most popular programs being offered again this year. This Saturday program is increasing in popularity.
- Pumpkin People Festival has a theme of “Lego” this year and along with the many displays, there will be a Minions Scavenger Hunt to lead visitors around town.
- The Harvest Festival was successful although the weather was not ideal for the outdoor events.
- The Oakdene 50% local picnic on October 6th is hosted by the Kentville Community Garden Club and locally produced goods will be shared.
- The Recreation Nova Scotia Conference will be from October 12 until October 16th.
- The Torchlight Parade will be on November 19th.

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

that the report from the Recreation Director be received

MOTION CARRIED

Points from Discussion

- The Trail blazers include KCA and home schooled children.
- SHAFT is open to the general public and as it is a drop in program, no registration is required.

(d)Police Report

(1) Chief’s Report

Acting Police Chief Ken Reade presented his reports for September from which he noted that:

- From the 186 scheduled shifts for August, 324 hours were lost due to leave and sick time.
- 225 hours served on foot patrols downtown and 979.5 hours of mobile patrols, with 555 vehicle checks resulting in 88 warnings and 36 SOTs issued.
- 322 calls received at 417 with 45 of them being 911 calls.
- 39 person checks done, 181 disturbance calls, 40 mental health related issues.
- 8 MVAs and 13 alarm calls.
- With the SCEU, 9 search warrants were executed, 2 criminal code and 7 drug warrants, resulting in 7 persons being charged. \$479,000 work of drugs were seized, \$3,750 of tobacco, \$24,500 of property, \$945 in cash and 8 firearms.

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

that the report from the Acting Police Chief be received.

MOTION CARRIED

Points from Discussion

- Foot patrol usually takes place during the business hours.
- It is important to note that the Street Crime Unit deals with the region and those statistics are regional.

(2)Board Report

Councilor Bernie Cooper noted that there was a Police Commission meeting on October which involved strategic planning (i.e. downtown police presence, smoking and loitering).

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

that the report from the Board of Police Commissioners be received.

MOTION CARRIED

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

***Recommendation to
Town Council***

that a recommendation be made to Town Council that a designated smoking area be explored in the downtown area.

MOTION CARRIED

Mayor Corkum passed the chair to Deputy Mayor Pearl at 2:20 p.m. to add that there is not enough signage around town to educate people that there is no smoking in public places. (Mayor Corkum returned to the chair at 2:21 p.m.)

Councilor Eric moved that the motion be tabled, however, this was defeated, as there was no seconder to table the motion.

Points from Discussion

- The smoking in downtown Kentville has been a problem for a long time and now the downtown businesses are urging another approach through the Police Commission.
- The businesses on Webster Street have approached the Police Commission to be proactive.
- Enforcement is difficult as tickets issued could remain unpaid, which really has no impact on decreasing smoking in public places. If those individuals have to go to court, they would lose their access to their automobile, which is a harsh response.
- The Town should have a designated area in the core area that allows a place to go to smoke.
- Those businesses in proximity to the designated smoking area would need to “buy in.”
- A designated area would contain smokers to one part of time only.
- Signage to direct smokers to the designated smoking area would have to be posted.

(e) Transportation Services

(1) Directors Report

Director Whynot reported that:

- Some capital and maintenance projects are wrapping up, while others are ready to begin. A detailed review of the Chester Avenue Upgrade has been completed for the 50% design state of the project and is ahead of schedule.
- Staff attended a Transportation Association of Canada

Conference that addressed issues like urban roundabouts, traffic safety plans for the community, integration of pedestrians, transit and cyclists, active transportation connections.

- Staff have begun to prepare for winter with snow removal equipment be readied and look forward to the arrival of the new sidewalk machine and plow truck.
- The Regional Sewer System has seen connections to the live sewage force mains completed.

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

that the report from the Transportation Services Director be received.

MOTION CARRIED

Points from Discussion

- Some stop signs have been missing for a while.
- Some large potholes still remain to be repaired.

(f)Water Commission

(1) Directors Report

Director Whynot noted that:

- The water meters were read.
- 6 water leaks were detected, 5 on residential properties which are the owner's responsibility. The remaining one will be repaired by the Town.
- Capital projects are progressing and repairs have been completed to the Industrial Park Reservoir; painting has been delayed, as the existing paint contains lead, and staff is getting pricers for removal; this might delay this project until next year.
- The Mitchell Avenue production well was to be fitted with new screens, however, the video surveillance confirms a hole in the existing casing and not a collapsed screen.

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

that the report from the Director of the Water Commission be received.

MOTION CARRIED

Points from Discussion

- It appears that the existing infrastructure can be supported by the aquafer.
- With the extraction of water, language has been adopted that to address this.
- The protection of the aquafer when drilling (i.e. thermal heating) would appear to not fall under current requirements. Drilled wells (i.e. KCA geo-thermal well) may impact the aquafer, even though the Department of Environment signs off on these projects.
- The Wellfield Protection Committee should address the issue of protecting the aquafer from contamination. There should be a discussion between the County and Town to address this issue.
- The solicitor added that Port Williams had similar concerns, however, the Province has not addressed “tapping into an aquafer” and as there are different types of geo-thermal wells, it’s difficult to create language around this topic. A lack in approval of regulations affecting the well field is disturbing and municipalities who have their own water commissions should jointly urge the province to address the issue of geo-thermal wells.
- This would be a topic of discussion at the Water Commission and some research can be done with other municipal units who have similar concerns.
- Somewhere down the road, UNSM have need to get involved.

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

that the discussion on the protection of the aquafer be deferred to the Kentville Water Commission.

MOTION CARRIED

(3)Commission Report

Mayor David Corkum had nothing to report.

(i) Administration

(1)Chief Administrative Officer’s Report

CAO Phillips noted some highlights from the attached report:

- The KPSC meeting for October 29th has been cancelled.
- The JFSC meeting for October 15th has been postponed.
- Kings Transit Authority – transit service to West Hants/Windsor ceased on October 1st. Also the CAO and

Finance Director will explore the RFP for Financial Services for Kings Transit, as the Town may be able to provide financial services, similar to what is done with the Fire Department.

- UNSM – The fall conference will be on November 4-7 and all members have been registered and rooms reserved.
- Police Commission – a meeting was held on October 1st with discussions on loitering and smoking downtown.
- Public Safety MGA Review Working Group – The CAO is chairing one of five working groups who are reviewing the sections of the MGA relating to Fire and Emergency Services and Dangerous and Unightly Premises. A workshop is open to staff and council this Friday at the Old Orchard Inn.
- Industrial Lands- A purchase and sales agreement with NSBI closes on October 23rd and signage and the MLS listing is being prepared.
- The Town is looking at a bulk purchase arrangement (with other municipal units) for the provision of electronic voting for the 2016 election.
- A meeting was held with staff and Manulife regarding the Town's retirement plan.
- A list of other meetings was included in the attached report.

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

that the report from CAO Phillips be received.

MOTION CARRIED

Points from Discussion

- With the Friday meeting of the MGA review, it is important that Council attends to address the issue of arbitration when settling disagreements between municipalities. The UNSM have voted to move this issue forward and now the Minister of Municipal Affairs is not in support.

(h) Council Information Sharing (Workshops and Conferences)

Mayor David Corkum – nothing to report

Councilor Bill Boyd – not present

Councilor Bernie Cooper attended the conference for NS Chiefs in Truro and agrees with the advantages of the app for distracted drivers. He enjoyed Brigadier General Hillier speech and the

Canadian Conference in Markham was excellent.

Councilor Eric Bolland – nothing to report other than that he had lunch with the presented of the app for distracted drivers and has had it installed on his phone.

Deputy Mayor Mark Pearl – attended the annual NS Chiefs of Police Conference in Truro which involved a guest speaker, Brigadier General Richard Hillier. There was a good session on distracted drivers and an app that curtails distracted drivers. Some communities have bought into this approach and made it mandatory to have that app on all municipally purchased phones.

Councilor Nola Folker-Hill felt that she attended the Conference in Truro, however, saw no benefit to the ap. Unfortunately for the timing and location of this conference held in Truro, there was a “cloud” over the whole event, as the day before, the body of the murdered Truro Police Officer had been found. She also attended that CAPG Retreat in Toronto and this was one of the better ones and she sees some positive interactions with the Police Boards.

Councilor Tony Bentley – not in attendance.

CORRESPONDENCE

(a) Agriculture Minister Keith Colwell (Re: Fundy Dykes)

A letter was received from Minister Colwell, in which he asked for municipal support for the National Disaster Mitigation Program as it relates to the Maritimes Agricultural Dyke Risk Assessment. In support of this program, funds were being requested to cover associated costs.

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

that the letter from Minister Keith Colwell be received.

MOTION CARRIED

NEW BUSINESS

(a) Ch.41 Minimum Housing and Maintenance Standards Bylaw (recommendation to repeal)

Director Gentleman submitted a request to Council to consider repealing this bylaw as it is redundant and fraught with difficulties with enforcement and interpretation. Provisions found in the MGA and the Building and Fire codes more effectively address this issue.

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

that a recommendation be made to Town Council that First Reading be given to rescind Chapter 41 Minimum Housing and Maintenance Standards Bylaw.

MOTION DEFEATED

Points from Discussion

- Since the creation of the MGA, issues like unsightly premises are now more effectively addressed under that legislation. This bylaw is now an extra tool and was written at a time previous to the MGA.
- Specific language in the bylaw deal with keeping a property clean and neat and other aspects relating to dangerous and unsightly premises, are not specific in the MGA.
- This bylaw appeared to have been a standard form used at the time, but now redundant, even though the MGA does define unsightly, dangerous, unhealthy premises in a less specific way.
- Enforcement of this bylaw would be very difficult from a legal point of view.
- The bylaw also addresses some issues that may not even be problematic.
- There is dated and irrelevant language in the bylaw and perhaps the bylaw should be amended, not repealed.
- It might be easier to repeal this bylaw and create a new one.

(b) Governance Study

CAO Phillips reported that interest has been generated once again for the municipal units of Kings County to undertake the feasibility study process. Kings County Council has apparently agreed to support this study, as has the Towns of Berwick and Wolfville. The Town of Kentville had previously agreed to enter a governance study providing the terms of reference are acceptable. Full Council should be present to discuss this issue, and it shouldn't be fast-tracked at this point because the issue is too important.

No formal contact has been made to the Town from Kings County Council to begin discussions once again.

(c) Eastlink Cell Study

This report is from Director Gentleman in which she noted that there have been discussions with Eastlink regarding the installation of a cell tower in the Annapolis Valley Industrial Park. Industry Canada is the governing body who decides where a cell tower goes, and although there is a consultation period, Eastlink has indicated a

specific location. That location is near some residential development and Director Gentleman advised Eastlink that land could be available further back in the Industrial Park, which might be more suitable. She did ask Eastlink to provide some information as to why their preferred location was preferred.

The impact on the land for this tower installation will be 15 meters by 15 meters, so the footprint is not large.

(d) Live-streaming – Council Advisory Committee Meetings

Councilor Eric Bolland asked Council to consider live-streaming of the Council workshops, Council meetings and/or Council Advisory Committee meetings as a way to allow citizens to be better informed and engaged in municipal government.

Points from Discussion

- The relaxed atmosphere of CAC would be eliminated with live-streaming, although Council meetings would be good.
- With municipal elections next year, live-streaming would allow the public to become familiar with some of the issues.
- There may be a problem with video conferencing and live-streaming, however, the IT staff could do a report.

ADJOURNMENT

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

that the meeting adjourn at 3:28 p.m.

MOTION CAARRIED

IN CAMERA

The In Camera meeting was held from 3:36 p.m. until 4:08 p.m. to address issues relating to Land Negotiations, legal contracts and Labour Negotiations.