

MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
April 21, 2008
9:00 a.m.

The regular meeting of the Council was held on Monday, April 21, 2008 in Council Chambers at Town Hall. In attendance were Chair Mayor John Kinsella, Deputy Mayor Jane DeWolfe, Councillors Sherman Hudson, Doug Shaffner and Ron Boulding, CAO Amery Boyer, Director of Finance Melony Robinson, Municipal Intern Tammy Bernasky and Jackie Longmire as recording secretary.

Regrets: Councillor Phil Roberts

APPROVAL OF REGULAR COUNCIL MINUTES

March 17, 2008

Motion # 1

It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson, approval of the regular Council minutes dated March 17, 2008, as amended. Motion carried.

ADDITIONS/DELETIONS TO AGENDA

Under Business Arising add:

- {b} First Reading – Taxi By-law
- {c} First Reading – By-law to Repeal Other By-laws
- {d} Budget

Under In Camera add:

- {b} To discuss a staffing issue

APPROVAL OF AGENDA

April 21, 2008

Motion # 2

It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson, approval of the agenda dated April 21, 2008, as amended. Motion carried.

APPEAL

Appeal on Application for Variance at 18 St. James Street, Wheeler/Allen property – Mayor Kinsella declared a conflict of interest with this issue, he left the room, and Deputy Mayor DeWolfe chaired this part of the meeting. Mary Wheeler and Karen Allen, as property owners of 18 St. James Street, filed an application with ADPC for a subdivision of their property, which was denied. John Cameron, Planning Officer with ADPC, said that the application was denied because the size of the lots would be less than those allowed under the Land Use By-law. Mr. Cameron did say that small lot size was in keeping with the size of other lots in the area. He said that Council was in a better position to determine the intent of the Land Use By-law and make the final decision on the application.

Mary Wheeler said that the property was used as a business property operating as vacation suites but it is now rented out under a long term lease. She said that they are considering selling the property and wanted to apply for this subdivision before the property was listed.

Adjacent property owner, John Mildon, said that when he bought his property on St. Anthony Street it was his understanding that the greenspace at the side of his property would not be developed. He said that he raised the issue again with Roger Sturtevant when a variance was granted for a property across the street from his property. He said that Mr. Sturtevant assured him a subdivision at 18 St. James Street would not be approved because it did not conform to the LUB. He also made mention of all the empty homes in the area, saying that there is no need for more dwellings units in the area.

Gail Robertson said that her property at 221 St. Anthony Street was two lots when they bought it. It has since been sold and was made into one lot at the request of the Town. She said that all properties should have to abide by the regulations and restrictions of the LUB.

Jane DeWolfe asked all members of Council if there was a motion to grant the variance. There was no motion and the appeal was therefore denied. The decision made by John Cameron stands. Mary Wheeler asked if this meant that the property could never be subdivided. She was told that an application could be submitted at any time. Future applications would be considered in the same manner as the present application and could be either approved or denied.

PRESENTATIONS

Joy Elliott – Fortier Mills – Two drawing were available for review. Ms. Elliot said that a geotechnical investigation has been completed and the top layer of the upper area can be transferred to the lower area to raise

the grade. The elevation of the buildings will be above the level of the dyke.

It was asked if the homes would be pre-built or if the lots would be sold for development. Ms. Elliott said that some of the homes will be pre-built but others can be developed by the property owner who can choose from a selection of designs that have been deemed appropriate for the area.

Ms. Elliott said that some site grading and infrastructure will be completed in 2008 with some housing in place by 2009. It is expected that the development will not be filled to capacity until 2016. Councillor Shaffner asked if it was possible for the infrastructure to be delayed in light of the Town's budget constraints. It was agreed that delaying infrastructure would delay the entire projects and it has been deferred in the past. The infrastructure must be completed in order for the development to move forward.

CAO Boyer said that the Fire Department has raised concerns over the berm and where it would be placed. Ms. Elliott and CAO Boyer will meet with members of the Fire Department to clarify the issues.

Ms. Elliott will attend the next Committee of the Whole meeting to present the project to PHAC. CAO Boyer will request a timetable from Planning Officer Chris Millier to ensure that the process moves along as quickly and as efficiently as possible.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
{a} Temporary Borrowing Resolution	This resolution is for refinancing of the water debenture. <i>Motion #3</i> <i>It was moved by Councillor Hudson, seconded by Deputy Mayor DeWolfe, to accept and approve the temporary borrowing resolution to borrow a sum or sums not exceeding \$250,000.00 in total. Motion carried.</i>	CAO Boyer & Director of Finance	
{b} First Reading – Taxi By-law	<i>Motion #4</i> <i>It was moved by Deputy Mayor DeWolfe, seconded by Doug Shaffner, first reading of the Taxi By-law. Motion carried.</i>	Municipal Intern, Tammy Bernasky	

{c} First Reading – By-law to Repeal Certain By-laws	Motion #5 <i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner, first reading of the By-law to Repeal Certain By-laws. Motion carried.</i>	Municipal Intern, Tammy Bernasky	
{d} Budget	<p>The budget has been reviewed at three previous meetings and all changes have been made. The Director of Finance distributed copies with three different scenarios, based on discussions at previous meetings.</p> <p>Questions were also raised concerning twinning and Keji brochures. All items will be further reviewed and discussed over the next several weeks.</p>	Director of Finance	

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Parker Mountain Pit	<p>Mayor Kinsella received correspondence asking the Town to take the position that the Parker Mountain Aggregates go through remediation as they develop the pit. It was noted that the quarry has been grandfathered and the quarry has some twenty acres to work with.</p> <p>Council agreed that correspondence would be sent to the Department of Environment. Mayor Kinsella said that businesses that in the natural environment have to be accountable and he fully supported the following motion:</p> <p>Motion #5 <i>It was moved by Councillor Shaffner, seconded by Councillor Boulding, that correspondence be submitted to the Department of Environment in support of the new or renewed permit requiring reclamation/remediation as a condition of approval for the Parker Mountain Pit. Motion carried.</i></p>	CAO Boyer	
{b} Stipend for Town Crier	This item was discussed at a previous budget meeting and all issues were addressed.		

{c} Agreement between the town and Danny McClair	<p>The Cozy Internet Café has requested lease renewal for sidewalk rental. No issues were noted with the arrangement in the previous year; the lease was renewed with the following motion:</p> <p><i>Motion #6</i> <i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Shaffner, to accept and approve the lease renewal for The Cozy Internet Café. Motion carried.</i></p>	CAO Boyer	
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RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
{a} Recommendations from Committee of the Whole	<p><i>Motion #7</i> <i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson, first reading of the Waste Resource Material Management By-law. Motion carried.</i></p> <p><i>Motion #8</i> <i>It was moved by Councillor Boulding, seconded by Councillor Hudson, acceptance and approval of the site located south west of the French Basin Trail car park, next to the abandoned railbed as the location of the proposed skatepark. Motion carried.</i></p> <p><i>Motion #9</i> <i>It was moved by Councillor Hudson, seconded by Councillor Shaffner, referral of the CAPS request for \$850.00 in financial support to budget deliberations. Motion carried.</i></p> <p>Councillor Shaffner declared interest in the following motion:</p>		

	<p>Motion #10 <i>It was moved by Deputy Mayor Dewolfe, seconded by Councillor Boulding, approval of the application for changes to heritage property located at 340 St. George Street, conditional to pending changes to all windows and doors. Motion carried.</i></p> <p>Councillor Shaffner said that windows that are similar to those in the existing hall have been found and will be incorporated into the design for the new addition.</p> <p>Motion #11 <i>It was moved by Councillor Shaffner, seconded by Councillor Hudson, approval of the application for changes to heritage property located at 438 St. George Street with additional steps to be determined by ADPC. Motion carried.</i></p>		
{b} Board of Police Commissioners	The next meeting of the Board of Police Commissioners is scheduled for April 23, 2008.	Deputy Mayor Jane DeWolfe	
{c} Mayor's Report	Mayor Kinsella attended several events and meetings during the month of April. He talked about the meeting regarding the old Annapolis Road; five municipalities attended. Mayor Kinsella has requested organizing a meeting at Keji in hopes that all ten of the municipalities concerned will attend.	Mayor John Kinsella	
{d} King's Theatre	Councillor Roberts was not in attendance to give a report.	Councillor Phil Roberts	
{e} REMO	The next meeting will be held in May, 2008.	Deputy Mayor Jane DeWolfe	
{f} Hanse Society	Councillor Boulding attended the Annual General Meeting on April 17, 2008. A report is available for review.	Councillor Ron Boulding	

{g} Historic Gardens	Councillor Shaffner said there was nothing new to report. It was noted that the attendance at the dinner and auction was good.	Councillor Doug Shaffner	
{h} FAPS	Councillor Roberts was not in attendance to give a report.	Councillor Phil Roberts	

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} Letter from Sister Helen Wallace – Year of the Planet	For information only.		

IN CAMERA

It was moved by Councillor Hudson, seconded by Councillor Shaffner, to move in camera to discuss fire service negotiations and a staffing issue.

It was moved by Councillor Shaffner, seconded by Councillor Hudson, to move out of camera.

The following motion was made as a result on in camera discussions:

Motion #12

It was moved by Councillor Shaffner, seconded by Councillor Boulding to appoint Councillor Hudson as a signing officer for the Town of Annapolis Royal. Motion carried.

Mayor Kinsella stated that he was resigning his office effective today. He thanked Council, staff and the community of their support during his time in office since 1992.

NEXT MEETING May 21, 2008 at 9:30 a.m.

ADJOURNMENT

It was moved by Councillor Boulding to adjourn the meeting.

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