

# KENTVILLE TOWN COUNCIL

## MINUTES

### March 28, 2011

#### PRESENT

Mayor David Corkum, Councilor Bernie Cooper, Councilor Eric Bolland, Councilor Nola Folker-Hill, Councilor Tony Bentley, CAO Keith Robicheau, Solicitor Tom MacEwan and Town Clerk Carol Harnes

#### PUBLIC HEARING

Director Bev Gentleman reiterated the issues leading up to the request of Council to approve amendments to the Land Use Bylaw. These would allow for construction of single family homes in the Residential Future zone without the cumbersome procedure presently required. She added that there were some corresponding policies in the Municipal Planning Strategy relating to this matter that would also be affected by these amendments.

No members of the public were present to either support or oppose these amendments, and therefore, following a few questions by Council, the Public Hearing adjourned.

#### MEETING CALLED TO ORDER AND ROLL CALL

Mayor David Corkum called the meeting to order at 7:08 p.m. and CAO Robicheau reported that all Council members were in attendance except for Deputy Mayor Bill Boyd and Councilor Mark Pearl, who were out of the country.

It was moved by Councilor Nola Folker-Hill and seconded by Councilor Tony Bentley

**that Deputy Mayor Bill Boyd and Councilor Mark Pearl be excused from this meeting with the approval of Council.**

**MOTION CARRIED**

#### APPROVAL OF THE AGENDA

It was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

**that the agenda be approved with the**

**addition of:**

**8 (a) Letter of Resignation**

**8 (b) Email letter from Councilor Mark Pearl**

**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**

**(a) Local Canada Winter Games Athletes**

Mayor Corkum recognized several local athletes who participated in the Canada Winter Games and presented each with a certificate of achievement. Those receiving recognition were: Ciaran Dunn (biathlon), Matthew Whitford (boxing), Gareth Nicholson (Hockey) Nicole Marshall (target shooting) and Eric Higgins (target shooting).

**APPROVAL OF THE MINUTES**

**(a) February 28, 2011**

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

**that the Minutes of February 28, 2011 be approved as circulated.**

**MOTION CARRIED**

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

**(a) 2<sup>nd</sup> Reading – Chapter 11 – Regulation of Parking Lots Bylaw**

Town Clerk Carol Harmes submitted a report in which she stated that First Reading to repeal this bylaw was given at the February 28<sup>th</sup> meeting of Town Council, following which a Notice of Second Reading was placed in the local paper and posted to the Town’s website.

No objections were received, and therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Bernie Cooper

**that Second (Final) Reading be given to repeal Chapter 11 – Regulation of Parking Lots Bylaw and that a Notice of Passing be placed in the local newspaper.**

**MOTION CARRIED**

**(b) 2<sup>nd</sup> Reading –Chapter 34 – Parking Lots Bylaw**

Town Clerk Carol Harmes submitted a report in which she stated that First Reading to repeal this bylaw was given at the February 28<sup>th</sup> meeting of Town Council, following which a Notice of Second Reading was placed in the local paper and posted to the Town's website.

No objections were received, and therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Nola Folker-Hill

**that Second (Final) Reading be given to repeal Chapter 34 – Parking Lots Bylaw and that a Notice of Passing be placed in the local paper.**

**MOTION CARRIED**

**(c) 2<sup>nd</sup> Reading – Land Use Bylaw Amendments (Residential Future Zone)**

It was noted that prior to this Council meeting, a Public Hearing was held for the purpose of providing an opportunity for citizens to give feedback, or ask questions of Council, regarding the amendments proposed to the Residential Future Zone. These amendments would allow for smaller sized lots in the Future Residential zone (if serviced by sewer and water), and would eliminate the current cumbersome process of having the developer incur repetitive expenses with each rezoning application. This would facilitate new single family residential growth in serviced areas under the Residential Futures (RF) zone.

As First Reading was given to amend this bylaw on February 28<sup>th</sup>, and following public notification and a Public Hearing, with no public objection to the proposed amendments, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that Second Reading be given to amend those sections of the Land Use Bylaw to allow R-1**

**Single Family Residential development as per the R-1 Zone, as a right within the R-F zone, as approved on First Reading in February and as presented at a Public Hearing on March 28<sup>th</sup>, 2011.**

**MOTION CARRIED**

**REPORTS AND  
RECOMMENDATIONS**

**(a) Council Advisory Committee  
(i) Kings Transit Authority's 2011-2012  
Budgets**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, CAO Robicheau presented the budget as prepared by Kings Transit Authority. He added that with some declines in ridership and other revenue sources, along with high costs for fuel and maintenance, an additional \$82,000 must be funded by the participating partners, and in the case of Kentville, that amounts to 20% or \$16,500.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that the 2011-2012 Kings Transit Authority Budgets be approved, as attached.**

**MOTION CARRIED**

**(ii) Park Street Apartment Development –  
Relocation of Water Main**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, Chief Administrative Officer Keith Robicheau reiterated that the developer has asked that the Town relocates the water main that runs through his property at 150 Park Street and cost-shares in its relocation.

Although Council recognizes that this type of development is needed and supports the project, it was reluctant to contribute financially, without further examination of the costs.

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

**that the request to relocate the water main at 150 Park Street be approved, and that**

**negotiations between the developer and the Town be conducted regarding cost-sharing.**

**MOTION CARRIED**

**(iii) Sale of Remaining Property at Kentville Futures Site**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, CAO Keith Robicheau reported that although Requests for Proposals were advertised both locally and provincially, no interest has been expressed from Commercial Real Estate Brokers, to sell the remaining property in downtown Kentville, known as the Kentville Futures lands.

It was felt that a more direct approach might be necessary and, therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Eric Bolland

**that the matter of seeking proposals for development of the remaining lots at the Kentville Future's Site become the responsibility of the Director of Planning.**

**MOTION CARRIED**

**(iv) Business Occupancy Tax Write-Offs**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, Director Debra Crowell reported that an outstanding amount of \$9,869.93 exists on business occupancy taxes, and as the company in question has declared bankruptcy, it seems unlikely that the amount will be collected.

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

**that the attached business occupancy tax account in the amount of \$9,869.93 be written-off.**

**MOTION CARRIED**

**(v) Sundry Accounts Receivable Write-Offs**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, Director

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Debra Crowell reported that 3 sundry receivables have remained uncollected, and as it seems unlikely that payment will be made, she recommended that these be written off.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that the attached listing of outstanding sundry receivables, totalling \$1,121.50, be written-off.**

**MOTION CARRIED**

**(vi) Withdrawal from Capital Equipment Reserve**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, Director Debra Crowell reported that the equipment, as identified in the 2010-2011 capital budget (at \$53,100), has been received and requires partial funding from the equipment reserve at this time.

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

**that the resolution be approved for the withdrawal of \$24,266.92 from the Town's Equipment Reserve, to fund the purchase of transportation equipment in 2010-2011.**

**MOTION CARRIED**

**(vii) Withdrawal from Town Capital Construction Reserve**

Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, Director Debra Crowell reported that the Town's capital budget for 2010-2011 (\$574,400) provides for partial funding of capital construction from the capital reserve fund, and a resolution to withdraw these funds is attached.

Therefore, it was moved by Councilor Tony Bentley and seconded by Councilor Bernie Cooper

**that \$210,689.45 be withdrawn from the**

**Town’s Capital Reserve fund for various  
capital construction projects for 2010/2011.  
MOTION CARRIED**

**(viii) Street Naming Policy Statement G-17**  
Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, it was reported that more clarification was needed as to when Council would ask for the public’s input into the street-naming process. An amendment was proposed to that section of the policy, to state in section (iv), that “if requested by Council, submissions by members of the public will be considered.”

However, Councilor Folker-Hill felt that specific criteria should be included and therefore, it was moved by Councilor Nola Folker-Hill and seconded by Councilor Eric Bolland

**that consideration for amendments to the  
Street Naming Policy G-17, be tabled until  
such time as staff has been able to review the  
policy and establish criteria to define public  
involvement.**

**MOTION CARRIED**

**(ix) Contract between Town and Back Check**  
Councilor Nola Folker-Hill noted that at the March 7<sup>th</sup> meeting of Council Advisory Committee, CAO Robicheau reported that following the preparation of a contract between the Town and BackCheck -a division of Checkwell Decision Corporation, (which involves those amendments requested by Council), this final document has been brought forward for execution. This document establishes the rate and payment schedule, amongst other things, for the worked carried out on the assigned investigations.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that the contract between the Town and  
BackCheck be signed by the Town of  
Kentville, as presented.**

**MOTION CARRIED**

(x) **CAO Robicheau – Letter of Resignation**  
Councilor Nola Folker-Hill noted that the March 7<sup>th</sup> meeting of Council Advisory Committee, CAO Robicheau read his letter of resignation from the Town of Kentville, effective April 20<sup>th</sup>. He noted that for personal and professional reasons, he would be moving from the Province.

Therefore, it was moved by Councilor Bernie Cooper and seconded by Councilor Tony Bentley

**that the letter of resignation from the Chief Administrative Officer be received, and that it be forwarded on to Town Council for acceptance.**

**MOTION CARRIED**

*(Note: Mayor Corkum stated that Council reluctantly accepts CAO Robicheau's letter of resignation, as he has been a great addition to the Town and community and has further been a great resource to Council and staff with his extensive knowledge and experience.)*

**(b) Fire**

**(i) Chief's report**

A report was not received from Fire Chief Shawn Ripley.

**(ii) Fire Governance Report**

Councilor Bernie Cooper reported that at a recent meeting of this committee, the budget was reviewed, but not passed, although the fire rate was approved. A meeting was scheduled at the fire hall for this evening and the fire rate should be set at that time.

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

Councilor Bernie Cooper reported that there has not been a meeting, and therefore no report is available.

**(d) Kings Regional Development Agency**

**(a) Representative's Report**

Jennifer Weisner noted that in addition to the attached report, the annual general meeting has been scheduled for June 1 at the Kings Mutual Century Centre and

further information will be sent as the time approaches. She added that Kings RDA will begin a strategic plan with the Village of Canning this week. Further, Kings RDA has recently partnered with the Colchester RDA and two representatives have been sent to Dublin, Ireland to a trade show. There have been many expressions of interest in locating to Kings County as a result of that trade show.

It was moved by Councilor Tony Bentley and Councilor Eric Bolland

**that the report from Kings CED be received.**

**MOTION CARRIED**

Points from Discussion

- The Hotel Study should be completed very soon and a copy will be sent out.

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

Mayor David Corkum reported that Tiffany Connell has returned to work and he expects that many of her projects will be resumed shortly.

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

Councilor Tony Bentley reported that there has been no meeting since last reporting.

**(g) Environmental Advisory Committee  
(i) Report**

Councilor Eric Bolland reported that from the recent strategy session, it was noted that more public education is required on green issues. Further, Earth Hour saw a lower level of participation overall, although Kentville showed good support of the project.

It was moved by Councilor Eric Bolland and seconded by Councilor Bernie Cooper

**that the Environmental Advisory Committee Report be received.**

**MOTION CARRIED**

**(h) Councilors' Report**

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Councilor Tony Bentley reported that he attended all regular meetings, as well as two library meetings and a Water Commission meeting.

Councilor Nola Folker-Hill reported that she attended all meetings and last week met with NS Association of Police Boards with the Minister of Justice in Halifax. As the Chairs to the Boards were also invited to this meeting, this allowed for some networking.

Councilor Mark Pearl (absent)

Councilor Eric Bolland reported that he attended all meetings, although was not able to attend Kings RDA on behalf of Councilor Pearl, due to a conflict in his schedule. He added that he attended the Kentville and Area Youth Committee meeting and that a report will be coming to the next meeting of CAC. Lastly, he spent about 4 hours on the phone with students from Dalhousie University, regarding the issue of idling.

Councilor Bernie Cooper reported that he attended all meetings, including the meeting with the Minister of Justice in Halifax, as part of the NS Association of Police Boards.

Deputy Mayor Bill Boyd (absent)

**(i) Mayor's Report**

Mayor Corkum reported that his monthly report is attached, however, wished to reiterate that:

- He attended the AVRSB meeting regarding the new KCA;
- He met with Ed Coleman who will do some newspaper articles on the Town's 125<sup>th</sup> birthday;
- He attended the UNSM Board Meeting regarding the Town's Task Force, (dealing with the plight of towns);
- He met with Minister MacDonell (SNSMR) regarding changes to the Memorandum of Understanding with municipalities;
- He attended the Mayors and Warden meeting (there appears to be a will to return to the Kings Partnership Steering Committee);

- He made a presentation to the Pee Wee A Provincial Tournament, at which a dedication of a “coaches corner” was made for Doug Eaton (a great community volunteer) who recently passed away

## CORRESPONDENCE

### **(a) Canadian Commission for UNESCO**

A letter acknowledging Council’s resolution to join the Canadian Coalition of Municipalities Against Racism and Discrimination was received. In this, the author asked for contact information for an elected official and town staff person, who would receive information. In addition, a progress report on the timelines for the development of the Plan of Action was also requested.

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

**that these requests should be addressed at a future CAC meeting.**

**MOTION CARRIED**

### **(b) E-mail from Councilor Mark Pearl**

Councilor Mark Pearl wished to have his comments read into the minutes of Council, as they related to the issue of the contract between the Town and BackCheck. Therefore, quoted from his email is this message -

“I do not support the motion to continue with BackCheck. It is, in my opinion, a revenue stream that is not sustainable and not in the best interest of the residents of Kentville, and proven itself, at best, problematic, and at worse, against best accounting practices.”

## NEW BUSINESS

### **(a) Letter of Resignation – Greg Kehoe**

Director of Transportation Services and Public Works, Greg Kehoe, presented his letter of resignation from his employment with the Town of Kentville, effective April 15, 2011. He added that he has accepted a position in Ottawa, which is closer to family. However, he has chosen this move at the cost of leaving a Town that he enjoys and a group of people that he respects.

Both Mayor Corkum and CAO Robicheau acknowledged Greg’s contribution to the Town during his employment.

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By the consensus of Council, it was agreed

**that the letter of resignation, as submitted by  
Greg Kehoe, effective April 15, 2011, be  
accepted.**

**AGREED**

**PUBLIC COMMENTS**

none

**ADJOURNMENT**

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

**that the meeting adjourns at 8:00 p.m. to go  
In Camera to discuss matters of litigation,  
land negotiations and personnel.**

**MOTION CARRIED**