

KENTVILLE TOWN COUNCIL

MINUTES

October 29th, 2018

PRESENT

Mayor Sandra Snow, Councillor Eric Bolland, Councillor Cate Savage, Councillor John Andrew, Councillor Craig Gerrard, Deputy Mayor Lynn Pulsifer, Councillor Cathy Maxwell, CAO Mark Phillips, and Solicitor Geoff Muttart.

CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 7:00 p.m., and CAO Mark Phillips reported that all Council members were in attendance, along with Town Solicitor Geoff Muttart, Recording Secretary Patricia Gourley, Adm. Assistant Jennifer West and himself, CAO.

Also, in attendance was Director of Planning and Development, Beverley Gentleman.

APPROVAL OF THE AGENDA

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

that the agenda of October 29th, 2018 be approved as circulated

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

(a) Presentation to Constable Kevin Lutz

Mayor Sandra Snow presented a certificate of appreciation to Constable Kevin Lutz in recognition of his quick actions in discovering and extinguishing a fire at a residential home.

(b) Dashboard and Actions Items

Mayor Sandra Snow noted that this document will be reviewed and updated in the month of November.

APPROVAL OF THE MINUTES

(a) Council Meeting Minutes – July 30th, 2018- Revised

It was moved by Councillor John Andrew and seconded by Deputy Mayor Lynn Pulsifer

that the revised Council Meeting minutes of July 30th, 2018 be approved

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

(b) Council Meeting Minutes – September 24th, 2018

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

that the Council Meeting minutes of September 24th, 2018 be approved

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

**BUSINESS ARISING
FROM THE MINUTES/
UNFINISHED
BUSINESS**

(a) Municipal Planning Strategy 2nd Reading

Mayor Snow reported that the motion of the First Reading to adopt the MPS and LUB occurred on July 30th, 2018. A Public Hearing took place on September 11th, 2018. All comments and concerns voiced during the Public Hearing have been reviewed and the recommendation is to pass Second Reading.

Mayor Snow requested a motion on the floor before beginning discussing and debating the merits of passing the Second Reading of the MPS and LUB

Therefore, it was moved by Councillor Eric Bolland and seconded by Councillor John Andrew

**RECOMMENDATION
TO COUNCIL**

that Council participate in a discussion and debate prior to Second Reading of the MPS and LUB documents

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

Councillor Bolland:

- Supportive of the concept and 90% of the motion, however, looking at the feedback and the response by folks in MacDougall Heights area I cannot support that motion based on that feedback.

Councillor Maxwell:

- Support this motion, it has been far too long since Kentville has had an updated MPS and LUB;
- I have done research on Planning Practices for Housing Development in municipalities and the R2 planned for this area fits the research I have done on mixed use developments;
- Our planning has been dated by years and we have a community that defines itself by neighborhood rather than all being part of the Town of Kentville;
- We have set up areas of our Town which have been historically discriminated against, and made to feel lesser than, to the extent that even the real estate companies perpetuate this when dealing with perspective buyers;
- This vacant land does not belong to the Town of Kentville, and the owner needs to apply for zoning change. It not up to the Town of Kentville to decide what zone it should be;
- We need to be progressive at this time, Kentville is a hub in the valley and may not stay that way if we do not progress as well.

Councillor Gerrard:

- R2 in single family areas or large subdivision like this can be very beneficial but our job is to set the residents minds at ease so that what is built in that area is going to be similar to what is there now, in size and look;
- The Town has not through policy, bylaw and wording in the MPS done anything to set any one minds at ease that any future properties in there will be built to a standard of the rest of the subdivision and this would be one of the reasons I will not be supporting this document;
- We do not have to rush this document we still have time to create a good document for the Town.

Councillor Savage:

- Planning can and does influence the economic development of a town, the housing development;
- This 2014 document that has been reviewed by the Planning Committee, who clearly have worked hard to being us this working document, and working being the operative word;
- I have had the opportunity to consult business owners, residents, developers;

- I have read the series of emails and letters that have come in primarily from the residents in MacDougall Heights;
- Its important to say to our citizens, I hear you, and sometimes it is difficult to please residents and do what is the best for the Town overall;
- I am divided on this but must listen to the residents of that community and be respectful of that and at the same time try and be respectful that the Town needs to grow.

Deputy Mayor Pulsifer:

- I have read the many emails received from the concerned residents of MacDougall Heights, they reside in a community of R1 zoning and they built or moved there in the belief that this would be the status quo as long as they owned their home;
- Aware of the need for a new MPS but this part of the proposed MPS has causing me some concern;
- I appreciate the need for side by sides as it is something that is lacking in our Town, but I feel this new MPS with these proposed zoning changes should be taken very seriously;
- I also feel we need to listen to the people who are affected by this rezoning that is proposed for their backyards;
- Therefore, because of the proposed rezoning for MacDougall Heights, I cannot support the passing the MPS tonight;

Councillor Andrew:

- The Town does need development as we have a Town we want to grow;
- Also want to stop people from leaving town due to lack of housing options when they are downsizing;
- Struggle with there may be a misreading of some of the research, I do not think there is no suggesting we no longer guard neighborhood character so I think there is a misnomer there because it is almost like it can be read as though we are just going to roll the dice and we may have a high rise next to a bunch of single units – it becomes this really nonsensical thing and I think there is some vitality in a neighborhood retaining its character;
- Appreciate correspondence received from residents;
- I am not able to vote in favor of the MPS.

Mayor Snow:

- Revisited the background history of the proposed MPS and LUB documents;
- Kentville has had continued growth over the last ten years but seniors who want to downsize have no place to go;
- MPS and the LUB are living documents which will continue

to evolve and change;

- We need shovel ready land now or risk loss of development.

At this time Solicitor Muttart remarked that:

- Council choices are to adopt the MPS and LUB as presented or amend it, which would result in the need to go to another Public Hearing, or turn it down;
- In the process of amending the MPS, Council may want to take a step back to the public participation stage of the process.

Director Gentleman addressed some questions and concerns from Council regarding the rezoning process.

CAO Phillips reminded Council that the wording of this document can be amended and revisited at any time.

Mayor Snow noted that the motion for Second Reading was on the floor for a vote.

**that Council approve the Second Reading of the
Municipal Planning Strategy and the Land Use
Bylaw**

MOTION DEFEATED

*Councillors who voted in favour of this motion:
Maxwell*

*Councillors who voted against this motion:
Andrew, Bolland, Gerrard, Pulsifer & Savage*

Ongoing discussion took place regarding the above proposed motion and the next steps required to amend the documents.

Solicitor Muttart noted that this document is a Council lead MPS review and not a property owners' application for re-zoning.

Therefore, it was moved by Councillor Cate Savage and seconded by Councillor Eric Bolland

**that Council amend the MPS and LUB documents
specific to the two parcels of Parson's land,
PID#55247878 and PID#55472658, from R2 zone
to R1 zone subject to a Public Hearing for input**

MOTION CARRIED

**RECOMMENDATION
TO COUNCIL**

*Councillors who voted in favour of this motion:
Andrew, Bolland, Pulsifer & Savage*

Councillors who voted against this motion:
Gerrard

Councillor Maxwell abstained

A Public Hearing will be held, for the proposed amendments of the MPS and LUB, on November 2nd, 2018 at 6:00 p.m.

RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee – Deputy Mayor Lynn Pulsifer

NONE

(b) Councillor Reports:

Councillor Andrew

Some of the highlights from Councillor John Andrew's report were:

- Attended the Community Partners for Service Providers Luncheon put on the Kentville Recreation Department. This Department provides creative leadership;
- The Enforcement Meeting was held on October 03rd;
- Enjoyed food and film at the Calking Building for the kickoff of the six day Devour food and film festival.

Councillor Savage

Some of the highlights from Councillor Cate Savage's report were:

- Attended the Regional Sewer Meeting on September 20th;
- At the Diversity Kings meeting held on Oct 01st, a discussion took place around Treaty Day and the importance of the month of October;
- The IAC took place on October 16th with a review of the portfolio.

Councillor Bolland

Some of the highlights from Councillor Eric Bolland's report were:

- A Staff Appreciation Breakfast was held on October 03rd;
- Attended the Council workshop for the current and future by-law enforcement;
- Worked with the Devour Food Festival event in Kentville.

Councillor Maxwell

Some of the highlights from Councillor Cathy Maxwell's report were:

- Attended the Housing Now and into the Future meeting on September 25th;
- The Tree Planting at the Skatepark was held on September 26th with the trees donated by Rockwell Home Hardware;
- Kentville Recreation First Annual Community Partners Meeting was held on October 23rd.

Deputy Mayor Pulsifer

Some of the highlights from Deputy Mayor Lynn Pulsifer's report were:

- On September 25th the Housing: Now and into the Future was presented by Nancy Stewart;
- A reception was held on October 05th for the N.S. Architects – Library to celebrate Architecture Week;
- Attended the Kings-Point-to-Point on September 25th.

Councillor Gerrard

Some of the highlights from Councillor Craig Gerrard's report were:

- Attended the NSAPG Executive Meeting in Truro on September 28th;
- The VWRM held on October 17th included a discussion on the discontinuing service to Annapolis County and upcoming expropriation hearing in November;
- At the NSAPG Special AGM held on October 23rd, I was elected as vice-president.

(c) Mayors Report:

Mayor Sandra Snow's reported to Council and some of the highlights from her report were:

- Attended the AVCC Quarterly Meeting Breakfast;
- Participated at the Municipal Leaders Roundtable in Windsor on September 29th;
- On October 18th – a Family Physician completing their residency in Fredericton was evaluating Kentville.

Therefore, it was moved by Councillor Eric Bolland and seconded by Councillor Cathy Maxwell

that the reports from Council and Mayor be accepted as presented

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

Full reports are attached as well as each councillor's and Mayor's financial statements.

CORRESPONDENCE

(a) Summary of Correspondence for Open Arms Village Project

CAO Phillips noted that ongoing correspondence as it is received, will be added to the document summary.

NEW BUSINESS

(a) Belcher Street Sidewalk Repair

CAO Phillips reported that:

- The Town of Kentville had issued an invitation to tender the replacement of the Belcher Street sidewalk, on the north side of Belcher Street, from Oakdene Avenue to Mee Road;
- The Town received two (2) proposals before the invitation closed on October 19th, 2018;
- Dexter's Construction \$199,250.00 + applicable taxes
- GK Morse Construction \$275,970.00 + applicable taxes
- Both contractors had expressed their ability to carry-out this project in the current construction season.

Therefore, it was moved by Councillor Cate Savage and seconded by Councillor Cathy Maxwell

RECOMMENDATION TO COUNCIL

that the Belcher Street Sidewalk Replacement project be awarded to Dexter's Construction at the cost of \$199,250.00 plus HST

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

(b) 2018-2019 Nomination and Election of Deputy Mayor

Mayor Sandra Snow reported that according to *Policy Statement G19 – Appointment of Deputy Mayor*, a Council member is required to be elected annually for the position of Deputy Mayor for a one (1) year term.

- At the November 2017 meeting of Council, Councillor Lynn Pulsifer had been elected as Deputy Mayor and now her term has ended.

- *Policy Statement G19 – Appointment of Deputy Mayor* has been superseded by *Council Meeting Policy G70*.
- Mayor Snow thanked Deputy Mayor Lynn Pulsifer for her dedication and committed service to the Town of Kentville.
- Mayor Sandra called for nominations for the position of Deputy Mayor.

Councillor Cathy Maxwell nominated *Councillor Craig Gerrard* for the position of Deputy Mayor.

Councillor John Andrew nominated *Councillor Cate Savage* for the position of Deputy Mayor.

Secret ballots were distributed, collected and counted by tellers Solicitor Muttart and CAO Phillips.

Councillor Cate Savage was declared Deputy Mayor.

that Councillor Cate Savage be declared Deputy Mayor for the period of November 2018 to November 2019

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

Mayor Snow called for a motion to have the Solicitor and CAO destroy the ballots.

Therefore, it was moved by Councillor John Andrew and seconded by Councillor Lynn Pulsifer

that Solicitor Geoff Muttart and CAO Mark Phillips destroy the secret ballots

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

(c) Council Statement of Commitment

Mayor Sandra Snow passed out to each Councillor their Statement of Commitments to sign at this time. The statements are re-signed on an annual basis. A copy of these signed statements will be placed in the Code of Conduct binder which is located at the entrance to the Council Chambers and are available for public viewing.

(d) Municipal Awareness Week, November 19-23

Mayor Sandra Snow reported that the Municipal Awareness week will be occurring soon for the week of November 19-23/18.

(e) Reminder of Committee Membership

CAO Mark Phillips requested that Council review the committees they sit on and reflect if any changes are needed to be made. Please pass along to Adm. Assistant Jen West if any changes need to occur.

(f) Recreation Needs Assessment

CAO Mark Phillips reported from Director Bedingfield's report that:

- In 2016 the Regional Recreation Needs Assessment Working Group was formed in efforts to better understand the recreation needs of community members living within Kings County;
- This community worked to put together a request for proposals for a consulting firm to conduct a region wide recreation needs assessment;
- Parallel to this process, the Town of Kentville was working to update the Kentville Recreation Master Plan of which the results of the Needs assessment would form;
- Because of this, and because the Recreation Needs Assessment is a Council Priority, the working group made the decision for the Town of Kentville to host the RFP;
- Proposals were submitted to the Director of Parks and recreation, with a closing date for submissions being October 17th, 2018;
- Three (3) submissions were received:
 - I. Pivot Consulting Inc. \$59,470 + tax
 - II. Stantec \$54,661 + tax
 - III. Marshal Consulting \$55,000 + tax

Therefore, it was moved by Councillor Cathy Maxwell and seconded by Councillor Lynn Pulsifer

**RECOMMENDATION
TO COUNCIL**

that Council award the Regional Recreation Needs Assessment to Stantec at the quoted price of \$54,661.00 plus applicable taxes

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

PUBLIC COMMENTS

(a) None

At this time Mayor Snow acknowledged Councillor Eric Bolland as a community builder for his work behind the scenes to bring the Devour Food and Film Festival to Kentville.

It was moved by Councillor John Andrew and seconded by Councillor Eric Bolland

that Council move into a closed session at 9:00 p.m. to discuss: Property – Land Sale

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*

Only Council, CAO, Adm. Assistant Jennifer West, and Solicitor Muttart remained in Chambers at this time.

IN CAMERA

**(a) Property – Land Sale
(b)**

It was moved by Councillor and seconded by Councillor

that Council return to open session at 9:38 p.m.

MOTION CARRIED

*Councillors who voted in favour of this motion:
Andrew, Gerrard, Maxwell, Pulsifer & Savage*

ADJOURNMENT

As there was no further business to discuss, it was moved by Councillor Cate Savage and seconded by Councillor Eric Bolland

that the Council meeting adjourn

**MOTION CARRIED
Adjourned at 9:38 p.m.**

*Councillors who voted in favour of this motion:
Andrew, Bolland, Gerrard, Maxwell, Pulsifer & Savage*