



Town Council Meeting

April 16, 2024

7:30 p.m.

Council Chambers, Town Hall

359 Main Street

Agenda

Call to Order

1. Approval of Agenda

2. Approval of Minutes

- a. Town Council Meeting, March 19, 2024
- b. Special Town Council Meeting, March 27, 2024

3. Comments from the Mayor

4. Public Input / Question Period

PLEASE NOTE:

- Public Participation is limited to 30 minutes
- Each Person is limited to 3 minutes and may return to speak once, for 1 minute, if time permits within the total 30-minute period
- Questions or comments are to be directed to the Chair
- Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred, but no decision has been made by Council, will not be answered.

5. Motions/Recommendations from Committee of the Whole, March 5, 2024:

- a. RFD 016-2023 Devour Amended MOU Capital Grant



6. Motions/Recommendations from Committee of the Whole April 2, 2024:

- a. RFD 017-2024: Policy#110-010, Public Input Policy Amendments
- b. RFD 018-2024: Policy#110-015, Presentation to Council Policy
- c. RFD 019-2024: Policy#120-006, Flag Flying Policy Amendments
- d. RFD 020-2024: Repeal of Policy#120-012, Town & Gown Policy
- e. RFD 021-2024: Spring Debenture Pre-Approval
- f. RFD 024-2024: Welcome Centre Extra Costs for Unsuitable Soils

7. Motions/Recommendations from Special Committee of the Whole April 16, 2024:

- a. RFD 025-2024 East End Gateway Parking Lot Budget Amendment

8. Regular Meeting Adjourned

REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

Department: Planning & Economic Development



SUMMARY

Slow Motion Food Film Fest Society (Devour) - One Time Capital Request MOU – Timing Amendment + Project Update

Slow Motion Food Film Society (Devour! The Food Film Fest) received a one-time capital grant from the Town in 2021 (see attached original MOU and reports). The one-time capital grant was based on Devour! completing a universal (accessible) public washroom and a large deck on the north side of the building (see drawings included in this report for context).

Although renovations of the Devour! complex are substantially underway, the main deliverables have not been able to be completed on schedule, as per the original MOU, and Devour! is requesting an extension. Section 2.1 of the original MOU states the following about the 2 key elements of the funding:

- (h) As part of the Renovations, construct one fully equipped universal washroom on the main floor that meets CSA B651-18 standards and include adult changing tables and emergency call systems. This washroom must be open and available for use by the general public during regular business hours and any other hours that Devour! Studios is open for business. Devour! must install wayfinding and signage for this washroom as required. This washroom is in addition to any other accessible washrooms required in the Devour! Studios space.

- (n) Complete construction of the Deck by December 31, 2023. Wolfville may, in its sole discretion, extend this deadline. Prior to commencing construction of the Deck, Devour! must submit the final design of the Deck to Wolfville's Director of Planning and Development and Director of Parks and Recreation for their approval. If construction of the Deck is not completed by December 31, 2023 (or such later date as agreed to by Wolfville), Wolfville will not be required to pay the \$50,000 for the costs of the Deck to Devour!. Upon completion of construction of the Deck, Devour! shall be responsible for all repairs and maintenance to the Deck.

DRAFT MOTION:

That Council approve the attached MOU amendment and direct the CAO to sign and execute this amendment, along with other forthcoming enabling documents (agreement detailing the scope of work/sewer line for the deck and amended Rail Line Lease).

REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

Department: Planning & Economic Development



CAO COMMENTS

Over the past few years, Council has made it a practice to execute MOU's with organizations that receive significant grant contributions from the Town. In the case of the Slow Motion Food Film Fest Society grant, Council felt that public access to the space was a priority. Construction timelines have been challenging to meet for various reasons.

1) LEGISLATIVE AUTHORITY

Municipal Government Act

Town Policy 710-003 Grants to Organizations

2) STAFF RECOMMENDATION

Staff are recommending the approval of the amendment request – these projects provide value to our downtown core, are well underway, and only the timing component is being amended.

3) REFERENCES AND ATTACHMENTS

1. Memorandum of Understanding (MOU) AMENDMENT
2. RFD 035-2021 and RFD 004-2021 (attached)

4) DISCUSSION

Note: **See other reports (attached) on this topic for further background and information.**

Since the onset of this request, Council has made public access and the public benefit of this request a priority. There was a recognition by Council that this is a significant request of public funds.

The deck is being located to accommodate future flood risk work and is being designed to be removed, if required, to accommodate sewer sewer line repairs. A separate agreement is being drafted to outline project scope details and risks regarding the sewer line.

Staff are looking to support this work happening during the spring/summer of 2024 by removing most of the fence in Waterfront Park and doing other needed maintenance (signage, gardening, tide clock, seating) to enhance the experience there until larger investments are made as part of the Flood mitigation work. The WBDC will also be installing hammocks to further improve the space.

An amendment to our Rail Line lease has also been agreed to – to ensure the paving of the trail from Harbourside to the Farmers' Market, the devour deck and other improvements are included. The Rail Line will be a part of the planning document review undertaken as part of the Housing Accelerator Fund work – commencing in November 2024 with the new Council. There are Development rights along the line now – where it is at its widest – and a plan was prepared for the

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owner in 2010-2011 by DenHartog Architects that informed the development rights currently in our Municipal Planning Strategy/Land Use By-law. A Secondary Plan will be the best tool to enable change along this corridor – so the area can be assessed comprehensively for housing and mixed use opportunities.

Updated drawings of deck and floor plan for the washroom are included here.

[Devour! Deck – updated drawings and renderings:](#)

Regular operating and public use:



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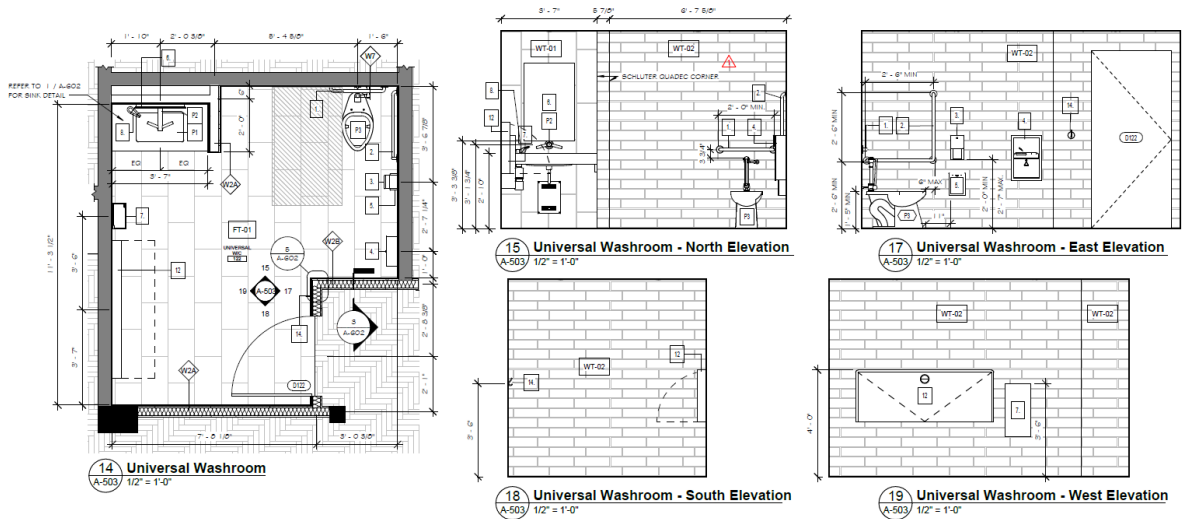
Department: Planning & Economic Development



Event Activation scenario:



Universal Public Bathroom drawings:



REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

Department: Planning & Economic Development



5) FINANCIAL IMPLICATIONS

No change - \$50,000 has been provided. The other \$50,000 (for the deck) has not.

6) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Covered under previous reports.

7) COMMUNICATION REQUIREMENTS

Communication around improvements to Waterfront Park will be coordinated before they are undertaken.

8) ALTERNATIVES

- Council does not approve the motion.

This MOU Amendment Agreement is dated the ___ day of _____, 2024

BETWEEN:

Town of Wolfville (“Wolfville”)

- and -

Slow Motion Food Film Fest Society (“Devour!”)

WHEREAS:

- A. The parties entered into a Memorandum of Understanding dated July 8, 2021 (the “MOU”) under which Wolfville agreed to provide \$100,000 to Devour! towards the costs of renovations and constructing a large deck on the north side of the building at 360 Main Street, Wolfville, for the use of the patrons of Devour! and for use of the general public;
- B. The parties wish to amend the MOU as set out in this MOU Amendment Agreement,

The parties agree as follows:

- 1. Unless stated otherwise, capitalized terms in this MOU Amendment Agreement have the same meaning as in the MOU.
- 2. Devour! shall complete the construction of the universal washroom on the main floor required by paragraph 2.1(h) of the MOU by no later than **December 31, 2024.**
- 3. Devour! shall complete the construction of the Deck by no later than **December 31, 2024.**
- 4. Except as amended by this MOU Amendment Agreement, the MOU remains in full force and effect.

Signed this ___ day of _____, 2024.

Town of Wolfville

Per: _____

Witness

Slow Motion Food Film Fest Society

Per: _____

Witness

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



SUMMARY

Slow Motion Food Film Fest Society (Devour) - One Time Capital Request MOU

Slow Motion Food Film Society (Devour! The Food Film Fest) is seeking financial support in the amount of \$100,000 to renovate and operate a facility in Wolfville. Details of this facility and business plan were outlined in an earlier Request for Decision number 004-2021.

Council asked staff to work to develop a Memorandum of Understanding (MOU) with Devour to ensure public access and use of space was appropriate to the request.

The motion listed below, if approved, would provide the Slow Motion Food Film Society with the request capital grant in the amount of \$100,000.00.

DRAFT MOTION:

That Council approve the attached MOU and direct the CAO to sign and execute this agreement.

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



1) CAO COMMENTS

Over the past few years, Council has made it a practice to execute MOU's with organizations that receive significant grant contributions from the Town. This practice ensures that it is clear from the beginning what the expectations for both the Town and the grant recipient are. In the case of the Slow Motion Food Film Fest Society grant, Council felt that public access to the space was a priority.

With the inclusion of a large publicly accessible deck space as part of the development, it is felt that this goal of Council has been achieved.

2) LEGISLATIVE AUTHORITY

MGA 65 au (V)

Town Policy 710-003 Grants to Organizations

3) STAFF RECOMMENDATION

Staff do not provide recommendations related to one-time capital grants requests.

4) REFERENCES AND ATTACHMENTS

- a. Memorandum of Understanding (MOU) – attachment A.
- b. Request for Decision 004-2021 – attachment B.

5) DISCUSSION

Since the onset of this request, Council has made public access and the public benefit of this request a priority and their guiding light to assist them in reaching a decision. There has been recognition by Council that this is a significant request of public funds.

Although the discussion of directly linking a portion of the funding to a large publicly accessible deck on the North side of the building was not at the forefront of earlier discussions it seems to address an area of concern around public benefit and public access. It should also be recognized that the portion of funding reserved for the deck would not be the total cost and represent a share of the total cost, with the rest coming from Devour and or through additional grant funding. The Town of Wolfville is working with Devour to submit a grant application to assist in funding this space.

In conversations with the Director of Planning and Development, in incorporating the deck into our forward-thinking risk management planning, a situation has emerged to create space for public use and start the process of flood risk mitigation.

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Department: Parks and Recreation



The original RFD 004-2021 speaks to the benefits that the new Devour! Studio will afford Wolfville and surrounding areas. The development of such a site speaks directly to the type of community Wolfville is working hard to develop:

Devour! Studios is conceptualized as multi-tenant, multipurpose permanent home for Devour. A space to host, entertain, educate, and promote. Promotions which are not only limited to that of the Town, but of the surrounding agri-food sectors and tourism more broadly. (Taken from original RFD)

And

The Devour Studios will contribute directly to improving the quality of life for all citizens of Wolfville by creating a cultural, placemaking and economic hub in the center of Town. It will expand the capacity of the town to offer myriad new opportunities for leisure, culture and recreation and educational activities. (Taken from application for funding)

6) FINANCIAL IMPLICATIONS

None provided here, covered under previous report. See attachment B.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

None provided here, covered under previous report. See attachment B.

8) COMMUNICATION REQUIREMENTS

Based on Council's preference and working with the Office of the CAO, a communication plan will be developed.

9) ALTERNATIVES

- Council does not approve the motion.
- Council can adjust the amount of funding they are willing to provide.

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



10) ATTACHMENTS

See attachments A and B

A) Memorandum of Understanding:

MEMORANDUM OF UNDERSTANDING made this ____ day of _____, 2021.

BETWEEN:

Town of Wolfville (“Wolfville”)

OF THE FIRST PART

AND

Slow Motion Food Film Fest Society (“Devour!”)

OF THE SECOND PART

WHEREAS Devour! is working towards creating Devour! Studios, a world-class event and programming space in the core of downtown Wolfville;

AND WHEREAS Wolfville and Devour! recognize the importance of the provision of facilities to members of the public, and wish to work together to make available such facilities;

AND WHEREAS Wolfville has agreed to provide funding in the amount of \$100,000 to Devour!, to be designated towards the costs of renovations and the opening and making ready of the Devour! Studios space for the 2021 Devour! The Food Film Fest, and towards the cost of constructing a large deck on the north side of the building at 360 Main Street, Wolfville, for use of the patrons of Devour! and for use of the general public;

AND WHEREAS Wolfville and Devour! wish to create a transparent governance mechanism to ensure that the facilities at Devour! are used safely and with fair access to all parties;

THEREFORE, in consideration of the covenants and agreements contained in this Memorandum of Understanding, the parties agree as follows:

1.0 PURPOSE

1.1 The purpose of this Memorandum of Understanding is to ensure a clear, transparent, and mutually agreeable funding agreement is in place to govern issues related to Devour!’s use of funds provided by Wolfville for the purpose of renovating and opening Devour! Studios to be located at 360 Main Street Wolfville. Devour! Studios is the multi-purpose permanent home of Devour! The Food Film Fest, and in addition provides space designed to host large events, culinary and arts education, cultural celebrations, and production and office space for the music, film, and arts community.

Devour! is a non-profit society registered under the Nova Scotia Societies Act and is a registered charity with CRA Charitable Status Registration Number 82909 4135 RR0001. Devour!'s contact is Michael Howell, 40 Belcher Street, Kentville NS.

1.2 This Memorandum of Understanding will aid in strengthening the partnership between these two organizations to promote community use of the Devour! Studios facility, including the addition of any future space (indoor or outdoor) that may be developed at the site.

2.0 RESPONSIBILITIES AND EXPECTATIONS OF DEVOUR!

2.1 Devour! shall:

- (a) Use \$50,000 of the \$100,000 provided by the Town under this Memorandum of Understanding toward payment of the capital costs of the renovations to 360 Main Street, Wolfville, as described in the document entitled "Devour! Studios – A Centre for Culinary and Cultural Innovation – Business Plan" submitted by Devour! with its application to Wolfville for this funding (the "Renovations").
- (b) Use the other \$50,000 of the \$100,000 provided by the Town under this Memorandum of Understanding toward payment of the capital costs of constructing a large deck on the north side of the building at 360 Main Street for use of the patrons of Devour! and for use of the general public (the "Deck").
- (c) Once the Renovations are completed, make the Devour! Studio's space (excepting private office space, rented space, or production space) open to the general public during regular business hours and any other hours that Devour! Studios is open for business.
- (d) Once construction of the Deck is complete, make the Deck open to the general public.
- (e) Permit groups and organizations to book the facilities in the Devour! Studios space through a rental agreement. To the extent possible, Devour!, through its insurance coverage, will provide insurance coverage to users of the facilities.
- (f) Establish rental rates for the facilities in the Devour! Studios space on a sliding scale, with rates for local community, not-for-profit groups discounted from the rates charged to corporate and institutional users. Rental rates will be posted and made available to interested groups. Events and facilities booked by Wolfville will receive a preferred rate of 50% off the lowest established rate. The maximum number of events available at a preferred rate for events and facilities booked by Wolfville is four events per calendar year.
- (g) Once each year, provide free of charge to Wolfville the use of the event space and supporting services (bar, kitchen, stage and technology) to host a fundraising event for the Mudley Fund, with all funds raised at the event directed to that Fund. The costs of any

food, beverages and staffing will be negotiated at the time of planning the event, but will not exceed the amounts normally charged by Devour!.

- (h) As part of the Renovations, construct one fully equipped universal washroom on the main floor that meets CSA B651-18 standards and include adult changing tables and emergency call systems. This washroom must be open and available for use by the general public during regular business hours and any other hours that Devour! Studios is open for business. Devour! must install wayfinding and signage for this washroom as required. This washroom is in addition to any other accessible washrooms required in the Devour! Studios space.
- (i) Maintain a minimum of two fully accessible parking spaces in the parking lot. Proper sizes and signage is required (refer to CSA B651-18 for standards) for each of these spaces.
- (j) Communicate to Wolfville any changes to schedules or cancellations of the Renovations.
- (k) Acknowledge Wolfville's support publicly through a permanent plaque or signage in the Devour! Studios space, or through such other means as Wolfville and Devour! agree.
- (l) Commence the Renovations in calendar year 2021 as soon as all permits, licenses and approvals from funding partners have been secured. Should Devour! be unsuccessful in securing the necessary funding or construction permits required, Devour! must return the \$50,000 for the Renovations to Wolfville upon demand.
- (m) Complete a substantial proportion of construction of phase one of the Renovations by October 20, 2021 in time to host the Devour! The Food Film Fest and complete all Renovations by December 31, 2022. Wolfville may, in its sole discretion, extend these deadlines. If all of the Renovations are not completed by December 31, 2022 (or such later date as agreed to by Wolfville), Devour! must return the \$50,000 for the Renovations to Wolfville upon demand.
- (n) Complete construction of the Deck by December 31, 2023. Wolfville may, in its sole discretion, extend this deadline. Prior to commencing construction of the Deck, Devour! must submit the final design of the Deck to Wolfville's Director of Planning and Development and Director of Parks and Recreation for their approval. If construction of the Deck is not completed by December 31, 2023 (or such later date as agreed to by Wolfville), Wolfville will not be required to pay the \$50,000 for the costs of the Deck to Devour!. Upon completion of construction of the Deck, Devour! shall be responsible for all repairs and maintenance to the Deck.
- (o) Ensure that the building at 360 Main Street and the activities and operations of Devour! at the building are adequately and properly insured with such insurance in such amounts as is prudent, given the value of the building and the uses that will be made of the building.

- (p) Provide, within seven (7) days of a request being made, full and complete answers to all enquiries related to the Devour! Studios facility by Wolfville that do not pertain to commercially confidential third-party information generally described in Nova Scotia's *Freedom of Information and Protection of Privacy Act*.
- (q) Defend, indemnify and save harmless Wolfville, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of Devour!, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of this Memorandum of Understanding. This indemnity shall be in addition to and not in lieu of any insurance to be provided by Devour! in accordance with this Memorandum of Understanding and shall survive this Memorandum of Understanding.
- (r) Comply with all applicable laws of the Province of Nova Scotia and the Dominion of Canada and all by-laws and policies of Wolfville and any other municipal jurisdiction in which Devour! operates its business.

2.2 Devour! shall not:

- (a) Represent that Devour! and Wolfville are partners or joint ventures.
- (b) Represent that Wolfville guarantees the completion of the Renovations or provides any control over or oversight of the activities of Devour!.

2.3 Any other services provided by Devour! to Wolfville shall be agreed upon by Wolfville and Devour! and may be at a cost to Wolfville.

2.4 If any of the following occurs, Devour! must return all funds it has received under this Memorandum of Understanding to Wolfville upon demand:

- (a) the Devour! Studios space is no longer open to the general public as required by paragraph 2.1(c) of this Agreement;
- (b) the Deck is no longer open to the general public as required by paragraph 2.1(d) of this Agreement;
- (c) the property at 360 Main Street, Wolfville, is sold or transferred to anyone other than Devour! before December 31, 2026.

- 5.2 This Memorandum of Understanding ensures to the benefit of and is binding upon the parties, their administrators, successors, and assigns.
- 5.3 This Memorandum of Understanding and any documents expressly contemplated by this Memorandum of Understanding constitute the entire agreement between the parties. No representations, warranties, covenants, or agreements, whether oral or written, between the parties with respect to the subject matter hereof are binding upon the parties subsequent to the date of execution of this Memorandum of Understanding.
- 5.4 The parties agree that this Memorandum of Understanding shall be interpreted in accordance with the laws of the Province of Nova Scotia and the Dominion of Canada. The parties agree that the courts of Nova Scotia do not constitute a forum non conveniens. (Definition: A court's discretionary power to decline to exercise its jurisdiction where another court may more conveniently hear a case).
- 5.5 The parties and the signatories to this Memorandum of Understanding confirm that each party has signed this Memorandum of Understanding by its proper signing authority and that the signatories have the authority to bind each party to the Memorandum of Understanding.
- 5.6 In the event of a dispute arising out of or relating to this Memorandum of Understanding, including any question regarding its existence, validity or termination, the parties shall first seek settlement of that dispute by mediation. The mediation shall be conducted under the then current mediation procedures of ADR Atlantic Institute or any other procedure upon which the parties may agree. The parties further agree that their respective good faith participation in mediation is a condition precedent to pursuing any other available legal or equitable remedy, including litigation, arbitration, or other dispute resolution procedures. Either party may commence the mediation process by providing to the other party written notice, setting forth the subject of the dispute, claim or controversy and the relief requested. Within ten (10) days after the receipt of the foregoing notice, the other party shall deliver a written response to the initiating party's notice. The initial mediation session shall be held within thirty (30) days after the initial notice. The parties agree to share equally the costs and expenses of the mediation (which shall not include the expenses incurred by each party for its own legal representation in connection with the mediation).

6.0 TERM

- 6.1 This Memorandum of Understanding will become effective and valid on the last day signed by an authorized representative of Wolfville or Devour.!

IN WITNESS WHEREOF the parties hereto have caused this Memorandum of Understanding to be properly executed on the dates hereinafter set forth

SIGNED, SEALED AND DELIVERED

Erin Beaudin, Chief Administrative Officer

Town of Wolfville

Date

Witness

Date

Roma Dingwell, Chair, Board of Directors

Slow Motion Food Film Fest Society

Date

Witness

Date

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



B) Request for Decision 004-2021:

SUMMARY

Slow Motion Food Film Fest Society (Devour! The Food Film Fest) – One time Capital Grant Request.

Slow Motion Food Film Society (Devour! The Food Film Fest) is seeking financial support in the amount of \$100,000 to renovate and operate a facility in Wolfville. Details of this facility are outlined in the attached application.

This contribution represents 2.7% of the project’s expected capital cost (\$3,700,000). Current timeline provided for the project has construction/renovations to begin April 1st, 2021.

As per the Grants to Organization Policy, 710-003, staff is not making a recommendation regarding the grant request. Staff is providing a Draft motion (see below) and alternatives (see section 9):

DRAFT MOTION:

That Council refer the one-time capital request in the amount of \$100,000.00 to assist and support the establishment of The Devour! Studios as part of the 2021-22 budget process.

1) CAO COMMENTS

Staff has provided information to assist Council with this decision. As per policy, there is no recommendation coming from staff. It is important that Council consider not only the criteria scoring of this application, but also the current financial situation of the Town and our ability to provide the grant.

2) LEGISLATIVE AUTHORITY

- *Municipal Government Act 65A(1)(a)*
- *MGA 65(2), (3), & (5)*

3) STAFF RECOMMENDATION

No recommendation.

4) REFERENCES AND ATTACHMENTS

Please find attached application at the end of this RFD.

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



5) DISCUSSION

This request supports ambitious plans to purchase, renovate and operate a unique culinary and cultural HUB within the Wolfville downtown core. Devour! Studios: A Centre for Culinary and Cultural Innovation. This is bold step forward for Devour! The Food Film Fest. And, timely after ten years of operations.

Located at 360 Main Street, Devour! Studios is conceptualized as multi-tenant, multipurpose permanent home for Devour. A space to host, entertain, educate, and promote. Promotions which are not only limited to that of the Town, but of the surrounding agri-food sectors and tourism more broadly.

There are several obstacles to navigate to ensure a clear path forward. The Executive Director provided the following timeline which outlines these more clearly and should help in understand scope of project:

New proposed timeline:

November 20- Invest Presentation and decision (\$990K) - Secured!

January 2021 John and Anne secure property, establish lease and sale covenant with SMFFF

February 2021- Short Term Property management contract established w/SMFFF

By March 31- Secure CCH funding and Heritage Canada commitments

March - project management finalization - Construction co, Architect designs and timelines

April 1- Renovations begin

June 1- Capital Campaign milestone \$700k

Phase 1 renos for Main Floor, Coolers and storage lockers by October 1

Phase 2 renos completed by December 31, 2021

Wrap Capital Campaign \$1M total by December 31, 2021

January 2022 - Commence full-time operations of space

Secure Debt Financing by end of March 2022

Transfer ownership to SMFFF by March 31, 2022

Staff facilitated a presentation to Council on January 12, 2021 to provide a first-hand overview of the project and the ask. It is the hope of staff that this presentation provided meaningful information to help inform decision making and ultimately direction moving forward in terms of the capital request.

It should also be mentioned that not only does the establishment of this project come with a direct financial ask by way of a capital grant request, Devour! The Food Film Fest has been a recipient of dollars through the Strategic Partnership Program in the past and could potentially be a partner in

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Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



the future (current agreements end in 2021) and based on their presentation, is looking for 10 years of graduated taxation.

For the moment, Council should review this as a two part issue. First is the one time grant request and the other is a graduated tax accommodation. The second part cannot be answered at this time as Council has not enacted a Bill 177 framework for the Town. The new MPS included enabling provisions to allow Council to consider a graduated tax framework, however the required bylaw has not been established. It is an initiative that requires a process in the coming year involving staff resource and recommendations to PAC and ultimately to Council.

If Council refers this to budget process, it should be done with the knowledge that several details would need to be clarified by the applicant before any actual dollars could be forwarded to the Devour! organization. These would include ownership of the building and what if any of the renovation dollars involve the non-Devour portion of the building.

6) FINANCIAL IMPLICATIONS

Unless Council decides otherwise, the funding for all capital grants are drawn from Town reserves. It is possible to include grants under this program within the capacity of the annual tax levy; however, there are numerous other demands on property tax revenues for services provided directly by the Town.

*As noted in previous years, grants paid to outside organizations should be considered from a number of perspectives, and with regard to financial, Council should consider the current financial status of the Town and the anticipated financial requirements in the coming years. Any time grants are provided to an external organization, those dollars are no longer available for use on direct Town responsibilities. In addition, **grants issued in the past may have occurred when there were available dollars, which may not always be the case year in and year out.***

As discussed during the Council's early budget deliberations, there are significant pressures on Town funds in the upcoming years, including ongoing infrastructure needs, proposed new Library, Accessibility Plan goals, flood risk and climate change mitigation efforts. Although the Town currently has Operating Reserves on hand (savings), the draft 10 Year Capital Investment Plan could use all available funding. There is also a best practice benchmark level of reserves that any Town should ensure is set aside for material, unanticipated events within their borders.

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Department: Parks and Recreation



As per previous practice, it would be recommended that if interested in this request, that Council refer it to the 2021/22 budget process in order for Council to have the benefit of all other financial pressures that have to be considered in spending finite taxpayer dollars. If Council feels it is not prepared to support the request, it could be turned down which simplifies the budget process moving forward.

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This project would directly align with Council priorities in terms of improving quality of life through regional and cultural activities as well as by way of economic development (both directly and indirectly).

Devour! Studios could ensure long-term investment in the downtown core and encourage growth in the tourism and event sectors, as well as training and educational uses. Each of three pillars (Improving Quality of Life for All, Maximizing our Infrastructure Investments, and Leveraging our Economic Opportunities) of Councils Strategic Plan can be identified through a lens focusing on the work and forward thinking Devour! Studios offers.

Council Strategic Principles:

- 1. Affordability**
- 2. Transparency**
- 3. Community Capacity Building**
- 4. Discipline to Stay the Course**
- 5. United Front**
- 6. Environmental Sustainability**

8) COMMUNICATION REQUIREMENTS

The applicant will be notified of Council's decision.

9) ALTERNATIVES

To assist Council in its decision making, the following alternatives have been provided:

- 1. Council could provide a grant, with a lower or higher amount.*
- 2. Council could choose not to provide the grant.*
- 3. Council could choose to allocate grant funds over multiple years with the stipulation that a grant in any future years is contingent on a re-evaluation of available funding, i.e. no future amount would be guaranteed.*

10) Grant Application:

Name of Organization: **Slow Motion Food Film Fest Society (Devour The Food Film Fest)**

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU
Date: 2021-06-09
Department: Parks and Recreation



Contact Person: **Michael Howell**

Mailing Address/PO Box: **40 Belcher Street**

City: **Kentville**

Email Address: michael@devourfest.com

Phone - Work: **902 679 0297**

Phone - Home: **902 542 7484**

Social Media Contact - Facebook: <https://www.facebook.com/devourfest>

Social Media Contact - Twitter: <https://twitter.com/devourfest>

Social Media Contact - Instagram: https://www.instagram.com/devour_fest/

Social Media Contact - Other:

Is your organization a registered charity?: **Yes**

If yes, what is your CRA Charitable Status Registration Number?: **82909 4135 RR0001**

Is your group a non-profit organization?: **Yes**

Is your organization registered with Joint Stocks?: **Yes**

Did you receive funding last year through the CPP?: **No**

If yes, did you submit a final report?: **No**

What percentage of this event/program takes place in Wolfville?: **100**

Please provide a detailed purpose and description of the request: **The Devour! Studios will be unique in Canada – an audacious vision of a world-class facility programmed and tenanted by leaders in the field, cultural partners, community groups and organizations. By purchasing, renovating and operating a facility with multiple revenue streams (to support sustainable operations) and creating equity for the Slow Motion Food Film Fest (SMFFF) the charitable aims of SMFFF can be supported, and in fact grow. The cohesive community-based nature of this project (like minded organizations under one roof) can be interpreted as building community resilience as well as fiscal stability. By celebrating the bounty of Nova Scotia in our agricultural heartland, bringing opportunity to celebrate Indigenous, Acadian and minority culture through programming and visual arts presentations, visitors and clients will better understand the farm-to-table movement, procure more**

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



regional products and learn more about our history and culture. Devour! (SMFFF) will offer in-depth programming that defines the region and our gastronomic history with a focus on seafood, agri-foods from our rich soils, beverages created from the terroir and merroir as well as improving the skill sets of our labour force to make us more competitive on a global scale. SMFFF will grow the rural economy so we can celebrate and promote the culture of our region through music, art and community engagement. SMFFF will provide and manage a facility for social enterprises, not for profits and arts and culture activities to grow programs in support of communities like regional food banks, culinary education for youth and students, mentorship programs for supporting workplace development. The funds requested will be to making capital improvements to the facility that could conceivably include the Wolfville Tourist Bureau and a dedicated box office, info counter, improve wayfinding, act as a gateway to the Wolfville Waterfront and Harvest Moon Trail and improved accessibility for all.

How does the request align with Council's Strategic Plan?: The Devour Studios will contribute directly to improving the quality of life for all citizens of Wolfville by creating a cultural, placemaking and economic hub in the centre of Town. It will expand the capacity of the town to offer myriad new opportunities for leisure, culture and recreation and educational activities.

Improving the systems in the facility to be post-covid, broadcast ready, availing new technologies for attracting business (film and music industry) and cultural industries while maintaining the history of the facility; a former apple warehouse directly on the Wolfville waterfront.

By opening up programming and tenancing to all walks of life (social enterprise cafe, Taste of NS retail area, cultural events celebrating the history of the region and a much expanded presence of Devour! and Deep Roots Cooperative in the town, we offer something for all)

By improving the existing structure and creating a pleasing and modern approach to the new "centre of town" this creates a HUB around which and in the town can grow and take civic pride.

To advance Wolfville as a premier destination in Atlantic Canada for culinary, craft beverage, wine, agri-tourism and cultural tourism experiences.

To create a business ready environment for future expansion and attraction opportunities. This project clearly demonstrates complete alignment with Town priorities

To foster the success of our existing business community.

What is the target demographic that this request would serve?: all ages, all walks of life. Specific attraction to grow the visitor economy by attracting visitation from all regions, regionally, nationally and internationally

What would the tangible benefit(s) be to the community?: Economic development, additional physical resources to grow visitation and community resilience. CULTURAL HUB - A showpiece to build community pride (Think the Decoste Centre in Pictou). A facility that aligns art, culture agri-food opportunities under one roof), a home for arts organizations like Deep Roots and Devour, cultural organizations like VANSDA, The Landscape of Grand Pre, Glooscap First Nation, industry associations like WANS and potentially others that creates a visible place that visitors and residents alike can conceive as an anchor to our community. Centralizing box offices and potentially Visitor information services in the centre of town contributes to accessibility and mobility. A more visible potential home for the Magic Winery Bus, public washrooms, and facilities open to the public. The facility will create employment for up to six full time jobs and upwards of 50 parttime jobs.

Beautification of the facility will enhance community pride. As a place welcoming minorities, the

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

Department: Parks and Recreation



Devour! Studios will advance diversity in our community – for example, working with VANSDA to create educational opportunities for black youth in our community helps build resilience and acceptance

Application Checklist upload: [5f9c513884eaa-Devour Draft Business Plan October 16.pdf](#)

Program/Event Description: [5f9c51388d4c7-Devour Studios Brochure.pdf](#)

*Total funding requested of the Town: **\$100,000***

*Total capital costs of project: **\$3,700,000***

*Total project cost: **\$6,200,000***

Certification: I certify that, to the best of my knowledge, the information provided in this application is accurate and complete and is endorsed by the organization which I represent.

REQUEST FOR DECISION RFD 017-2024

Title: Public Input Policy #110-010 Amendments
Date: 2024-04-02 Amended for Council 2024-04-16
Department: Council Policy Review Task Force



SUMMARY

PUBLIC INPUT POLICY #110-010 AMENDMENTS

The Council Policy Review Task Force reviewed the Public Participation Policy #110-010 as part of their workplan. The first change discussed was the title to Public Input as it is more descriptive of what the process is.

Members of the Task Force want to encourage public input at meetings and felt that the current time allowed at Council and Committee meetings may be restrictive. To encourage public input, the recommendations in this RFD are the removal of the 30-minute restriction for public input and increase time per person from 3 minutes to 5 minutes and from 1 minute return (COW only) to 5 minutes.

Further information has been included in the policy around how to request an accommodation.

At COW, Council discussed the process of questions asked by members of the public at the input segments are referred to staff and how they are answered. Some clarifying language has been added to section 4.5.

Council requested clarity in Section 4.3 regarding the two segments of public input at COW meetings. On review it was felt revising the language in sections 4.1, 4.2 and 4.3 and condensing them into two sections 4.1 and 4.2 provides better understanding on the intent of the second public input segment at COW.

DRAFT MOTION:

~~That Council approve the amendments to Public Input Policy #110-010 as outlined in RFD 017-2024.~~

That Council approve the amendments to Public Input Policy #110-010 as outlined in RFD 017-2024 with further clarification to Section 4.3 as discussed.

REQUEST FOR DECISION RFD 017-2024

Title: Public Input Policy #110-010 Amendments
Date: 2024-04-02 Amended for Council 2024-04-16
Department: Council Policy Review Task Force



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act 1998 (Section 23)

3) STAFF RECOMMENDATION

Staff recommend Council approve the amendments to the Public Input Policy #110-010 as described in this RFD.

4) REFERENCES AND ATTACHMENTS

1. Policy 110-010 Public Input Policy

5) DISCUSSION

The Council Policy Review Task Force reviewed the Public Participation Policy #110-010 as part of their workplan. This policy describes the practice of members of the public addressing Council during Committee of the Whole, Town Council and Committee meetings.

Members of the Task Force felt that the title of the policy was not a good indication of the process. While members of the public can provide feedback and submit questions, it is not a conversational dialogue session with Council. This section of the agenda is for the public to provide Input.

While understanding the importance of time keeping in an agenda, it was felt a 30-minute session may not be enough to allow everyone who wants to speak the time to do so without feeling rushed. Similarly, 3 minutes per person with a 1 minute return at COW could be insufficient time to allow a member of the public to provide their input without feeling pressured or rushed. Public speaking can be a daunting task for many, removing the 30-minute time barrier and increasing 3 minutes to 5 minutes and 1 minute return to 5 minutes at COW may help alleviate some of that anxiety and encourage more people to offer their input at meetings. Other ways discussed which may encourage members of the public to attend meetings whether to provide input or to observe in the public gallery, is to provide accommodations, including attending virtually. Guidelines around how members of the public can attend virtually or to ask for other accommodations have been included in the policy.

Direction is given within the policy around inappropriate behaviour at public input such as shouting out from the gallery, applause or jeers and inappropriate subject matter. The Chair, in consultation with other members of Council, CAO and staff if required will decide on whether questions raised can be responded to sufficiently or whether further action is required after the meeting.

REQUEST FOR DECISION RFD 017-2024

Title: Public Input Policy #110-010 Amendments
Date: 2024-04-02 Amended for Council 2024-04-16
Department: Council Policy Review Task Force



It is recommended that Council approve the amendments made to this policy.

6) FINANCIAL IMPLICATIONS

N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

- Social Equity

8) COMMUNICATION REQUIREMENTS

This policy will be posted to the website if approved.

9) ALTERNATIVES

Council do not approve any or all amendments and may offer additional recommendations.



POLICY

Public Input at Council and Committee Meetings	
Policy Number: 110-010	Supersedes Policy Number:
Effective Date 2019-07-16	Approved By Council (Motion Number): 2019-07-17

1.0 Purpose

The Town of Wolfville is committed to supporting its citizens to become more engaged and better informed on Town matters. This policy provides for the effective management of public input sessions during Council and Committee meetings.

2.0 Scope

This Policy is applicable to all Town Council and Committee of Council Meetings.

3.0 Definitions

3.1 Public Input Session a period of time during public meetings when members of the public can offer their comments and ask questions of Council.

3.2 Chair Mayor or designated Chair of a Committee of Council.

4.0 Policy

4.1 At Committee of the Whole (COW) meetings, members of the public will have two opportunities to make comments and ask questions during public input sessions. These sessions are scheduled at the beginning of each meeting after the adoption of the minutes of previous meetings, and towards the end of the meeting after Council has received all the reports. Individual members of the public can speak for a maximum of five (5) minutes during these sessions. The intent of the second opportunity is to provide Council with any new information members may have after hearing the reports, which may help in Council in their decision-making.



POLICY

- 4.2** At regular Town Council and Advisory Committee of Council meetings, members of the public will have the opportunity to make comments and ask questions during one public input session at the beginning of each meeting after the adoption of the minutes of previous meetings. Individual members of the public can speak for a maximum of five (5) minutes during this session.
- 4.3** Members of the public will address the Chair directly with questions and comments.
- 4.4** Comments and questions that relate to personnel, current or potential litigation issues, or planning issues for which a public hearing has already occurred will not be answered.
- 4.5** The Chair, in consultation with members of Council, the CAO and/or staff designate, will determine if a question posed can be immediately answered or if it needs to be referred to staff for further follow-up. Any questions not immediately answered will be directed to a staff member for follow-up, either in writing directly to the member of the public with a copy to Council, or in a subsequent CAO Report to Committee of the Whole.
- 4.6** Members of the public participating in public input sessions will conduct themselves in a respectful manner. Should this not occur, the Chair will advise them to end their questions and/or comments immediately.
- 4.7** In order to ensure that no member of the public feels discouraged, intimidated or otherwise prevented from delivering their comments or questions, no shouting from the public gallery, applause or other expressions of emotion will be permitted during public participation sessions.
- 4.8** No audience participation is allowed.
- 4.9** Any persons wishing to attend the meeting virtually must advise the Town Clerk with at least 24 hours' notice to provide for technical set up as per Council & Committees of Council Virtual Meeting Policy 110-014 (section 5.2.3).



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- 4.10** Any persons requiring accommodation are asked to contact staff at Town Hall.
- 4.11** Members of the public are reminded that Policy Number 120-010 Routine Access Policy clarifies which Town records are available routinely upon request.

5.0 Policy Review

The Policy will be reviewed every four years from the effective/amended date.

CAO

Date

DRAFT

REQUEST FOR DECISION RFD 018-2024

Title: Presentation to Council Policy #110-015
Date: 2024-04-02 updated for Council 2024-04-16
Department: Council Policy Review Task Force



SUMMARY

PRESENTATION TO COUNCIL POLICY #110-015

This policy provides guidelines to those wishing to present to Council and a process on how to manage those requests received.

Currently, there is no formal procedure around how requests to present to Council are received and managed. This lack of process has in the past resulted in inappropriate presentations making their way onto the COW agenda.

This policy explains how these requests will be managed going forward, including what specific categories presentations should fall into to be considered, what information is required of the presenters before a decision is made to add them to an agenda and how that information is shared with the Mayor and Council.

This policy is administrative in nature and provides clear guidelines on the process going forward.

Amendments have been made to Section 5.2 to provide clarity on the process regarding all members of Council being made aware of requests to present and their involvement in deciding the appropriateness of the request as discussed at COW.

DRAFT MOTION:

~~That Council approve Policy #110-015, Presentations to Council Policy, as outlined in RFD 018-2024.~~

That Council approve Policy #110-015, Presentations to Council Policy, as outlined in RFD 018-2024 with further clarification to Section 5.2 as discussed.

REQUEST FOR DECISION RFD 018-2024

Title: Presentation to Council Policy #110-015
Date: 2024-04-02 updated for Council 2024-04-16
Department: Council Policy Review Task Force



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act 1998 (Section 23)

3) STAFF RECOMMENDATION

Staff recommend Council approve the Presentation to Council Policy #110-015 as described in this RFD.

4) REFERENCES AND ATTACHMENTS

1. Draft Presentation to Council Policy #110-015

5) DISCUSSION

Requests to present to Council at Committee of the Whole meetings currently come through a variety of channels such as through the Office of the CAO, through various members of staff or Council members directly. There are no guidelines currently to manage these requests.

This policy has been created to provide a process for tracking the requests coming in, agenda management and information sharing with Council through the Mayor as well as provide guidelines for those wishing to present to Council.

Every request to present to Council will be received by the Office of the CAO. Staff or Council members receiving requests shall forward them to the Town Clerk in the first instance. Information shall be requested of the person or group making the request regarding who they are, the purpose of the presentation and what, if any requests are being made of Council. This information will be shared with the Mayor at the weekly Mayor/CAO/Town Clerk meetings. A decision will be made on the appropriateness of a presentation to COW and timing of the presentation.

One of the Mayor/CAO or Town Clerk shall advise Council of the request and provide background information as needed.

The Town Clerk will communicate with the presenter including timelines, requirements and time slot.

This policy will assist procedurally with the agenda management process as well as improve information sharing with Council. It is therefore recommended that Council approve this policy.

6) FINANCIAL IMPLICATIONS

REQUEST FOR DECISION RFD 018-2024

Title: Presentation to Council Policy #110-015
Date: 2024-04-02 updated for Council 2024-04-16
Department: Council Policy Review Task Force



N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This policy is administrative in nature.

8) COMMUNICATION REQUIREMENTS

This policy will be posted to the website if approved.

9) ALTERNATIVES

Council do not approve this policy and continue as is.



POLICY

Presentations to Council	
Policy Number: 110-015	Supersedes Policy Number: N/A
Effective Date XXX	Approved By Council (Motion Number): XXX

1.0 Purpose

To establish guidelines for the effective management of presentations at the Town's Committee of the Whole meetings.

2.0 Scope

This Policy applies to all groups or organizations including all local community organizations, stakeholders, not-for-profit organizations, delegations, federal or provincial government agencies and partners and others which may arise at the discretion of Council who wish to publicly present to Council at a Committee of the Whole Meeting.

For individual public input see policy #110-010 Public Input at Council Meetings Policy.

3.0 Definitions

3.1 Town is the Town of Wolfville

4.0 Policy

4.1 Presentations are made at Committee of the Whole meetings.

4.2 For the purpose of this policy, presentations have been categorized into three groups:

4.2.1 Presentations from the Community includes:

- i. updating Council on local community initiatives, projects, budgets or operations.



POLICY

- ii. raising Council's awareness of new community initiatives or projects.
- iii. Celebrating successes and achievements of volunteer based or not-for-profit organizations which have a social, cultural, economic or environmental well-being in their mandate.

These groups shall be allotted fifteen (15) minutes total (*10 minutes for the presentation and 5 minutes for questions*).

4.2.2 Funding requests

Requests for funding shall be allotted fifteen (15) minutes total (*10 minutes for the presentation and 5 minutes for questions*).

4.2.3 Presentations made at the request of Council or Staff

These requests may be allotted more time on a case-by-case basis.

- 5 Committee of the Whole will refer presentations to staff for a report if they involve an expenditure of funds, grant applications, or other action on the part of the Town.
- 6 Any persons wishing to present by virtual means must advise the Town Clerk with at least 24 hours' notice to provide for technical set up as per Council & Committees of Council Virtual Meeting Policy 110-014.
- 7 Any persons requiring accommodation are asked to contact staff at Town Hall.

5.0 Responsibilities

5.1 Council will:

- i. Identify and approve any changes to Presentations to Council Policy in collaboration with the CAO or designate.

5.2 The CAO/Town Clerk will:

- i. Receive each presentation request.
- ii. **Ensure all Council members are informed of the details of each request.**



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- iii. In collaboration with the mayor, and Council, decide on the appropriateness of the request and date of COW meeting to receive the presentation.
- iv. Update the agenda packages accordingly including any presentations/reports for pre-circulation.

6.0 Presentation Requirements

- 6.1 The request to present must include:
 - i. a summary of the information of the organization being represented,
 - ii. a summary of purpose of presentation, and
 - iii. information on any requests being made of the Town.
- 6.2 Requests to present must be received with at least 14 days' notice of the Committee of the Whole meeting the request is for.
- 6.3 Presentation slides or material to be handed out to Council must be provided to the Town Clerk at least 24 hours prior to the meeting.

7.0 Policy Review

The Policy will be reviewed every four years from the effective/amended date.

CAO or Town Clerk

Date

REQUEST FOR DECISION RFD 019-2024

Title: Flag Flying Policy #120-006 Amendments

Date: 2024-04-02

Department: Council Policy Review Task Force



SUMMARY

FLAG FLYING POLICY #120-006 AMENDMENTS

This policy had not been reviewed since 2017 and was included in the Council Policy Review Task Force workplan.

Procedural updates are recommended to improve understanding around the process when requests to fly a flag on the Town flag poles are received. Council approve/deny all requests. Clarity has been provided on when a request may be denied, i.e. if the flag is associated with a contentious issue or organization.

Communication improvements ensure Council are making those decisions and not staff.

It is recommended that Council approve the amendments as described.

DRAFT MOTION:

That Council approve the amendments to Flag Flying Policy #120-006 as outlined in RFD 019-2024.

REQUEST FOR DECISION RFD 019-2024

Title: Flag Flying Policy #120-006 Amendments

Date: 2024-04-02

Department: Council Policy Review Task Force



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act 1998 (Section 23)

3) STAFF RECOMMENDATION

Staff recommend Council approve the amendments to the Flag Flying Policy #120-006 as described in this RFD.

4) REFERENCES AND ATTACHMENTS

1. Draft Flag Flying Policy #120-006

5) DISCUSSION

This policy had not been reviewed since 2017 and was added to the Council Policy Review Task Force workplan.

Amendments made are:

- i. defining the flag poles that belong to the Town and their location.
- ii. defining language included around what could be classed as contentious with regard to organizations making requests.
- iii. clarity around approvals i.e. Council not staff make the decision.
- iv. improved communications to ensure Council members know when requests are received.
- v. Description of when flags will be half-masted.

Amendments to this policy improve the understanding of the processes for members of the public, Council and staff around flag flying requests and it is recommended Council approve them as described.

6) FINANCIAL IMPLICATIONS

N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

This policy is administrative in nature.

8) COMMUNICATION REQUIREMENTS

REQUEST FOR DECISION RFD 019-2024

Title: Flag Flying Policy #120-006 Amendments

Date: 2024-04-02

Department: Council Policy Review Task Force



This policy will be posted to the website if approved.

9) ALTERNATIVES

Council do not approve the amendments to this policy and/or offer alternative amendments.



POLICY

FLAG FLYING

Policy Number: 120-006	Supersedes Policy Number: Not Applicable
Effective Date: 2009-02-16 Amended 2012-11-19 Amended 2017-06-20	Approval By Council Motion Number: 08-02-09 04-11-12 28-06-17

1.0 Purpose

The purpose of this policy is to outline the occasions for flying flags in the Town of Wolfville.

2.0 Scope

This Policy is applicable to Town staff responsible for flying Flags on the Town's flagpoles located at Willow Ave, Waterfront Park, and the Town Hall. The flagpole located at the Fire Hall is for service personnel.

3.0 References

None

4.0 Definitions

4.1 CAO means the Chief Administrative Officer for the Town.

4.2 Town means the Town of Wolfville.

5.0 Policy

5.1 It is the policy of the Town that no flag, other than a Federal Flag, a Provincial Flag, a Municipal Flag, and/or a First Nations Flag be flown from a municipal-owned flagpole with the exception of the fourth flagpole located at the Town's waterfront property. This flagpole will be designated for groups and organizations who request that their event flag be flown from a Town flagpole.

5.2 Notwithstanding the above policy, the Town will fly the appropriate flag on the occasion of a visiting dignitary for the duration of their visit to the Town.



POLICY

5.3 Additionally, the Town undertakes to provide consistent circumstances when flags on Town property will be flown at half-mast.

5.4 Specific Objectives

Through the Flag Flying Policy, the Town undertakes to:

- i. Provide a consistent response.
- ii. Provide fair and equitable opportunities; and
- iii. Provide a designated area for groups or organizations to fly their event flag from a Town flagpole.

5.5 Requests for Flag Flying

5.5.1 Flag flying requests will be in writing and directed to the office of the CAO and should include the start and end date of the request.

5.5.2 Flag flying requests are approved on a first come, first served basis.

5.5.3 Flags will only be placed on Town property in support of specific community events or activities in or around the Town at the request of the organizing group.

5.5.4 Council approval is required.

5.5.5 No requests perceived as contentious, i.e. political, religious or for any group or organization that supports social or racial intolerance, violence or hatred, shall be approved.

5.6 Responsibilities

5.6.1 The CAO will:

- i. determine if the request for half-masting conforms to the criteria of the policy.
- ii. arrange for the half-masting of the flag.
- iii. advise the Mayor, Council, **Manager of Communications** and staff of the Town's Administrative offices, **of the date the flags will be at half mast**, name of the individual, the individual's qualification for recognition under this policy and the date of the funeral or memorial service for the individual.
- iv. **ensure through the Manager of Communications that all events concerning changes made to the flags are shared with all Members of Council.**



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5.6.2 The Town Council may:

- i. at the request of the CAO, consider for approval the request submitted to Council.
- ii. at the request of the group or organization, attend the flag raising ceremony.

5.6.3 The Fire Department Operator/Mechanic shall:

- i. be responsible for changing the event flag at the request of the CAO.
- ii. be responsible for lowering the flag or flags to half-mast at the request of the CAO.

5.7 Half-Masting the Canadian Flag

5.7.1 The flag will be flown at half-mast to mark the passing of any of the prominent public figures listed below, for a period beginning when the Town is notified of the individual's death until and including the date of the funeral or memorial service, or at the discretion of the CAO:

i. Across Canada and abroad on the death of:

- The Sovereign, or a member of the Royal Family related in the first degree to the Sovereign (spouse, son or daughter, father, mother, brother or sister).
- The Governor General or a former Governor General of Canada.
- The Prime Minister or former Prime Minister of Canada

ii. Within the Province on the death of:

- The Lieutenant Governor or former Lieutenant Governor of Nova Scotia.
- The Premier or former Premier of Nova Scotia.

iii. Within the Town of Wolfville on the death of:

- The Mayor or former Mayor of the Town of Wolfville.
- A Councillor or former Councillor of the Town of Wolfville.
- A Federal Cabinet Member or former Cabinet Member who represented a constituency that included the Town of Wolfville.
- A current or former employee of the Town of Wolfville.
- A Member of the Legislative Assembly (MLA) or a former MLA who represented a constituency that included the Town of Wolfville.
- A Member of the Canadian Military whose life was lost while on active duty.

iv. In recognition of individuals from the Town, whose duties can be described as "Protective Services", including but not limited to police, fire, emergency health services, Department of Natural Resources Conservation Officer and Fisheries Officers.

5.7.1 All flags will be lowered to half-mast during the Remembrance Day Ceremony



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on November 11.

5.7.2 The flag will be flown at half-mast to mourn lives lost in traffic, **in significant local, regional, national** and international events. In such cases the decision to lower the flag and the period during which it remains at half-mast will generally mirror the practice of the Province of Nova Scotia but will be at the discretion of the CAO.

5.8 Other individuals and events may be recognized by lowering the flag at the discretion **of members of Council**.

6.0 Policy Review

The Policy will be reviewed every four years from the effective/amended date.

CAO/Town Clerk

Date

REQUEST FOR DECISION 020-2024

Title: Repeal of Wolfville_Acadia Town & Gown Policy #120-012

Date: 2024-02-04

Department: Office of the CAO



SUMMARY

REPEAL OF WOLFVILLE_ACADIA TOWN & GOWN POLICY #120-012

In June 2023 the Memorandum of Understanding between the Town and Acadia was reviewed and revised in collaboration with all partners; the Town, Acadia and the ASU (Acadia Students Union). This MOU includes the contents and more of the policy that was in place. The MOU will be reviewed every four years to ensure the shared goals and key principles are still relevant.

The policy is therefore outdated, obsolete and a regurgitation of old information that was contained in a previous MOU. It is therefore recommended that the Wolfville_Acadia Town & Gown Policy#120-012 be repealed.

DRAFT MOTION:

That Council approve the repeal of Policy #120-012, Wolfville_Acadia Town & Gown Policy.

REQUEST FOR DECISION 020-2024

Title: Repeal of Wolfville_Acadia Town & Gown Policy #120-012

Date: 2024-02-04

Department: Office of the CAO



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act 1998

3) STAFF RECOMMENDATION

Staff recommend that Council approve the repeal of Policy #120-012, Wolfville_Acadia Town & Gown Policy.

4) REFERENCES AND ATTACHMENTS

1. Policy #120-012, Wolfville_Acadia Town & Gown Policy.
2. Memorandum of Understanding between Town of Wolfville_Acadia_ASU 2023

5) DISCUSSION

A formal review of the MOU was undertaken in 2022-23. Feedback was sought from all three parties on what has worked well and what improvements were needed to ensure the MOU is effective.

Taking the feedback from all three Parties, a revised MOU was drafted and presented to the Town and Gown Committee. On March 29, 2023 the Town and Gown met to approve the final version and recommended forwarding it to all three Parties for approval. The subsequent version has been signed and approved by all three parties and is in effect.

This MOU addresses and expands on the content of the Wolfville_Acadia Town & Gown Policy #120-012 including composition, administration, key principles, shared goals and clarification the meetings are open to the public.

It is therefore recommended that the Wolfville_Acadia Town & Gown Policy #120-012 be repealed.

6) FINANCIAL IMPLICATIONS

N/A

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

N/A

REQUEST FOR DECISION 020-2024

Title: Repeal of Wolfville_Acadia Town & Gown Policy #120-012

Date: 2024-02-04

Department: Office of the CAO



8) COMMUNICATION REQUIREMENTS

The Town's records will be updated to reflect the repealed policy.

9) ALTERNATIVES

Council could choose not to approve the repeal of this policy and/or offer amendments.



POLICY

Wolfville-Acadia Town & Gown Committee	
Policy No. 120-012	Supersedes Policy No. (Not Applicable)
Effective Date 2013-04-02 2013-05-21 amended 2014-12-16 2017-02-20	Approved By Council Resolution No. 08-04-13 Amending No. 08-05b-13 03-12b-14 27-02-18

1.0 Purpose

The primary purpose of the Wolfville & Acadia Town and Gown Committee is to develop and enhance relationships, communications and policies among Acadia students, community, residents, police and Town. This objective would be achieved by addressing issues of common concern and may include neighbourhood relations, housing, the environment, economic activities, recreational and cultural events, health and safety issues and academic outreach.

2.0 Scope

This Policy covers activities of the Town of Wolfville's Town & Gown Committee and those individuals appointed as members of the Committee.

3.0 References

- 3.1 [Nova Scotia Municipal Government Act](#)
- 3.2 [Policy 110-001, Committees Policy](#)

4.0 Definitions

- 4.1 **Committee.** A group of people appointed for a specific function, typically consisting of members of a larger group.

5.0 Policy

5.1 Composition:

- 5.1.1 The Town & Gown Committee will consist of 8 members:
 - The Mayor
 - CAO
 - 1 Councillor - Chair
 - Acadia Director Safety and Security
 - Acadia Student Union President



POLICY

- Acadia Senior Director of Student Affairs
- RCMP Sergeant
- ASU Community Relations

5.2 Appointments

- 5.2.1 Council will select a Chair at the December meeting for the next year and the Council member will serve as Chair
- 5.2.2 All Committee members serve without pay. Council member will serve 2 year terms. All other representatives are connected to a position.
- 5.2.3 The CAO will serve as a member to the Committee.

5.3 Duties and Responsibilities

- 5.2.1 Generate ideas to continue to improve the relationship between the university, the community, the Town and the police;
- 5.2.2 Specifically make recommendations to Council on strategies to lessen the negative impact on neighbourhoods resulting from the large percentage of university students living in town;
- 5.2.3 Develop communication strategies to celebrate the successes and work of the students and other citizens to enhance community relations;
- 5.2.4 Promote the positive attributes of living in a campus community and support activities to ensure a safe and healthy community; and
- 5.2.5 Provide an open forum for discussion of issues and concerns among the partners in the community.

5.4 Administration

- 5.3.1 The meeting of the Committee will be held bi-monthly and the Chair will communicate the meeting schedule annually; and
- 5.3.2 Meetings will be held in the Council Chambers of Town Hall or at an alternate location with agreement of the Committee.



POLICY

5.5 Policy Review

This policy will be reviewed every year from effective/amended date.



CAO or Town Clerk

2018-02-20

Date

DRAFT

Memorandum
of
Understanding

June 16, 2023



Town of Wolfville



ACADIA
UNIVERSITY

Acadia University



Acadia Students' Union

Memorandum *of* Understanding

This Memorandum of Understanding is executed this 16th day of June, 2023,
by the undersigned, acting on behalf of their respective parties.



Town of Wolfville



ACADIA
UNIVERSITY

Acadia University



Acadia Students' Union

Signed on the 16th day of June, 2023
in Wolfville, Nova Scotia

A handwritten signature in blue ink, appearing to read 'Wendy Donovan', written over a horizontal line.

Wendy Donovan
Mayor
Town of Wolfville

Signed on the 16th day of June, 2023
in Wolfville, Nova Scotia

A handwritten signature in blue ink, appearing to read 'Dr. Peter Ricketts', written over a horizontal line.

Dr. Peter Ricketts
President and Vice-Chancellor
Acadia University

Signed on the 16th day of June, 2023
in Wolfville, Nova Scotia

A handwritten signature in blue ink, appearing to read 'Sadie McAlear', written over a horizontal line.

for Sadie McAlear
President
Acadia Students' Union

MEMORANDUM OF UNDERSTANDING

Between

TOWN OF WOLFVILLE

hereinafter referred to as The Town

and

ACADIA UNIVERSITY

hereinafter referred to as Acadia

and

ACADIA STUDENTS' UNION

hereinafter referred to as the ASU

REVISED on 29 March 2023, this Memorandum of Understanding (MOU) is made and entered into by and between The Town, Acadia, and the ASU. The entities listed above may collectively be referred to as the Parties to this MOU.

I. PURPOSE:

Recognizing that we are stronger together than if working in isolation, the Town, Acadia, and the ASU wish to transcend the traditional Town and Gown framework to create the most unified university-town model possible to support our collective goal of becoming an integrated community in which we live, work, and study. This MOU describes a framework that mobilizes our efforts to ensure we best meet the needs of the comprehensive community and our respective institutions.

II. KEY PRINCIPLES:

The Parties are guided by the following key principles:

1. We acknowledge that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. We embrace the principles of equity, diversity, inclusion, accessibility, and sustainability in our collaborative work.
2. Wolfville is only Wolfville with Acadia, and Acadia is only Acadia with Wolfville. The Town, Acadia, and ASU recognize that our organizations are intrinsically intertwined, each living up to its full potential of success only with the support and partnership of the other. The Parties actively invite one another to optimize the academic, research, cultural, athletic, recreational, business, economic, and entertainment opportunities provided through their various offices and departments.
3. We willingly invest in each other through dedicated resources, funding, and collaborative partnerships. The Town, ASU, and Acadia believe that greater benefit will be achieved if each invests in the other's success.

4. We share a joint responsibility to commit to a high standard of community livability for all residents of Wolfville. Residents deserve to live in a town that is attractive, safe, healthy, and affordable where neighbours appreciate, support, and respect one another. Challenges posed by food insecurity, poor or inadequate housing, or behaviours that are incompatible with the objectives of community well-being are addressed promptly, through collaboration and with sensitivity to all parties.
5. We have a duty to ensure the success of all Acadia students. Acadia students gain experience and knowledge not only through Acadia's academic programs and on-campus experiences, but by integrating as proud citizens of the Town of Wolfville. Their involvement as residents of Wolfville should be enriching and contribute to an overall positive experience for visitors and permanent residents alike.
6. We will proactively consult and collaborate frequently with each other, with students of Acadia, residents of the Town, and other key stakeholders on matters of mutual concern before decisions are made by any one Party that would impact another.

II. SHARED GOALS:

1. Economic Development

The Parties, through engagement with entities including, but not limited to, Events Acadia, Acadia's Office of Industry and Community Engagement, the Wolfville Farmers Market, Valley Regional Enterprise Network, Kentville Research and Development Centre, and Wolfville Business Development Corporation, pursue and leverage joint research and economic development opportunities that provide benefit to the Town, University, and ASU.

2. Facilities, Infrastructure, and Environment

Though consultative and collaborative strategic planning the Parties manage and promote facilities and infrastructure, including parks and open spaces in addition to physical infrastructure, in an environmentally sustainable manner such as to optimize their mutual benefit to all residents and visitors to Acadia and Wolfville.

3. Community Well-Being

The Parties work together to create and sustain a healthy, safe, supportive, affordable, and respectful community for all residents and visitors by:

- a. encouraging the engagement and interaction of all members of the community
- b. seeking affordable and safe housing options for all residents, including students and future students
- c. developing community-based solutions to enhancing food security
- d. committing to compliance of all federal and provincial statutes and regulations, Town bylaws and policies including but not limited to the Noise Bylaw & Nuisance Party Bylaw, and Acadia's Non-Academic Judicial Student Code of Conduct

IV. IMPLEMENTATION:

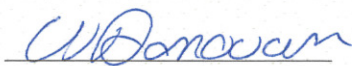
1. The Parties will provide representatives to the Wolfville and Acadia Town and Gown Committee as follows:
 - President and Vice-Chancellor of Acadia University
 - 1 member of the Board of Governors or Senate (2-year term)
 - President of the Acadia Student Union
 - One member of the Students' Representative Council (SRC), usually the Community Relations Representative
 - Mayor of the Town of Wolfville
 - 1 member of the Town Council (2-year term)
 - 1 resident of the Wolfville community. Both the Town and Acadia will cause notice of this position and its subsequent vacancy to be advertised publicly. The member so chosen shall be selected by the other 6 Committee members (2-year term, renewable for 1 additional term subject to Committee approval)
2. The Committee will be chaired by the Mayor of the Town of Wolfville and the President and Vice-Chancellor of Acadia University on an alternating annual basis.
3. The mandate of the Committee is to serve as stewards of this Memorandum of Understanding and to promote its shared goals.
4. The Committee meets quarterly throughout the calendar year, usually in January, April, September, and November, or as required.
5. Each partner will appoint an administrative lead to support the Committee and champion the deliverables of the shared goals.
6. A joint annual workplan is proposed by the administrative leads to the Town and Gown Committee for endorsement, usually at the November meeting.
 - a. The workplan is developed by the administrative leads with input from employees and other contributors as required. The administrative leads may from time-to-time establish working groups or ad-hoc committees to inform or execute the annual workplan.
 - b. Once endorsed by the Committee, the joint annual workplan is forwarded to the Parties.
 - c. The administrative leads will provide workplan progress reports at Committee meetings and a year-in-review summary of accomplishments, usually at the June meeting.
7. The Committee meetings will be held in a hybrid format (in-person and virtual)
8. The meetings are open to the public

V. LENGTH OF AGREEMENT

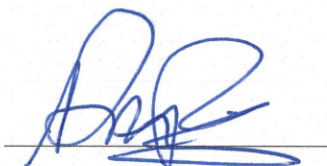
1. Subject to paragraph V.3 below, the Parties anticipate that this MOU will remain in effect indefinitely.
2. An informal review of effectiveness of this MOU will be held every two years. A formal review will be conducted every 4 years to ensure that the shared goals and key principles remain relevant and current. Any changes as a result of these reviews may require an amending agreement by the Parties.
3. Any Party may withdraw from this MOU with one year written notice. This MOU will cease to be in effect upon the withdrawal of any Party.

In witness whereof, the parties hereto have executed this MOU as of the last date written below:

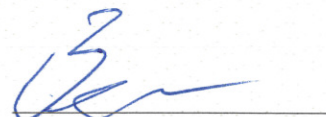
The initial official designates are:



Wendy Donovan
Mayor, Town of Wolfville



Peter Ricketts
President, Acadia University



for Sadie McAlear
President, Acadia Students' Union

June 16/23
Date

16th June, 2023
Date

16-6-2023
Date

REQUEST FOR DECISION 009-2023

Title: 2024 Spring Debenture Pre-Approval

Date: 2024-03-26

Department: Finance



SUMMARY

2024 Spring Debenture Issue Pre-Approval

Each fiscal period, municipalities are provided two opportunities to participate in debenture issues to meet long-term debt funding requirements. In past years this process was carried out by the NS Municipal Finance Corporation, which has since been amalgamated with the provincial Department of Finance who now manages the annual debenture process.

The two debenture opportunities are in the spring and fall debenture. The dollar amounts leveraged through the combined debt requirements of Provincial municipalities allow individual municipal participants to obtain borrowing rates that may otherwise not be available to a municipality if engaging in a similar debenture issue on its own.

The Town of Wolfville typically participates in the spring debenture issue to obtain long-term debt funding for capital projects completed in the previous fiscal year or completed in the current fiscal year if completed prior to a debenture offer deadline. The 2024 spring debenture can be applied for by structuring the spring debenture application with completed 2023/24 capital projects.

The purpose of this report is to complete the process for long-term borrowing approved by Council in the 2023/24 Capital Budget. **This is the last formal step required** to participate in the 2024 Spring Debenture Issue.

The pre-approval process sets the maximum that can be borrowed for the upcoming debenture issue. Any incomplete projects do not meet the eligibility requirement for maximum project borrowing and will not be incurred in the RFD.

DRAFT MOTION:

THAT COUNCIL APPROVE THE ATTACHED RESOLUTION FOR PRE-APPROVAL TO PARTICIPATE IN THE SPRING DEBENTURE ISSUE WITH THE FOLLOWING MAXIMUM FINANCIAL PARAMETERS:

FAIRFIELD STREET REBUILD AND EAST END MAIN CULVERT	\$735,000	30-year amortization *
WATER UTILITY	<u>\$ 39,900</u>	30-year amortization *
TOTAL BORROWING AMOUNT	<u>\$774,900</u>	

*** MAXIMUM AVERAGE INTEREST RATE IS TO BE SET AT 6.5%.**

REQUEST FOR DECISION 009-2023

Title: 2024 Spring Debenture Pre-Approval

Date: 2024-03-26

Department: Finance



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act Section 66 - Power to Borrow Money
- Municipal Government Act Section 88 (1), (2), and (3) - Ministerial Approval

3) STAFF RECOMMENDATION

Staff recommend that Council approve the amounts for the 2024 Spring Debenture Issue relating to projects and funding already approved by Council in the 2023/24 Budget Document in the amount of \$774,900.

REFERENCES AND ATTACHMENTS

- Provincial Pre-Approval Resolution Wording (attached)
- Borrowing Certificate CR 08-2023-0029 (Town TBR #23/24-01) in amount of \$2,552,900 (attached)
- Borrowing Certificate CR 08-2023-0030 (Town TBR #23/24-02) in amount of \$399,900 (attached)
- Town Capital Asset Funding Policy
- RFD 032-2023, Temporary Borrowings – 2023/24 Capital Projects
- 2023/24 Capital Budget and related funding requirements

4) DISCUSSION

This is one of the steps required in order to participate in the debenture issues processed by the province. ***This is a housekeeping matter at this stage*** as it relates to the 2023/24 capital projects previously approved by Council.

As in past years, this matter is time sensitive. The MFC has set a deadline of April 25th to submit commitment letters for the spring debenture issue.

Last year Council approved Temporary Borrowing Resolutions (TBR) #23/24-01 and TBR #23/24-02. This covered the capital projects included in the 2023/24 Capital Budget for the Town and the Water Utility.

TBR #23/24-01 (CR 08-2023-0029)

Visitor Information Centre	\$ 600,000
Fairfield Street, complete rebuild, and East End culvert	\$1,250,000
Waste Water Treatment Plant Phase II -design and document process	\$ 167,900
Parking Lots (East End Gateway and Rotary Park)	<u>\$ 535,000</u>
Total TBR	<u>\$2,552,900</u>

REQUEST FOR DECISION 009-2023

Title: 2024 Spring Debenture Pre-Approval

Date: 2024-03-26

Department: Finance



TBR #23/24-02 (CR 08-2023-0030)

Water Utility

Water Transmission Lines University Ave. to Skyway Ave.	\$360,000
Water Distribution System – Fairfield Ave.	<u>\$ 39,900</u>
Total TBR	<u>\$399,900</u>

Normally, previous year capital projects requiring debt financing are completed in the planned fiscal period, and subsequently, included in the spring debenture pre-approval RFD. For 2023/24 not all capital projects included in the 2023 Temporary Borrowing Resolutions (“TBR”) were completed. The projects not meeting completion criterium include the visitor information centre, wastewater treatment plant design and document process, East End Gateway and Rotary Park parking lots, and water transmission lines for University Ave. and Skyway Ave. Those respective projects are not part of the RFD.

As expected, based on funding projections using the Towns Ten Year Capital Investment Plan (CIP), the above noted borrowings can occur without negatively impacting the Town’s Debt Service Ratio, which has been in the 7.5% range according to Provincial Financial Condition Indicators (“FCI”) reported for the most recent reporting years. The Province of Nova Scotia’s Finance Department imposes a maximum debt-service ratio covenant of 15% and identifies when a municipality’s debt-service ratio exceeds the allowed maximum and will deny future borrowing until an acceptable debt-service ratio can be achieved.

As noted during annual capital budget discussions, the Town’s Debt Ratio will continue to increase over the proceeding ten years should borrowing for additional capital projects be required. This relates to Council’s focus to address the existing infrastructure and long-term planning needed to fund major infrastructure projects. Based on the draft 2024/25 capital funding model, the Town will not reach a debt-service ratio greater than 15%.

The noted maximum interest rate in the draft motion is the figure suggested by the province given current market conditions. The “maximum” is simply set to ensure the Town’s ability to participate in the spring debenture issue without having to revise borrowing documentation.

5) FINANCIAL IMPLICATIONS

The financial impact of this year’s debt requirement was considered as part of the 2023/24 budget approval process. No further analysis is provided here.

6) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

Not applicable at this stage. Refer to Council approved Annual Operations Plan 2022-26 and related budget documentation.

REQUEST FOR DECISION 009-2023

Title: 2024 Spring Debenture Pre-Approval

Date: 2024-03-26

Department: Finance



7) COMMUNICATION REQUIREMENTS

Staff will communicate, in required format, all information to the Department of Finance, Province of Nova Scotia.

8) ALTERNATIVES

There are no alternatives at this stage in long-term debt borrowing given that the 2023/24 budget plan included debt financing for the items identified above in the RFD.

REQUEST FOR DECISION 024-2024

Title: Welcome Centre Extra Costs for Unsuitable Soils

Date: April 2, 2024

Department: Engineering & Public Works



SUMMARY

Welcome Centre Extra Costs for Unsuitable Soils

The mass excavation of 237 m³ of unsuitable soil from beneath the former Visitor Information Centre building was required to allow for the construction of a stable base for the new building's footings. Due to prior knowledge of potential soil issues in Willow Park, and the findings of the geotechnical investigation carried out by Hatch last year, a contract rate of \$100 per cubic meter was established for excavation, hauling, and replacement with engineered rock fill material. Additionally, following the geotechnical engineer's recommendation, an extra roll of soil reinforcement grid was applied, resulting in a total change order value of \$27,722.45, inclusive of net HST.

DRAFT MOTION (1):

THAT COUNCIL APPROVE AN INCREASE TO THE WELCOME CENTRE PROJECT BUDGET OF \$27,800 TO COVER THE ADDITIONAL COSTS OF REPLACING UNSUITABLE SOILS DURING RECENT FOUNDATION PREPARATION WORK.

REQUEST FOR DECISION 024-2024

Title: Welcome Centre Extra Costs for Unsuitable Soils

Date: April 2, 2024

Department: Engineering & Public Works



1) CAO COMMENTS

The CAO supports the recommendations of staff.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act (MGA) Section 65 and 65A.

3) STAFF RECOMMENDATIONS

- Proceed with approving the increase to the project budget for extra costs related to replacement of unsuitable soils.

4) REFERENCES AND ATTACHMENTS

1. RFD 015-2024 Welcome Centre Optional Upgrades - Shower and Metal Roof
2. IR 025-2023 Welcome Centre Funding Breakdown and Project Scope
3. RFD 002-2024 Welcome Centre Design-Build Contract Award
4. Council Minutes, January 23, 2024
5. *Others in the above referenced documents.*

5) DISCUSSION

Poor site soil conditions necessitated the mass excavation of 237 m³ of unsuitable soil from underneath the former Visitor Information Centre building to allow for the construction of a sound base under the new building's footings. The contract and design for the new structure relied on the geotechnical investigation carried out by Hatch, in which the possibility of encountering these conditions was identified. Given prior experience with construction in this area, and since unsuitable soils were identified as a possibility during the geotechnical investigation, a "per cubic meter" unit rate for mass excavation and replacement of unsuitable soils was requested in the RFP for design/construction, and a rate of \$100 per cubic meter (inclusive of excavation, hauling, and delivery/placement of replacement engineered rock fill material) was included in the contract.

In addition to the fill material, an extra roll of soil reinforcement grid was applied based on the recommendation from the project's geotechnical engineer during preparation.

6) FINANCIAL IMPLICATIONS

A total of 237 m³ of unsuitable soil was removed and replaced, at a rate of \$100/m³, plus an additional roll of soil reinforcing geogrid at approximately \$2,900. The total change order value is \$27,722.45 (including net HST).

REQUEST FOR DECISION 024-2024

Title: Welcome Centre Extra Costs for Unsuitable Soils

Date: April 2, 2024

Department: Engineering & Public Works



7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

N/A

8) COMMUNICATION REQUIREMENTS

N/A

9) ALTERNATIVES

N/A

Prepared by: Alexander J. de Sousa, P.Eng., Director of Engineering & Public Works

Date Revised: April 9, 2024

REQUEST FOR DECISION 025-2024

Title: East End Gateway Parking Lot Budget Amendment

Date: April 16, 2024

Department: Engineering & Public Works



SUMMARY

East End Gateway Parking Lot Budget Amendment

The East End Gateway Parking Lot project aims to create a high-quality parking area that accommodates work, shopping, and visiting needs while enhancing user and pedestrian safety, maximizing space utilization, managing stormwater runoff, and establishing a pedestrian pathway connecting Willow Ave and Main Street to the Harvest Moon Trail. This involves expanding the parking lot to double its capacity to 100 spaces, installing lighting for pedestrians and vehicles, improving drainage, and constructing a 3.2m wide concrete sidewalk. Minor adjustments were made to the scope and design to accommodate development at 292 Main Street. The project, approved in the 2023-24 CIP with a budget of \$530,000, was initially tendered in late 2023 but re-tendered in spring 2024, receiving two bids with the lowest at \$572,083.90. The bid includes a contingency, provisional paving at the Legion, and provisional decorative lighting posts for the pedestrian path.

An adjustment to the budget for the upcoming fiscal year to a total value of \$610,000 is required to carry out the complete scope.

DRAFT MOTION:

THAT COUNCIL APPROVE A PROJECT-SPECIFIC INCREASE TO THE CAPITAL BUDGET IN THE 2024-25 FISCAL YEAR TO \$610,000 TO CARRY OUT THE FULL SCOPE OF WORK IN THE EAST END PARKING LOT

REQUEST FOR DECISION 025-2024

Title: East End Gateway Parking Lot Budget Amendment

Date: April 16, 2024

Department: Engineering & Public Works



1) CAO COMMENTS

To be delivered during presentation, if any.

2) LEGISLATIVE AUTHORITY

- Municipal Government Act (MGA) Section 65 and 65A

3) STAFF RECOMMENDATION

Staff recommend increasing the capital budget to allow for the implementation of the complete scope of work as tendered for the East End Parking Lot.

4) REFERENCES AND ATTACHMENTS

1. East End Gateway Capital Project Charter (2020-21, 2021-22)
2. East End Parking Lot and Events Lawn (2023-24)
3. RFD 005-2023 Operations Plan & Budget 2023/24
4. IR 011-2024: V4 Budget 2024/25

5) DISCUSSION

The original scope for the East End Gateway Parking Lot project includes the following objectives:

- Creating a “first-class” parking area where users can park for work, shopping, and/or visiting;
- Maximize user and pedestrian safety;
- Maximize utilization of the space;
- Manage stormwater runoff;
- Create a pedestrian pathway connecting Willow Ave and Main Street through to the Harvest Moon Trail; and
- Create an inviting greenspace to help showcase the area.

These objectives are going to be achieved by utilizing an efficient engineering design that will see the expansion of the parking lot (doubling the number of available parking spaces to 100), providing lighting for pedestrians and vehicles, improving drainage, and creating a winding 3.2m wide concrete sidewalk that will leave space for town-installed landscaping elements. Minor scope adjustments and design revisions occurred throughout 2023 to accommodate development at 292 Main Street. The implementation schedule was also impacted by design changes and discussions with the developer at 292 Main Street to ensure the Town’s new work would not be impacted.

REQUEST FOR DECISION 025-2024

Title: East End Gateway Parking Lot Budget Amendment

Date: April 16, 2024

Department: Engineering & Public Works



The project was approved on the 2023-24 CIP with a total value of \$530,000 with funding support from ACOA. Engineering & Public Works tendered the project initially in late 2023, closing on November 3, 2023, and receiving only one bid for \$586,196 plus HST. At that time, our decision was to re-tender the project in the spring of 2024 to try and get more than one bid.

Upon re-tendering with a closing date of March 28, 2024, the Town received two compliant bids, with the low bid being \$572,083.90. The bid includes a \$10,000 contingency, and \$13,457.50 to pave the lot behind the legion (an additional \$5,900.15 allowance will be required to complete a paved walkway as well). See *Figure 1 - Legion Paving* below.

Decorative lighting for the pedestrian path have also been included in the bid price as a provisional item with a value of ± \$39,500. Choosing to proceed without the decorative lighting at this time would still result in the bases and underground wiring being completed with this work scope so the posts could be added at a later date without disruption.

A summary of costs incurred to date, plus the anticipated award costs are presented in the next section for Council consideration. Net HST has been added to each for clarity and consistency.

6) FINANCIAL IMPLICATIONS

<u>Cost</u>	<u>Description</u>
\$17,757.77	Engineering design and tender package prep (2023/24 FY)
\$7,673.78	Engineering design revisions and tender package revisions to account for future pedestrian plaza and other changes related to 292 Main St. (Incl. allowance for QC.)
\$20,187.26	Legion parking lot and walkway paving (Optional/provisional)
\$41,180.76	Decorative light posts only – three total (Optional/provisional)
\$530,958.20	Base contract – Grading and paving work, curbs, sidewalk, etc., without above provisional items.
\$10,000.00	Construction contract contingency
\$627,757.77	Estimated Total (\$97,757.77 over original approved budget)

The \$17,757.77 was utilized during the 2023-24 fiscal year, so for the 2024-25 fiscal year, the budget allowance will be required to be increased to \$610,000, which has been allowed for in today's V4 budget presentation to Council. Total project cost will be \$627,800 (\$97,800 over \$530,000 original estimate).

REQUEST FOR DECISION 025-2024

Title: East End Gateway Parking Lot Budget Amendment

Date: April 16, 2024

Department: Engineering & Public Works

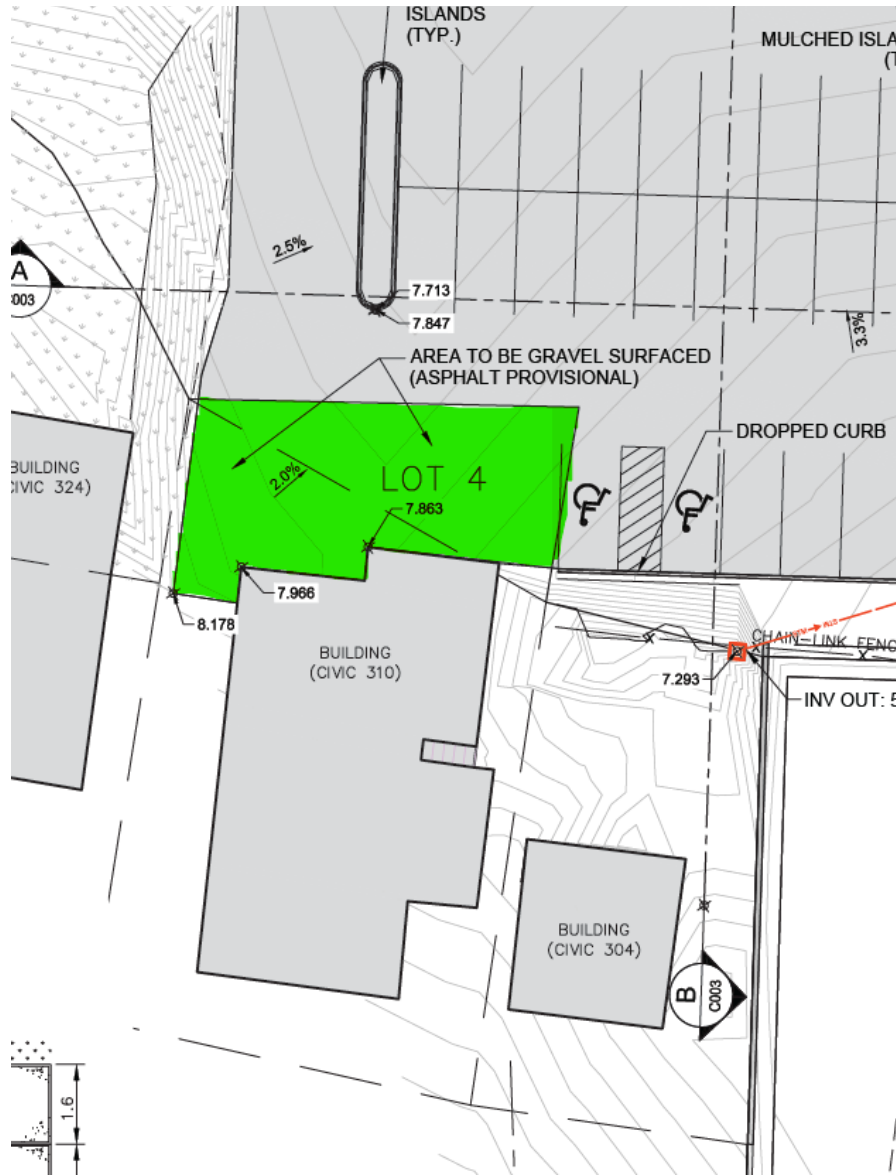


Figure 1 - Legion Paving (walkway not shown)

7) REFERENCES TO COUNCIL STRATEGIC PLAN AND TOWN REPORTS

See referenced documents.

8) COMMUNICATION REQUIREMENTS

N/A

REQUEST FOR DECISION 025-2024

Title: East End Gateway Parking Lot Budget Amendment

Date: April 16, 2024

Department: Engineering & Public Works



9) ALTERNATIVES

- Remove the Legion paving portion of the project, resulting in an increase in this year's budget to \$589,900 for this project. This would result in a total estimated project cost of \$607,700 (\$77,700 over original \$530,000 budget).
- Remove the decorative lights (deferring to a future year) from the scope of the project, resulting in an increase in this year's budget to \$568,900 for this project. This would result in a total estimated project cost of \$586,700 (\$56,700 over original \$530,000 budget).
- Remove both the Legion paving portion of the project, and the decorative lights (deferring to a future year) from the scope of the project, resulting in an increase in this year's budget to \$548,700 for this project. This would result in a total estimated project cost of \$566,500 (\$36,500 over original \$530,000 budget).

Prepared by: Alexander J. de Sousa, P.Eng., Director of Engineering & Public Works

Date Revised: April 9, 2024