

APPROVED – February 28, 2011

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# KENTVILLE TOWN COUNCIL

## MINUTES

### January 24, 2011

**PRESENT**

Mayor David Corkum, Deputy Mayor Bill Boyd, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Mark Pearl, Councilor Tony Bentley, CAO Keith Robicheau, Solicitor Geoff Muttart, Town Clerk Carol Harmes

**MEETING CALLED TO ORDER AND ROLL CALL**

Mayor David Corkum called the meeting to order at 7:02 p.m. and CAO Robicheau reported that all Council members were in attendance.

**APPROVAL OF THE AGENDA**

It was moved by Councilor Eric Bolland and seconded by Deputy Mayor Bill Boyd

**that the agenda be approved with the addition of:**

***8 (a) Naming of Connector Road***

**MOTION CARRIED**

**NOTE**

*“Points from Discussion” below show various comments made by individual councilors during debate. They do not necessarily represent the opinion of the group, nor do they always reflect accurate information.*

**PRESENTATION**

Mayor David Corkum presented a bouquet a flowers to Town Clerk Carol Harmes in recognition of her 60<sup>th</sup> birthday and 30<sup>th</sup> anniversary with the Town of Kentville.

**APPROVAL OF THE MINUTES**

**(a) November 29, 2010**

It was noted that the minutes of November 29, 2010 were not available at this time.

**(b) January 10, 2011**

It was moved by Councilor Bernie Cooper and seconded by Councilor Mark Pearl

**that the minutes of January 10, 2011 be approved.**

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**MOTION CARRIED**

**BUSINESS ARISING FROM THE  
MINUTES/OLD BUSINESS**

**(a) 2<sup>nd</sup> Reading – Chapter 84 – Smoke-Free  
Public Places Bylaw**

Town Clerk Carol Harmes submitted a report in which she stated that First Reading to adopt this bylaw was given at the November 29<sup>th</sup>, 2010 meeting of Town Council, following which four Notices of Second Reading were placed in the local paper and posted to the Town's website. She added that although some members of the general public expressed their concerns about this bylaw, Dave Reid responded in writing pointing out some areas where Council might want to give further consideration.

The Town Clerk summarized the highlights of Mr. Reid's concerns and presented four possible options for Council to consider at this point in time. Following this, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that Second (Final) Reading be given to  
adopt *Chapter 84 – Smoke-Free Public Places  
Bylaw.***

**MOTION CARRIED**

Points from Discussion

- Although this email from Dave Reid was included in Council's agenda package, it should have been sent under separate cover, as well.
- Some signage will be erected immediately in highly visible places around town, and the costs can be covered in this year's budget.
- More signage will be erected after the new fiscal year and some newsletter promotion, etc. will be done.
- The initial intent of the bylaw will be to promote the concept of smoke-free public areas, and then enforcements through SOPs will be carried out after promotion is done.
- The Town is trying to promote a healthier environment and although Mr. Reid's concerns must be taken seriously, the overall intent of Council to create a healthier environment should be supported.
- With the anti-idling bylaw, 2 years of education

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were provided prior to the bylaw and a poll was taken. Perhaps the same approach should have been taken here.

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee (December 13, 2010)**

**(i) Policy Statement G26-Investments –  
Special Perpetual Reserve Fund**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, CAO Robicheau reported that the Investment Advisory Committee has recommended amendments to the policy relating to the Perpetual Reserve Fund, by redefining the structure of the Committee to better reflect its current composition.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that Council approves the amendments to *Policy Statement G26-Investments – Special Perpetual Reserve Fund*, with the definition of “Investment Committee” changed to reflect “a Council member, two (2) citizen appointees, and a Council alternate.”**

**MOTION CARRIED**

**(ii) Chapter 72 – Sanitary Sewers Bylaw –  
Amendments (Chapter 86)**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, Director Greg Kehoe reported that there is a need for an increase in the spill recovery rate, because of additional costs for collecting and treating the high strength BOD loads that the industrial users add to the Town’s share of the Regional Sewer System. Although high BOD strength industrial users were given notice, additional time and limits that exceed the normal 200 mg/litre, to date they have not implemented any suitable pre-treatment, and continue to spill high strength waste. Therefore, several recommendations were made to amend the attached schedules of this bylaw, so as to bring it in line with the costs and to update its content.

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Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Bernie Cooper

**that First Reading be given to amend those sections in *Chapter 72 – Sanitary Sewer Bylaw* (known as *Chapter 86*) on Schedule A, the *Rbod Spill Recovery Rate*, which will increase the rate to \$0.50 per pound of BOD and further,**

**that in Schedule “A,” the words “rate in” and “as approved by Council each year” would be removed from Rbod, Rss and Rfog and that the actual figures be inserted following the dollar signs.**

**And further,**

**that an amendment be made to Schedule “C” that it be entitled “Building Service Connection Charge” to correspond with the text of the Bylaw.**

**MOTION WITHDRAWN**

It was further moved by Deputy Mayor Bill Boyd and seconded by Councilor Bernie Cooper

**that First Reading be given to adopt *Chapter 86 – Sanitary Sewers Bylaw*.**

**MOTION CARRIED**

Points from Discussion

- As Chapter 86 identifies the amendments to the schedules, there is no necessity of repeating (in the actual motion) those amendments contained in the schedules.
- The effective date must be included as well, and this will be the publication date.

**(iii) Policy Statement G5-Council Remuneration and Benefits – Amendments**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, CAO Robicheau recommended some revisions to the Council Remuneration and Benefits Policy and relating Schedule A. He felt that these amendments would simplify the process for disclosing and claiming taxable

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and non-taxable expenses as identified in Council's remuneration package.

He recommended that the monthly allowance for local travel, internet expenses and e-government initiatives should be included in the remuneration schedule, which would also be updated with current cost of living adjustments.

Therefore, it was moved by Deputy Mayor Boyd and seconded by Councilor Mark Pearl

**that Council approves those amendments proposed to the *Policy Statement G5 - Council Remuneration and Benefits*, as attached.**

**MOTION CARRIED**

**(iv) Street Naming Policy – G27-Amendments**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that amendments are being proposed which will update *Policy Statement G-27 Street Naming Policy*, which is currently out-of-date.

Following a review of the proposed revisions, it was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

**that the amendments to *Policy Statement G27 – Street Naming Policy* be approved, as attached.**

It was moved by Councilor Nola Folker-Hill and Councilor Bernie Cooper

**that an amendment be made to Section (iii) to state that “submissions by developers will be considered” and Section (iv) to state that “submissions by members of the public may be considered” and the remaining items to be renumbered accordingly.**

**AMENDED MOTION CARRIED**

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Points from Discussion

- If the public is able to submit a name for consideration, then the public must be made aware of that opportunity.
- If the word “will” is changed to “may” in section (iii) that should satisfy.
- Notification should be given in cases where the public will have the opportunity to propose a street name.

**(v) Anniversary Logo – 125 years**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, Director Mark Phillips presented some draft copies of logos representing the Town’s 125 anniversary of incorporation. He noted that various designs had been circulated to staff for input, and from these, the general preference seemed to be Option C, which he subsequently recommended.

However, as Council reserves the right to approve or disapprove this option, he asked for feedback on this recommendation.

Following this, it was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

**that Council approves Option C of those logos presented for consideration.**

**MOTION CARRIED**

**(vi) 2015 Women’s World Cup**

Councilor Tony Bentley noted that at the December 13, 2010 meeting of Council Advisory Committee, a discussion took place regarding Halifax having placed a bid to host the 2015 Women’s World Cup for Soccer, and that should this be awarded, both that city and the province as a whole, will benefit. As this large athletic event will involve the construction of a larger stadium and other relating infrastructure and will bring world attention to the area, he felt that the Town should show its support to Halifax for its bid.

Therefore, it was moved by Councilor Mark Pearl and

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seconded by Councilor Eric Bolland

**that Mayor Corkum sends a letter to Mayor Peter Kelly wishing the City of Halifax success in its bid to host the 2015 Women's Soccer World Cup, with a copy of that letter sent to local Councils and to Mike Trinacity of the Department of Health and Wellness.**

**MOTION CARRIED**

**(a) Council Advisory Committee (January 10, 2011)**

**(vii) Armoured Car Services**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, a report was reviewed from the Director of Finance regarding the cost and effectiveness of contracting a security company to transport the daily cash deposits to the Town's banking institution.

Director Crowell noted that Armoured Car Services provides daily pick up, off-site storage of data, and returns receipts and cash, as required. She compared this service and cost to that which could be provided by either the Kentville Police Service or Finance Department staff themselves.

As the current arrangement with Armoured Car Services provides a secure, dependable service, while alleviating the exposure of risk to staff and the opportunity for mismanagement of the cash or receipts, she recommended that the current service be continued.

As this service costs the Town \$5,200 yearly, Council felt that the matter should be further explored, and therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Mark Pearl

**that the issue of costs relating to the transportation of daily deposits to the bank by Armoured Car Services, be considered during the budget process.**

**MOTION CARRIED**

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**(viii) Withdrawal – Sanitary Sewer Capital - \$20,000**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, Director Debra Crowell reported that the 2010/11 Sanitary Sewer Capital Budget requires a withdrawal in the amount of \$20,000 from the Town's Capital Reserve Fund, as a partial funding source for capital construction projects.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Tony Bentley

**that the attached resolution be approved for the withdrawal of \$20,000 from the Town's Capital Reserve, Sanitary Sewer portion, to partially fund sanitary sewer capital construction during 2010-2011.**

**MOTION CARRIED**

**(ix) MPS-LUB (Amendments to R1-RF Zones)**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, Director Gentleman noted that amendments might be possible to the MPS and LUB for smaller sized lots in the Future Residential zone (if serviced by sewer and water). These could allow R1 lots to be automatically subdivided and sold in the RF zone, rather than to go through the cumbersome process of having the developer incur repetitive expenses with each application.

It was also pointed out that if these amendments are approved by Council, then the Town would be responsible for advertising these changes and for holding public meetings to deal with them.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that staff prepare a report on proposed changes to the MPS and LUB to allow single**

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**family residential development in the Residential Future Zone and to designate some RF zones to R1 zoning.**

**MOTION CARRIED**

**(x) Chapter 85-Peace and Good Order Bylaw – First Reading**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, Town Clerk Carol Harmes reported that *Chapter 54 – Peace and Good Order Bylaw*, has been recently reviewed and sent to the solicitor for comments on its relevancy. Following this, Solicitor Muttart proposed a number of amendments which were created within a new document known as *Chapter 85 – Peace and Good Order Bylaw*.

It was further noted that should this new bylaw be adopted, then *Chapter 54 – Peace and Good Order Bylaw* would concurrently be rescinded.

Therefore, it was moved by Deputy Mayor Bill Boyd and seconded by Councilor Eric Bolland

**that First Reading be given to adopt Chapter 85 – Peace and Good Order Bylaw.**

**MOTION CARRIED**

**(xi) KWC – Citizen Appointment**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, Director Kehoe reported that six applications were received for the vacancy on the Water Commission, one of which was the previous Director and Town Engineer, Hal Henderson. As this applicant has maintained a working relationship with the Town and has an intimate knowledge of the infrastructure, Director Kehoe felt that he could make a major contribution on the committee level and recommended his appointment.

Therefore, it was moved by Councilor Tony Bentley and seconded by Councilor Eric Bolland

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**that Hal Henderson be appointed to the Kentville Water Commission for a two-year period.**

**MOTION CARRIED**

**(xii) Belcher Street Property Sale**

Councilor Bernie Cooper noted that at the January 10, 2011 meeting of Council Advisory Committee, a discussion took place regarding the sale of a parcel of vacant land, owned by the Town of Kentville and situated on Belcher Street, which was considered as being of little use to the Town of Kentville.

Therefore, it was moved by Councilor Bentley and seconded by Deputy Mayor Bill Boyd

**that the property on Belcher Street, known as PIN 55258164 and owned by the Town of Kentville, is found to be such that it can be sold pursuant to *Section 51A of the Municipal Government Act* and therefore that it be sold at market value**

**and further**

**that abutting land owners be notified that the property is being sold;**

**and**

**that the abutting landowners be advised that it is mandated that Council invite expressions of interest from abutting landowners prior to such sale;**

**and that**

**the abutting landowners be requested, if interested, to submit proposals to purchase to the Chief Administrative Officer for review by Council.**

**MOTION CARRIED**

**(b)Fire**

**(i) Chief's report**

Fire Chief Shawn Ripley had not submitted a monthly report on the activities of KVFD to the administration office, however, a report has been sent to members of the Governance Committee. A copy will be sent out to Council members.

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**(ii) Fire Governance Report**

Deputy Mayor Bill Boyd reported that Chief Ripley has been reinstated by the Board and is back at work. The review process of the internal administration of the Fire Department has been completed and a report from the consultants will be reviewed at the meeting tomorrow evening. It is hoped that those recommendations made in that report will be made public shortly.

It was moved by Deputy Mayor Bill Boyd and seconded Councilor Bernie Cooper

**that the Fire Governance Report be received.**

**MOTION CARRIED**

**(c) Valley Waste – Resource Management Authority**

Councilor Mark Pearl noted that the report for January was added late today, so reiterated some of the items on that document. He added some statistical information regarding recyclables, organics and residuals and noted that a policy review process is underway.

He reported that the proposed budget will result in a 1.26 % increase and information on this will be presented to Council on February 28<sup>th</sup>. With the hotline, over 11,000 calls were received and over 11,000 curb side inspections were done. He added that Councilor Keith Irving was re-elected Chairman of the Authority and he was elected as Vice Chairman. However, Councilor Bernie Cooper will be attending the next meeting on February 16<sup>th</sup> to represent the Town on his behalf.

It was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

**that the report from the Valley Waste Resource Management Authority be received.**

**MOTION CARRIED**

**(d) Kings Regional Development Agency  
(a) Representative's Report**

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Jennifer Weisner reported prior to the meeting that she would be unable to attend this Council meeting, however, expected that a written report would be sent prior to the meeting. Councilor Mark Pearl, the Kentville representative, noted that there will be a meeting later in the week and at that meeting a recommendation will be made that regular monthly reports will be submitted to Councils.

Councilor Mark Pearl asked Councilor Eric Bolland to attend the Kings RDA meeting next month on Council's behalf.

**(e) Kentville Community Development Committee  
(i) Report**

Mayor David Corkum reported that there is nothing further to add.

**(f) Kings Transit Authority  
(i) Representative's Report**

Councilor Mark Pearl reported that although ridership was down the previous month by 20% on the Weymouth/Cornwallis routes, further reductions are anticipated due to the closure of Convergys. With the garage renovations, work continues and a full time and part time mechanic has been hired for bus repairs. Also with this change to New Minas, the Kentville terminal will be closing on April 1<sup>st</sup>. The General Manager submitted a report including the financial information as of December 31, 2010, along with other comparison information regarding revenues and ridership.

It was moved by Councilor Mark Pearl and seconded by Councilor Eric Bolland

**that the report from Kings Transit Authority  
be received.**

**MOTION CARRIED**

Points from Discussion

- The amount of the deficit, which is being projected for the end of March (\$60,000), will be impacted by an escalating fuel cost and unbudgeted repairs and maintenance.
- Councilor Pearl asked Councilor Bentley to attend the next meeting on his behalf.

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*(Note: CAO Robicheau noted that a joint meeting for Kings Transit – Kings Para Transit is being proposed for February 23<sup>rd</sup> from 4:00 to 5:30 p.m.)*

**(g) Environmental Advisory Committee**

Councilor Eric Bolland reported that there is a strategy session rescheduled for February.

**(h) Councilors' Report**

Councilor Tony Bentley attended all Christmas events and will attend the library meeting later this week.

Councilor Nola Folker-Hill had nothing further to report.

Councilor Mark Pearl had nothing further to report.

Councilor Eric Bolland attended all meetings and events, along with a special meeting at the County of Kings on wind turbines.

Councilor Bernie Cooper had nothing further to report.

Deputy Mayor Bill Boyd enjoyed the opportunity to fill in for Mayor on a couple of occasions during the previous month and attended all other events.

**(i) Mayor's Report**

Mayor Corkum reported that a short report is attached, and is self-explanatory. He added that he enjoyed his vacation.

**CORRESPONDENCE**

**(a) none**

**NEW BUSINESS**

**(a) Naming of New Connector Road**

Councilor Mark Pearl read a recommendation to name the new connector road between West Main Street and Park Street after former mayor, Gary Pearl. In support of this name, Councilor Mark Pearl reiterated the many commitments that Mayor Pearl had made to the community before and during his terms of service to the Town.

It was moved by Councilor Mark Pearl and seconded

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by Councilor Tony Bentley

**that the new connector road between West Main Street and Park Street be named “Gary Pearl Drive.”**

**MOTION CARRIED**

An amendment was proposed by Councilor Nola Folker-Hill and seconded by Deputy Mayor Bill Boyd

**that an advertisement be placed in the local paper to ask individuals to propose names for this street.**

**MOTION WITHDRAWN**

Points from Discussion

- Mayor Pearl has had a Police Station and a Town bus named after him, and as he has been recognized through these dedications, it may be appropriate to ask the public for other recommendations.
- There would be a long list of individuals deserving of this recognition, as well, however, Gary Pearl has made a long and lasting contribution to Kentville.
- There is no avenue for the public to make suggestions, unless they attend regular Council meetings.
- The amendment is in conflict with the main motion and should be withdrawn.

**PUBLIC COMMENTS**

none

**ADJOURNMENT**

It was moved by Deputy Mayor Bill Boyd and seconded by Councilor Tony Bentley

**that the meeting adjourns at 8:42 p.m.**

**MOTION CARRIED**

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