

**Town of Annapolis Royal  
Council Meeting –Approved Minutes  
September 21, 2015 at 6:00 pm**

**1. PRESENT:** Chair Mayor Michael Tompkins, Deputy Mayor Pat Powers, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paquette, CAO Gregory Barr<sup>1</sup>, DOF<sup>2</sup> Melony Robinson (excused at 7:15pm), Recording Secretary Amy MacManus, Auditor Erica McCurdy, Presenters Alan Howell and Sandra Farell from the Department of Energy. All presenters left after presenting. Members of the public joined the meeting at 8:25pm

**2. REGRETS:** N/A

**3. CALL TO ORDER:** The meeting was called to order by Chair Tompkins at 6:05pm

**4. ADDITIONS TO AGENDA:**

- Under Section 11, New Business: Town's financial commitment to the waterfront development project
- Under Section 11, New Business UNSM<sup>3</sup> update regarding resolution of surplus schools

**5. APPROVAL OF AGENDA:**

**MOTION #C-2015-09-21-01**

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

**6. APPROVAL OF COUNCIL MINUTES:**

- 1) Regular Council July 20, 2015

**MOTION #C-2015-09-21-02**

It was moved by Councillor Hudson, seconded by Councillor Paquette that the minutes from the Regular Council meeting on July 20, 2015 be approved with the following amendments: Section 6, item #2 the words "pie chart" be added to clarify that the motion was in relation to a pie chart that was printed in the Town Crier; Section 8, that the sentence "Councillor Paquette questioned whether there is information in past meeting minutes that state a vendor is not allowed to bring a dog but visitors are permitted" have the words "to bring a dog" be added to the end of the sentence; Section 10, item #3 replace "examining the Town investment policy" to "developing a formal investment policy". Motion carried.

**7. PUBLIC INPUT: N/A**

**8. ROUND TABLE:**

Councillor Paquette: Noted that some of the recreation pathways, specifically the ones between the legion and market and the one by train station, are quite overgrown with grass. He thinks that if it is the Town's duty to maintain the paths then the maintenance of the paths needs to be added to the budget. There is continuing community pressure to shut down the ongoing yard sale at Roll #04539508. It is

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<sup>1</sup> Chief Administrative Officer

<sup>2</sup> Director of Finance

<sup>3</sup> Union of Nova Scotia Municipalities

clearly a commercial venture. Also he has received complaints about the police department hiding out on Dugway Road and Bo's Garage. He did not receive much of a response from the Police Chief when he brought it to his attention.

Councillor Mersereau: Relayed that he had attended the Port Days in Digby and the Annapolis Board of Trade's September 10<sup>th</sup> meeting. He was a bit taken aback by the criticism of Town Council by the Chair as the chair thought that the Town should pay for the new Santa suit in addition to the \$350.00 remaining from a previous contribution to ABoT for Christmas related expenses.

Deputy Mayor Power: Iterated that she had attended the Police Governance Board in Truro. There, she had the opportunity to speak with others attending regarding how their Police Boards conduct their meetings. She noted that a couple of examples included having the in-camera section at the beginning of a meeting and presentations scheduled for their own separate presentation meeting. She thought it might be a good idea to examine how meetings for the Town are structured. Deputy Mayor Power stated that it was a good conference.

Mayor Tompkins: Commented that some residents have vocalized their unhappiness about how the Police park and hide to ticket people; that they are parking without lights on and only turn them on when they are about to ticket someone. His understanding is that this practice is illegal. He likes the idea of in-camera at the beginning of a meeting but not the idea of presentations on a separate day.

## **9. PRESENTATIONS:**

i. Sustainable and Renewable Energy- Department of Energy: Tidal Stakeholder Education Session. Presenters Sandra Farrell and Alan Howell from the Department of Energy presented on Tidal Power in Nova Scotia.

ii. 2014/2015 Audit - Erica McCurdy, Deloitte  
Erica McCurdy presented the 2014/2015 statements from the audit performed by Deloitte. Council reviewed.

## **10. BUSINESS ARISING:**

i. Tabled Motions - Discussion  
CAO Barr asked for guidance around tabled motions in meetings. Some motions are being tabled but at times it seems like tabled is not the correct term. Council directed the recording secretary to record the reason for a motion being tabled.

## **11. NEW BUSINESS:**

i. Approval of 2014-2015 Audited Statements-  
**MOTION #C-2015-09-21-03**  
It was moved by Councillor Mersereau, seconded by Councillor Hudson to accept the 2014-2015 Audited Financial Statements as presented to Council with the minor note disclosure changes as noted.

ii. Town's financial commitment to the waterfront development project  
Mayor Tompkins explained the costs associated with the proposed waterfront development projects and summarized the work to date of the Waterfront Development Committee. There needs to be budgetary discussions around Council's financial commitment to the project. Council discussed the costs and the project.

**MOTION #C-2015-09-21-04:**

It was moved by Councillor Mersereau, seconded by Councillor Hudson that the Town commit in principal to \$200,000 cash plus in-kind donation for the proposed waterfront development projects, subject to review and receipt of the documented business case.

- iii. Motions to be Ratified from electronic vote on August 6, 2015:

**MOTION #C-2015-09-21-05**

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council approve the ratification of **MOTION 1** as approved by electronic vote on August 6, 2015; It was moved by Deputy Mayor Power, seconded by Councillor Hudson that the Development Agreement approved on May 20, 2015 be amended pursuant to the non-substantial revisions as detailed in the Nova Scotia Power revision dated July 22, 2015 pertaining to the discharge of the old Development Agreements. Motion carried. Councillor Paquette abstained from voting.

**MOTION #C-2015-09-21-06**

It was moved by Deputy Mayor Power, seconded by Councillor Hudson that Council approve the ratification of **MOTION 2** as approved by electronic vote on August 6, 2015; It was moved by Deputy Mayor Power, seconded by Councillor Hudson that the Development Agreement approved on May 20, 2015 be amended pursuant to the non-substantial revisions as detailed in the Nova Scotia Power revision dated July 22, 2015 with Nova Scotia Power to permit the development of warehouse and accessory office use in an existing building at 211 Prince Albert Road, PID 05265012. Motion carried. Councillor Paquette abstained from voting.

**MOTION #C-2015-09-21-07**

It was moved by Deputy Mayor Power, seconded by Councillor Hudson that Council approve the ratification of **MOTION 3** as approved by electronic vote on August 6, 2015; It was moved by Deputy Mayor Power, seconded by Councillor Hudson that the Development Agreement approved on May 20, 2015 be amended pursuant to the non-substantial revisions as detailed in the Nova Scotia Power revision dated July 22, 2015 with Nova Scotia Power to permit signage at the Tidal Generation Station property, Prince Albert Road, PID 05131800. Motion carried. Councillor Paquette abstained from voting.

- iv. Motions to be Ratified from electronic vote on August 7, 2015:

**MOTION #C-2015-09-21-08**

It was moved by Councillor Paquette, seconded by Councillor Hudson to approve the ratification of the following motion as approved by electronic vote on August 7, 2015: MOTION 1- It was moved by Councillor Mersereau, seconded by Councillor Paquette that the Town of Annapolis Royal jointly submit a resolution with the Town of Yarmouth in regard to receiving financial assistance for redevelopment and/or demolition of surplus schools, which resolution shall be in the form approved by the Yarmouth Town Council on July 9, 2015 and that UNSM be requested to reaffirm the resolution submitted by the Town of Yarmouth and approved in 2014 with changes to reflect the current departments involved. Motion carried.

CAO Barr replayed that he had been contacted by UNSM regarding the submission of a resolution of surplus schools for the Town of Yarmouth and the Town of Annapolis Royal. UNSM stated that ideally only one resolution for surplus schools ought to be submitted. Their committee also recommended that the retroactive date be removed due to its probability to hinder moving forward. Council discussed and decided that the past tense be used in the applicable statement.

**MOTION #C-2015-09-21-09**

It was moved by Deputy Mayor Power, seconded by Councillor Hudson to approve the ratification of the following motion as approved by electronic vote on August 7, 2015 with the amendment as suggested by UNSM, that past tense be used in the document: MOTION 2- It was moved by Councillor Mersereau, seconded by Councillor Paquette that in addition to jointly with the Town of Yarmouth submitting a resolution regarding financial assistance for redevelopment and/or demolition of surplus schools in the form of the motion passed by Yarmouth Town Council of July 9, the Town of Annapolis Royal shall submit a supplemental resolution, in the form of the attached draft, regarding funding for costs associated with redevelopment or demolition of surplus schools. Motion carried.

- v. Mayor's request to discuss rescheduling dates for CoW<sup>4</sup> meetings in October and November  
Mayor Tompkins has commitments that will not allow him to attend the CoW meetings on a Wednesday in October and November. Council agreed to move the meetings to Tuesday, October 6<sup>th</sup> and Tuesday, November 3<sup>rd</sup>.
- vi. Dutch Elm Disease (Tree Removal)  
Council discussed trees in Town with Dutch Elm Disease, the best practice of fighting Dutch Elm disease, and the removal of trees with the disease. Council directed CAO Barr to investigate if there is funding available to put toward the cost and also seek clarification as to why the injections did not work.
- vii. Disposal of Printed In-Camera Items (Councillor Mersereau)  
Councillor Mersereau was not able to find a policy that requires paper in-camera items to be returned at the end of a meeting, as is the current practice. He thinks that this could be addressed through an updated Meetings and Procedures Policy. Council discussed. Council directed CAO Barr to investigate how other municipalities deal with in-camera materials.
- viii. Events for Municipal Awareness Week 2015  
Council discussed what the Town of Annapolis Royal will do to participate. Council directed CAO Barr to speak to the high school about organizing an event there.
- ix. By-Law Enforcement  
Councillor Paquette explained what he envisions for a by-law enforcement. Council discussed and directed CAO and staff to develop an enforcement policy
- x. It was discussed who would represent the Municipality at the upcoming UNSM conference. A final decision will be made at the next Committee of the Whole meeting.

**MOTION #C-2015-09-21-10**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to extend the meeting by half an hour to 9:30p.m.. Motion carried.

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<sup>4</sup> Committee of the Whole

## **12. RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS:**

### **Planning and Heritage Advisory Committee (PHAC) – Meeting September 8, 2015**

#### **MOTION #C-2015-09-21-11**

It was moved by Councillor Paquette, seconded by Councillor Hudson that the applicant at 401 St. George Street be given heritage approval to install a ground sign as detailed in the application AR14-023-HER, providing the requirements of the Land Use By-law are met. Motion carried.  
Councillor Mersereau abstained from voting due to a possible conflict.<sup>5</sup>

### **Board of Police Commissioners (BOPC) – Meeting July 29, 2015**

#### **MOTION #C-2015-09-21-12**

It was recommended to proceed with drafting a memorandum of understanding (MoU) that can be formally approved for the listed 'Option 2' in regards a new Portable Radio System.  
Tabled until the next meeting for clarification and further information

### **Committee of the Whole (CoW) – Meeting September 9, 2015**

#### **MOTION #C-2015-09-21-13**

It was moved by Councillor Mersereau, seconded by Deputy Mayor Powers that Alfred Doucet be appointed as inspector and CAO Gregory Barr or designate be appointed as administrator of Dangerous and Unsightly Properties for the Town of Annapolis Royal, subject to the relevant provisions of the Municipal Government Act. Motion carried

Regarding inspection work on the Lequille water tower:

#### **MOTION #C-2015-09-21-14**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Council authorize proceeding with the work by Huntley's Sub Aqua at a cost of \$3,650.00 + HST, as recommended by CAO Barr. Motion carried.

#### **MOTION #C-2015-09-21-15**

It was moved by Councillor Paquette, seconded by Hudson to accept the 2015-16 Water Utility Budget as amended; account 02-25310Z increase to \$20,000, account 02-29330 decreased to \$90,000, and a new contingency account be added in the amount of \$24,000 (5 % of total expenses net of transfer to Capital Water). Water Utility budget 2016/17 and 2017/18 approved as presented. Motion carried.

#### **MOTION #C-2015-09-21-16**

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the Capital Water Budget be approved with the following amendments: for years 2015/16 remaining infrastructure \$20,000.00, water trash pump \$2,200.00, 2016/17 and 2017/18 remaining infrastructure \$200,000 respectively in each of these years. If needed, \$20,000 of the 2016/17 budget will go towards an emergency water line for the fire department. Motion carried.

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<sup>5</sup> Subsequent to the meeting it was discovered that this is a redundant motion and was not intended to be on the agenda. The correct motion was done via electronic vote on September 29, 2015.

**MOTION #C-2015-09-21-17**

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power to provide CAO Barr with authority to negotiate an off-standard special rate for bulk one-time use of ARRA for the Christmas Market. Full price will be charged for gym rental and intention to ensure cost recovery by the Town will be considered. Motion carried.

**13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:**

1. Mayor's Report – Mayor Tompkins

Mayor Tompkins summarized his activities relating to the waterfront development project.

2. Marketing and Economic Development Committee – Mayor Tompkins

Mayor Tompkins relayed that there is discussion around the MEDC mandate and that there is a fall luncheon in October.

3. ARRA – Councillor Mersereau

Nothing of note since the last update in July; discussions are still ongoing.

4. REMO – Councillor Hudson

A meeting was held last week at which there was a guest speaker who spoke to the need for a Joint Emergency Team Work. Middleton will host a mock disaster. The next meeting is in December.

5. Planning Services Report

No discussion. Council asked if the CAO and Community Development Coordinator are satisfied with the Fire Inspections.

6. Planning and Heritage Advisory Committee

No discussion. Council read the tabs.

7. Traffic Flow Advisory Committee – Mayor Tompkins

No meeting has been held.

8. CAO's Report

CAO Barr summarized the report and requested that Council review the project list and identify what they consider to be the priority level of each project. Council requested that the item be placed on the next Committee of the Whole agenda for discussion.

9. Police Report

Deputy Mayor Power summarized the topics from the last Board of Police Commission meeting.

10. Library Report

Deputy Mayor Power summarized the last meeting for the Annapolis Regional Libraries, in particular the repayment of overpaid money by municipalities.

**11. Valley Waste Resource Management**

Councillor Hudson summarized the meeting held last week. All bills are paid and there is likely to be another large surplus. Valley Waste will continue to return the surplus to the municipalities. Council directed CAO Barr to publicize the refund amount. Valley Waste is installing a windmill which should go into operation in October.

**12. Water Report**

All good.

**13. Waterfront Development Committee**

Previously discussed. Mayor Tompkins relayed that there is a specific request to have official representation from the Wharf Association on the Committee.

**14. OTHER BUSINESS:**

**15. CORRESPONDENCE:**

**16. IN-CAMERA:**

**MOTION #C-2015-09-21-18**

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to move the meeting in-camera at 9:48 p.m.. Motion carried.

- Item: contract negotiations

**MOTION #C-2015-09-21-19**

It was moved by Councillor Hudson, seconded by Deputy Mayor Power to move the meeting out of camera at 10:40 p.m.. Motion carried.

**16. ADJOURNMENT:**

Chair Tompkins adjourned the meeting at 10:40 p.m.

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Chair Mayor Michael Tompkins

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Recording Secretary Amy MacManus