



TOWN OF KENTVILLE COUNCIL MEETING COVID-19 PROTOCOL Meeting Minutes: July 27, 2020

This meeting was held via electronic means in accordance with the Direction from Minister Chuck Porter: “Effective at 2 pm on March 22, 2020, all municipal councils will discontinue holding their meetings in person, instead only virtual meetings may be held by video or telephone. Those virtual meetings must be recorded, and the minutes posted on a public website within 24 hours of the meeting.”

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 4:00 p.m.

PRESENT

Chief Administrative Office (CAO) Kelly Rice reported that all members of Council were present except Councillor John Andrew: Mayor Sandra Snow, Deputy Mayor Craig Gerrard, Councillor Eric Bolland, Councillor Cathy Maxwell, Councillor Cate Savage and Councillor Lynn Pulsifer.

Staff in attendance included Chief Administrative Officer Kelly Rice, Solicitor Geoff Muttart, Director of Planning Beverly Gentleman, IT Manager Jason Bethune and Recording Secretary Jennifer West.

REGRETS

Councillor John Andrew

DECLARATIONS OF CONFLICT OF INTEREST

None.

Note: “Points from Discussion” below show various comments made by individual councillors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.

2. APPROVAL OF THE AGENDA

It was moved that the agenda of July 27, 2020 be approved with the following additions

- Deletion – 7.b Departmental Covid-19 reports
- Addition – In Camera, (c) CAO Updates (Land and Property)
- Addition – In Camera (d) Personnel

MOTION CARRIED

3. APPROVAL OF THE MINUTES

(a) Minutes of Council meeting on July 13, 2020

It was moved that the minutes of the Council meeting on July 13, 2020 be approved as distributed.

MOTION CARRIED

(b) Minutes of Public Hearing on July 22, 2020

It was moved that the minutes of the Public Hearing on July 22, 2020 be approved as distributed.

MOTION CARRIED

4. UNFINISHED BUSINESS

(a) Noise Bylaw

Mayor Snow presented the revised Noise Bylaw and invited discussion and comments from Council. Options are to provide more drafts to staff, or move to First Reading.

- **Points of Discussion**

- Page 6, scope, suggest staff add “continuous noise”. Section 3.2 Council would like to see this value at 55. 7am to 10pm between 60 and 90. 90 and 70 are too high.
- Discussion of decibels of common household and backyard noises.
- Would like to see reduction to 55 dB, continuous (during the night)
- Discussion of comfortable noise levels, ranging between 50 and 90 dB. Some agreement with staff levels.
- Is there budget for the purchase of a decibel reader to support this bylaw? Staff are researching the cost of this item.
- Noise levels at night might need to consider reefer trucks and other nighttime industrial noises.
- Vote on 65 or 55 dB during the night. Proceed with 65dB for the 10p to 7am, amend paragraph 3.1 to include “continuous”,
- Push this document back to staff to return to Council in September.

(b) Land Use Bylaw Amendments – Schools in Zone R2

Mayor Snow gave a review of the proposed changes to the Land Use Bylaw to allow public and private schools in the R2 zone.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cathy Maxwell and seconded by Councillor Cate Savage

That Council approve Second Reading of the VCLA request for amendment to the Land Use Bylaw to include schools in R2 residential zone.

"BE IT RESOLVED that the Land Use Bylaw for the Town of Kentville be amended as follows:"

(1) Immediately following the definition of Public Park, Part 1 Definitions, is hereby amended by adding the words ***"Public and Private Schools" A publicly or privately funded educational institution designed to provide learning spaces and learning environments for the teaching of students***

(2) Immediately following clause e) 5.3.2 Part 5, Residential Zones, Permitted Uses with Conditions, is hereby **amended** by adding the words ***"f) Public and Private Schools subject to 5.1.13"***; and

(3) Immediately following subsection 5.1.12 l) Part 5, Residential Zones, is hereby **amended** by adding the words

"5.1.13 Special Requirements for Public and Private schools

In addition to all other requirements under this Bylaw, the following provisions shall apply to Public and Private Schools:

- a) All exterior lighting within the Property shall not be directed upon streets or neighbouring properties and shall be full cut-off fixtures approved by the International Dark Sky Association;***
- b) The property owner shall at all times maintain the Property in a neat and presentable condition including the structures, driveways, landscaping and parking areas;***
- c) One (1) wall sign with a maximum area of 15% of the facade; and one (1) ground sign maximum 16 square feet and 10 feet in height;***
- d) The property does not front on a local road, as defined by the Transportation Map, Map #2 of the Municipal Planning Strategy;***
- e) No dormitories shall be permitted;***
- f) All setbacks shall meet the minimum requirements of the Institutional (/) Zone;***
- g) All school property's must be within 1000 feet of public transit" after the word neighbourhood.***

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

(c) Land Use Bylaw Amendments – Municipal Election Candidate Signs

Mayor Snow gave a review of the proposed changes to the Land Use Bylaw relating to the number of municipal election signs permitted.

- **Points of Discussion**

- There are many ways to promote candidates during an election.
- Low participation in the public hearing may indicate that it is not a pressing issue for residents.
- It is important to reduce plastic pollution in the Town, and for Kentville to be a leader on this issue.
- This amendment is not supported by the solicitor. It may not be in the best interest of democracy or the minister of municipal affairs' advice around elections tactics.
- Choice and fairness are important for candidates.
- Comments that Facebook promotion of a candidate does not reach all residents.
- Need to use a variety of options to promote new candidates.
- Other communities do not legislate sign usage. Council has been given all the information about legislative advice.
- Discussion about Yarmouth bylaw and their legal advice.

- The timing of this bylaw change is a challenge for new candidates and those who can not canvass door to door.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Eric Bolland and seconded by Councillor Cathy Maxwell

That Council approve Second Reading of the amendment to the Land Use Bylaw for municipal election signs.

"BE IT RESOLVED that the Land Use Bylaw for the Town of Kentville be amended as follows":

(1) Part 1 Definitions, is hereby **amended** by adding the following immediately after the definition "Cabaret" "**Candidate**" means a person who has been officially nominated as a candidate for the office of Councillor or Mayor in the Town of Kentville pursuant to section 48 of the Municipal Elections Act, RSN 1989, c.300, as amended;

(2) Part 1 Definitions, is hereby **amended** by adding the following immediately after the definition of "Direction Sign" "**Election Candidate Sign**" means a sign or poster containing a message that promotes or opposes the election of a candidate, including one that takes a position on an issue with which a candidate is associated, and which is authorized by the candidate or their official agent;

(3) Part 4 General Provisions, section 4.3.3 Signs Which Do Not Require a Development Permit, subsection h) is hereby **amended** by adding the words "**be posted earlier than 30 days prior to an election and such signs shall not remain in place for more than 7 days following the election for which the sign was erected**" after the word not;

(4) Part 4 General Provisions, section 4.3.3 Signs Which Do Not Require a Development Permit, subsection h) is hereby **amended** by deleting the number "**14**" and replace it with "**7**"

(5) Part 4 General Provisions, section 4.3.3 Signs Which Do Not Require a Development Permit, subsection h) is hereby **amended** by adding immediately after the word erected the words
i. **No more than six election candidate signs shall be erected or displayed by or on behalf of a candidate within the Town of Kentville**

MOTION DEFEATED

Councillors who voted in favour of this motion:
Councillors who voted against this motion:

Bolland, and Maxwell
Gerrard, Pulsifer, Savage and Snow

(d) Council Approval for Cornwallis Street Name Changing Committee

Mayor Snow gave a review of the process of changing the name of a street, and the process, guidelines and best practices of creating a committee of Council.

Report available

- **Points of Discussion**

- The makeup of the committee should have more than one person from the Indigenous community. The suggested membership is a minimum based on the same committee in Halifax. The committee should have more diversity laid out in the terms

of reference. Council would like to see what Diversity Kings, Councillor Bolland and Director Bedingfield suggest on this issue.

- The original intent was to have a small group including a member from the Annapolis Valley First Nation. Want to ensure that this process moves forward quickly.
- This is not a quick committee, Council must be compassionate to all members of the community to participate in this committee. Moving quickly is not appropriate for this process.
- Regarding the expanded duties on this committee- this is a good reason for increased diversity.
- Add, paragraph 2, "... and diverse community members" and "from the business community".

RECOMMENDATION TO COUNCIL

It was moved by Councillor Eric Bolland and seconded by Councillor Cate Savage

That Council approve the formation of an Ad Hoc committee to consider the renaming of Cornwallis Street as detailed herein.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

(e) Visitors Information Centre

Councillor Savage reviewed the activities at neighbouring Visitor Information Centres and gave suggestions for opening this facility.

- **Points of Discussion**

- Across the province, some are open, some are closed and some are hosting virtual services. Currently the building is being used by the Parks staff to socially distance during breaks. It would be possible to open Wednesday to Sunday for a few hours each day.
- Would need to order new materials. Would need to direct phone line to a manager working at home.
- Would it be possible to order the new Doers and Dreamers guides?
- How important are VICs in this age of online research and booking?
- The CAO states that the VIC manager is available to start work immediately.
- Staff should identify the times for best traffic. There are some statistics available.
- CAO recommends that Wednesday to Sunday might be appropriate days to be open based on other VICs.
- All the infrastructure exists to open the centre.
- There have been requests at the Historical Centre for tourism information.
- Recommend that staff open the Visitor Information Centre.

5. COUNCILLORS' REPORTS

(a) Councillor's Reports

(1) Councillor John Andrew (absent)

(2) Councillor Eric Bolland

Mayor Snow received Councillor Bolland's report on his activities over the past month. Highlights included Valley Waste, public hearings, Federation of Canadian Municipalities climate change group, and phone interviews with CBC.

Report available

(3) Deputy Mayor Craig Gerrard

Mayor Snow received Deputy Mayor Gerrard's report on his activities over the past month. Highlights included PACE meeting and public hearings.

Report available

(4) Councillor Cathy Maxwell

Councillor Maxwell gave a verbal report on her activities over the past month.

(5) Councillor Cate Savage

Mayor Snow received Councillor Savage's report on her activities over the past month. Highlights included investment advisory committee, discussions of income and growth in the portfolio mix, regional sewer committee, annual reports are the first to report among all Nova Scotia municipalities, Diversity Kings around the renaming of Cornwallis Street, PACE council meeting and public hearings.

Report available

(6) Councillor Lynn Pulsifer

Mayor Snow received Councillor Pulsifer's report on her activities over the past month. Highlights included Accessibility Advisory Committee, public hearings, and Annapolis Valley Regional Library meetings.

Report available

(b) Mayor Sandra Snow

Mayor Snow submitted her report on her activities over the past month. Highlights included Valley Regional Enterprise Network, business grants, Kings County Mayors committee discussions around economic recovery, Kings Regional Emergency Management Operations meetings, wildfires, community spirit event with Spike,

Report available

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Maxwell

That the reports from Council and the Mayor be accepted as presented

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

6. CORRESPONDENCE

(a) Kings Historical Society – July 3, 2020

Appreciation for the grant given to the organization from the Town.

Letter available

7. NEW BUSINESS

(a) Council Remuneration Review

Mayor Snow reviewed the staff report outlining proposed changes to the Council Remuneration policy, including remuneration changes beginning November 1, 2020.

Report available

- **Points of Discussion**

- Remuneration seems to be consistent with other similar-sized towns.
- There is a small cost of living increase.

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Lynn Pulsifer

That Council approve changes to the Council Remuneration Policy as presented.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

(b) – Department COVID – 19 Reports

Removed from the agenda.

(c) Meeting Procedures

Mayor Snow outlines the suggested plan for meeting in September. Councils are requesting to meet in person in September, depending on the capacity to socially distance in chambers.

- **Points of Discussion**

- Suggestion that masks be worn at the Council table.
- **Still have to meet under the criteria dictated by the department of health, but potentially go back to meeting in council chambers.**

RECOMMENDATION TO COUNCIL

It was moved by Councillor Cate Savage and seconded by Councillor Lynn Pulsifer

That Council return to business as usual as per the G70 Meetings Policy if the Ministerial Order of March 22, 2020 is stayed or modified.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

9. IN CAMERA

It was moved by Deputy Mayor Craig Gerrard and seconded by Councillor Eric Bolland

That Council proceed to a closed session at 5:32 pm to discuss a legal matter.

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Savage, Pulsifer and Snow

It was moved by Deputy Mayor Gerrard and seconded by Councillor Pulsifer

That Council return to open session at 6:42 pm

MOTION CARRIED

Councillors who voted in favour of this motion:

Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

It was moved by Deputy Mayor Gerrard and seconded by Councillor Bolland

That Council direct staff to follow up via email (cc'd solicitor) with the land owner as discussed in the closed session.

MOTION CARRIED

Councillors who voted in favour of this motion: Bolland, Gerrard, Maxwell, Pulsifer, Savage and Snow

10. ADJOURNMENT

It was moved by Deputy Mayor Gerrard and seconded by Councillor Bolland

That the July 27, 2020 meeting of Council be adjourned at 6:45 p.m.

MOTION CARRIED