



TOWN OF KENTVILLE COUNCIL MEETING

Meeting Minutes: June 26, 2023

Town Hall, 354 Main Street, Kentville Nova Scotia

This meeting was held in Town Hall and was livestreamed on YouTube.

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

Addition: 2.b Remote participation

Addition: 4.c RFD Sanction moved from In Camera

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

That the agenda of June 26, 2023 be approved.

MOTION CARRIED

3. APPROVAL OF THE MINUTES

- a. Council meeting held on April 24, 2023

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It was moved that the minutes of the Council meeting on April 24, 2023 be approved.

MOTION CARRIED

b. Council meeting held on May 30, 2023

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

MOTION CARRIED

c. Special Council meeting held on June 20, 2023

It was moved that the minutes of the Special Council meeting on June 20, 2023 be approved.

MOTION CARRIED

d. Public Hearing meeting held on June 21, 2023

It was moved that the minutes of the Public Hearing meeting on June 21, 2023 be approved.

MOTION CARRIED

REMOTE ATTENDANCE

It was moved by Councillor Craig Gerrard and Councillor Paula Huntley
That Council approve the attendance of Councillor Gillian Yorke via Zoom due to travel cancellations.

MOTION CARRIED

4. BUSINESS ARISING FROM THE MINUTES / OLD BUSINESS

a. Second Reading, Rezoning Application

Mayor Snow reviewed the process of rezoning land following the Land Use Bylaw. She introduced the broad categories of concerns raised at the June 21 Public Hearing. Council approved first reading for this proposal on May 30, 2023.

Report available

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

Council Advisory Committee recommends

That Council recommends Second Reading of the rezoning application.

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

Council Advisory Committee recommends

That Council table Second Reading of the rezoning application and request further information on the application from staff.

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

That Council postpone the second reading of the rezoning application until staff can provide clarification on the following matters:

- **Recreation infrastructure**
- **Overland water plan**
- **Traffic calming measures**
- **Recreation issues including green space, active transportation and sidewalks based on the new bylaw**

And further that Council receive information from staff by July 4, 2023

And further that Council hold a special meeting of Council 5pm on July 10, 2023.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

b. Grant Request Kentville Lions Club

CAO Troke described the Kentville Lions Club request to Council for \$8,000 to support the repainting of the exterior of their building, which is owned by the town. The CAO reviewed the covenants in the lease agreement with the Lions, which includes painting and maintaining the exterior. It is noted that the grant request exceeds the limit of the grants to organizations policy.

Report available

It was moved by Councillor Paula Huntley and Councillor Cathy Maxwell

Council Advisory Committee recommends

That Council approve the request to the Kentville Lions Club to purchase paint through the public works director using purchase order.

MOTION CARRIED

Councillors who voted in favour of this motion:

Huntley, Maxwell, Savage, Snow, Yorke and Zebian

Councillors who voted against this motion:

Gerrard

c. Concerns with the existing sanction against a sitting Councillor

Solicitor Muttart described the purpose of the sanction against Councillor Andrew Zebian, and outlined the legislation which gives Council the ability to apply sanctions. Solicitor Muttart reminded Council that he represents Council as a group, but that individual Councillors must have their own legal representation.

Councillor Zebian indicated that Municipal Affairs does not support this sanction and he may challenge this sanction.

5. RECOMMENDATIONS AND REPORTS

(a) Council Advisory Committee Reports

(1) Withdrawal from the Sanitary Sewer Operating Reserve

At the June 12, 2023 meeting of Council Advisory Committee, Director Matthews presented a request from the finance department that \$33,057 be withdrawn from the Sanitary Sewer Operating Reserve to support a shortfall caused by a charge against the Sanitary Sewer operating budget. The sanitary sewer operating reserve fund holds \$539,797.

Report available

It was moved by Councillor Cathy Maxwell and Councillor Paula Huntley

Council Advisory Committee recommends

That Council approve a withdrawal of \$33,057.56 from the Town of Kentville Sanitary Sewer Operating Reserve to offset the shortfall.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(2) Asset Retirement Obligations Policy

At the June 12, 2023 meeting of Council Advisory Committee, Director Matthews explained the background around asset retirement obligations

for the town, and introduced the draft policy which will better coordinate this annual task to adhere to new public accounting legislation. The proposed policy is closely aligned with the public accounting handbook.

Report available

Discussion

- Staff do not feel that there are major depreciation in facilities or infrastructure at this time, but will continue to monitor assets as per this policy and through the audit process.

It was moved by Councillor Cathy Maxwell and Councillor Paula Huntley

Council Advisory Committee recommends

That Council approve the Asset Retirement Obligation Policy backdated to April 1 2022.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

(3) Joint Regional Transportation Agency

At the June 12, 2023 meeting of Council Advisory Committee, CAO Dan Troke introduced the Joint Regional Transportation Agency, which will focus on improving transportation issues around a perimeter of the Halifax region. As the province is expected to double in size, these service hubs need to become effective and efficient conduits moving people in and out of the city. Council has some concerns over the time commitment of this agency for the CAO or the Director of Engineering and Public Works.

Report available

It was moved by Councillor Cathy Maxwell and Councillor Paula Huntley

Council Advisory Committee recommends

That Council approve the appointment of the Town of Kentville Chief Administrative Officer CAO and as an alternate the Director of Engineering for the Joint Regional Transportation Agency working group.

MOTION CARRIED

Councillors who voted in favour of this motion:

Gerrard, Huntley, Maxwell, 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 meetings of Special Council meetings, Chief Administrative Officer evaluation meeting, public hearings, Board of Police Commissioners, Water Commissioners, and Kings Point to Point.

Report available for more information.

(2) Councillor Paula Huntley

Highlights included Partners for Climate Protection monthly meeting, Diversity Kings, Visitor Information Centre opening, Women of Excellence Awards, North East Kings Education Centre graduation promenade, Doctors recruitment event, Women in Politics meeting, Federation of Canadian Municipalities conference in Toronto, elected onto the FCM Board, coordinating a meeting with Federal Shadow Minister of Seniors and a meeting with the Minister of Housing and Municipal Affairs around housing.

Clarification around the Intermunicipal Service Agreement around Diversity in Kings County.

Report available for more information.

(3) Councillor Cathy Maxwell

Highlights included Annapolis Valley Trails Coalition, Bursary Selection Committee, CAO Evaluation meeting, Heritage Committee meeting, Annapolis Valley Trails Coalition annual general meeting, Kentville Historical Society presentation with Glenn Els, and the Inclusion and Access Advisory Committee meeting.

Report available for more information.

(4) Deputy Mayor Cate Savage

Highlights included Investment Advisory Committee meeting, Regional Sewer Committee meeting, Kentville Historical Society presentation, Visitor Information Centre opening, Women in Politics webinar, Women in Excellence awards meeting, community supper at Valley Community Learning Association, Valley Regional Enterprise Network meeting, Oakdene Park soccer game, and the Federation of Canadian Municipalities annual conference in Toronto.

Report available for more information.

(5) Councillor Gillian Yorke

Highlights included Annapolis Valley Regional Library annual general meeting, graduations, pride events, and the Come Together event.

Report available for more information.

(6) Councillor Andrew Zebian

Highlights included a Heritage Committee meeting, conversations with residents around the MacDougall Heights development.

Report available for more information.

CAO Update

CAO Dan Troke gave an update on operations including application to a CMHC grant identifying key goals for the Kentville community and coaching for smaller projects around the development of equitable, sustainable and affordable housing. This work will tie into the future secondary plan.

(c) Mayor Sandra Snow

The mayor reported on her activities this month with highlights including the Nova Scotia Federation of Municipalities meetings, opening of the Visitor Information Centre, annual ceremony review for cadets, High School Girls Softball regional tournament, Valley Community Learning Association Literacy Mile event, NKEC Prom parade, Kings County Pride event, and the Federation of Canadian Municipalities conference in Toronto.

Report available for more information.

6. NEW BUSINESS

a. Request for Decision – Recording In Camera Meetings

CAO Troke reviewed Councillor Zebian's request expressing concern about the recording of In Camera meetings, and the need for audio and video recordings of these meetings. The Municipal Government Act and Roberts Rules of Order have strict rules about in camera (closed) meeting, including keeping limited records.

Report available

Discussion

- Solicitor Muttart reminded Council that this change would affect the Meetings Policy, and cannot be changed without proper notice of policy amendment.

It was moved by Councillor Andrew Zebian and Councillor Cathy Maxwell

Council Advisory Committee recommends

That Council allow video recording of in-camera Council meeting sessions.

MOTION DEFEATED

Councillors who voted in favour of this motion:

Maxwell, Yorke and Zebian

Councillors who voted against this motion:

Gerrard, Savage, Huntley, and Snow

b. Request for Tax Reduction

Mayor Snow presented the letter from residents who lost their home in a fire, and their request for tax reduction. CAO Troke described the process of applying to Property Valuation Services to assess homes and property where a loss by fire has occurred.

Report available

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

Council Advisory Committee recommends

That Council approve the request for property tax reduction for 24 Sherry Avenue pursuant to Policy Statement G37F “Tax Reduction”.

MOTION CARRIED

Councillors who voted in favour of this motion:

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

7. CORRESPONDENCE

a. Minister of Municipal Affairs and Housing, John Lohr

CAO Troke reviewed the letter by Minister Lohr, outlining the provinces commitment to affordable housing, and a request for municipalities to help locate land suitable for development.

Letter available

8. PUBLIC COMMENTS

a. Dennis Kehoe, Alicia Blvd

Mr. Kehoe is concerned about his freedom of information request being denied by staff. This request was regarding a report around the previous Chief Administrative Officer, which should be available to the public. He requested that this matter be put on a meeting agenda to investigate the result of this report.

b. Pat Norton, 53 Palmetter Ave

Ms. Norton is concerned about the postponing of her presentation around the 15-minute cities model. She requested that her presentation be added to a meeting agenda.

c. Mike Carter, 48 Acadia Drive

Mr. Carter requested that he speak on the MacDougall Heights rezoning. He thanked Council for the thoughtful and respectful dialogue on the rezoning. He asked Council to consider a vision for that community prior to the rezoning. He had concerns that Council will be exposed to new information. He had concerns that planning staff support the rezoning.

9. IN CAMERA – Contract, Personnel, Legal and Legal issues

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

That Council move into a closed session at 8:17 pm to discuss contract, legal and personnel matters.

MOTION CARRIED

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

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

That Council return to open session at 9:44 pm.

MOTION CARRIED

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

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

That Council give direction to the CAO to execute the new CUPE contract as outlined by the CAO.

MOTION CARRIED

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

It was moved by Councillor Cathy Maxwell and Councillor Paula Huntley

That Council ask staff to develop a communication policy in how they would like to be approached by Council.

MOTION CARRIED

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

9. ADJOURNMENT

It was moved by Councillor Cathy Maxwell

The June 26, 2023 meeting of Council adjourned at 9:47 p.m.

MOTION CARRIED



Approved by Acting CAO Dave Bell