

MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
April 16, 2012
9:00 a.m.

Present: Mayor Roberts, Deputy Mayor Mueller-Sparenberg, Councillors Shaffner, Hudson, Fearon and Power, CAO¹ Boyer (left at 11:00am), DOF² Robinson, Administrative Assistant Monica Mills as recording secretary.

Regrets:

CALL TO ORDER: The meeting was called to order at 9:00 am by Mayor Roberts.

APPROVAL OF REGULAR COUNCIL MINUTES: Special Council March 8, 2012, Special Council March 14, 2012 and Regular Council March 19, 2012

Motion 1:

It was moved by Councillor Hudson, seconded by Councillor Shaffner that the minutes dated March 8, 2012, March 14, 2012 and March 19, 2012 be approved. Motion carried.

ADDITIONS/DELETIONS TO AGENDA:

- signing authority: Business Arising #3
- NSPI³ grant: Business Arising #4
- Letter requesting Council support for C@P⁴: New Business #9
- Update on an April meeting with Annapolis Valley Regional Health Board regarding Family Practise Residency: New Business #10

APPROVAL OF AGENDA

Motion 2:

It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Hudson that the agenda dated April 16, 2012 be approved as amended. Motion carried.

¹ Chief Administrative Officer

² Director of Finance

³ Nova Scotia Power Inc.

⁴ Community Access Program

PRESENTATIONS: none

PUBLIC HEARING : none

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
1. Revised intermunicipal agreement for Planning Services (Tab 1)	<p>Council reviewed the revised agreement. CAO Boyer explained that the revised intermunicipal agreement would be a month-to-month agreement. She added that the District of Digby has indicated that they would like to join the Local Information Utility (LIU). She stated that it is necessary to obtain an additional partner to alleviate the costs for the Town. She added that she would be meeting with the Council of the Town of Digby tonight and the District of Clare on Wednesday. In order to minimize costs for the Town, PHAC⁵ will have to cut back on its usage of the Planning Services.</p> <p>Motion 3: It was moved by Councillor Fearon, seconded by Councillor Shaffner that the revised intermunicipal agreement for Planning Services be approved. Motion carried.</p>		
2. Budget deliberations	<p>Council reviewed the request from the 74th Crusaders Motorcycle Club. It was decided that the Town does not have the funds to sponsor the motorcycle club.</p> <p>Council reviewed the request from NSIFF⁶ for a donation. Council decided that Mayor Roberts would write a letter of support (non-financial) on behalf of Council. Councillor Fearon suggested that this request be sent to the ADBoT⁷. Council agreed. Mayor Roberts will communicate this matter to the ADBoT.</p>		

⁵ Planning and Heritage Advisory Committee

⁶ Nova Scotia International Ferry Partnership

⁷ Annapolis District Board of Trade

3. Signing Authority	Council reviewed the advice from the Municipal Advisors which suggested maintaining the status quo in terms of signing authority. Councillor Power questioned what would happen in May, since there is no CAO and DOF Robinson will be away for the majority of the month. Councillor Hudson stated that signing authority would automatically go to administration. DOF Robinson stated that the Town's auditors recommended against that as segregation of duties would be compromised. Mayor Roberts recommended leaving the matter as is. Council agreed.		
4. NSPI grant	<p>Mayor Roberts explained that he had requested this information from DOF Robinson. He added that according to the communication from Shannon Bennett, Senior Policy Analyst from Municipal Services, it is difficult to predict future amounts as there are factors that Service Nova Scotia and Municipal Relations cannot predict.</p> <p>DOF Robinson added that Council is requested to bring their copies of the budget to tomorrow's meeting with the Municipal Advisors, as they will be making recommendations regarding the budget. She added that due to the decrease in the NSPI grant, the Town's budget has a shortfall of \$115,000.00; therefore, Council will need to make some drastic cuts. She suggested that Council postpone further budget discussions until the Special Council meeting scheduled for April 17, 2012. Councillor Power asked CAO Boyer if the Municipal Advisors had indicated what their recommendations may be. CAO Boyer stated that the Advisors will probably address the Police Department budget, as it is growing continually, causing cuts in other departments.</p>		
5. Health Board Family Practise Residency	Councillor Power stated that the minutes of last month's Council mentioned that a meeting would be held with Annapolis Valley Health in April. CAO Boyer stated that she had a meeting today at 11:00 am with the Health Board. She added that she had told them that she was resigning but they still wanted her to attend.		

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Final Milestone 4 Report, FCM ⁸ Partners for Climate Protection (Tab 4)	Council reviewed the report. CAO Boyer stated that the report was complete and she would send it to FCM.	CAO	
2. Final Milestone 5 Report, FCM Partners for Climate Protection (Tab 5)	CAO Boyer explained that this report was also completed. She explained that it was the quantitative report on greenhouse emissions completed by CARP ⁹ . Councillor Power commented that she was pleased with the final report, adding that it was well worth the money. Council agreed to send the report.	CARP	
3. Addressing Mold Issue at Town Hall (Tab 6)	CAO Boyer stated that the issue should be addressed soon and built into the budget as it is a safety hazard. Councillor Fearon asked if it was necessary to address the mold issue. Health and Safety Officer Monica Mills stated that mold was a serious health issue and according to Sefton Squires and Paul Buxton, it should be addressed immediately. Mayor Roberts suggested tabling the motion until April 17, 2012 Special Council meeting.		
4. Capital Investment Plan (CIP) (Tab 7)	CAO Boyer explained that she had been filing as many reports as possible to alleviate the workload of DOF Robinson in her absence. Council reviewed the report. Motion 4: It was moved by Councillor Shaffner, seconded by Councillor Power that the Capital Investment Plan be approved. Motion carried.		
5. Integrated Community Sustainability Plan (ICSP) (Tab 8)	CAO Boyer explained that the plan is required by September 2012. Council reviewed the ICSP. Motion 5: It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Fearon that the ICSP be filed with the Province. Motion carried.		

⁸ Federation of Canadian Municipalities

⁹ Clean Annapolis River Project

<p>6. Resolution for provincial Climate Action Change Plan – Green Municipal Funds application with Bridgetown & Middleton (Tab 9)</p>	<p>CAO Boyer explained that the Town, Bridgetown and Middleton all required a review of their Land Use By-laws, MPS¹⁰s, as well as drafting of a Climate Action Change Plan. All three towns agreed to jointly file a grant to alleviate the costs. Mayor Roberts asked if PHAC had been involved in the potential changes to the MPS or the Land Use By-law. CAO Boyer stated that the committee had been given the information; however, they made no changes. She added that between the three towns, there were currently twenty-four planning documents which could be consolidated to four plans. Councillor Power asked for an estimated cost. CAO Boyer stated that she is working on order of magnitude costs and that the costs may be minimized by the amount of work that the Town has done. She added that it would be beneficial to file the grant, as the Town could withdraw at any time.</p> <p>Motion 6: It was moved by Councillor Fearon, seconded by Deputy Mayor Roberts Mueller-Sparenberg that the following resolution be approved, as amended:</p> <p>Be it resolved that the Town of Annapolis Royal develop a sustainable neighbourhood action plan which will include a sustainable community vision, sustainability targets and detailed actions to achieve these targets.</p> <p>Be it also resolved that the Town of Annapolis Royal develop the sustainable neighbourhood action plan as part of a partnership with the Town of Bridgetown and the Town of Middleton, under the leadership of the Town of Annapolis Royal.</p> <p>Be it further resolved that the Town of Annapolis Royal commit funding from its budget towards the costs of this initiative, with the cost subject to determination of order of magnitude costs and Council approval.</p> <p>Motion carried.</p>		
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¹⁰ Municipal Planning Strategies

7. Town support for use of market area – request from Annapolis Board of Trade (ADBOT) (Tab 10)	Council reviewed the request. CAO Boyer explained that the ADBoT had already discussed the matter with the Farmers' and Traders' Market Association. She added that they were requesting the use of the space for displays and entertainment to encourage visitors to the Town. She added that it was not for retail purposes. Council supported the request from the ADBoT. Councillor Power commented that she was very pleased with the actions of the new ADBoT president.		
8. Mutual Aid Fire Fighting Agreement (Tab 11)	CAO Boyer explained that this agreement was initiated by Annapolis County Fire Services Association. Councillor Power asked if it was a service agreement. CAO Boyer replied in the negative, adding that it was a mutual aid agreement. Councillor Power asked if there should be a termination date to the agreement. Council decided that it was not necessary. Motion 7: It was moved by Councillor Fearon, seconded by Councillor Shaffner that the Mutual Aid Fire Fighting Agreement be approved by Council. Motion carried.		
9. Support for the C@P ¹¹ Programs	Council reviewed the request. Councillor Fearon suggested that Council send letters of support, as there are no available funds in the budget to contribute. Council agreed that the Mayor Roberts should write a letter of support and that each of the councillors would also write letters of support.		

RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS

Item	Decision/Action	Responsibility	Target Date
1. Committee of the Whole	Motion 8: It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Shaffner that the revised Procurement Policy be adopted. Motion carried.		

¹¹ Community Access Program

	<p>Motion 9:</p> <p>It was moved by Councillor Shaffner, seconded by Councillor Power that an Order for remediation of unsightly premises be issued to the owner of 378 St George Street. Motion carried</p> <p>CAO Boyer stated that the contractor hired by the owner had indicated to her that repairs would soon be underway and that a plan would be presented to her next week. Deputy Mayor Mueller-Sparenberg stated that the Town should still send the order.</p>		
	<p>Motion 10:</p> <p>It was moved by Councillor Power, seconded by Councillor Hudson that the Town withdraw from public transit effective at the end of the King's Transit deal, subject to the language of the agreement as the Town cannot afford further funding. Motion carried.</p>		
	<p>Motion 11:</p> <p>It was moved by Councillor Hudson, seconded by Councillor Fearon that Council contribute \$500.00 to TCTS¹² for the year 2012-2013. Motion carried</p>		
	<p>Motion 12:</p> <p>It was moved by Councillor Fearon, seconded by Deputy Mayor Mueller-Sparenberg that the Town decline contributing financially to the Municipality of the County of Annapolis for the Community Policing Officer and the Active Living Coordinator position. Motion carried.</p>		

¹² Trans County Transportation Society

	<p>Motion 13: It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Shaffner that the five year lease for the Farmers' and Traders' Market effective April 1st 2012 be approved with an increase of \$500.00. Motion carried</p> <p>Motion 14: It was moved Councillor Shaffner, seconded Councillor Power that the five year lease effective May 2012 between David Whitney and the Town for the use of part of the market shed be approved with an increase of \$400.00. Motion carried.</p>		
	<p>Motion 15: It was moved by Councillor Power, seconded by Councillor Hudson that the Town award the road resurfacing tender to Atlantic Paving for a cost of \$265,857.00 and that the Town award the water main replacement tender to Mid-Valley Construction for a cost of \$341,768.50, as per the recommendations from the Town's engineers, and be included in the 2012-2013 budget. Motion carried. One nay vote from Councillor Shaffner</p> <p>Councillor Shaffner stated that he felt that the tender should have been awarded to a local company. Councillor Fearon noted that it would be contrary to the Procurement Policy and the advice of the Town's solicitor.</p>		
	<p>Motion 16: It was moved by Councillor Hudson, seconded by Councillor Fearon that Council approve the acquisition of a summer student at \$10.00 per hour for a six-week period in July and August 2012. Motion carried.</p>		
	<p>Motion 17: It was moved by Councillor Fearon, seconded by Deputy Mayor Mueller-Sparenberg that the mileage increase from \$0.40 to \$0.43 as per the provincial rate increase effective April 1, 2012. Motion carried</p>		

	<p>Motion 18: It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Shaffner that the service level agreement with Landmark Geographical Services be signed effective April 1, 2012. Motion carried.</p> <p>Council discussed the agreement. CAO Boyer explained that it is an annual agreement shared proportionately by the three towns.</p>		
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	<p>Motion 19: It was moved by Councillor Shaffner, seconded by Councillor Power That a letter be sent to all members of the Police Department to advise of changes in terms and conditions of employment to become effective April 7, 2012, subject to ratification by Council on April 16, 2012. Motion defeated.</p> <p>Councillor Power stated that the Board of Police Commissioners reviewed the letter at their meeting last week in camera. CAO Boyer recommended that discussion move into camera. It was felt that the letter should be addressed to Chief McNeil and that he should deliver the information to his department. She added that they felt that it was unnecessary to mention that sick leave should be reported to the DOF at the time of the absence as that was procedure. Councillor Fearon stated that it was a necessary item to include as the Police Department had not been following the procedure and they had failed to report sick leave in a timely fashion. Councillor Hudson commented that the Chief should be reporting sick leave. CAO Boyer stated that he has not been reporting sick leave. Mayor Roberts stated that he and Councillor Power would be completing the Chief's performance review today and would address the issue then. Councillor Fearon suggested that the performance review be delayed until after the Special Council meeting on April 17, 2012. Mayor Roberts stated that the creation and wording of the performance review would be delayed until after the meeting. He added that he and Councillor Power would continue with the scheduled performance review. Councillor Fearon added that Council needed to address the issues in the Police Department as she felt that Council had been delaying for too long. Councillor Power stated that she would not vote in favour of the motion. Deputy Mayor Mueller-Sparenberg stated that Council had approved the recommendation at Committee of the Whole and delaying the motion another day would not be detrimental.</p> <p style="text-align: right;">.....con't</p>		
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	<p>.....con't</p> <p>CAO Boyer explained that this is an effort to control the overpayments in the department. She added that finances are under control of Council; however, Council is allowing the Board of Police Commissioners to dictate how Council should spend money. Council tabled the motion until April 17, 2012.</p> <p>Motion 20:</p> <p>It was moved by Councillor Hudson, seconded by Councillor Power that the motion be tabled until April 17, 2012. Motion carried.</p>		
2. Planning and Heritage Advisory Committee	No meeting in April.		
3. Board of Police Commissioners	No recommendations.		

<p>4. Environment Committee</p>	<p>Mayor Roberts reported that the committee had observed a lot of litter at the Skateboard Park but they had no recommendations as to what action should be taken.</p> <p>Motion 21: It was moved by Deputy Mayor Roberts Mueller-Sparenberg, seconded by Councillor Hudson that there be a designated off-leash time for dogs on the rail trail between the hours of 8:00 am -10:00 am. Motion carried. One nay vote from Councillor Shaffner. Councillor Shaffner commented that it was a completely unenforceable motion.</p> <p>Councillor Fearon stated that she strongly disagree with dogs being off-leash on the French Basin trail, as it would affect the wildlife. She noted that it would also be a difficult law to enforce. Councillor Power agreed.</p> <p>Motion 22: It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Power that the Town permit the Environment Committee to obtain funds to create a dog park sited at the far end of AVEC¹³ playing grounds at no expense to the Town. Motion carried.</p> <p>Mayor Roberts added that the Environment Committee would like an article to be written for the Town Crier concerning the use of reusable shopping bags.</p>		
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¹³ Annapolis West Education Centre

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

(a) Board of Police Commissioners	<p>Councillor Power reported that the Board was concerned about the lack of a motion from Council regarding the hiring of the new corporal. She added that a verbal offer had been made to the candidate. Councillor Fearon stated that no offer should have been made prior to a motion of approval from Council. Deputy Mayor Mueller-Sparenberg stated that he did not think a verbal offer had been made. DOF Robinson stated that the Municipal Advisors had advised no further action in the hiring process until after the April 17, 2012 meeting.</p> <p>Councillor Power stated that she had informed the Board of the Special Council Meeting on April 17, 2012. She added that there may be ramifications for the Police Department. She added that the advisory team had not met with any members of the department. Councillor Hudson added that they should meet with all of the department employees not just the Chief.</p> <p>Councillor Power stated that there was a vacancy on the NSPAB¹⁴. The Board recommended that she apply for the vacancy, which she had.</p>	Councillor Power & Deputy Mayor Mueller-Sparenberg	
(b) Mayor Roberts's Report	<p>Mayor Roberts had nothing to report.</p> <p>Deputy Mayor Mueller-Sparenberg reported that he had responded to an invitation to attend a Mayors and Wardens meeting but wasn't informed of the time and date of the meeting.</p>	Mayor Roberts	
(c) ADEDA ¹⁵	Deputy Mayor Mueller-Sparenberg reported that there is a meeting scheduled for April 19, 2012. He stated that there will be a half hour training session and that he would provide Council with the minutes.	Deputy Mayor Mueller-Sparenberg	
(d) Planning Services (Tab 13)	Council reviewed the report. Councillor Fearon and Councillor Power requested a simplified report. DOF Robinson stated that she would contact Planning Services with their request.		

¹⁴ Nova Scotia Association of Police Boards

¹⁵ Annapolis Digby Economic Development Agency

(d) King's Theatre	Councillor Fearon reported that King's Theatre had had its AGM ¹⁶ . She stated that the digital projection fundraising was going well. She added that four people were elected to the board. New windows have been purchased and the floors have been repaired in the washroom. She added that the facility committee and the manager would be inspecting the facilities to create a maintenance plan.	Councillor Fearon	
(e) REMO ¹⁷	No report.	Councillor Hudson and Mayor Roberts	
(f) Historic Gardens	Councillor Power stated that this would be her last meeting as a Council representative. She added that she would continue to serve on the HR committee as a private citizen. She reported that the AGM was on March 26, 2012 and plans for the café were presented. The café will be located in the former garden interpretive centre. A member of the Garden Society has offered the Gardens a \$25,000.00 no interest loan on an extended payment plan, which will assist with the development of the café.	Councillor Power	
(h) Twinning Committee	Mayor Roberts reported that he had contacted the Mayor of Royan regarding the tentative visit to Annapolis Royal. He had not received a reply and would contact him again.	Mayor Roberts	
{i} Upper Clements Society	Councillor Shaffner stated that the AGM will be on Thursday, April 19, 2012.	Councillor Shaffner	
{j} Environment Committee	This item was covered during the recommendations from the committee.	Mayor Roberts	
{k} Planning and Heritage Advisory Committee	No meeting.	Councillor Fearon and Councillor Hudson	

¹⁶ Annual General Meeting

¹⁷ Regional Emergency Measures Office

{l} CAO's Report (Tab 14)	Council discussed the report.	DOF Robinson	
{m} Water Reports	Council reviewed the report.	CAO Boyer	

CORRESPONDENCE.

1. UNSM Spring Workshop 2012: May 9 to 11, Holiday Inn in Truro (Tab 15) Mayor Roberts and Councillor Power will attend.

OTHER BUSINESS

Motion 23:

It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Power that the meeting move in camera at 10:44 am.
Motion carried.

IN CAMERA

1. Personnel matters

Motion 24:

It was moved by Deputy Mayor Mueller-Sparenberg, seconded by Councillor Power that the meeting move out of camera at 10:50 am.
Motion carried.

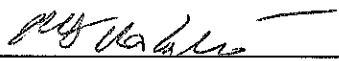
NEXT MEETING: May 22, 2012

ADJOURNMENT

Motion 25:

It was moved by Councillor Shaffner, seconded by Councillor Fearon that the meeting be adjourned at 11:21. Motion carried.

Town of Annapolis Royal
Council Minutes
April 16, 2012

<i>Action:</i>	<i>Date</i>	<i>Signature</i>
Reviewed by Mayor Roberts	2012.05.23	
Changes made by CAO	—	—
Approved for website by CAO	—	—
Sent to webmaster	2012.06.4	