

**Town of Annapolis Royal
Council Meeting – Approved Minutes
December 21, 2015 at 5:30 pm**

1. PRESENT: Chair Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paquette, CAO¹ Gregory Barr, DoF² Melony Robinson (left after first in-camera item), Recording Secretary Amy MacManus, and a member of the public

2. REGRETS: N/A

3. CALL TO ORDER: Chair Tompkins called the meeting to order at 5:30p.m.

4. ADDITIONS TO AGENDA:

- Under Section 13, New Business: Request for decision regarding Hatch Mott MacDonald
- Under Section 13, New Business: Land on which King's Theatre sits
- Under Section 13, New Business: Information- ARRA Open House

5. APPROVAL OF AGENDA:

MOTION #C-2015-12-21-01

It was moved by Councillor Paquette, seconded by Councillor Hudson to approve the agenda as amended. Motion carried.

6. APPROVAL OF COUNCIL MINUTES:

- 1) Council November 16, 2015

MOTION #C-2015-12-21-02

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to approve the minutes of November 16, 2015 as presented. Motion carried.

7. PUBLIC INPUT:

Alan Melanson: Thanked CDC³ Millett-Campbell and the Town for supporting the *Christmas Explorer*. He relayed that the Christmas campaign went very well and summarized the achievements of the *Christmas Explorer* and noted that the *Explorer* tried to assist with the promotion of the Town's logo launch. Mr. Melanson offered the Town the return of its monetary contribution to the *Christmas Explorer* as promised, if the Town was not satisfied with the *Explorer's* efforts. Council stated that they were very pleased with the *Explorer's* efforts and thanked Mr. Melanson for the *Explorer's* efforts.

8. ROUND TABLE:

Councillor Paquette: A member of the public expressed that they were pleased that Valley Waste had a spring and fall pick up. A citizen was concerned about the building that was deposited on St. James Street and wants to ensure that this is being addressed. CAO Barr confirmed that Town Hall Administration is working with the Building Inspector, Development Officer, and property owner to ensure proper permits are obtained based on its intended usage.

¹ Chief Administrative Officer

² Director of Finance

³ Community Development Coordinator

Mayor Tompkins: Noted that he had also received a comment regarding the building on St, James Street. Mayor Tompkins attended the Legacy 2017 meeting today. The Honourable Stephen McNeil and MP Colin Fraser were in attendance. The Province has allocated \$400,000 for the project if the federal funding is approved. A new committee is being formed to examine the *Nova Scotia Charter*.

9. PRESENTATIONS: N/A

10. BUSINESS ARISING:

i. Additional Committee Appointments

CAO Barr relayed that CDC Millett-Campbell is concerned that there will not be quorum for PHAC and asked that Adrian Nette be reappointed for a four month term. There has been another applicant for the Municipal Effectiveness Advisory Committee (MEAC) and Mayor Tompkins has spoken with Alyn How regarding him joining the Committee. Mr. Howe has agreed to do so. Discussion ensued.

MOTION #C-2015-12-21-03

It was moved by Councillor Paquette, seconded by Councillor Hudson to reappoint Adrain Nette to the Planning and Heritage Advisory Committee for a four-month term in 2016, beginning in January. Motion carried.

MOTION #C-2015-12-21-04

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to appoint Alyn Howe as a sitting member of the Municipal Effectiveness Advisory Committee effective Jan 2016. Motion carried.

Council directed CAO Barr to respond to the other applicant and inquire if he would be interested in sitting on another town committee.

ii. Nova Scotia Power Development Agreement

CAO Barr communicated that he has spoken with Provincial Planner, Gordon Smith, and Town Planner, Chris Millier; both identified that they cannot see a way around the development agreement that is in place. Mr. Smith pointed out that due process needs to be followed. CAO Barr's recommendation is that the Town proceed with an amended development agreement. Council discussed and agreed with the recommendation.

11. NEW BUSINESS:

i. Ratification of Motion from Electronic Vote held November 18, 2015:

MOTION #C-2015-12-21-05

It was moved by Councillor Deputy Mayor Power, seconded by Councillor Paquette to ratify the following motion as approved by electronic vote on November 18, 2015: MOTION 1- It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to approve the following amendment to MOTION #C-2015-10-19-13: that Council approves the following Seasonal Business Reductions for 2015: Roll 92274 in the amount of \$ 3,629.59; Roll 1408402 in the amount of \$862.31; Roll 2466988 in the amount of \$2,694.83; Roll 3144577 in the amount of \$1,486.01; and Roll 4542975 in the amount of \$2,529.45. Motion carried.

ii. Borrowing Resolution for the Town's Operating Line of Credit for the Calendar Year 2016

MOTION #C-2015-12-21-06:

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to pass the Borrowing Resolution for the Town's Operating Line of Credit for the Calendar Year 2016. Motion carried.

iii. Audit Tenders

Council discussed the submitted tenders.

MOTION #C-2015-12-21-07

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to accept the tender for Morse Brewster Lake in the amount of \$62,000 as stipulated on the tender agreement for a five year period starting April 1, 2016. Motion carried.

iv. Draft Financial Condition Index (FCI) Report

DoF Robinson and Council discussed the Draft FCI Report. Council directed DoF Robinson to compose a response letter to the Province stating the Town's concerns regarding the FCI Report. There are some in-house items that can be done as well in response to the report.

v. Financials

- a) Town Operating October 2015 - Income Statement
- b) Town Operating October 2015 – Balance Sheet
- c) Water Operating October 2015 – Income Statement
- d) Water Operating October 2015 – Balance Sheet
- e) Capital Water October 2015 - Balance Sheet
- f) General Capital October 2015 – Balance Sheet
- g) Capital Reserve October 2015 - Balance Sheet
- h) Operating Reserve October 2015 – Balance Sheet

Council discussed.

ix. Aged Receivables

- a. Aged Receivables Water (TAB 20)
- b. Aged Receivables Taxes (TAB 21)

Council discussed and posed question to DoF Robinson regarding the receivables. DoF Robinson replied. Council directed DoF Robinson to phone a couple of the property owners to notify them that Council is prepared to take their property to tax sale if their tax bill remains unpaid.

MOTION #C-2015-12-21-08

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to move the meeting in-camera at 6:45pm. Motion carried.

12. IN-CAMERA:

In-camera item: Contract negotiations – CUPE

MOTION #C-2015-12-21-09

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to move the meeting out of camera at 7:20pm. Motion carried.

Mayor Tompkins thanked CAO Barr and DoF Robinson for their work on the CUPE contract.

MOTION #C-2015-12-21-10

It was moved by Councillor Mersereau, seconded by Councillor Hudson to approve the renewal collective agreement with CUPE with the terms recommended by the negotiating team as outlined in the related briefing document. Motion carried.

13. NEW BUSINESS:

vi. ARTfelt Request

Council directed CAO Barr to clarify with the ARTfelt group that the banners are town's property therefore the banners can be stored on town property. It was decided that the banners can be stored at ARRA.

vii. Dangerous and Unsightly Properties

Council discussed some of the dangerous and unsightly properties in town inspected by Alfred Doucet, the Dangerous and Unsightly Property Inspector. Council directed staff to send letters to two of the properties, asking the owners to respond by May 1, 2016 with a plan to remedy the situation. Council discussed the form letters to be sent to property owners and directed staff to make some amendments to the letters. It was decided that all property owners whose buildings were deemed dangerous and/or unsightly would first have a letter sent to them informing them that a concern had been raised and identifies the issue so that the owner will have the opportunity to remedy the matter.

viii. January Meeting with Member of Parliament (ABoT)

CAO Barr notified Council of the date and time of the meet and greet with new MP Colin Fraser, as arranged by the Annapolis Board of Trade.

ix. Town Crier and Consort Appointment

MOTION #C-2015-12-21-11

It was moved by Councillor Hudson, seconded by Councillor Paquette to reappoint Peter Davies as Town Crier and Valerie Davies as consort for a term until December 2016. Motion carried.

x. ARRA Open House

CAO Barr informed council of the ARRA Open House on January 7th and one-on-one appointments with Tim Tanner the following day.

xi. Land on which King's Theatre sits:

CAO Barr presented to Council the information regarding ownership of a plot of land near King's Theatre. Council discussed what to do about the land and the PIDs.

MOTION #C-2015-12-21-12

It was moved by Councillor Hudson, seconded by Councillor Paquette that the Town claim possessory title of the land and revise PIDs as directed, if deemed necessary by the lawyer. Motion carried.

xii. Request for decision regarding Hatch Mott MacDonald

MOTION #C-2015-12-21-13

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau that Council proceed with the condition study as quoted in the amount of \$7870.00 + HST, which is an over expenditure of the budget item for engineering work, to be allocated between Water Utility and General Capital. Motion carried.

14. RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS:

Waterfront Development Committee:

MOTION #C-2015-12-21-14

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council fund up to \$2500.00 for the Waterfront Development Committee's operation expenses for the current fiscal year ending March 2016. Motion carried.

Committee of the Whole (CoW) – Meeting December 7, 2015

MOTION #C-2015-12-21-15

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council approve proceeding with the construction of the outdoor skating rink at ARRA on the basis proposed in the briefing document and including the budget as outlined therein and hockey allowed on the basis of restricted hours (recommendation Option C). Motion carried

MOTION #C-2015-12-21-16

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Active Living Coordinator Noah Scanlan's term be extended for the additional 2.5 years, contingent on the MPAL funding. Motion carried.

MOTION #C-2015-12-21-17

It was moved by Councillor Paquette, seconded by Councillor Hudson that the work for the roof for the Farmer's Market stalls proceed with the hiring of an appropriate contractor at a cost of \$10,000 out of the existing budget. Motion carried.

MOTION #C-2015-12-21-18

It was moved by Councillor Hudson, seconded by Councillor Mersereau to reappoint for the 2016 year all Council members who served during the 2015 year on the following committees: Traffic Flow Advisory Committee, Annapolis Pool Committee, Human Resource Committee, Water Utility Committee, Budget Committee, Audit Committee, Regional Emergency Management Office, Annapolis Partnership Steering Committee, Friends of the Library Liaison Committee, Granville Ferry Water Protection Advisory Committee, Valley Waste Resource Management Board, except for the Human Resource Committee which will have Councillor Paquette replaced by Councillor Mersereau. Motion carried.

MOTION #C-2015-12-21-19

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council adopt the amended *Waterfront Development Policy* as set out in the draft presented to Committee of the Whole for its December 9th session and with a change in paragraph 5; that the Waterfront Development

Committee shall be composed of two Council members and up to five at large members who meet the criteria as stated in the draft. Motion carried.

MOTION #C-2015-12-21-20

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to appoint Barry Moody to the Planning and Heritage Advisory Committee to replace the position of Bill MacDonald with the expiration date of December 2016 and reappoint the incumbents who have reoffered. Motion carried.

MOTION #C-2015-12-21-21

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council reappoint the incumbents who have reoffered and appoint Danny McClair to the Board of Police Commissioners. Motion carried.

MOTION #C-2015-12-21-22

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council reappoint the incumbents who have reoffered and appoint Amy Matthews to the Marketing and Economic Development Committee. Motion carried.

MOTION #C-2015-12-21-23

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council reappoint for 2016 the incumbents who has reoffered to serve on the Waterfront Development Committee. Motion carried.

MOTION #C-2015-12-21-24

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to appoint Jane Nicholson as a representative of the Annapolis Board of Trade, William MacDonald as representative for the Annapolis Heritage Society, and Ron Wesman to the Municipal Effectiveness Advisory Committee. Motion carried.

MOTION #C-2015-12-21-25

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to appoint Councillors Mersereau and Paquette to the Municipal Effectiveness Advisory Committee as Council representatives. Motion carried.

MOTION #C-2015-12-21-26

It was moved by Councillor Paquette, seconded by Councillor Hudson that in principal, the Town of Annapolis Royal would provide in-kind services for mowing and garbage pick-up in relation to the Causeway Project as requested by the Annapolis Royal Wharf Association. Motion carried.

Marketing and Economic Development Committee (MEDC):

MOTION #C-2015-12-21-27

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the revised *Donations & Grants Policy* be approved with the amendments made by the Marketing and Economic Development Committee. Motion carried.

Board of Police Commissioners:

MOTION #C-2015-12-21-28

It was moved by Councillor Mersereau, seconded by Deputy Mayor Powers that Council authorize an expenditure excess of \$4000.00 over the initial \$6,000.00 in the 2015/2016 Capital Budget allocation for the purchase of an intoxilizer due to an increase in cost. Motion carried.

15. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

1. Mayor's Report – Mayor Tompkins

Mayor Tompkins noted that the students who won the 'Mayor for A Day' and 'Police Chief for the Day' did very a great job and seemed to enjoy themselves.

Marketing and Economic Development Committee – Mayor Tompkins

Mayor Tompkins reported that the Committee is developing a new insert and looking at working with Alan Melanson regarding an insert for the *Explorer*. The logo launch went over very well- the free hats and scarves were popular.

2. ARRA – Councillor Mersereau

The Committee will be meeting in January with the specific task of addressing the Town's wing of the building.

3. REMO – Councillor Hudson

There has not been a REMO meeting and a date has yet to be set for the next meeting.

4. Planning Services Report

Councillor Mersereau queried the subdivision approval for land on Church Street.

5. Planning and Heritage Advisory Committee

Nothing to report

6. Traffic Flow Advisory Committee

No meeting has been held.

7. CAO's Report

CAO Barr summarized the report. Councillor Mersereau requested a copy of the list of expired deadlines. Mayor Tompkins requested that Jay Stone be utilized as a tree resource in addition to the current resources being utilized. CAO Barr stated that this would be done only in consultation with Angelika Waldow.

8. Police Report

Deputy Mayor Power notified Council that Jane DeWolfe has agreed to remain the DoJ appointee. The police officers undertook training for the new dispatch system.

9. Library Report

Council discussed housing plans for the Library.

10. Valley Waste Resource Management

Councillor Hudson relayed that Valley Waste is doing well and currently Valley Waste has a 3.4 percent revenue above their expenditures.

11. Water Report

No comments

12. Waterfront Development Committee

Mayor Tompkins updated Council: Corinne Frantel is uncomfortable going forward and will not give permission for the marina to proceed on her land. CAO Barr will meet with her again but the Committee is now looking at alternative locations for the marina to be built.

16. OTHER BUSINESS: N/A

17. CORRESPONDENCE:

- Legion
Council discussed.

MOTION #C-2015-12-21-29

It was moved by Councillor Mersereau, seconded by Councillor Hudson that the Bill be reviewed and if not already the case, that we revise it to reflect Town's actual out of pocket expense for parts that we supplied to the Legion plus net HST. Motion carried.

- Epilepsy Awareness Initiative

It was decided not to participate but a letter would be sent to the group and the initiative will be advertised in the Town Crier Newsletter.

- Municipality of Colchester County

A reply letter will be sent stating that the Town of Annapolis Royal supports it but no commitment offered.

- Letter from Royan

- Risk Assessment

There was discussion around the playground. Public Works has addressed several of the items regarding the playground. The sally port is being queried as it meets playground standards.

MOTION #C-2015-12-21-30

It was moved by Councillor Hudson, seconded by Councillor Mersereau to move the meeting in-camera at 9:20pm. Motion carried.

18. IN-CAMERA:

- In-camera item: Contract negotiations – King's Theatre

MOTION #C-2015-12-21-31

It was moved by Councillor Hudson, seconded by Councillor Mersereau to move the meeting out of camera at 9:20 pm. Motion carried.

19. ADJOURNMENT:

Chair Mayor Tompkins adjourned the meeting at 10:45pm. Motion carried.

Chair Michael Tompkins

Recording Secretary Amy MacManus