



TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: February 27, 2023

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 6:00 p.m. and 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 and Recording Secretary Jennifer West.

REGRETS

None.

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

- a. Approval of Agenda

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

That the agenda of February 27, 2023 be approved.

MOTION CARRIED

3. APPROVAL OF THE MINUTES

- a. Council meeting held on January 30, 2023

It was moved that the minutes of the Council meeting on January 30, 2023 be approved.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

a. Respectful Workplace – Council

Mayor Snow described the commitment of Council to create a respectful workplace. A special rule of order developed from Roberts Rules of Order was presented to Council.

Point of Order was called by Councillor Cathy Maxwell on Mayor Snow, that the motion should have been a postponement and not tabled. The processes of Laying on the Table and Postponement were clarified.

It was moved by Deputy mayor Cate Savage and Councillor Gillian Yorke

That Council take from the table the Respectful Workplace Rule of Order.

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

Review of commitment by Council for a respectful workplace. Council did not receive the legal opinion as requested. The process of removing a member was reviewed and confirmed.

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

Whereas the Council commits to a Respectful Workplace for all staff including the CAO including all meetings, public meetings and exchanges with staff

Whereas the Council can disagree without being disagreeable

Be it resolved that the Council adopts Special Rule of Order for a Respectful Workplace. In the event that a member of Council speaks or acts in a manner contrary to the code of conduct towards the CAO or member of staff. A "Point of Order" shall be immediately called. The member violating the code will be offered the opportunity to apologize for their action and if not forthcoming will be asked to leave the chamber and the meeting.

Be it resolved that the minutes shall be annotated as a breach of conduct – disrespect – and name the member.

Discussion

- Request for amendment that all Councillors, member and staff are subject to this Rule.

Amendment:

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

That the motion be amended to read: “All staff and members of Council including the CAO...”

MOTION CARRIED

Point of Order raised by Deputy Mayor Cate Savage on Councillor Andrew Zebian regarding the inaccurate statement that members do not understand the process of Point of Order.

Point of Order raised by Councillor Zebian on the Chair for her not being clear about process.

CAO Troke reminded Council that the decision of Council was to come forward with a policy for Council and not for staff.

Amendment:

It was moved by Councillor Cathy Maxwell

That the motion be amended to allow any member of Council to expel another member of Council.

Solicitor Muttart explains that only the Chair has the power to expel or exclude someone from a meeting if they are disrupting a meeting. This policy should not limit the Mayor’s power.

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

That Council postpone further discussion on this matter until the solicitor provides written feedback on this policy.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

b. Kentville Business Community Agreement / Funding

Deputy Mayor Cate Savage described the proposed changes to the funding agreement, and the effects on the operations of KBC. Discussions are continuing with the goal of bringing this document to the March meeting of CAC.

See report for more information

It was moved by Deputy Mayor Cate Savage and Councillor Cate Savage

That Council postpone the Town of Kentville Kentville Business Community operational and funding agreement until the CAC meeting of March 13, 2023

MOTION CARRIED

Councillors who voted in favour of this motion:

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

c. Regional Sewer Committee Budget

Deputy Mayor Cate Savage presented the report on the proposed budget for the regional sewer committee. On Feb 16th the RSC approved in principal the 2023/24 operating budget which is required to return to each partner for formal approval. RSC is made up of 4 partners (Kings, New Minas, Pepsi co and Kentville). Kentville accounts for approximately 52% of the operating budget for the New Minas plant based on flow and volume. This year the committee will be forming a working group to look at the allocation of new assets which support the plant operations. Desludging will continue at lagoon 1 and 2 with new aeration equipment being added to the 2 lagoons. This is a 6.4% increase for the Town from the 2022-23 operating budget.

See report for more information

It was moved by Deputy Mayor Cate Savage and Councillor Paula Huntley

That Council approve the Regional Sewer Committee recommended regional sewer operating budget of \$1,748,100 with Kentville's share being \$895,400.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

d. Request for Decision – Planning Committee Recruitment

Councillor Cathy Maxwell read her report regarding a planning advisory committee. Her concerns were around the process for consensus decision making around the Council table. Clarification around the terms unanimous consent, opportunities for objection, and questioning for parliamentary procedure. The Chair ruled that the decision from the previous meeting stands.

See report for more information

5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) None

(b) Councillors' and Mayor's Reports

Reports were received and are part of the meeting record.

(1) Councillor Craig Gerrard

Highlights included Joint Fire Services, Kentville Board of Police Commissioners meeting, ruling of judge in the conflict of interest case against Councillor Gerrard.

Point of Privilege made by Councillor Maxwell against Councillor Gerrard. She described Councillor Gerrard's comments as disrespectful and offensive.

Councillor Maxwell resigned from the Heritage Committee.

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

That Council call a break from the public meeting at 7pm.

The Chair made a request to Councillor Cathy Maxwell to succinctly state the personal privilege. She confirms that the comments by Councillor Gerrard are demeaning, inflammatory, inciteful, triggering, and divisive.

With regards to the question of privilege, the Chair ruled Councillor Gerrard's statements were not demeaning or inflammatory.

Report available for more information.

(2) Councillor Paula Huntley

Highlights included African Heritage month event, Physician Recruitment and retention, the Town Capital Budget meeting, Code of Conduct consultation.

Report available for more information.

(3) Councillor Cathy Maxwell

Highlights included town capital budget, retirement party for Debra Crowell, and trails coalition.

Report available for more information.

(4) Deputy Mayor Cate Savage

Highlights included regional sewer committee meeting, investment advisory committee, Kentville Business Community board meeting, and retirement party for Debra Crowell. As Chair of the Regional Emergency Management

Organization, she gave a briefing on the most recent meeting and the vulnerable persons registry.

Report available for more information.

(5) Councillor Gillian Yorke

Highlights included town capital budget meeting, regional recreation facility meeting, board of police commissioners meeting, retirement party for Debra Crowell and the Fire and Ice event.

Report available for more information.

(6) Councillor Andrew Zebian

Highlights included joint fire services, capital budget review, and concerns about the Ryan's Park completion timeline.

Point of Order called from Councillor Yorke against Councillor Zebian regarding buy back clauses and property sales. Her point was taken and the ruling was supported.

Highlights also included code of conduct consultation.

Point of Privilege from Deputy Mayor Cate Savage against Councillor Zebian regarding statements around spending of public resources for legal cases against the town.

(c) CAO Update

CAO Dan Troke gave an update on operational matters including budgeting process for staff, first aid training, Regional Enterprise Network meeting this week.

(d) Mayor Sandra Snow

The mayor reported on her activities this month with highlights including mentoring opportunities, Mayors Meeting, Code of Conduct consultation, intermunicipal services agreement working group, and Engage Nova Scotia winter road show.

Report available for more information.

6. NEW BUSINESS

a. 2023 Conferences

Mayor Snow described the Nova Scotia Federation of Municipalities (NSFM) conferences in spring and fall, and the Federation of Canadian Municipalities (FCM) in Toronto. The Chair asked for interest in these conferences:

- Councillor Craig Gerrard: NSFM spring and NSFM fall
- Councillor Paula Huntley: FCM and NSFM fall
- Councillor Cathy Maxwell: NSFM spring

- Deputy Mayor Cate Savage: FCM, NSFM fall
- Councillor Gillian Yorke: NSFM spring and fall
- Councillor Andrew Zebian: No to FCM, unsure about both NSFM events
- Mayor Sandra Snow: FCM, NSFM spring and NSFM fall

Councillor Zebian requested that the numbers of members allowed to attend the national FCM conference be reduced. He was encouraged to submit a request for a

Report available for more information.

7. CORRESPONDENCE

- a. None.

8. PUBLIC COMMENTS

- a. **Dennis Kehoe**

Concerns about town policies, and about removing residents from chambers.
Concerns about legal fees spent for Councillors' court cases.

9. IN CAMERA – Personnel, Legal

It was moved by Councillor Andrew Zebian and seconded by Councillor Craig Gerrard

That Council move into a closed session at 7:47 pm to discuss legal matters.

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 by Councillor Andrew Zebian

That Council return to open session at 9:52 pm.

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 Cathy Maxwell

Whereas Council received the December 15 2022 Thompson report which outlined breaches of the code of conduct by Mayor Sandra Snow, Council adopts the following resolution:

That Council apologizes to Councillor Zebian for allowing Mayor Snow's comments, which breached the code of conduct, to proceed without objection at the February 28 2022 meeting of Council, and confirms that Council will strive to be respectful in its future dealings with each other

And further sanction the Mayor by release of the December 15 2022 Charles A. Thompson report with the meeting package for the Council meeting March 27 2023

And ask Mayor Snow to make a public apology to Councillor Zebian at the March 27 2023 meeting of Council.

MOTION CARRIED

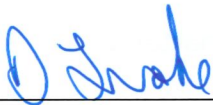
Councillors who voted in favour of this motion:

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

9. ADJOURNMENT

The February 27, 2023 meeting of Council adjourned at 9:55 p.m.

MOTION CARRIED



Approved by CAO and Clerk Dan Troke