



TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: April 24, 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 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

Councillor Cathy Maxwell

DECLARATIONS OF CONFLICT OF INTEREST

None.

2. APPROVAL OF THE AGENDA

- a. Approval of Agenda

Addition: 3.b Special Council Meeting, April 17, 2023

Addition: 9.a In Camera Personnel matter

Addition: 6.d Request for Decision

It was moved

That the Request for Decision on the Federation of Canadian Municipality Board application be added to the agenda as item 6.b.

MOTION CARRIED

Councillor Andrew Zebian voted against this motion

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

That the amended agenda of April 24, 2023 be approved.

MOTION CARRIED

3. APPROVAL OF THE MINUTES

a. Council meeting held on March 27, 2023

4.a Code of Conduct. “The Mayor did not give a statement” should read “The Mayor stated she had nothing to say”

It was moved that the minutes of the Council meeting on March 27, 2023 be approved.

MOTION CARRIED

b. Special Council meeting held on April 17, 2023

It was moved that the minutes of the Special Council meeting on April 17, 2023 be approved as amended.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

a. 2023-2024 Town of Kentville Capital Budget

Mayor Snow reviewed the proposed 2023-2024 Town of Kentville Capital Plan and the process of reviewing and approving this document.

Report available

Discussion

- Members asked for an update on the Cornwallis Street sidewalk and repairs to the heritage building. CAO Troke indicated that the costing for these items could be completed by staff- they are extensive projects and require some calculations and modeling for budget purposes.
- Members asked for the value in Capital Reserves at fiscal year end 2024. CAO Troke expects that these accounts will be at around the same levels.

RECOMMENDATION TO COUNCIL

That Council approve the 2023-2028 Capital Budget in the amount of \$6,605,900 including the funding sources, and further

That Council approve the future years from 2024-2025 to 2027-2028 as follows

2024-2025 \$7,481,600
2025-2026 \$5,648,501
2026-2027 \$3,436,013
2027-2028 \$7,160,000

MOTION CARRIED

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

b. MacDougall Heights Rezoning Application – Update

CAO Troke reviewed the staff report presented at the April 11 Council Advisory Committee Meeting. Further information about this proposal will be brought to the May 8 2023 meeting of Council Advisory Committee.

Report available

5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) Policy Statement G57 Committees of Council

At the April 11, 2023 meeting of Council Advisory Committee, CAO Troke reviewed the Committees of Council policy, and the need to update committees outlined in this policy, and some minor administrative edits. Following feedback from the town Solicitor, administrative edits have not been included in this policy. The sections on the Inclusion and Access Advisory Committee, and the Heritage Committee, have been added to this policy.

Report available

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

Council Advisory Committee recommends

That Council review and approve the attached revisions to policy statement G57 to include a section on the Heritage Committee.

MOTION CARRIED

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

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

Council Advisory Committee recommends

That Council review and approve the attached revisions to policy statement G57 to include a section on the Inclusion and Access Advisory Committee as a standing committee.

MOTION CARRIED

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

(2) Urban Forest Policy Update

A draft of the Urban Forest Policy was brought to Council Advisory Committee on April 11, 2023. The intention was to bring this to Council on April 24, 2023 for review and approval. It was determined that a policy is not required on this issue and will not be brought to Council.

Report available

(3) Heritage Committee Appointment

At the April 11, 2023 meeting of Council Advisory Committee, CAO Troke explained the vacancy in the Heritage Committee and asked Council for an appointment. Councillor Cathy Maxwell was elected to sit on this committee.

Report available

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council appoint Councillor Cathy Maxwell to sit on the Heritage Committee.

MOTION CARRIED

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

(4) Area Fire Rate

At the April 11, 2023 meeting of Council Advisory Committee, CAO Troke described the area rate presented by the Kentville Volunteer Fire Department for \$0.0397 per \$100 of assessed value for all occupancies to which the rate applies, compared to last years rate of \$0.0378.

Report available

It was moved by Councillor Craig Gerrard and Councillor Andrew Zebian

That Council accept the \$0.0397 area fire rate as set at the Kentville Volunteer Fire Department rate payers meeting.

MOTION CARRIED

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

(5) Warranty Deed Request

At the April 11, 2023 meeting of Council Advisory Committee, CAO Troke described the area rate presented by the Kentville Volunteer Fire Department for \$0.0397 per \$100 of assessed value for all occupancies to which the rate applies, compared to last years rate of \$0.0378.

Report available

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

That Council approve the consideration in the reduction in building size and pavement area size as outlined in the request from Indoor Air Solutions.

MOTION CARRIED

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

Further to this meeting, the property owner has requested a six-month extension on the development on the timeframe to January 29, 2024. See letter, attached.

Letter available

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council approve a six-month extension on the development on the timeframe to January 29, 2024 as requested by Indoor Air Solutions.

MOTION CARRIED

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

(b) Councillors' and Mayor's Reports

Reports were received and are part of the meeting record.

(1) Councillor Craig Gerrard

Highlights included a meeting of Council to review the Capital Budget, and the conflict of interest lawsuit.

Report available for more information.

(2) Councillor Paula Huntley

Highlights included Capital Budget Council meeting, Valley Regional Enterprise Network and Chamber of Commerce Business Awards.

Report available for more information.

(3) Councillor Cathy Maxwell

Report available for more information.

(4) Deputy Mayor Cate Savage

Highlights included Investment Advisory Committee meeting, Regional Emergency Management Organization meeting, Capital Budget meeting, and breakfast at the Anglican Church.

Report available for more information.

(5) Councillor Gillian Yorke

Highlights included Board of Police Commissioners meeting, Kentville Inclusion and Access Advisory Committee, Annapolis Valley Regional Libraries board meeting, and event meetings around police governance.

Report available for more information.

(6) Councillor Andrew Zebian

Highlights included Kentville Heritage Committee meeting.

Report available for more information.

(c) CAO Update

CAO Dan Troke gave an update on operations including extensive work by staff on budgets and succession planning.

(c) Mayor Sandra Snow

The mayor reported on her activities this month with highlights including asset management conference planning meetings, capital investment plan meeting, food bank dinner for volunteer appreciation, and an online workshop around energy management.

Report available for more information.

6. NEW BUSINESS

a. Spring Debenture Issuance

Mayor Snow described the process of debenture issuances, which includes a pre-approval resolution from Council.

Report available for more information.

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

That Council pre-approve the attached resolution for debenture issuance as follows:

**TBR202301 \$333,500 for various expenses and
TBR202302 \$230,000 for sanitary sewer expenses,
for a total debenture of \$563,500.**

MOTION CARRIED

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

b. Request for Decision – Public Comments

Mayor Snow outlined her concerns about public comments, and respectfully withdrew her request to Council. Mayor Snow supports three minutes per speaker instead of ten minutes in total.

Report available for more information.

c. Change of Date for May Council Meeting

Mayor Snow requested that the date of the May meeting of Council be moved to May 30 to accommodate the provincial Nova Scotia Federation of Municipalities conference.

Report available for more information.

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council approve the proposed change of date for the May Council meeting from May 29 to May 30 2023

MOTION CARRIED

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

d. Request for Decision – Federation of Canadian Municipalities Board of Directors

Councillor Huntley outlined the meetings she has attended for FCM, and indicated her interested in applying to be a board members for this organization. This motion would permit Councillor Huntley to apply to become a member of the Nova Scotia Caucus. Councillor Huntley explained the value of face-to-face meetings and conferences for learning, networking and bringing attention to the Town of Kentville.

Report available for more information.

Discussion

- Clarification by the CAO around the process of a Councillor exceeding their budget. Council acknowledges that a member wants to be considered for this Board, and Council and each member should use their budget responsibly.

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

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government; and

WHEREAS FCM's Annual General Meeting (AGM) will be held in conjunction with the Annual Conference and Trade Show, May 25 to 28, 2023, followed by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of the Town of Kentville endorse Councillor Paula Huntley to stand for election on FCM's Board of Directors for the period starting in May 2023 and ending June 2024; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with Councillor Paula Huntley attending FCM's Board of Directors meetings.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Savage, Snow, Yorke and Zebian

Councillors who voted against this motion:

Zebian

7. CORRESPONDENCE

- a. None.

8. PUBLIC COMMENTS

- a. None.

9. IN CAMERA –Personnel

It was moved by Councillor Gillian Yorke and seconded by Councillor Andrew Zebian

That Council move into a closed session at 8:10 pm to discuss legal and personnel matters.

MOTION CARRIED

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

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

That Council return to open session at 9:50 pm.

MOTION CARRIED

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

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley

That Council hold a special council meeting following the conclusion of the CAC Meeting on May 8th, 2023.

MOTION CARRIED

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

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

That the following motion, approved by Council on March 27, 2023:

That Council sanction Councillor Zebian as follows. Councillor Zebian is prohibited from all direct and indirect communication with CAO Troke in any manner, except for appropriate communication with CAO Troke in the following two circumstances:

(i) in CAO Troke’s role as the Responsible Officer pursuant to Part 20 of the MGA (FOIPOP); and

(ii) at any meetings attended by CAO Troke at which Councillor Zebian is present which meetings pertain to a development application Councillor Zebian or a company controlled by him may have with the Town.

If Councillor Zebian wants information from the Town (other than information from the Planning Department related to a development application from Councillor Zebian or a company controlled by him), he shall direct his queries to the Deputy Mayor who will make inquiries of Town staff on behalf of Councillor Zebian and relay the staff response to Councillor Zebian.

This sanction shall have immediate effect and will continue until September 30th, 2023.

Have an additional section added after section (ii):

(iii) At any meetings of council, or committees of council

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Savage, Snow, Yorke and Zebian

9. ADJOURNMENT

The April 24, 2023 meeting of Council adjourned at 8:12 p.m.

MOTION CARRIED

Approved by CAO and Clerk Dan Troke