COUNCIL ADVISORY COMMITTEE November 9, 2009 – 1:00 p.m.

PRESENT Mayor David Corkum, Deputy Mayor Bernie Cooper,

Councilor Bill Boyd, Councilor Nola Folker-Hill (arrived at

1:05 p.m.), Councilor Mark Pearl (left at 3:40 p.m.),

Councilor Tony Bentley, CAO Keith Robicheau, Solicitor Peter Muttart (arrived at 1:48 p.m.) and Town Clerk Carol

Harmes

Director Debra Crowell, Director Greg Kehoe, Director

Bev Gentleman, Police Chief Mark Mander

Regrets, Councilor Eric Bolland and Director Mark Phillips

CALL TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 1:00 p.m., and CAO Keith Robicheau reported that all Council members were present, except for Councilor Eric Bolland who is ill and Councilor Nola Folker-Hill who is expected to

be on her way.

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 Deputy Mayor Bernie Cooper and

seconded by Councilor Tony Bentley

that the agenda be approved with the In Camera meeting changed to 3:00 p.m.

MOTION CARRIED

APPROVAL OF THE MINUTES

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

that the Minutes of October 13, 2009 be approved as circulated.

MOTION CARRIED

BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS (a) Workshop – Committee Restructuring CAO Robicheau reported that he is still gathering information and asked if this workshop could be postponed

until the next meeting of CAC. In the meantime he agreed that he would send out a report prior to the CAC meeting, and would anticipate that the workshop would take about 45 minutes.

Points from Discussion

- the current committee members have agreed to remain in their positions for the time being.
- it is likely that new appointees will not be made until the new year.

(c) Committees of Council Policy Statement G-57 CAO Keith Robicheau reported that this draft policy will follow from the workshop mentioned above, and will be brought back to the next CAC meeting, as well.

(c) Valley Community Fibre Network – Report CAO Robicheau reported that some discussion has taken place at senior administration meetings and he has spoken with Jason Bethume on his IT perspective. No additional information is available as to the costs of buying in and what the arrangements would be. He also noted some of the IT initiatives are systems and programs that do not apply to the work of the Town. More information is required and this does not seem to be available at this time.

Points from Discussion

- More information is required and Mr. Clarke can obtain this, now that he knows that there is an interest from the Town.
- It was felt that Mr. Clarke would be asked to attend the next meeting of CAC.

(d) Town Flag

CAO Robicheau reported that during a recent meeting of Council, a discussion took place regarding the designing of a Town Flag. It was agreed that some design work, with costs would be prepared for presentation at a future CAC meeting. In the meantime, anyone wishing to make a recommendation could pass that along to the administrative staff.

DEPARTMENTAL
REPORTS AND
RECOMMENDATIONS

(a) Finance

(i) Director's Report

RECOMMENDATIONS Director Debra Crowell reported utility bills are due on

November 25th and that the Town has received its fall debenture on October 27th which is long-term financing for the 2008-09 capital construction. She also reviewed highlights from Schedule A (Revenue), Schedule B (Expenditures), Schedule C (Outstanding Tax Summary), Schedule D (Sanitary Sewer Area Service) and Schedules E and F (Perpetual Investment Fund) and answered questions relating to these documents. She noted that the Investment Advisory Committee will be meeting tomorrow morning and that a report should be available at the next meeting.

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

that the Finance Director's report be received.

MOTION CARRIED

(ii) Projections

Director Crowell reported that projections at October 31, 2009 indicate a deficit of \$43,600, up considerably from the previous month. She reviewed the various accounts, noting that revenue has decreased, much of which is reduced taxes relating to commercial assessment changes. Expenses have also increased. Following this, she answered questions from Council.

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

that the Finance Director's Report on Projections be received.

MOTION CARRIED

Points from Discussion

- The \$43,600 deficit represents ½ of 1% of the budget.
- There is still a possibility of a break-even budget by year end.

(iii) TBR Renewal \$64,600

Director Crowell reported that a TBR for construction work on Park Street, in the amount of \$64,600, has expired and must be replaced with current authorization.

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

Recommendation to Council

that a recommendation be made to Town Council that it authorizes the temporary borrowing resolution as follows:

TBR 97/98-03 Park Street Paving \$ 64,600.

MOTION CARRIED

Points from Discussion

• This work represents all the work done on Park Street – pavement, sidewalks, etc.

(iv) Ken Mor Realties Limited – Request

Director Crowell reported that Doug Morrison made a request in October that Policy Statement G37-Tax Reduction – MGA 69A be applied to his property at 49 Webster Street. This property had been demolished in the Spring of 2009, under the direction of the owner, and therefore, does not conform to the section of the Policy Statement that states that the property must have been affected by fire, storm or otherwise.

Although, Property Valuation Services Limited has been working with the property owner to establish the value of the property, the owner has not complied by submitting the rental income figures, as requested. Mr. Morrison had requested an appeal hearing, although failed to attend, and subsequently, his application was dismissed.

Therefore, it was moved by Councilor Bill Boyd and seconded by Deputy Mayor Bernie Cooper

Recommendation to Council

that a recommendation be made to Town Council that the request relating to Mr. Morrison's property at 49 Webster Street be denied, as it does not conform to the Town's existing policy.

MOTION CARRIED

Points from Discussion

- The change in Mr. Morrison property does not conform to the Town's Policy Statement G-37 – Tax Reduction – MGA 69A
- A demolition permit was issued, therefore, the Town knew that the property was being demolished.
- December 1st, is the cut off, at which time the status of the building is determined.
- The property owner made the decision to demolish the property.

- There should be a formula which is pro-rated to allow for partial tax relief during the demolition process.
- The Town can make amendments to its policy and it might be in order to do so at this time.
- This review could be referred to either Council or to the Finance and Administration Committee.

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

Recommendation to Council

that a recommendation be made to Council that Policy Statement G37- Tax Reduction be forwarded to the next meeting of the Finance and Administration for review.

MOTION CARRIED

(b) Planning and Development

(i) Director's Report

Director Beverley Gentleman reported that 6 permits have been issued since last reporting, for a total of \$492,500, which brings the year total to \$5,798,032.00. She also noted that work continues with the Public Works Department on some property easements, and a potential expansion in the Industrial Park has triggered some concerns about sewage and water. She also has initiated a reassessment of the Budden property and the building inspector is preparing a report on this Main Street property.

With the ICSP project, she noted that a Phase Two Survey has been distributed, along with the local-regional stakeholders questionnaire. She further expounded on other activities being undertaken as part of the ICSP project and other environmental issues.

Lastly, she noted the meetings she has recently attended, following which it was moved by Councilor Mark Pearl and seconded by Councilor Bill Boyd

that the Director of Planning and Development's report be received.

MOTION CARRIED

Points from Discussion

• Eastern Protein is planning a large expansion to their building in the

Industrial Park, and following a meeting tomorrow, more information will be forthcoming.

• An ICSP meeting is scheduled for November 16th.

(ii) Committee Report

Councilor Mark Pearl noted that there is nothing further to report.

(d) Parks and Recreation (i) Director's Report

Director Phillips submitted a report of which its content was reiterated by CAO Robicheau. He noted that the delivery date for bridge for the Ducks Unlimited project has been postponed, although the preparation work continues; the Rotary Clock project is being re-evaluated as to the style, etc. An update of the new school indicated a great deal of work in progress, with the final survey plan expected soon. The indoor walking program has resumed and packages of poles, logs and pedometers have been prepared for the participants. The Torchlight Parade and party is scheduled for November 19th, and lastly, there was a good turnout for an excellent Recreation Nova Scotia Conference.

CAO Robicheau noted that Director Phillips did an excellent job presenting a session on Active Living at the recent Valley Regional Recreation Workshop.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

that the Director of Parks and Recreation's report be received.

MOTION CARRIED

Points from Discussion

- The Town is fortunate to own its own trails and can control their uses.
- The two additional classrooms at KCA, requested by the group of concerned citizens, have been included in the floor plans for the new school
- Dialogue has taken place with the Department of Natural Resources regarding wildlife encroachment into urban areas.

(ii) Committee Report

Councilor Nola Folker Hill reported that the committee has not met.

(e) Police

(i) Chief's Report

Chief Mark Mander reported that Hallowe'en night did not create any unexpected problems although the extra duty officers helped with a number of incidents. He added that Sgt. Reade has been promoted to Inspector and a ceremony, recognizing this achievement, will take place at the November meeting of the Police Commission.

He added some statistical information, noting that there were 96 hours of foot patrol this past month, and that the number of false alarms have been cause for concern. As a result, a bylaw is being considered.

It was moved by Deputy Mayor Bernie Cooper and seconded by Councilor Tony Bentley

that the Police Chief's report be received.

MOTION CARRIED

Points from Discussion

- Perhaps the Police should work with the Fire Department on a joint Alarms Bylaw.
- The routine disturbances from the Kings Arms Pub have curtailed to some extent.
- A fitness challenge has been made with the Town Hall Staff and Council.

(ii) Board Report

Deputy Mayor Bernie Cooper reported that there will be a meeting on November 26th.

(f) Transportation Services

(i) Director's Report

Director Greg Kehoe reported that Public Works crews are participating in the fitness competition. He added that the staff continues to be busy with street maintenance and repairs and making preparations for winter. In addition, staff has been digging in areas of water and sewer infrastructure for the installation of utility poles on West Main and River Streets.

He reviewed some highlights of the capital projects and also noted that meetings have taken place with a potential new company to the industrial park, as this would generate a significant sewer load in the Regional Sewer System. Information regarding the Town's Sewer Bylaw is being shared with this company and more information will follow in the future. In the meantime, meetings continue with the Regional Sewer Committee to improve the performance of the lagoon.

With the Kentville Futures Site, the Director stated that nothing further has been heard regarding the remediation costs for the Irving site, although land surveys are being done to prepare the land for sale.

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

that the report from the Director of Transportation be received.

MOTION CARRIED

Points from Discussion

- Although negotiations continue with Great Valley Juices, very little forward movement appears to have been made.
- The installation of the sidewalk in front of Riverside Court is appreciated by the citizens and is well used.

(ii) Committee Report

Councilor Bill Boyd had nothing further to add other than that there will be a meeting next Tuesday, September 17th, at 4:30 p.m.

(g) Water Commission

(i) Director's Report

Director Greg Kehoe reported that the water rate hearing date has been scheduled for December 8th in the Council Chambers and that advertisements for this have been placed.

He added that fire hydrants have been flushed and repairs made to those needing maintenance. Repairs were also done to a check valve at the booster station on Prospect Avenue; monitoring devices have been recalibrated; a semi annual audit was carried out by a representative of DOE; tests for THM have been conducted; 130 disconnect notices have been delivered; and both Jim Rafuse and Richard Boyd have attended the ACWWA Conference and received their CEUs. CEUs are needed to maintain their licenses to operate the water system.

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

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

MOTION CARRIED

Points from Discussion

- The UAR Board expect that water rates should be raised every 3 years, although, such an increase may not be necessary.
- As Kentville hasn't raised its water rates for over 15 years, the NS Utility and Review Board will not be happy with this.

(ii) Commission Report

Mayor David Corkum reported that there was no report.

(h) Administration

(i) Chief Administrative Officer's Report CAO Keith Robicheau reported that:

- the Joint Municipal meeting of Kings RDA for a mid year review is scheduled for November 12 at 7:00 p.m.
- the Industrial Park report is expected soon and it appears that some of the neighbouring towns may be interested in a partnership of sorts.
- ICSP steering committee will be meeting soon and the next phase of public consultation will be set.
- The Cities and Environment Unit work may not be appropriate at this point in our process, however, perhaps in the future.
- The Kings Partnership Steering Committee met October 29 and received updated reports on the Fire Services Task Force and the Fire Training Facility. Members of KPSC felt that a joint meeting should be held to discuss the many aspects of this item.
- Communication has been received from the County regarding the land for the Library building. This will be addressed In Camera.
- The full time Fire Chief position has been approved

by Kings County Council.

• CUPE negotiation meetings continue.

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

that the report from the Chief Administrative Officer be received.

MOTION CARRIED

(ii) Town Clerk's Report

Town Clerk Carol Harmes reported that Notices of Passing have been published for Chapters 4 (Town Council Bylaw), Chapter 81 (User Fees for Tax Information Bylaw) and Chapter 82 (Board of Police Commission Bylaw). She added that the Town's Social Committee has the plans well underway for the annual party, which this year is themed "Las Vegas."

Lastly she noted that Chapter 15 – Closing Hours of Shops Bylaw and Chapter 27 – Lord's Day Bylaw are both redundant as the Federal Government abolished the Lord's Day Act in 1982, and Provincial Supreme Court ruling in 2006 now allows for Sunday Shopping. These bylaws have been reviewed by the Town's solicitor, who concurs that they should be repealed.

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

Recommendation to Council

that a recommendation be made to Town Council to give First Reading to rescind Chapter 15 – Closing Hours of Shops Bylaw

MOTION CARRIED

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

Recommendation to Council

that a recommendation be made to Town Council to give First Reading to rescind Chapter 27 – Lord's Day Bylaw

MOTION CARRIED

NEW BUSINESS

none

CORRESPONDENCE

(a) NS Community Services

This letter was received urging the Town to appoint a citizen to sit on the board of the Annapolis Valley Housing Authority, as a vacancy has existed for some time. CAO Robicheau noted that on April 1st of next year, the phase-out begins on housing contributions. Although there will be financial contributions to continue, these will be reduced. The Town might wish to appoint an individual as finances are involved.

Points from Discussion

- Although this organization wants a representative, this individual would have no say in the financial contributions.
- It has been difficult to find someone who wishes to sit on this board
- The Town should send a letter to express futility of representation.

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

Recommendation to Council

that a recommendation be made to Town Council that due to the phase out of contributions to the Housing Authority, and the difficulty in appointing a representative to fulfill this role, that the CAO send a letter to NS Community Services, notifying this organization that there appears to be no point in having a representative from the Town on this board.

MOTION CARRIED

(b)Minister of Education

CAO Robicheau outlined the content of this letter which serves as an update on the new school. Among other things, it notes that additional classrooms will be added to the new school and that the gymnasium is capable of handling the students.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

that the letter be received.

MOTION CARRIED

APPROVED – DECEMBER 14, 2009

ADJOURNMENT It was moved by Councilor Mark Pearl

that the meeting adjourns at 2:35 p.m.

IN CAMERA (a) Personnel

(b) Legal

(c) 3 property matters

MEETING RESUMES It was moved by Councilor Bill Boyd that the In Camera

meeting adjourns and that the CAC meeting resumes

ADJOURNMENT It was moved by Councilor Nola Folker-Hill that the

meeting of CAC adjourns at 4:10 p.m.