



TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: October 25, 2021

Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Council Chambers and was livestreamed on Facebook using Zoom. The meeting was posted to YouTube with closed captioning after the meeting.

Town Hall was open to the public in limited capacity. Council voted by poll.

1. CALL TO ORDER AND ROLL CALL

Mayor Snow called the meeting to order at 6:05 p.m.

PRESENT

Chief Administrative Officer (CAO) Dan Troke reported that all members of Council were present: Mayor Sandra Snow, Councillor Craig Gerrard, Councillor Paula Huntley, Councillor Cathy Maxwell, Councillor Cate Savage and Councillor Gillian Yorke and Councillor Andrew Zebian.

Staff in attendance included Chief Administrative Officer Dan Troke, Solicitor Geoff Muttart (remotely), IT Manager Jason Bethune (remotely) and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

Andrew Zebian declares a conflict of interest with item 4.a

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 by Deputy Mayor Cate Savage and seconded by Councillor Gillian Yorke

That the agenda of October 25, 2021 be approved with the following addition:

- Addition, 9.b Property Matter in camera

MOTION CARRIED

3. APPROVAL OF THE MINUTES

- (a) Council meeting held on September 27, 2021.

It was moved that the minutes of the Council meeting on September 27, 2021 be approved with the following changes:

- In the Councillors and Mayors Reports section, notes should read that the Deputy Mayor received reports, not the Mayor.

MOTION CARRIED

Councillor Zebian leaves his seat at 6:08pm due to a conflict of interest.

4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

(a) Update on the Development of the Former Robinson Property

CAO Dan Troke outlined the amendments to the land sale of the former Robinson Property, and a request by the developer (Mr. Andrew Zebian) to grant an extension to the completion of footings and final completion of the project.

Report available for more information.

It was moved by Councillor Cathy Maxwell and seconded by Councillor Gillian Yorke

That Council approve the request from Mike's Clothing to amend the purchase and sale agreement to extend the 15% construction completion and building completion dates,

And further if contractual dates of this agreement are not met the Town will immediately initiate the buy back clause for this property.

MOTION DEFEATED

Councillors who voted in favour of this motion:

Maxwell

Councillors who voted against this motion:

Huntley, Gerrard, Savage, Snow and Yorke

- Discussion
 - It is noted in the record, that the developer made correspondence directly to Council today from two different emails which was a conflict of interest in both cases.
 - Concerns about whether the developer can meet commitments, and why the developer did not meet expectations when many other developers met commitments in Kentville.

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- This is a complicated situation with a developer who is a councillor and who has not met expectations.
- Timelines of development are important so that developer does not sit on a property for an extended period of time.
- Council decided one year ago that there would only be one more extension but there have been many.
- The developments in Kentville are large companies, and this is a small developer who is making a good effort. Council has rules for all developers whether they are large or small companies.
- Every development is different, some are stalled for different reasons. With transparency and open communication with staff, there can still be substantial movement on development.
- The Town is missing out on the tax revenue of a developed property, which is significantly more than tax revenue for a vacant property.
- Regarding communication between the developer and building officials, there were conversations about footers and soil. A footer permit was approved. There was communication to better understand the process between the developer and the building inspector.

It was moved by Councillor Craig Gerrard and seconded by Councillor Gillian Yorke

That Council direct the Chief Administrative Officer and Solicitor to immediately initiate the buy-back clause of the contract for this property.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Savage, Snow and Yorke

Councillors who voted against this motion:

Maxwell

Councillor Zebian returns to his seat at 6:32pm

(b) Proposed Council Policy Regarding COVID-19 Safety

CAO Dan Troke outlined recommendation to Council for a policy that requires council members to be regularly tested for or vaccinated against COVID-19.

Report available for more information.

- Discussion
 - Recommend further review of this policy by Council, and for this policy to be brought back to Council.
 - Elected officials should be taking a strong position on this, and should be following the lead of Councils across the country.
 - Should Council consider boosters being added to this policy? This policy is in effect during the state of emergency.

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- Policy will come back to Council on November 29, 2021.
- Should make this decision sooner to protect staff and residents? Staff are protected by the COVID-19 Workplace Safety Policy.

(c) Request for Decision – Public Meeting

Mayor Sandra Snow outlined the recommendation from Councillor Zebian for Councillors to host a public meeting.

Report available for more information.

It was moved by Councillor Andrew Zebian and seconded by Councillor Cathy Maxwell

That Council approve the request to hold a public forum with a moderator but no topics.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Yorke and Zebian

Councillors who voted against this motion:

Gerrard and Snow

- Discussion
 - Support for the idea of a public meeting but recommend a moderator and a goal to keep the meeting running smoothly.
 - CAO Troke outlines his report with details of the community meetings in the past. Halifax does an annual forum to encourage public feedback about the budget. The goal of these kinds of events is a specific outcome, and are led by a moderator.
 - The Town's public meeting policy does not specifically address moderators or goals, this could be added as an addendum.
 - Public meetings should be held in an accessible venue and include an online forum, at multiple times.
 - Moderators are there to help guide discussion, and there should be a list of topics or goals.
 - Council is open to residents' feedback on all issues.
 - Residents are able to reach out to Council about any issue at any time. A public meeting with no goal or agenda is very unusual and might not be productive.
 - Recommend that online and live moderators be independent and not staff.
 - Could this session lead into the strategic plan? Could the feedback lead to strategic priorities? At this time, the request would not support strategic priorities.
 - Clarification by Councillor Zebian: allow a moderator but not limit the meeting to topics or goals.

- Agendas and goals can make some people more comfortable to speak in public or online.
- CAO Troke has not come across public meetings without agendas or priorities. Residents can approach Council at any time.
- Recommend an “open mic” session that is lightly moderated, similar to voters bringing concerns to political candidates federally or provincially.
- Concerns about some councillors not liking residents’ concerns or not wanting to hear all concerns, positive or negative.
- Concerns about decorum, and potentially inappropriate words and concerns which are moderated. Notes would be collected by staff during this meeting.

(d) Request for Decision – Failed Motion

Mayor Sandra Snow outlined the process of bringing back a failed motion to Council. To bring a motion back, a member of Council who voted against the original failed motion would need to bring it back to Council. No member of Council made a motion about this item at this time.

Report available for more information.

5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) Appointment of Citizen Members to the Kentville Inclusion and Access Advisory Committee

At the October 12, 2021 meeting of Council Advisory Committee, CAO Troke described the recruitment process for the Kentville Inclusion and Access Advisory Committee, and proposed members for this group.

Report available for more information.

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

That Council appoint the following members to the Kentville Inclusion and Access Advisory Committee:

- **Bernie Zinck**
- **Laurel Taylor**
- **Spencer Laing**
- **Yuning Pan**
- **Gerald Macpherson**

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Maxwell, Savage, Snow, Yorke and Zebian

(2) COVID-19 Decision Making Protocol

At the October 12, 2021 meeting of Council Advisory Committee, Mayor Snow proposed that Council rescind the COVID-19 decision making protocol adopted in March 2020 to address the COVID-19 pandemic.

Report available for more information.

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Gillian Yorke

That Council rescind the March 2020, COVID-19 Decision Making Protocol based on the Ministerial Order and adopt current meeting policy practices for meetings;

And further that Council practice continued safe distancing, masking and one third use of the gallery for public access to the chamber.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Maxwell, Savage, Snow, Yorke and Zebian

(b) Councillors' and Mayor's Reports

(1) Councillor Craig Gerrard

Mayor Snow received Councillor Gerrard's report on his activities over the past month. Highlights included replacement of the transfer station building and equipment for Valley Waste, Kentville Police Commission, police vehicle maintenance delays and budgeting, and upcoming training from the Department of Justice.

Report available for more information.

(2) Councillor Paula Huntley

Mayor Snow received Councillor Huntley's report on her activities over the past month. Highlights included diversity committee presentation about a "resource room" for youth, Valley Regional Enterprise Network Liaison and Oversight Committee discussion around housing, the grand opening of the Youth Portal, Valley Community Learning Centre on Oakdene Avenue, and the Kentville Historical Society volunteer appreciation event.

Report available for more information.

(3) Councillor Cathy Maxwell

Mayor Snow received Councillor Maxwell's report on her activities over the past month. Highlights included Harvest Festival, and the Kings Historical Society Show and Shine event.

Report available for more information.

(4) Deputy Mayor Cate Savage

Mayor Snow received Councillor Savage's report on her activities over the past month. Highlights included Investment Advisory Committee to manage the perpetual fund, Kentville Business Community board meeting, idea of a comfort station in the downtown, Joint Fire Service Commission, Healing Circle on the national Day of Truth and Reconciliation, and review of the Town's financial condition report. This report indicates that Kentville is a low financial risk and is financially stable.

Report available for more information.

(5) Councillor Gillian Yorke

Mayor Snow received Councillor Yorke's report on her activities over the past month. Highlights included the regional recreation facility needs and assets for the town, outdoor classrooms and school gardens at Kings County Academy, Harvest Festival rock climbing, training around employee experience in the municipal setting, and participation in a national young women in municipal politics mentorship program.

Report available for more information.

(6) Councillor Andrew Zebian

Mayor Snow received Councillor Zebian's report on his activities over the past month. Highlights included the Healing Circle and the Show and Shine event.

Report available for more information.

(c) Mayor Sandra Snow

Mayor Snow gave highlights from her report including MIT REAP workshop in Halifax, valley Regional Enterprise Network Liaison and Oversight Committee, meeting with MLA John Lohr about municipal concerns, Kings Regional Emergency Management Organization, meeting with Cody Blois about agricultural innovation in the valley, Chrysalis House 5k run fundraiser (with cookies for medals), healing circle, Pumpkin People book reading to grade three students, show and shine event, Kentville Volunteer Fire Department renaming event for Harmon Illsley.

Report available for more information.

RECOMMENDATION TO COUNCIL

It was moved by

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

MOTION CARRIED

6. NEW BUSINESS

(a) Election of Deputy Mayor

Mayor Snow reviewed the process for electing a Deputy Mayor using Policy Statement 70 Council Meetings.

Report available for more information.

- Discussion
 - Councillor Craig Gerrard nominates Deputy Mayor Cate Savage who accepts the nomination.
 - Councillor Cathy Maxwell nominates Councillor Andrew Zebian and he accepts.
 - Ballots were distributed and all members of Council voted on their nomination.

The Deputy Mayor from November 2021 to November 2022 is Councillor Cate Savage. She will serve for a one-year term until October 31, 2022.

It was moved by Councillor Craig Gerrard and seconded by Councillor Paula Huntley

That Council direct the teller to destroy the ballots from this vote.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Maxwell, Savage, Snow, Yorke and Zebian

(b) Council Appointments to Committees of Council

Mayor Snow reviewed the existing committees of Council, and the process of changing appointments. Members are to provide their top three committees and top three alternate committees.

Report available for more information.

- Discussion
 - In the past, members have been asked if they want to change committees. Why is this a new process? There may have been issues with the previous process and this is an attempt to offer members to redistribute committee responsibilities.
 - Suggestion that some members to change committees so they can have new knowledge and experiences.

7. CORRESPONDENCE

(a) Kyle Hough

Concerns regarding a Councillor shouting during a session and about the development of the former Robinson Property.

(b) John Smith

Concerns about development of the former Robinson Property.

(c) Sharon Kehoe

Concerns about the sale of former Robinson Property.

8. PUBLIC COMMENTS

None.

9. IN CAMERA

It was moved by Councillor Paula Huntley and seconded by Councillor Gillian Yorke

That Council move into a closed session at 7:56 pm to discuss confidential matters relating to property.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke, and Zebian

It was moved by Councillor Gillian Yorke and seconded by Councillor Paula Huntley

That Council return to open session at 8:16 pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

It was moved by Councillor Craig Gerrard and seconded by Councillor Paula Huntley

That Council direct the CAO to conclude the sale of two land parcels in the Kentville Business Park as discussed in-camera.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Maxwell, Savage, Snow, Yorke and Zebian

10. ADJOURNMENT

It was moved by Councillor Paula Huntley

That the October 25, 2021 meeting of Council be adjourned at 8:19 p.m.

MOTION CARRIED