



Committee of the Whole

March 5, 2024

8:30 a.m.

Council Chambers, Town Hall

359 Main Street

Agenda

1. Approval of Agenda

2. Approval of Minutes

- a. Committee of the Whole Minutes, February 14, 2024
- b. Special Committee of the Whole Budget Minutes, February 21, 2024

3. Presentations

- a. Trishe Coleman, Kings County Seniors' Safety Program
- b. Brian Finniss, Acadia Athletics & Tanya Colburne, Events Acadia

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. Committee Reports (Internal)

- a. Accessibility Advisory Committee

6. CAO Report

7. Staff Reports for Discussion

- a. IR007-2024 Budget 2024/25 Version 3 (*report to follow*)
- b. RFD 016-2023 Devour Amended MOU Capital Grant

8. Committee Reports (External)

- a. Annapolis Valley Trails Coalition (AVTC) (*2 reports*)
- b. Wolfville Business Development Corporation (WBDC)
- c. Inter-Municipal Services Agreement for Valley Waste & Kings Transit (IMSA for VW & KTA)

9. Public Input / Question Period

10. Adjournment to In-Camera Meeting under *section 22(2) of the Municipal Government Act.*

11. Adjournment of In-Camera Meeting

12. Regular Meeting Reconvened



13. Motions from In-Camera Meeting

14. Regular Meeting Adjourned

COMMITTEE UPDATE

Title: Accessibility Advisory Committee

Date: March 5, 2024

Department: Committee of the Whole



Update:

The last meeting of AAC was held on February 12, 2024. The next meeting is scheduled for April 8, 2024.

New committee members, Ramona Jennex and Ian Brunton were introduced and welcomed.

Barb Shaw gave updates for the Accessibility report card going to council next month, which included:

- Funding for automatic doors at the recreation centre is secured and installation is pending. Feedback from the committee was utilized and long strips instead of push buttons will be installed.
- Barb completed train the trainer program from the Accessibility Directorate.
- Funding is complete at Clock Park for accessible pathways.
- Communication Plans are continuing, including plain language, captioning, and digital formats, and ASL interpreter.
- HR policies, Equity, Diversity, Inclusion and Accessibility policies are under review currently.
- Continued work with the business community.

A fulsome discussion was had with the committee on hosting an event in June for National Accessibility week, which included many ideas such as:

- Keeping activities engaging, interactive, educational, fun, and respectful.
- Silent disco, with speaker on vibration for hearing impaired.
- Having groups from CLASS, SMILE and L'Arche participate.
- Sensory panels and spaces for Neurodiverse people.
- Talk about the 5 pillars of Focus in our Access by design Plan which include, Built environment, Information and Communication, Transportation, Goods and Service, and Employment.
- Include a sign language interpreter at the event.
- Utilize one of our parks that is more accessible, consensus seemed to be at Waterfront Park.

More details regarding this event will be confirmed at our April meeting.

Respectively submitted by: Councillor Jen Ingham

Economic Prosperity * Social Equity * Climate Action * Community Wellness

Information Updates

Engineering and Public Works

Brick wall repairs at the Fire Hall are now complete. The remaining brick work on the back wall of Town Hall (exterior wall of the Clerk's office) is now scheduled for May. The Fire Hall repairs resulted from a motor vehicle collision and the Town Hall repairs were required as part of the repair process following a roof leak and flood during a storm in the Fall.

The University Avenue water transmission main project has stalled due to additional/unanticipated underground utilities. Most have been located now using a locates contractor and staff. We will now need to analyze data and previous design, discuss with contractor, and send back to CBCL for design re-work.

The East End Gateway parking lot design re-work to account for a pedestrian plaza is currently underway. We anticipate being ready for tender early March.

The developer of 292 Main is looking to work with staff to site a new location for his transformer. The previous location on the events lawn was not allowed by Council. The developer is hoping to utilize a parking stall on the north side of their building. Will be sending the final drawings for the parking lot project when they are ready for tender at the end of Feb so we can all coordinate. The final placement location will be approved by Engineering and Public Works.

The Welcome Centre (former Visitor Information Centre) contract has been executed. Demolition work is tentatively scheduled to begin on February 26 (pending electrical service disconnect from NSP). Expect to see project sign at the corner of Main/Willow and site fencing being erected around the building site in the coming days. There will also be a project office trailer delivered to site. As a result of this construction, there is a high likelihood that opening the splashpad will be delayed until late summer due to the dangers associated with an active construction site.

The option (requested by Council) to add an accessible shower to one of the washrooms has come in around \$10K, and the contractor has been given tentative approval to proceed. This increase in the budget will need to go in front of Council as an RFD.

An option to construct the new building with a standing seam metal roof instead of asphalt shingles has come in at around \$35K. This will also need to be a decision of Council.

CAO REPORT

March 5, 2024

Office of the CAO



Economic Prosperity * Social Equity * Climate Action * Community Wellness

Staff are working with ACOA on the above Welcome Centre and East End Parking Lot projects to maximize our funding allotment to the approved \$575,000 despite numerous changes and delays to the project.

The wastewater treatment plant detailed design proposal has been received from CBCL. It is likely that completion of this project will be delayed one year due to long design time (expected to be finished March 2026 now) and the present lack of project management capacity.

The all-way stops along Pleasant/Skyway have all been laid out and the work has been ordered. Previously this was expected to be complete before winter (waiting on electrical and NS Power approvals for the flashing lights) but Public Works was unable to get to it before temperatures were too cold to paint the stop bars. Anticipating early spring for this work now.

Improved street parking signage and pavement marking through the core was also scheduled to occur before winter, but Public Works was unable to get to it for the same reason as above. Anticipating early spring for this work now too.

Staff are meeting with Acadia early in March to begin infrastructure discussions as we need to determine who is responsible for ownership and maintenance of what infrastructure, and for what costs when repairs are required. This is a high risk for us due to the present lack of legal agreements.

Information Technology

The IT Department has upgraded our Cyber security by adding a “Next Generation” Firewall. This firewall has the capability to stop inbound and outbound network traffic to regions of the world known or suspected of suspicious activity.

Since the last time the Firewall was rebooted 61 days ago:

1. It has blocked 37,044,960 IP addresses (Internet locations)
2. It has blocked 10,861 Botnet detections.

A botnet refers to a group of computers which have been infected by malware and have come under the control of a malicious actor. That then try to access computers inside our network.

For awareness, the IT Department manages a total of 216 devices across the organization.

1. Servers: 15
2. Desktops/Laptops/Workstations: 73
3. Mobile Devices: 108

CAO REPORT

March 5, 2024

Office of the CAO



Economic Prosperity * Social Equity * Climate Action * Community Wellness

- a. iPads
- b. iPhones
- c. Radios
- 4. Printers: 8
- 5. Backup devices: 2
- 6. Backend infrastructure: 10

Compliance

A joint meeting was held on February 21 at Acadia with landlords, the RCMP and Acadia staff to discuss the operational approach as it relates to anticipated, unsanctioned events in March. Comments and feedback from the post-HOCO'23 debrief were reviewed and actioned.

RCMP have discussed with landlords the authorities they have when it comes to entering common areas as opposed to dwellings and now, an agreement is being drawn up between select property owners and the RCMP that gives authority to remove individuals from common spaces during these unsanctioned events, to help maintain the safety and protection of tenants and property.

This meeting and prep for March is currently a big focus for compliance staff. A communications plan will be developed in advance of anticipated "party weekends" so that expectations are well socialised.

Staff are continuing work on our active case files, including Property Minimum Standard inspections, parking enforcement, and routine complaints as they come in.

Finance and Corporate Services

Annette Demings has completed 34 years working with the Town, a testament to her loyalty and her passion for providing support to staff, Council and our community.

Staff have been working to prepare T4s. Slips were sent electronically on Friday, February 16. Slips going by mail were sent the following week.

One property remains on the tax sale list.

Parks and Recreation

Two successful Heritage Day events were hosted on Feb.19. Over 100 skaters joined us at the free skate and over 100 more (different guests) at the Heritage Day Hope Fest at the Front Street Community Oven.



Economic Prosperity * Social Equity * Climate Action * Community Wellness

A funding approval was received for summer a Co-Op student position (Special Programs and Events Coordinator), and the candidate selected is expected to start early May with projects including Soups & Sides, Active Transportation programming, and Try it in Wolfville.

Staff are finalizing the Tennis Courts Resurfacing RFP, with a target release date of March 1.

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

REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

Department: Planning & Economic Development



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:



REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

Department: Planning & Economic Development



REQUEST FOR DECISION 016-2024

Title: Slow Motion Food Film Fest Society amended MOU

Date: 2024-03-05

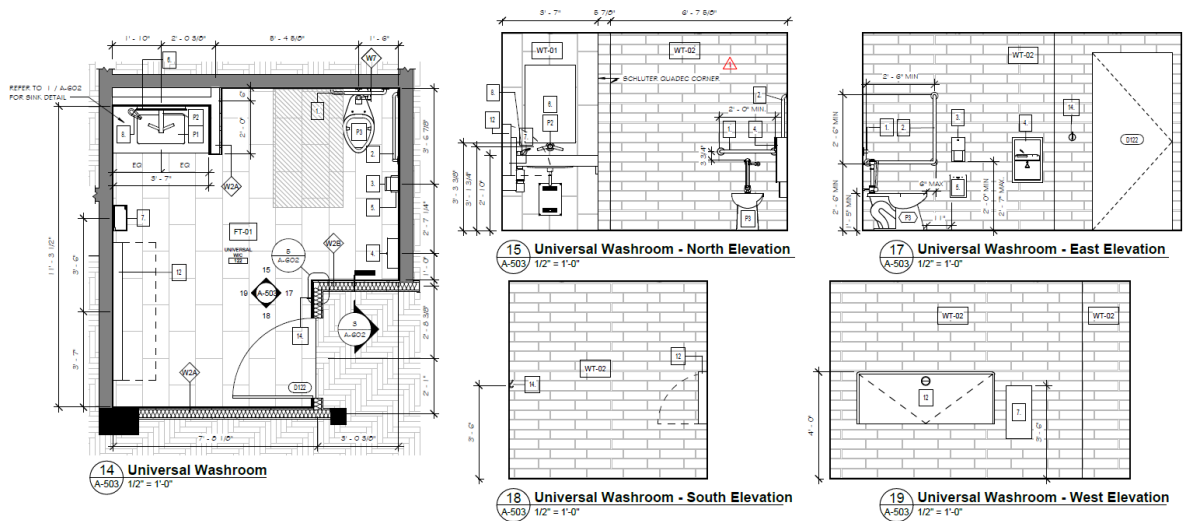
Department: Planning & Economic Development



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.

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

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.

3.0 RESPONSIBILITIES AND EXPECTATIONS OF WOLFVILLE

3.1 Wolfville shall:

- (a) Provide \$100,000.00 in funding in total to Devour!. Payment of \$50,000, to be used toward the cost of the Renovations, will be made within 30 days of both parties signing this Memorandum of Understanding. Payment of the remaining \$50,000, to be used toward the cost of construction of the Deck, will be made by no later than 30 days after construction of the Deck is completed.
- (b) If requested, provide a letter of Wolfville's commitment to the project, for the sole use of Devour! to obtain additional funding.

3.2 Wolfville shall not:

- (a) Direct the manner in which Devour! fulfills its obligations to users of the Devour! Studios space set out in the Memorandum of Understanding.
- (b) Provide any control over or oversight of Devour! in the fulfillment of its obligations set out in this Memorandum of Understanding.
- (c) Provide any guarantee of the performance of Devour!.

3.3 Any other support provided by Wolfville shall be agreed upon by Wolfville and Devour!, and may be at a cost to Devour!.

4.0 RELATIONSHIP BETWEEN WOLFVILLE AND DEVOUR!

4.1 Wolfville and Devour! are not partners or co-ventures and nothing in this Memorandum of Understanding or otherwise constitutes either party as a partner or co-venture of the other party to this Memorandum of Understanding.

5.0 GENERAL

5.1 Any notice under this Memorandum of Understanding shall be properly served if provided to:

To Wolfville: Town of Wolfville
 Attention: Chief Administrative Officer
 359 Main Street
 Wolfville, NS
 B4P 1A1

To Devour!:

Slow Motion Food Film Fest Society
40 Belcher Street
Kentville, NS

- 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

REQUEST FOR DECISION 035-2021

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.

REQUEST FOR DECISION 035-2021

Title: Slow Motion Food Film Fest Society MOU

Date: 2021-06-09

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 tenaning 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.

COMMITTEE UPDATE

Title: AVTC

Date: February 13, 2024

Department: Committee of the Whole



I attended a board meeting of the AVTC as an alternate on February 13, 2024, via TEAMS. It was a one item agenda, Funding. The province has decided to not continue funding maintenance on trails in the upcoming budget. Their position is that the province will continue in building trails but that maintenance is up to the municipalities and clubs that own them. This leaves the AVTC in a very tenuous position. A review of current cash flow indicates that they will run out of money in May. During discussions, I did say that I would bring a request for additional funding to the TOW budget deliberations. I believe that other members of the Coalition will be doing the same thing and the chair of the Coalition will continue to search for other sources of funding.

Respectfully submitted

Ian Palmeter

COMMITTEE UPDATE

Title: Annapolis Valley Trail Report
Date: February 2024
Department: General Administration



UPDATE

The committee met virtually.

Financials were presented and everything was in order. However, the financial viability of the Coalition is in jeopardy. Discussion on provincial funding and when it may end and the amount that might come to the group.

Partners may ask to pay the invoices as soon as the 24/25 fiscal year starts to inject funds in until we can figure out a plan going forward.

A Subcommittee was formed to try and come up with a plan to move this forward. The Two County Reps, 1 Town Rep (myself) and 1 trails group will be represented.

Will need a list of projects from each partner to plan. 1 year and 3-year plan – how do we handle ongoing maintenance that is sustainable.

Next meeting will be April 25th to discuss the plan.

Noreen resigned from doing work with the group – letter was submitted and accepted.

Respectfully Submitted,

Councillor Jodi MacKay

COMMITTEE UPDATE

Title: WBDC

Date: April 2023

Department: Committee of the Whole



General Updates:

- Legion update was received via letter
- Discussion on Naked Crepe needing a new place
- REMO gave presentation at the Market – it wasn't widely attended – maybe due to the timing.
- Discussion on asking Dan/REMO to have a space at the AGM
- Social Media – Devyn is no longer with the WBDC new position posted (15 hours a week – set number of posts, WBDC has a large picture bank) Has creative of freedom – interviewing was happening

Budget discussion

- Spend most/all the reserves before a new agreement.
- List all things – prioritize
- Do a big project – the one that will have a large impact.
- Placemaking will be limited to smaller things this year like picnic tables
- GC all trackable and want to measure the impact – this year will be the major project
 - 30 k marketing for gift card
 - Gift card – need to do this with every business
 - \$\$ from TOW set up fee done before this year end
 - 12k – postcards and pictures or any other merchandise
- 20 businesses did a photography co pay – and many have done more with the photographer after the copay \$400 value – we have the content and the business gets the bank for free
- Greenery – work with the Town and do this together. Have a better plan.
 - A lot of Admin.... No accessibility barrier.
 - Wine barrels (think about accessibility)
 - Can we do something else - Do something creative.
 - Feedback from Lucketts and Grand pre in years past to give a wine nod (consider this)
- Wayfinding – illustration – this is on the agenda as a major accomplishment this year
- Night of Lights/Holiday Season
 - Wreaths co pay to happen with Buds and Bygones
 - No window painting but will give info to the businesses.
 - Films are still important
 - Do skates throughout the winter on part of the business.
 - Do a winter wonderland in willow park – fire pits (?) – candy canes etc. Players on the ice – mens and womens team – Partner with Town in a more meaningful way

Acadia update

- NS music week - done announcement March 1
- Host Committees are being formed
- October 2025 – curling Olympic curling trials

COMMITTEE UPDATE

Title: WBDC

Date: April 2023

Department: Committee of the Whole



-
- Other events coming via email
 - Nick Coming to the Board
 - Brett Kissell – ticket sales aren't great. WBDC to do a post to market.....

Discussion On Parking

- Parking lines – where do these stand – Director of Public Works gave a response and it was on the docket for last year, but weather was troublesome
- Paid Parking – this was brought to WBDC via Planning Staff - Hot spot – everyone parks in the free spots – Acadia parking is not enforced. Is this in our budget??? Free Parking at the ends of Town perhaps (Jasper was given as an example)
- EV Charging station in front of WBDC – and collect funds from it... Sponsored by??

Respectfully Submitted,

Councillor MacKay

COMMITTEE UPDATE

Title: IMSA

Date: February 2024

Department: Committee of the Whole



Final draft from WSP is expected in March

Joint Regional Transit discussions continue regarding connectivity to the city, electrification of vehicles and shelters

Stops are under review

Next Agenda will have 30 minutes on the agenda to receive the report

MMP Report given by Sonny

Policy Review and Cost Models are the 2 major things happening now

Policy review is a 192 page document – a neat new format that is searchable, has flow in the policy to show controls, it is in the editing process now and will need board approval when done

Cost Accounting Modelling – essentially complete and it is extremely complicated.

It is being reviewed, tested and doing 'what if' scenarios, some things are not giving the end results that are expected, so a few kinks to work out.

There will be a workshop for the CAO's to show how this works firsthand and run some scenarios

Committee asked for this to be given to group 2 weeks in advance to review before decision making.

Valley Waste –

Multiple RFP's have been sent out.

One is on curbside collection – various options being explored, spring/fall clean up or 1-2 items every pickup – this is still being investigated.

Kentville station – floor and overhead doors are being done, review of the space and if yearly maintenance is kept up it could last for another 25 years. The ground water review came back and all is well.

There will be an interruption in some services, public drop-off will be ok but commercial clients have been notified.

This should be done by the end of March.

Third Quarter financials – everything is running according to the budget.

COMMITTEE UPDATE

Title: IMSA

Date: February 2024

Department: Committee of the Whole



KPT

Bus supplier is getting out of the business – review on what replacement parts etc are needed to ensure a continuity with these buses.

Fuel prices remain good

Review of annual contracts – what does the current agreement say – is there a way that all Transit Authorities could work together on pricing (JTRA to review) Adding Insurance to this discussion as well, as this cost continues to rise

Ridership continues to improve

Driver shortages still remains and issue – more part time are being sought out to hire

Weather was a bit tricky this month

Respectfully Submitted,

Councillor MacKay