



TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: February 28, 2022

Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Town Hall and was livestreamed on Facebook. The meeting was posted to YouTube with closed captioning after the meeting.

1. CALL TO ORDER AND ROLL CALL

Mayor Sandra Snow called the meeting to order at 6:02 p.m.

PRESENT

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 and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

Councillor Zebian declares a conflict of interest around item 4.b

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.

Mayor Sandra Snow left her seat at 6:02 pm.
Deputy Mayor Savage takes the Chair for approval of the agenda.

2. APPROVAL OF THE AGENDA

- Addition: Code of Conduct reports ("Bullying" and "Deputy Mayor")

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

That Council add two Code of Conduct reports to the agenda.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Maxwell, Savage, Yorke and Zebian

Councillors who voted against this motion:

Snow

- Discussion
 - Recommend that these reports be removed until investigations are complete.
 - Concerns that adding these to the agenda creates division and animosity among Council.
 - Clarification around the process of a Code of Conduct investigation.
 - Solicitor Muttart recommends keeping to process and discussing the agenda and not the issues.

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

That Council delete from the agenda items 6.a.1, 6.a.2, 6.a.3 and 6.a.4 from the agenda.

Amended Motion:

That Council delete from the agenda items 6.a.1 and 6.a.2 from the agenda.

MOTION DEFEATED

Councillors who voted in favour of this motion:

Huntley, Maxwell and Zebian

Councillors who voted against this motion:

Gerrard, Savage, Snow, and Yorke

Update on agenda items:

Item 4.c Request for Decision, Public Forum

- Staff are looking into this item and it does not need to be discussed.
- Council is comfortable with removing this item as long as the meeting is being pursued.

Item 4.d Request for Decision, Meeting Agendas

- Staff are planning a workshop for Council around municipal procedure and bylaws which will address this issue.
- Solicitor Muttart expresses concern about approving the agenda before providing updates about items on the agenda.

Council Meeting Minutes, February 28, 2022

Approved March 28, 2022

Page 2

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

That the agenda of February 28, 2022 be approved as amended.

MOTION CARRIED

The Mayor returns to her seat at 6:22pm.

3. APPROVAL OF THE MINUTES

(a) Council meeting held on January 31, 2022

It was moved that the minutes of the Council meeting on January 31, 2022 be approved as distributed.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

(a) **Second Reading – Land Use Bylaw Ancillary Dwelling Units**

Director Gentleman gives a review of the discussion around this amendment, and of the participation from the public hearing held on February 28, 2022 (today) at 5:00pm.

Report available for more information.

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

That Council approve first reading of the land use bylaw amendment on the matter of auxiliary dwelling units to:

- **Align the maximum square footage for an auxiliary dwelling unit within a single-family dwelling with the National Building Code, which is 80% of the gross floor space area of the main dwelling up to a maximum of 80 square meters without limitations on the number of bedrooms;**
- **Allow detached auxiliary dwelling units Garden Suites to have a maximum floor area of 80% of the gross floor area of the main dwelling, not to exceed 1000 square feet.**

MOTION CARRIED

Councillors who voted in favour of this motion:

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

Councillor Zebian leaves his seat due to a conflict of interest at 6:26pm.

(b) Request for Decision – Robinson Property

Councillor Cathy Maxwell presented her concerns about the buy back of the former Robinson Property from Mike's Clothing. Clarification that this is not a reconsideration of a past motion. This motion addresses the action that has been taken- the legal action associated with the property.

Report available for more information.

It was moved by Councillor Cathy Maxwell

That Council stop the buy back of the former Robinson Property from Mike's Clothing and allow development of the land to begin as previously scheduled.

MOTION FAILS

There was no support for this motion.

Councillor Zebian returns to his seat at 6:30pm.

(c) Request for Decision – High Gate Plows

Councillor Andrew Zebian brought forward a resident's concerns about changing to snowplows which do not deposit snow at the end of residents' driveways (high gate plows).

Report available for more information.

- Staff is investigating this item and will come back to Council.

(d) Request for Decision – Public Forum

Councillor Andrew Zebian presented his concerns about organizing a public forum in the interests of public engagement with residents of the Town.

Report available for more information.

- Staff are looking into a moderator and a location for this event.

(e) Request for Decision – Meeting Agendas

Councillor Andrew Zebian presented his concerns with the chair's change in process at the beginning of meetings. He asks that items to be added to the agenda be presented to council members at the beginning of each meeting.

Report available for more information.

- Discussion
 - Concerns about adding items to the agenda and following process.
 - Council is already reviewing this policy.
 - The process for addressing the agenda has been changed before policy G70 has been discussed or revised.

- There should be criteria for adding items to the agenda so that issues can be researched and understood.
- In this case, the process around using a Request for Decision was followed but the content of the RFDs did not warrant discussion the items.
- Recommend that items are always voted on to add them to the agenda.

Motion by Councillor Cathy Maxwell

That Council follow the process for adding an item to the agenda using Roberts Rules of Order until policy G70 is reviewed and revised

MOTION WITHDRAWN

- Solicitor Muttart describes the process of adding items to the agenda. There is no requirement to ask for additions at the beginning of each meeting. Agendas should first be approved then items can be voted on to add or remove when appropriate.

5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) General Insurance Contract

At the February 14, 2022 meeting of Council Advisory Committee, Director Deb Crowell presented a request to extend the contract of the Town's insurance provider, BFL Canada.

Report available for more information.

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

That Council approve the extension of the Town's relationship with BFL Canada for General Insurance and Risk Management Services for one year from April 1, 2022 to March 31, 2023

And further that the Town opt to maintain status quo coverage.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(2) Withdrawal from Capital Reserves

At the February 14, 2022 meeting of Council Advisory Committee, Director Deb Crowell presented a request to withdraw funds from the town's capital reserves to support a number of items and activities.

Report available for more information.

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

That Council approve the withdrawal of \$217,356.57 from two Town of Kentville Capital Reserves to partially fund the budgeted 2021-2022 projects as detailed in the attached report.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(3) Tax Exemption

At the February 14, 2022 meeting of Council Advisory Committee, Director Deb Crowell described the annual review of the limits set out in the Low Income Tax Exemption Policy.

Report available for more information.

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

That Council approve the Low Income Tax Exemption resolution for the year 2022-2023 as detailed in the attached report.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(4) Regional Sewer Budgets

At the February 14, 2022 meeting of Council Advisory Committee, Director Bell described the activities and priorities at the Regional Sewer Committee and reviewed the operation budget and capital budgets for Council to review.

Report available for more information.

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

That Council approve the Kings Regional Sewer 2022-2023 Operating Budget as presented at \$1,642,600 of which \$841,800 is assigned to the Town of Kentville and billed in quarterly installments.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

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

That Council approve the Kings Regional Sewer 2022-2023 Capital Budget as presented at \$2,557,500.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(5) Taxi Bylaw

At the February 14, 2022 meeting of Council Advisory Committee, Mayor Snow reviewed the changes required in the Taxi Bylaw to remove minor typographical errors.

Report available for more information.

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

That Council approve the proposed changes to fix the typographical errors and give First Reading to the amended Taxi bylaw.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(6) Street Naming

At the February 14, 2022 meeting of Council Advisory Committee, CAO Troke presented the proposed name for a new street near Mee Road – Hibou’s Court. Council discussed this proposal and asked that the developer consider Hibou Court or Hiboux Court, and the developer has agreed to the name “Hibou Court”.

Report available for more information.

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

That Council approve the proposed street name, Hibou Court.

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 Valley Waste board meetings and Valley Waste business plan for capital acquisitions.

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 source water protection, Kings Point to Point strategic planning and budget review, Valley Regional Enterprise Network communications, and Kings Transit budgets with increased costs for fuel and insurance.

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 Kentville Inclusion and Access Advisory Committee, street naming and renaming policy, video introducing committee members, and a presentation by Mark Selvidge.

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 regional sewer committee around compliance, investment advisory committee options, Kentville Business Community, Kentville Inclusion and Accessibility Advisory Committee, and an event at the Kentville Heritage Centre.

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 Source Water Protection Committee, Annapolis Valley Regional Library, Kings County Academy parent teacher meeting, Fire and Ice Festival.

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 Diversity Kings and African Heritage month activities, conversations about the Joint Fire Services Committee, Kentville Heritage Centre and appreciation for volunteers.

Report available for more information.

(c) Mayor Sandra Snow

Mayor Snow leaves her chair at 7:17pm
Deputy Mayor Cate Savage takes the Chair role.

Mayor Snow gives a public statement regarding the events of July to November 2020, and divisive activities and behaviour of a member of Council.

Monthly report available for more information.

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

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

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Gerrard, Savage, Snow and Yorke

Councillors who voted against this motion:

Maxwell and Zebian

It was moved by Councillor Cathy Maxwell and Councillor Andrew Zebian

That the two Code of Conduct reports (6.a.1 and 6.a.2) be tabled.

6. NEW BUSINESS

(a) Code of Conduct Breach Reports 6.a.1, 6.a.2, 6.a.3 and 6.a.4

Deputy Mayor Cate Savage reviews the Code of Conduct policy around breach reports.

- Discussion
 - Review of the process for addressing code of conduct breaches.
 - Review of actions to review and revise the Code of Conduct policy.
 - Breaches should be dealt with at a closed meeting of Council.
 - Solicitor Muttart gives Council options for moving forward with these reports. This is not a human resources issue. This is a conflict between elected officials in their public roles. All information associated with these investigations are public.
 - Examples given of Code of Conduct Breaches in other municipalities being in closed sessions.

Amendment:

Amendment accepted by Councillor Cathy Maxwell and seconded by Councillor Andrew Zebian

That Council table the four reports until reported violations are investigated by the Deputy Mayor and by Council at a Special Council meeting, With the CAO choosing a date in April that works for everyone, And further if the investigation finds that a member has breached the code, that Council will determine and impose corrective action, And further, if sanctions are applied, the Deputy Mayor will ensure that they are carried out.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

Mayor Snow returns to her Chair position at 8:05pm

7. CORRESPONDENCE

(a) None

8. PUBLIC COMMENTS

(a) **Joey Murphy, business owner**

Recommended that the public forum be scheduled after the Special Council Meeting.

9. IN CAMERA – Legal Matter, IMSA

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

That Council move into a closed session at 8:07 pm to discuss confidential legal matters – intermunicipal service agreements.

Council Meeting Minutes, February 28, 2022

Approved March 28, 2022

Page 10

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 Craig Gerrard

That Council return to open session at 8:38 pm.

MOTION CARRIED

Councillors who voted in favour of this motion:

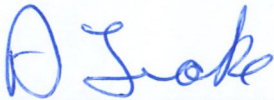
Gerrard, Huntley, Maxwell, Savage, Snow, Yorke and Zebian

10. ADJOURNMENT

It was moved by Councillor Paula Huntley

That the February 28, 2022 meeting of Council be adjourned at 8:39 p.m.

MOTION CARRIED



Approved by CAO and Clerk Dan Troke

