

KENTVILLE TOWN COUNCIL

MINUTES

October 26, 2015

PRESENT Mayor David Corkum, Deputy Mayor Mark Pearl, Councilor Bill Boyd, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Tony Bentley, Councilor Nola Folker-Hill, CAO Mark Phillips, Solicitor Geoff Muttart and Town 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 Council members were in attendance, along with the Town Solicitor, the Town Clerk and himself.

APPROVAL OF THE AGENDA It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

that the agenda be approved with no changes

MOTION CARRIED

PRESENTATIONS (a) **Stephen McNeil**
Did not attend.

APPROVAL OF THE MINUTES (a) **September 28, 2015**
It was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that the Minutes of September 28, 2015 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES (a) **Second Reading – Special Events Bylaw**
Director Gentleman noted that First Reading to adopt this bylaw was given at the September 28th meeting of Town Council, following which a Notice of Second Reading was published in the local paper on October 6th. As there has been no public feedback in opposition to this bylaw, she therefore recommended that the adoption process continue.

Subsequently, it was moved by Councilor Bill Boyd and seconded by Councilor Bernie Cooper

that Second (Final) Reading be given for the adoption

of Chapter 96 – Special Events Bylaw

MOTION CARRIED

(b) Second Reading – Land Use Bylaw

Director Gentleman reported that at the September 28th meeting of Council, First Reading was given to amend sections of this bylaw, pertaining to the commercial use of property in a residential zone. Notices for the Public Hearing (scheduled for 6:00 p.m. on October 26th) were placed in the local newspaper on October 8th and 15th. This Hearing would allow an opportunity for public feedback on the amendments, however, no one attended, nor did there appear to be any opposition to the bylaw amendments.

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

that Second Reading be given to adopt the proposed amendments in the Land Use Bylaw.

MOTION CARRIED

**RECOMMENDATIONS
AND REPORTS**

(1) Designated Smoking Area – Downtown

Councilor Bill Boyd reported that at the October 5th meeting of Council Advisory Committee, Chairman Bernie Cooper noted that the Kentville Board of Police Commissioners recently discussed the issues of loitering and smoking in the downtown area, as the Police have been asked by some local businesses to take action with this ongoing problem.

It was further noted that although the Town does have a Smoking in Public Places Bylaw, a lack of signage (prohibiting smoking on sidewalks and in parking lots) has been a problem in educating the public, and therefore, more signs were recommended. In addition, enforcement of this bylaw was seen to be a difficulty, with potential court time and costs ineffective as a deterrent.

Therefore, as an alternative, a recommendation was made that the Town attempt to contain smoking in one area.

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

that Town Council explore the creation of a designated smoking area in the downtown core.

Points from Discussion

- Many smokers are not aware of the Smoking Bylaw which prohibits smoking in public places.
- There should be more signage in the downtown area, as it is not fair to enforce a bylaw, when people are not aware of changes. Smoking is not against the law, even if smoking in public places is.
- UNSM had offered municipalities the opportunity to have consistent signage in towns that had no smoking bylaws. (The due date for this funding application is November 9).
- The penalty relating to enforcement is currently the long form, which requires court time and could result in the loss of a motor vehicle, insurance, etc. This is a severe penalty, and may not even be applicable, if the accused does not have a vehicle.
- Downtown businesses should be involved in any decision to establish a smoking area in the downtown, even though this might keep smokers in one place.

Note: Mayor Corkum turned the chair over to Deputy Mayor Pearl (7:15 p.m.) so he could add:

- The Town has not done enough to educate the public and that education component was expected with the introduction of this bylaw.
- This education could be carried out by police members, when they see someone smoking.
- There are many places people can smoke where others are not affected.

Note: Mayor Corkum assumed the chair at 7:18 p.m.

- The Town should continue with revisions to the bylaw which would include SOTs.
- It is important to have feedback from KDCL.

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

that the issue be tabled until the next meeting of CAC.

MOTION CARRIED

(b) (i) Fire

CAO Mark Phillips reported that an email earlier today indicated

that the fire statistics report will not be ready for this Council meeting, however, when it arrives, that information will be sent out to Council.

(ii) Joint Fire Services Report

Councilor Bill Boyd noted that the next meeting is scheduled for October 29, 2015.

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

that the report on the Joint Fire Services be received.

MOTION CARRIED

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

Deputy Mayor Mark Pearl pointed out that the September copy of the Management Minute has been included in Council’s package, along with the recent October report. He noted that:

- A Board meeting on October 21st, addressed the issue of the Operating Reserve Fund, and it appears that no changes will be made to the policy at this time, meaning that surplus funds will be returned to the partners.
- The budget development process for the 2016-17 fiscal year should result in a draft Operating and Capital Budget being brought to the Authority in November.
- The draft budgets should be presented to the partners by the end of the calendar year.
- It appears that a sizeable surplus can be expected, due to a decrease in land fill rates and an increase in revenue in diversion credits from RRFB.
- The recommendations on the Organizational Review, as presented by Stantec, were reviewed in a workshop. One of the recommendations to be adopted immediately after budget approval, will be the preparation and release of a RFP for a Services and Facilities Review.
- The Wind Turbine has been installed and its operational statistics can be viewed on line through a link to that site.

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

that the October report from VWRM be received

MOTION CARRIED

(d)Kings Transit Authority

Deputy Mayor Mark Pearl noted that a formal written report has not be prepared, however, one should be made available in the near future. He added that some downsizing has taken place at administrative/supervisory staff levels, and further, with the elimination of in-house financial services, an RFP has been sent to municipalities seeking the provision of Financial Services for their operations.

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

that the report from Kings Transit Authority be received.

MOTION CARRIED

(e) Councilor’s Report

Councilor Eric Bolland attended the Recreation Conference, the CAC meeting and spent the afternoon reviewing the Land Use Bylaw and MPS amendments.

Councilor Bill Boyd attended all regular meetings and the Recreation Conference in Digby. The focus on free-play has become important, along with the opportunity for children to take risks as part of their development.

Councilor Bernie Cooper attended all meetings.

Councilor Tony Bentley had nothing to report.

Deputy Mayor Mark Pearl reported that last Friday he attended the EPR meeting in Truro which was well represented. Although many had hoped that the Minister would make an announcement, this did not occur. During these presentations, it was determined that the costs to manage the EPR would not affect small businesses. Both full and shared models of this program were discussed.

Councilor Nola Folker-Hill – attended all meetings and was pleased to announce that a Kings Point-to-Point meeting with Kings County has been scheduled to discuss funding.

(f) Mayors Report

Mayor Dave Corkum noted that his written report has been made available earlier however, added that:

- He attended a number of meetings – Lions Club rep, REN3, Chamber of Commerce, CAC, Halifax One NS, Yarmouth One NS, MGA Review, AMA Executive, UNSM Roundtables, and Waste Reduction.
- Annapolis has voted not to join REN3, however, this municipality can join another REN.
- One NS is based on a 10 year plan for rebuilding the

province, and it appears that some issues will take longer to carry out.

- He also attended a Lions Breakfast, the Harvest Festival, KCA School, an award presentation, the Recreation Conference, and an open house at Wedgewood House.

CORRESPONDENCE None

NEW BUSINESS

(a) Governance Study

CAO Phillips read a letter from Warden Brothers noting that on October 1st, Kings County Council approved motions to engage the mayors of Kings County in a discussion on regional governance and directed the CAO to contact the other CAOs in Kings County, to also discuss this issue. County Council also asked for a monthly report from their CAO and for a Terms of Reference to be created and made ready for review and consideration within 90 days.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Bill Boyd

that the letter from Warden Brothers be received.

MOTION CARRIED

PUBLIC COMMENTS none

ADJOURNMENT

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

that the meeting adjourns at 7:48 p.m. to go In Camera to discuss a Legal Contract and Negotiations.

MOTION CARRIED

RESUMED COUNCIL MEETING

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

that the In Camera meeting adjourns and that the regular meeting of Council continues at 8:21 p.m.

MOTION CARRIED

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

that the Town of Kentville retains the legal services of

Muttarts Law firm for a 5 year term, subject to the finalization of the service agreement.

MOTION CARRIED

(Note: Solicitor Geoff Muttart was asked to return to chambers for this announcement.)

IN CAMERA

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

that the meeting of Council adjourns at 8:25 p.m. and move In Camera to discuss Negotiations.

MOTION CARRIED

(Note: This In Camera Meeting adjourned at 9:03 p.m.)

APPROVED