



## **TOWN OF KENTVILLE COUNCIL MEETING**

### **Meeting Minutes: November 29, 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 6:00 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 Mutart and Recording Secretary Jennifer West.

#### **REGRETS**

None.

#### **DECLARATIONS OF CONFLICT OF INTEREST**

Andrew Zebian declares a conflict of interest with item 6.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 Councillor Paula Huntley and seconded by Councillor Gillian Yorke

**That the agenda of November 29, 2021 be approved with the following addition:**

- Addition – Valley Waste Temporary Borrowing Resolution, 6.c

*Council Meeting Minutes, November 29, 2021*

*Approved January 31, 2022*

*Page 1*

## **MOTION CARRIED**

### **3. APPROVAL OF THE MINUTES**

(a) Council meeting held on October 25, 2021.

**It was moved that the minutes of the Council meeting on October 25, 2021 be approved.**

## **MOTION CARRIED**

### **4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS**

#### **(a) Council Member Appointments to Committees**

Mayor Snow outlined the process of appointing council members to committees.

*Report available for more information.*

- Discussion
  - Police Commission:
  - Councillor Gerrard describes his experience on the Police Commission, and that adding value and consistency to this governing body.
  - Councillor Maxwell describes her interest in restorative justice and community policing and her desire to remain on this committee.
  - Councillor Zebian describes his experience as a negotiator and a business person and his desire to learn more about the police commission.
  - Councillor Yorke describes the projects around public meetings and community policing on the commission, and her desire to complete the projects she has started.
  - A vote was held and Councillors Yorke and Maxwell were appointed to this committee.
  - Joint Fire Services: Councillor Yorke and Deputy Mayor Savage remove their names from the ballot. Councillor Andrew Zebian and Councillor Craig Gerrard are appointed to this committee.
  - The Kentville Business Community is structured to have the Deputy Mayor sit on this committee.
  - Concern about the discussion which resulted in the Deputy Mayor being the ex-officio on this committee.
  - Question about having a Council member to sit on the board of the Kentville Historical Society. This was resolved by having the Society have communication through the Community and Economic Development Coordinator.

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

**That Council approve the slate of Council Member Appointments to committee for November 2021 to November 2022.**

## **MOTION CARRIED**

*Councillors who voted in favour of this motion:*

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

### **(b) Proposed Council Policy Regarding COVID-19 Safety**

CAO Dan Troke presented a policy that requires council members to be regularly tested for or to show proof of vaccination against COVID-19.

*Report available for more information.*

- Discussion
  - Should the restriction of unvaccinated Councillors be consistent with the restriction of unvaccinated guests in the audience?
  - Solicitor recommend that Council seeks legal advice on this policy. Preventing an elected member from attending meetings in person may have legal issues.
  - Recommend that the motion is tabled and sent to the CAO and Solicitor for legal review.
  - Clarification of phase 5 public health requirements around public meetings.
  - Request to pass a policy for Council at tonight's meeting and also have a legal review relating to the amendment.
  - What are the assurances that the testing and the vaccine are safe? CAO Troke will bring back information from Public Health about the substances in the swab.
  - Concerns about unvaccinated Councillors coming into the building where staff have a workplace safety policy.

It was moved by Councillor Paula Huntley and seconded by Councillor Andrew Zebian

**That Council approve the Council COVID-19 policy, as presented.**

### **AMENDMENT:**

It was moved by Councillor Cathy Maxwell and Councillor Andrew Zebian

**That all members of Council be duly vaccinated to be present in Council Chambers for all meetings.**

### **AMENDMENT CARRIED**

*Councillors who voted in favour of this motion:*

*Maxwell, Huntley, Yorke and Zebian*

*Councillors who voted against this motion:*

*Gerrard, Savage, and Snow*

### **MOTION:**

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

**That Council table the motion and request a legal opinion through the CAO.**

### **MOTION DEFEATED**

*Councillors who voted in favour of this motion:*

*Huntley, Gerrard, and Zebian*

*Councillors who voted against this motion:*

*Maxwell, Savage, Snow, and Yorke*

### **MOTION:**

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

**That Council adopt the Covid-19 policy as presented.**

### **MOTION CARRIED**

*Councillors who voted in favour of this motion:*

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

*Councillors who voted against this motion:*

*Gerrard*

## **5. RECOMMENDATIONS AND REPORTS**

### **(a) Council Advisory Committee Reports**

#### **(1) Proclamations Policy**

At the November 8, 2021 meeting of Council Advisory Committee, Mayor Snow reviewed the proposed changes to the Proclamations policy.

*Report available for more information.*

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

**That Council approve the Proclamation policy, as presented.**

### **MOTION CARRIED**

*Councillors who voted in favour of this motion:*

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

#### **(2) Records Management policy**

At the November 8, 2021 meeting of Council Advisory Committee, CAO Troke described the current records management policy. Current practices are in line with best practices, and the proposed policy follows regional best practices from the Association of Municipal Administrators.

*Report available for more information.*

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

**That Council approve the attached Policy Statement regarding records management, and further  
That Council repeal Town of Kentville Policy Statement G53 Records Retention and Destruction.**

**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 challenges to buying a new vehicle for Valley Waste.

*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 the new General Manager for Kings Transit, covid protocols for Kings Transit, Kings Diversity, Kings Point to Point hiring committee, Holly Days downtown, Atlantic Caucus for Municipalities, and Valley Regional Enterprise Network board recruitment.

*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 Annapolis Valley Trails Coalition, Kentville Plays event in Oakdene Park, and the Kentville Business Community Annual General Meeting. AVTC Chair Beth Patillo would like to present to Council about the trails coalition. Some of the trail communities are procuring old trains to be placed along the Harvest Moon trail.

*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 testing at the Regional Sewer Committee, capital upgrades to the sewer system, water testing for lead, Kentville Business Community Annual General Meeting, Remembrance Day Ceremony and Holly Days.

*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 regional recreation facility group, Kings County Academy teacher driven projects, Police Commission public meeting, Holly Days festival, and the women in government webinar.

*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 KBC annual general meeting, Holly Days event, Mark Peck from Municipal Affairs, correspondence from citizens about decision making.

*Report available for more information.*

**(c) Mayor Sandra Snow**

Mayor Snow gave highlights from her report including the Mayors and Wardens meeting with Nova Scotia Federation of Municipalities, Kings County Academy Pumpkin Drop, Kentville Business Community, forum with Cody Blois and Rural Development Minister, Kentville Remembrance Day Ceremony, and the Nova Scotia Federation of Municipalities conference.

*Report available for more information.*

**RECOMMENDATION TO COUNCIL**

It was moved

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

**MOTION CARRIED**

**6. NEW BUSINESS**

*Councillor Zebian steps down from his chair at 7:15pm due to a conflict of interest.*

**(a) Reconsideration of the Decision Regarding the Former Robinson Property**

Mayor Snow reviewed the buy back option by Council for the Robinson Property from Mr. Zebian. Councillor Cathy Maxwell described her concerns about the buy back of the former Robinson Property from Mr. Andrew Zebian, and urged council members to reconsider this motion.

*Report available for more information.*

- Discussion
  - Concerns about the impacts of Covid-19 on building and development in Kentville.
  - What new information is available to support this change of decision?
  - Giving extensions to developments is not unusual, for example Kings Riverside Court and Shannex projects. The Councils of the day felt strongly about these developments for Kentville. Support for the developer for this project.

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

**That Council rescind the motion to enact the buy back of the former Robinson Property.**

**MOTION DEFEATED**

*Councillors who voted in favour of this motion:*

*Maxwell, Savage, and Snow*

*Councillors who voted against this motion:*

*Gerrard, Huntley, and Yorke*

*Councillor Zebian returns to his seat at 7:25pm.*

**(b) Amendment of the Format of the Public Forum**

Deputy Mayor Cate Savage described her concerns about the current format of the public forum and her appeal to have more structure and topics to this event.

*Report available for more information.*

- Discussion
  - How long will the public forum last? It is recommended that it will start at 6pm and end at 8pm.
  - Will Council be engaged in a planning process for this event? Yes. Want to have a very short time for Council or the CAO to speak, to make public comments the higher priority.
  - Recommend some guidance questions like “What do you want Council to work on?” and “What services would improve life in Kentville”.
  - Some members want to take the full time to listen to residents.

It was moved by Deputy Mayor Cate Savage and seconded by Councillor Craig Gerrard

**That Council amend the format of the public forum to include an agenda/topic/update from Mayor and Council.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:  
Gerrard, Huntley, Savage, Snow and Yorke  
Councillors who voted against this motion:  
Maxwell and Zebian*

**(c) Valley Waste Guarantee Resolution**

CAO Troke outlined the need for partners under Valley Waste to review and approve the attached guarantee resolution.

*Report available for more information.*

It was moved by Councillor Andrew Zebian and seconded by Deputy Mayor Cate Savage

**That Council approve the attached Guarantee Resolution to support Valley Waste’s revised 2020/21 loan guarantee renewal. Kentville’s share of the TBR is 9.99% \$67,025.00.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:  
Huntley, Gerrard\*, Maxwell, Savage, Snow, Yorke and Zebian*

\* Voted verbally.

**7. CORRESPONDENCE**

**(a) Kings Seniors Safety Society**

Appreciation to the Town for their generous grant to the Kings Seniors Safety Society.

**8. PUBLIC COMMENTS**

**(a) Mariam Zebian**

Questions to Council about their decision to buy back the property from Mr. Zebian. Concerns about the state of the roads in the Bonavista community.

**(b) Mark Rogers**

Has been watching Council and has been worried about the direction of Council. Concerns about the buy back of the Robinson Property land.

**9. IN CAMERA – Property Matters**

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

**That Council move into a closed session at 7:45 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 Paula Huntley and seconded by Councillor Craig Gerrard

**That Council return to open session at 8:50 pm.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:  
Gerrard, Huntley, Savage, Snow, and Yorke*

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

**That the CAO to receive direction from Council as discussed in-camera.**

**MOTION CARRIED**

*Councillors who voted in favour of this motion:  
Huntley, Gerrard, Savage, Snow, and Yorke*

**10. ADJOURNMENT**

It was moved by Councillor Paula Huntley

**That the November 29, 2021 meeting of Council be adjourned at 8:51 p.m.**

**MOTION CARRIED**