

MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
February 21, 2011
9:00 a.m.

Present: Mayor Phil Roberts, Deputy Mayor Doug Shaffner, Councillor Kathie Fearon, Councillor Sherman Hudson, Councillor Pat Power, Councillor Holger Mueller-Sparenberg, CAO Amery Boyer, DOF Melony Robinson, Public Works Superintendant Kevin McLean, Administrative Assistant Monica Mills as recording secretary and members of the public.

CALL TO ORDER

Mayor Roberts called the meeting to order at 9:00 am.

APPROVAL OF REGULAR COUNCIL MINUTES: January 17, 2011

It was moved by Councillor Power, seconded by Councillor Hudson that the minutes from January 17, 2011 be approved with the following changes on pages 2 and 9 the top paragraphs are repeated.

Motion carried

ADDITIONS/DELETIONS TO AGENDA:

Councillor Power had the following additions to the agenda under Business Arising:

- Update on the Celebrate Canada Application
- The proposed highlights on Town businesses in the Town Crier
- Council comments on the review of the Police Board Manual

DOF Robinson requested that matters pertaining to Public Works Superintendent, Kevin McLean, be moved to the beginning of the agenda.

APPROVAL OF AGENDA :

It was moved by Councillor Mueller-Sparenberg, seconded by Deputy Mayor Shaffner that the agenda for February 21, 2011 be approved with the additions noted. Motion carried.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
1. Budget Process: Version 5	Council discussed the Budget: Version 5. Mayor Roberts stated that the budget should be revisited in June when the Town of Annapolis Royal receives news from the Province of Nova Scotia regarding possible municipal funding cuts.	DOF Robinson	
2. Canada Day Funding	CAO Boyer stated that the application had been filed and the Town had received confirmation that the application was being considered. There has been no word as to whether or not it has been approved.		
3. Update on Promotion of Businesses in Town Crier	CAO Boyer stated that the announcement from ADBOT, further down the agenda, covered this topic as it was a combination of the two announcements. CAO Boyer added that the two announcements could be unbundled if desired.		
4. Review of Police Board Manual	Councillor Power commented that she wanted to remind Council that their suggestions and recommendations for the Police Board Manual should be brought to Council for discussion.		
5. Fire Arms By-law	Mayor Roberts stated that perhaps the best solution to the Fire-Arms By-Law was to rename the by-law, the Weapons By-law which would encompass bows and arrows as well as crossbows.		

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Public Works request for a new sidewalk machine	<p>Mayor Roberts stated that he would like to commend Public Works on their wonderful job this winter. Public Works Superintendant Kevin McLean presented his request for a new sidewalk snow removal machine. He stated that the current machine is seven years old and needs upgrading; it is no longer under warranty. Currently, there is no contingency plan in the event that the current machine breaks down. The purchase of a new machine would provide a contingency plan as well as extend the life of the current machine. The approximate cost of a new machine would be \$35,000. Councillor Power asked that Kevin McLean look into the option of contracting snow removal to an outside company. Councillor Mueller-Sparenberg stated that the addition of a new machine would facilitate snow removal and minimize the chance of a slip and fall injury. He added that Kevin McLean should look into leasing options and the potential of purchasing an older model. Kevin McLean responded that an older model would be \$25,000 and not have a warranty, which was the main reason for purchasing a new model. Deputy Mayor Shaffner expressed his support of purchasing a new machine adding that the main issue with contracting snow removal out would be the payment of a retainer to ensure that the company would be on stand-by for snow removal. Kevin McLean stated that he would research the recommendations from Council; he added that the cost of the machine is approximately \$35,000 but it would last approximately ten years; this would break down to approximately nine dollars per resident.</p>	Public Works Superintendant Kevin McLean	
2. Request for decision: HR Policy Vacation Accumulation. (Tab 1)	<p>Currently the Town's H.R Policy does not address vacation accumulation for individuals on long term or extended sick leave. The proposal is that people who are on extended sick leave should not accrue vacation time. DOF Robinson stated that according to the AMALIST¹ serve, this is the practice of most municipalities. After some discussion, it was decided that clarification was needed for the terms "long-term" and "extended sick leave" prior to making a decision on the issue.</p>	DOF Robinson	

¹ Association of Municipal Administrators

3. Policy on Presentations and Policy on Meetings and Procedures (Tab 2)	Mayor Roberts stated he received some clarification from the lawyer regarding original clause 43 which appeared to be in conflict with section 1 (d). The lawyer had intimated that clause 43 should be deleted as it was unnecessary. Mayor Roberts added that there was still work to be done on the policy and that it should be revisited at the next Committee of the Whole meeting.	CAO Boyer	
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RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS

Item	Decision/Action	Responsibility	Target Date
1. Recommendations from Committee of the Whole	<p>Motion 1</p> <p>That Council approve the nomination of the Annapolis Royal Police Department for the Minister's Awards for Leadership in Crime Prevention.</p> <p>As is detailed in the recommendations from the Board of Police Commissioners, it was decided that the Annapolis Royal Police Department did not meet the criteria for nomination. Motion not moved.</p>		
	<p>Motion 2:</p> <p>It was moved by Deputy Mayor Shaffner, seconded by Councillor Power, that it be resolved that the Town of Annapolis Royal agree to convey to Brown Bros. that portion of the lands of the Town being PID 05290598. Brown Bros. agrees to convey to the Town that portion of land being PID 05294491.</p> <p>Motion carried.</p>		

<p>2. Fee for Out of Town Businesses to list on the Town's website</p>	<p>For review: Original Motion, Committee of the Whole, January 5, 2011: In July, Council introduced a new fee for listing out-of-town businesses in the Town's catchment area on the website. This fee would come into effect April 1, 2011. CAO Boyer queried whether Council wished to move forward with charging the fee. Mayor Roberts replied in the affirmative, adding that it was a matter of fairness to local businesses. DOF Robinson stated that the expected total revenue generated would be approximately \$800.00 in miscellaneous revenue.</p> <p>ADBOT suggestion, (Tab 3)</p> <p>After some discussion, it was decided that Council should approach the businesses of Annapolis Royal to gauge their response to the proposed fee. CAO Boyer stated that Council would also have to consider the fee as it increases the workload of staff. Mayor Roberts suggested to Council that it would be beneficial to postpone making a decision until next month's meeting.</p>		
<p>3. Recommendations from PHAC² (Tab 4)</p>	<p>Motion 3: It was moved by Councillor Power, seconded by Councillor Mueller-Sparenberg that the property located at 6 Drury Lane be given heritage approval to alter its exterior appearance to allow for a chimney to be erected on the southeast side of the building with the following conditions: The chimney shall be clad in brick. Motion carried.</p>		

² Planning & Heritage Advisory Committee

(Tab 5)	<p>Motion 4:</p> <p>It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson that be it resolved that the Town of Annapolis Royal register the structure and property outlined in the Notice of Recommendation at 833 St. George Street in the Municipal Heritage Registry.</p> <p>Motion carried.</p>		
(Tab 6)	<p>Motion 5:</p> <p>It was moved by Councillor Hudson, seconded by Councillor Fearon that it be resolved that the Town of Annapolis Royal register the structure and property outlined in the Notice of Recommendation at 50 Drury Lane in the Municipal Heritage Registry.</p> <p>Motion carried.</p>		

(Tab 7)	<p>Motion 6: It was moved by Councillor Fearon, seconded by Councillor Hudson that the property located at 340 St George Street (St. Luke's Church) be given heritage approval from Council to alter its exterior appearance to allow for replacement of the eleven windows in the hall attached to the rear of the church with the following condition: The replacement windows should match the original windows in size, shape and appearance. Motion carried.</p>		
	<p>Motion 7: It was moved by Deputy Mayor Shaffner, seconded by Councillor Power that Town Council give approval to PHAC to pursue an amendment to the LUB³ that would reflect the intent of Council as contained in the Municipal Planning Strategy concerning the approval of signs on buildings adjacent to designated heritage properties and that the matter be referred to the ADPC for action. Motion carried.</p>		
(Tab 8)	<p>Motion 8: It was moved by Councillor Power, seconded by Councillor Mueller-Sparenberg that Council approve a third member of Council be appointed to PHAC. Mayor Roberts asked for justification regarding this motion. Councillor Hudson replied that it was to have more Councillors informed on the decisions of PHAC. Councillor Fearon added that Councillor Mueller-Sparenberg is the logical choice, as he attends most meetings and is in the real estate profession. Councillor Mueller-Sparenberg stated that he would gladly serve on PHAC. Motion carried.</p>		

³ Land use by-law

(Tab 8)	<p>Motion 9: It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Fearon that Council approve the recommendation to amend the Planning and Heritage Committee by-law, section 3.0 Composition, by adding, "In the event that a third member of Council is unavailable, that the position be filled by a member of the public." Motion carried</p>		
(Tab 8)	<p>Motion 10: It was moved by Councillor Hudson, seconded by Councillor Fearon that the Planning and Heritage Committee By-Law be recommended to Council for first reading. Motion carried.</p>		
(Tab 9)	<p>Motion 11: It was moved by Councillor Fearon, seconded by Councillor Hudson that Lockhart's Casual and Workwear, located at 258 St. George Street be given heritage approval from Council to allow for the installation of a projecting wall sign. Motion carried.</p> <p>Mayor Roberts asked why Tab 9 had the reference to repainting the angel sign removed. Councillor Fearon stated that members of PHAC had written to the owners of the building suggesting that the words at the bottom part of the sign be removed. The owners contacted the new lessor, suggesting that she paint the sign. Upon discussion with the new lessor, members of PHAC agreed that it was the owner of the building's responsibility to fix the sign, not the lessor.</p>		

4. Board of Police Commissioners	Chair McGinis stated that upon his review of the requirements of the Minister's Awards for Leadership in Crime Prevention, he felt that it was for individuals; therefore a nomination for the ARPD does not fit the criteria.		
5. Environment Committee	Mayor Roberts reported that there was no new business arising from the February meeting. He stated that the new executive director of CARP ⁴ will be attending the March 3, 2011 meeting to review the projects that the organization will be undertaking and their impact on the town.		

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

(a) Board of Police Commissioners	<p>Councillor Mueller-Sparenberg stated that it was a good meeting and he felt that they were making progress. He stated that he had volunteered to spend the day with Chief McNeil to review time management.</p> <p>Councillor Power reported on the following:</p> <ol style="list-style-type: none"> 1. The basement renovations of the new Police Department were completed on February 16, 2011. 2. The speed limits in town will be lowered; however, there is no money in the current budget for signs so it will be in the next year's budget. <p>Mayor Roberts commented that Beth Fairn from ADBOT reported that her organization was in favour of this.</p> <ol style="list-style-type: none"> 3. The Department of Justice audit will take place in the future but has yet to be scheduled 	Councillor Power & Councillor Mueller-Sparenberg	
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⁴ Clean Annapolis River Project

<p>(a) Board of Police Commissioners</p>	<p>4. The community meeting that was held the evening of Thursday, February 17, 2011 was cancelled due to lack of attendees; it was to focus on loss prevention.</p> <p>5. Changes to the parking tickets have been made and they will be printed soon.</p> <p>6. An advertisement for a replacement for Corporal Chase has been placed with a deadline of March 31, 2011.</p> <p>7. Chair McGinis requested that Council review the priorities, objectives and goals of the Police Department and forward any priorities that the Town feels should be addressed by the Department.</p> <p>Mayor Roberts asked for clarification on the policy regarding false alarms. The individual or company is permitted three per twelve month period, he was under the understanding that a party was due to receive a letter and he asked who was responsible for the letter. CAO Boyer replied that according to the False Alarms By-Law, the party receives a letter on their third false alarm incident and is fined on the fourth false alarm incident in a twelve month period.</p> <p>Councillor Power commented that she thought that Administrative Assistant Monica Mills was writing the letter. Monica Mills replied that upon review of the by-law she was waiting for direction from Chair McGinis.</p>	<p>Councillor Power & Councillor Mueller-Sparenberg</p>	
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<p>(b) Mayor's Report</p>	<p>Feb 4: Friends of Annapolis Royal Regional Academy. The group is developing a plan of what will happen to ARRA when it becomes a surplus school in 2013.</p> <p>Feb 15: The Mayor of Kentville contacted Mayor Roberts stating that he had bet a disc jockey on AVR, if the mayor won the bet he would be a disc jockey for the day and if the disc jockey won he would be mayor for the day. The Mayor of Kentville won and he had requested that all the mayors of the province call the radio show and make it a gala affair.</p> <p>Feb 16: Mayors and Wardens meeting: Every three months, the three towns and the county have a meeting. The next meeting is scheduled in May and will be held here. The attendees at February's meeting were Municipal Advisor, Steven Fiest, Grant Cook (who is assisting the Town of Bridgetown as acting CAO), the only one missing was the Mayor of Middleton. It was a public meeting. Mayor Roberts commented that the Mayor of Bridgetown left the meeting during discussion of ADEDA. He added that the future of ADEDA is uncertain due to funding issues. The County is requesting a formula for funding to ADEDA be developed to explain the funding amounts.</p> <p>On February 16, there was a discussion for possible uses for ARRA when the school is turned over to the Town and the County. Mayor Roberts stated that the school board has a three- stageprocess that it must follow when a school is being closed and it has already completed stage one. The projected date that the school will be vacant is 2013, which is not a lot of time to interest potential developers. The issue that is development can not commence until the Town has the school.</p>	<p>Mayor Roberts</p>	
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(c) ADEDA ⁵	Councillor Mueller-Sparenberg reported that he attended the County Council meeting in Inglewood at the community hall in celebration of African Month. Funding for ADEDA was discussed but tabled until the County reviews the funding formula. The next meeting is scheduled for the 24th at 5:00 pm. Councillor Mueller-Sparenberg noted that Bridgetown Mayor Art Marshall had resigned as the chair for the working group and that Bridgetown Councillor John Smith would take the position for the time being.	Councillor Mueller-Sparenberg	
(d) ADPC ⁶	Council reviewed the following reports: 1. Fire-inspection Report (Tab 10) 2. Development / Building Report (Tab11)		
	<p>Motion 12</p> <p>It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Power be approved that \$3500.00 in funding for ADPC for an organizational review.</p> <p>CAO Boyer stated that the Province has approved funding for the review as there have been drastic cuts to the organization. Due to the uniqueness of the department, the Province is interested in the model. Each of the three towns, Annapolis Royal, Middleton and Bridgetown, have agreed to provide funding to complete the study of by the end of March. It had been decided to employ John Hazeltine from Stantec for the review.</p> <p>Motion carried.</p>		

⁵ Annapolis Digby Economic Development Agency

⁶ Annapolis District Planning Commission

(d) King's Theatre	<p>Councillor Fearon reported that attendance at the Theatre needs to increase by approximately ten to twelve people per show to ease financial stress. There was a strategic planning retreat on Saturday, February 19, 2011 and they are looking into new and innovative programming ideas. Councillor Fearon added that Janice Slaunwhite, the house manager for the winter, is a great asset to the Theatre. She added that the movies are doing quite well.</p>	Councillor Kathie Fearon	
(e) REMO ⁷	<p>Councillor Hudson reported that REMO met on February 10, 2011 via telephone conference. A new chair, John Smith, and a new Vice-Chair Tom Vitello were elected. There was discussion over the scheduling of the spring exercise which would involve the Town's police department, fire department and the health centre. There has been a decrease in federal and provincial funding. Mayor Roberts added that a radio area frequency was available for public announcement safety systems. REMO is petitioning that the frequencies be maintained.</p> <p>Motion 13 It was moved by Councillor Hudson, seconded by Deputy Mayor Shaffner that the Town of Annapolis Royal send a letter of support to Annapolis County Radio that the frequency be saved for any emergencies that may arise. Motion carried.</p> <p>Councillor Hudson stated that the next meeting would be May 5, 2011.</p>	Councillor Sherman Hudson and Mayor Roberts	

⁷ Regional Emergency Measures Office

(f) Historic Gardens	Councillor Power stated that they had met on January 25, 2011. The general manager is going to Toronto next month for combined conferences: the Communities Bloom Conference and the Gardens Tours Conference. The horticulture manager reported that the Dutch elm treatment was not working on the trees, which is significant for both the Gardens and the Town. She reported that final changes have been made to the business plan and that the changes had been submitted to the consultants. She added that a press release was being planned. The AGM ⁸ is scheduled for March 29th or 30th.	Councillor Pat Power	
(h) Twinning Committee	Mayor Roberts reported that he had received a letter from Annie Chaboneau of Royan, France stating that they would be coming next year. CAO Boyer stated that Annapolis, Maryland requested representatives from our Town to participate in an international food fair on April 30, 2011. She added that the Province had been contacted and it had expressed interest in assisting to ensure that there would be a presence there.	Mayor Phil Roberts	
{i} Hanse Society	Deputy Mayor Shaffner reported that he had attended their meeting on February 17, 2011. He stated that negotiations had concluded on the transfer of the DNR ⁹ lands to the Hanse Society for the new adventure park. The Hanse Society had succeeded in obtaining a \$250,000.00 interest-free loan from the Royal Bank, which would be used towards the construction of the adventure park. He added that ACOA ¹⁰ had turned down requests for funding for the construction of the adventure park but agreed to provide a grant that would be used for modifications and repairs around the main entrance building. Deputy Mayor Shaffner reported that surveying had been completed on the adventure park and construction is expected to begin on March 10, 2011 with completion in time for Labour Day weekend.	Deputy Mayor Doug Shaffner	

⁸ Annual General Meeting

⁹ Department of Natural Resources

{j} Environment Committee	Mayor Roberts stated that there was nothing further to report.	Mayor Phil Roberts	
{k} Planning and Heritage Advisory Committee	<p>Councillor Hudson reported that the Committee had met three additional times, January 21, February 10 and February 17.</p> <p>Councillor Power commented both she and Deputy Mayor Shaffner had attended the PHAC meeting. She added that the Chair and some members were dressed in historical garb; she added that the Chair read minutes from the very first Town meeting. She noted that discussion took place regarding the Town's coat of arms which is still a matter of discussion. Mayor Roberts added that he found it interesting that they (the first Town Council) called the coat of arms the Town seal and that the seal was a combination of the seal of the court and the seal of the school board. He added that if this was the case, then the design would have originated in 1892.</p>	Councillors Kathie Fearon and Sherman Hudson	
{l} CAO's Report (Tab 12)	<p>Council discussed the CAO's Report. CAO Boyer pointed out the draft marketing template for Council's review, indicating that it could form the basis for what funding would look like next year. She added that it was the first draft but would help Council decide where money would be needed in the next year. There is a marketing review team, led by Bill Monk. She added that direction on the types of marketing investments could come from this group. There will be a meeting in early March to educate businesses on how to create tourism packages. CAO Boyer indicated that approximately 30 groups are involved in the initiative. Mayor Roberts asked when the meeting with the marketing review team would occur. CAO Boyer responded that the group had requested that a member of Council attend. Councillor Mueller-Sparenberg and Mayor Roberts expressed interest in attending the meeting, which will be scheduled soon.</p>	CAO Boyer	

¹⁰ Atlantic Canada Opportunities Agency

CORRESPONDENCE.

1. Letter from Clinton Shane Ekdahl, founder of the "Day of the Honey Bee" (Tab 13). Mayor Roberts indicated that he would take the correspondence for review at the next Environment Committee.
2. Excerpt from Municipal World: pages 7, 9, 10. For information. (Tab 14)

OTHER BUSINESS

Calendar: Environment Committee	March 3, 2011
Committee of the Whole:	March 9, 2011
Council Meeting:	March 21, 2011
Board of Police Commissioners':	March 16, 2011
PHAC:	March 14, 2011

IN CAMERA : It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg that the meeting move in camera at 11:27 am.

1. Potential Litigation
2. Potential Litigation
3. Contract Negotiations

NEXT MEETING **Monday, March 21, 2011 at 9:00 am**

ADJOURNMENT

It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg that the meeting be adjourned at 12:37 am.

<i>Action:</i>	<i>Date</i>	<i>Signature</i>
Reviewed by Mayor Roberts	2011.03.02	P. Roberts
Changes made by CAO	March 2, 2011	P. Roberts
Approved for website by CAO	March 2, 2011	P. Roberts
Sent to webmaster	March 2, 2011	m. [unclear]