

**MINUTES**  
**TOWN OF ANNAPOLIS ROYAL**  
**REGULAR COUNCIL**  
**April 20, 2006**  
**9:00 a.m.**

The regular meeting of the Council was held on Thursday, April 20, 2006 in the Council chambers at Town Hall. In attendance were Chair Mayor John Kinsella, Deputy Mayor Jane DeWolfe, Councillors Sherman Hudson, Doug Shaffner, and Phil Roberts, CAO Amery Boyer, Director of Finance Melony Robinson and Jackie Longmire as Recording Secretary. Carolyn Sloan of the Spectator was also present. Present for the Public Hearing were Town Planner Roger Sturtevant, Rob Lawrie, Joanne Lawrie, Rion Microys and Susan Barker.

Regrets: Councillor Ron Boulding

**CALL TO ORDER**

**APPROVAL OF REGULAR COUNCIL MINUTES**

**March 20, 2006**

***Motion # 1***

***It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner, to approve the regular Council minutes dated March 20, 2005. Motion carried.***

**ADDITIONS/DELETIONS TO AGENDA**

Under Planning Advisory and Advisory Committee add:

{a} Business of Public Hearing

All other items under PHAC to follow the addition.

**APPROVAL OF AGENDA**

**April 20, 2006**

***Motion # 2***

***It was moved by Councillor Shaffner, seconded by Deputy Mayor DeWolfe, to approve the agenda dated April 20, 2006 as amended. Motion carried.***

**PUBLIC HEARINGS** Site Development Plan for 82. St. Anthony Street

Town Planner Roger Sturtevant began the meeting by saying that this development plan is dealing with

environmentally sensitive land. He said it is the site of a former salt marsh and entails tricky elements for development. He mentioned the McBride report of 1979 which dealt with this site and how the technical material would be of more interest to the developer than to the Town. If the developer decides to move ahead the Town would provide all the information it has available and would advise caution. Jacques Whitford has done some testing on the site and their appears to be no contamination from a former bulk oil plant that was located near 82 St. Anthony Street.

Rob Lawrie addressed Council by saying the development agreement outlines his intentions for the property. His business is presently suffering from space constraints. The constraints are a major concern for him and he believes that they impact the rest of the Town. He proposes the development to take place in three phases. The first phase is to move his building and garden supplies to the new site. Phase 2 is to erect a large warehouse type building for building supplies. Phase 3 would consist of an entirely new retail location. His present business would be completely relocated to the new space. He said that all environmental concerns would be addressed and he has landscape design plans that would work with the special needs of the property. He explained several advantages with the new site which include more parking area and room for large delivery trucks. He said that Corporate Home Hardware is willing to work with the location to ensure that the design fits the area.

Time lines for the project were discussed and Mr. Lawrie stated he would like the first phase to take place within a month. The other 2 phases will take place over the next 2 - 3 years. Roger Sturtevant explained that the project could require only one development agreement with a detailed plan of the final build and a single meeting with Council.

Mr. Lawrie answered questions from Council regarding water concerns, neighbours of the site and the foundation of the actual build. He said there was a manufactured ditch on the property and it was his intention to maintain it. The residential neighbours of the site have not been approached at this point, but notices for the meeting today were hand delivered to residents who live close to the site by Roger Strutevant. Mr. Lawrie stated that the foundation for the build would be an engineered concrete slab.

Mayor Kinsella said the Home Hardware business has been a fixture in Town for several years and is considered to be an integral part of the community. He also said that Mr. Lawrie could expect absolute cooperation from the Town and he wished him well with his plans.

The Town Planner explained that Mr. Lawrie must continue to work with Council for final approval. With more detailed architectural plans, an agreement could be approved at the June meeting of Council. It was explained that in the meantime Mr. Lawrie could begin to utilize the property without any ground breaking or demolition.

### ***Motion#3***

***It was moved by Councillor Shaffner, seconded by Deputy Mayor DeWolfe that a request by R.C. Lawrie enterprises Ltd. for permission to develop Highway Commercial (C2) uses on a parcel located at 82 St. Anthony Street, be recommended to Council for a public hearing and***

*consideration in the ESA Zone by development agreement. Motion carried.*

## **PRESENTATIONS**

### **B & B Weekend Retreat**

Susan Barker and Rion Microys have established the Annapolis Basin Bed & Breakfast Association and they were in attendance to request financial support from the Town for an event they are planning in May 2006. Several B & B owners in the Town have offered a free night's accommodation to owners from other areas. Ms. Barker explained this as an excellent opportunity to show those from other areas what Annapolis Royal has to offer. They presented a budget which listed expenses of \$1,300.00, Ms. Barker explained the Annapolis Royal Board of Trade has donated \$300.00. Deputy Mayor DeWolfe said she believed this would be a benefit to the Town and she moved to donate \$1,000.00 to the Association.

Councillor Roberts said there may be a conflict of interest as he is a member of Musique 400 and they may be performing for the guests. Mayor Kinsella said if Councillor Roberts would receive no direct financial benefit there would be no conflict. Councillor Roberts suggested an amendment to the motion, to underwrite rather than to donate. All agreed to the amendment.

### ***Motion #4***

*It was moved by Deputy Mayor DeWolfe, seconded by Councillor Roberts to underwrite the expenses of the Annapolis Basin Bed & Breakfast Association to a maximum of \$1,000.00. Motion Carried.*

## **BUSINESS ARISING FROM MINUTES**

<b>Item</b>	<b>Decision / Action</b>	<b>Responsibility</b>	<b>Target Date</b>
{a} Vending Bylaw	<p>First reading of the amended bylaw. CAO Boyer explained the only change was the removal of the \$10.00 fee for buskers.</p> <p><b><i>Motion#5</i></b> <i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner to move the amended Vending Bylaw to second and final reading at the next meeting of Council. Motion carried.</i></p>		
{b} Sewer Bylaw	<p>First reading of the amended bylaw. CAO Boyer said the bylaw was changed to place an absolute ban on sump pumps hooked into the sanitary sewer system.</p>		

	<p><b><i>Motion #6</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson to move the amended Sewer Bylaw to second and final reading at the next meeting of Council. Motion carried.</i></b></p>		
{c} Burning Permit Bylaw	<p>First reading of the amended bylaw. Changes were made on the recommendation of the Fire Chief. CAO Boyer said she is still waiting on metric limits from the Fire Chief to finalize the changes.</p> <p><b><i>Motion #7</i></b>  <b><i>It was moved by Councillor Hudson, seconded by Councillor Roberts to move the amended Burning Permit Bylaw to second and final reading at the next meeting of Council. Motion carried.</i></b></p>		
{d} Farmer's Market Lease	<p>CAO Boyer has been in contact with the Department of Health, which has directed her to the Department of Agriculture. She has received some information and is expecting a copy of the "Guidelines for Public Markets" to follow. It appears that dogs will not be permitted at the market but she is awaiting more information before a final decision can be made. Willie Troop, the Farmer's Market Coordinator will be given a copy of the guidelines when they arrive.</p>		
{e} Policy on Standing proclamations	<p>Changes have been made to the policy so that proclamations are made only when there is a direct benefit to the Town. A direct benefit would include grant applications or significant events.</p> <p><b><i>Motion #8</i></b>  <b><i>It was moved by Councillor Roberts, seconded Councillor Hudson to approve the changes made to the Policy on Standing Proclamations. Motion carried.</i></b></p>		
{f} Proclamation for Emergency Preparedness Week	<p>CAO Boyer said this is a good example of a proclamation that is of no real value to the Town all by itself. She said the Town participates in emergency preparedness in other ways and she sees no reason for a proclamation.</p>		
{g} Public consultation process to confirm or alter the number of Councillors	<p>CAO Boyer has drafted a discussion paper that was distributed to the Mayor and Councillors. She said it was in rough form and there were a few errors that would be corrected. CAO Boyer proposed that the process be carried out over one or two meetings and the public be given an opportunity</p>		

	<p>to comment through the website. She also said she would contact Service Nova Scotia and Municipal Relations to enquire about a non-resident facilitator for the process.</p> <p>Some members of Council stated that it would be best for the number of Councillors to remain the same to ensure that there would be a quorum for each meeting. If the number was lowered a quorum may not always be guaranteed because of vacation, sickness and other commitments.</p>		
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**MOTION(S) OF RECONSIDERATION:** none

**MOTION(S) OF RESCISSION:** none

**OTHER NOTICE(S) OF MOTION:** none

**NEW BUSINESS**

Item	Decision / Action	Responsibility	Target Date
{a} Staff salary increases	<p>The Director of Finance asked that all salary increases be made effective at the same time. She said that non unionized staff have had to wait for approval and this process has always resulted in retro pay. To have all increases come due at the same time would eliminate the retro pay and the extra paperwork.</p> <p><b><i>Motion #9</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner to accept the recommendation from staff and have the timing of the percentage salary increases for non union staff mirror the timing of the percentage salary increases negotiated for unionized staff. Motion carried.</i></b></p>		
{b} FCM's 2006 Community Energy Planning	<p>CAO Boyer said the Municipality of Clare visited Austria in 2005 through the FCM program and learned some very innovative things about energy and waste management. She asked if anyone would interested in attending. Funding questions will be answered and the CAO will report more information at the next meeting.</p>		

{c} Pool Update	<p>CAO Boyer said she has received an update from Recreation Director Grant Potter. He has reported that the majority of the people on the Committee have voted for the build to take place at the old pool site on Champlain Drive. Deputy Mayor DeWolfe asked if any reasons were given for their choice of Champlain Drive. CAO Boyer said the reasons that were mentioned included: wind, extra costs for a different site, Champlain is a quiet street and the community liked the location of the old pool. She said this location simplifies the process for staff and obtaining permits. She said the tender for the project needs to go out as soon as possible.</p> <p><b><i>Motion #10</i></b>  <b><i>It was moved by Councillor Hudson, seconded by Councillor Shaffner to accept the report of the Pool Committee and move forward with the pool build project. Motion carried.</i></b></p>		
{d} Expense Claim	<p>The Provincial rate for mileage has increased to 39 cents, it has been the practice of the Town to mirror the rates of the Province. It was agreed to raise the rate of the Town from 34 cents to 39 cents. No motion was required.</p>		

**PLANNING HERITAGE AND ADVISORY COMMITTEE**

**10:00 A.M.**

Item	Decision / Action	Responsibility	Target Date
{a} 622 St. George Street	<p>Several complaints have been received regarding a red metal roof that has been installed on the home at 622 St. George Street. The owner of that home, Kent Thompson, was in attendance to address the concerns. Mr. Thompson said he did not alter the roof line or the windows and he did not feel a Change to Heritage Property application was necessary. He said he was having trouble with the roof leaking and decided that metal may be the best option for his type of home. He chose red because he liked the colour and he said the entire house was red at one time. Town Planner Roger Sturtevant offered his opinion on the matter and said that he did not believe any bylaws were broken and an application was not necessary. CAO Boyer said the property is not on the heritage register.</p>		

	<p>CAO Boyer pointed out section 6.6 of the MPS/LUB. Roger said the purpose of section 6.6 is to deal with the height, width and bulk of new builds and could not be applied to this issue. Building Inspector Tim Leslie was also consulted and he felt it was not his place to intervene because no major alterations had taken place. He believed it to be a heritage issue.</p> <p>No action is required.</p>		
{b} Application for changes to a Heritage Property - 223 St. George Street	<p>The application was for new signage for Nancy's Timeless Treasures. The new signs were simply a new paint job over old signs that had been approved for the former business.</p> <p><b><i>Motion #10</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Kathie Fearon to approve the application for new signs at 223 St. George Street. Motion carried.</i></b></p>		
{c} Application for changes to a Heritage Property - 703 St. George Street	<p>CAO Boyer displayed a picture of the new sign for 703 St. George Street and said it would be a nice addition to that end of St. George Street.</p> <p><b><i>Motion #11</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Councillor Hudson to approve the application for the new sign at 703 St. George Street. Motion carried.</i></b></p>		

## RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
(a) Recommendations from Committee of the Whole	<p><b><i>Motion #12</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Roberts that the committee to address the issues of the Nova Scotia Utility and Review Board concerning the number of Councillors for the Town of Annapolis Royal be formed by the entire Council. Motion carried.</i></b></p>		

	<p><b><i>Motion #13</i></b> <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner to renew the Farmer's Market Lease agreement with the possibility of adding a clause relating to dogs. Motion Carried.</i></b></p> <p><b><i>Motion #14</i></b> <b><i>The following resolution was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner:</i></b> <b><i>Be it resolved that for the purpose of the Municipal Rural Infrastructure Fund, the water and sewer upgrade for Champlain Drive, Ritchie and Grange Streets and St. Patrick's Lane is the Town's top infrastructure priority.</i></b></p> <p><b><i>Motion #15</i></b> <b><i>It was moved by Councillor Hudson, seconded by Deputy Mayor DeWolfe to refer the funding request from the Trans County Transportation Society to the next budget presentation to be held on May 4, 2006. Motion carried.</i></b></p> <p><b><i>Motion #16</i></b> <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner to provide the requested funding to the Annapolis Royal Historic Gardens, with specific conditions attached.</i></b></p> <p>After a discussion Deputy Mayor DeWolfe withdrew the motion to have the issue readdressed at the next Committee of the Whole meeting. Councillor Roberts asked for clarification of some issues surrounding the funding. He asked that the following excerpt from the Committee of the Whole minutes from April, 2006 be inserted:</p> <p>The Gardens are basically asking for funding of \$10,000.00 a year for the next four years. CAO Boyer said the Gardens must provide a detailed debt reduction plan. They should also consider selling portions of the properties that can be carved out without affecting the Gardens' appearance or reputation. As far as 2000, and the Town has given the Gardens \$10,000.00 every year as well as access to the Public Works staff and a reduction in their taxes. Staff's recommendation is to consider the amount of \$10,000.00 be granted with conditions. It was also decided that the Town should have a</p>		
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	<p>representative on the board for the Gardens.</p> <p><b><i>Motion #11</i></b> <b><i>It was moved by Mayor Kinsella, seconded by Councillor Shaffner to recommend to Council to provide the requested funding to the Annapolis Royal Historic Gardens, with specific conditions attached. Motion carried.</i></b></p>		
	<p><b>“The Gardens are basically asking for funding of \$10,000.00 a year for the next four years. CAO Boyer said the Gardens must provide a detailed debt reduction plan. They should also consider selling portions of the properties that can be carved out without affecting the Gardens’ appearance or reputation. As far as 2000, the Town has given the Gardens \$10,000.00 every year as well as access to the Public Works staff and a reduction in their taxes. Staff’s recommendation is to consider the amount of \$10,000.00 be granted with conditions. It was also decided that the Town should have a representative on the board for the Gardens.</b></p> <p><b>Motion #11</b> <b>It was moved by Mayor Kinsella, seconded by Councillor Shaffner to recommend to Council to provide the requested funding to the Annapolis Royal Historic Gardens, with specific conditions attached. Motion carried.”</b></p> <p>Councillor Roberts stated he was uncomfortable with the funding and would like to have more information before the final decision is made.</p> <p><b><i>Motion#17</i></b> <b><i>It was moved by Councillor Roberts, seconded by Deputy Mayor DeWolfe to determine and clarify all conditions for discussion at the next Committee of the Whole meeting. Motion carried.</i></b></p> <p><b><i>Motion #18</i></b> <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson to refer the funding request from the “Theatre of Neptune” to the next budget presentation on May 4, 2006. Motion carried.</i></b></p> <p><b><i>Motion # 19</i></b></p>		

	<p><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner to tax the Annapolis Royal Wharf Society for the use of the wharf and to return the amount to the Society with conditions. Motion carried.</i></p> <p>Note: the conditions include allocating the entire amount to a planned wharf expansion project.</p>		
(b) Board of Police Commissioners	Deputy Mayor DeWolfe, Mayor Kinsella and CAO Boyer will be meeting with Minister Scott of the Department of Justice on April 25, 2006 to discuss the possibility of avoiding the expense of hiring another full time officer. Deputy Mayor DeWolfe said she would give a full update at the next meeting of Council.		
(c) Mayor's Report	Mayor Kinsella attended the unveiling of Club 400 in Lawrencetown. He said it was a resounding success with approximately 150 people in attendance. He thanked Deputy Mayor DeWolfe for attending the Volunteer Awards in Halifax on his behalf.		
(d) King's Theatre	<p>Deputy Mayor DeWolfe attended the Annual General Meeting on behalf of Councillor Roberts. She said the Theatre appears to be on solid ground with an excellent Board of Directors.</p> <p>Councillor Roberts said the consultants for the King's Theatre strategic plan will be meeting with the Board on Saturday, April 22 at 1:30 p.m. to discuss capital requirements. He invited the Mayor and Councillors to attend.</p>		

## CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} none			

**OTHER BUSINESS:** none

## QUESTIONS

**NEXT MEETING** Monday, May 15, 2006 at 9:30 a.m.

## ADJOURNMENT

### ***MOTION #20***

***It was moved by Councillor Shaffner that the meeting adjourn.***

<b><i>Action:</i></b>	<b><i>Date</i></b>	<b><i>Signature</i></b>
Reviewed by Mayor John Kinsella		
Changes made by Administrative Assistant		
Approved for website by Mayor or CAO		
Forwarded for Website		