

**Town of Annapolis Royal
Approved Minutes of Regular Council Meeting held
January 19, 2015 6:00 pm**

1. PRESENT: Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paul Paquette, CAO Carol St-Amour, Recording Secretary Bourke, Wayne Smith, Christine Igot, Alan Melanson.

2. REGRETS: None

3. CALL TO ORDER: Mayor Tompkins called the meeting to order at 6:05 pm.

4. APPROVAL OF COUNCIL MINUTES:

i. **Regular Council meeting December 15, 2014**

MOTION #C-2015-01-19-01

Moved by Councillor Mersereau, seconded by Councillor Hudson, it was agreed to approve the minutes of the regular Council meeting held December 15, 2014 with the following amendments: Page 2, third paragraph amend “ACAO” to “ACOA”; and Page 3, the phrase “the draft calculations indicate the Town would have to send an extra \$84.” amend the “\$84.” to “\$8400.” **CARRIED**

5. APPROVAL OF AGENDA:

MOTION #C-2015-01-19-02

Moved by Councillor Hudson, seconded by Councillor Paquette, it was agreed to approve the agenda with the following addition: New Business xii Notice of Motion By-law Enforcement. **CARRIED**

6. PUBLIC INPUT:

Wayne Smith advised that this past Friday, while walking his dogs on leash in Town, a local resident who often walks his and another dog off leash did not have control of the dogs and one of them attacked his dog and bit a hole in her head right through to the skull. The local resident whose dogs were off leash paid the vet bill. Wayne Smith advised that he decided afterwards to lodge a complaint so it would be on file. The Annapolis Royal Police Department were contacted and they stated it is a civil manner not a criminal matter. Wayne Smith noted that dogs are running off leash around Town and he would like to know who enforces the Town by-laws; it is time the Council comes forward and designates who enforces Town by-laws; it is time the Police Commission steps up and enforces Town by-laws. Wayne Smith advised that as a citizen he would like to see the police issue a warning and then issue a fine if it continues. Wayne Smith requested an article be put in the Town Crier about dogs off leash in Town.

Christine Igot stated that she is a witness to dogs off leash around the Town. Christine Igot mentioned that she is a runner and walker and quite often sees the same local people with the same dogs off leash all the time; particularly on the boardwalk, between King’s Theatre and Fort Anne. Christine Igot also mentioned that local people take their dogs off leash as soon as they reach the trail by Chapel Street; and suggested the Town put up signage regarding dogs off leash.

Alan Melanson advised that he agrees that dogs in Town should be leashed, as it is a safety issue.

Deputy Mayor Power advised that this will brought up at the next meeting of the Board of Police Commissioners.

7. PUBLIC HEARING: None

8. PRESENTATIONS:

Mayor Tompkins noted that this is the last Council meeting for CAO Carol St-Amour and that her last day of work at Town Hall is January 23, 2015. Mayor Tompkins, on behalf of Council, thanked her very much for everything she has done while here, noting we were new members of Council and her guidance and the way she handled everything the last few years is commendable.

9. ROUND TABLE:

Councillor Paquette asked if the salt issue had been resolved; suggested decreasing the amount. Councillor Paquette noted that the house at the corner of St. George and Prince Albert has the downspout at the exact corner creating an ice issue on the sidewalk as the down spout exits immediately onto the Town sidewalk creating about 3 meters of ice along the sidewalk. Mayor Tompkins stated that Public Works needs to look at the situation and make a recommendation. Councillor Paquette voiced concern regarding dogs off leash on the French Basin Trail, noting there was some confusion, as it was a motion of a previous Council. Mayor Tompkins suggested Council consider a dog park.

Councillor Hudson advised that he thinks the Kubota is driving around Town at excessive speeds, which will decrease the life of the machine.

Councillor Mersereau extended personal thanks to CAO St-Amour for tending to Council since 2012.

Deputy Mayor Power thanked CAO St-Amour noting that she is an asset to all of us.

Mayor Tompkins extended his thanks to CAO St-Amour for all she had done for the Town Council and on behalf of the Town.

10. BUSINESS ARISING:

i. Rezoning 6 Drury Lane

Discussion was held regarding the assessment changes to the property at 6 Drury Lane.

Councillor Paquette advised that the owner would like to have art classes, sell art supplies and provide accommodations.

MOTION #C-2015-01-19-03

Moved by Councillor Mersereau, seconded by Deputy Mayor Power, that as a special matter the Town does not acknowledge the past use contrary to the Town's By-law as an appropriate reason to allow it in the future but in view of all of the confusion that has arisen and the fact that commercial uses of the property has been accepted for many years, that Council will as a special matter and in view of the extenuating circumstances, cooperate with the rezoning and split the cost 50/50. All Nay Votes. **MOTION DEFEATED**

Considerable discussion was held, noting a rezoning application fee is \$1800. per application per land use by-law amendment based on the contract price; it is an unusual situation, non-conforming use; would like clarification on what the owner wants to do with the property as some uses may be allowed under permitted use.

CAO St-Amour advised that it is not clear what the property owner wants to do and that the owner has changed plans over the last few years, therefor an application submitted in writing would provide that the Development Officer can comment on what is allowed or not by under the Land Use By-law.

MOTION #C-2015-01-19-04

Moved by Councillor Paquette, seconded by Councillor Hudson, that if the owner wants to rezone the property at 6 Drury Lane it was agreed to have the owner apply for a Land Use By-law Amendment.

CARRIED

ii. **Nova Scotia Utility and Review Board – Notice of Public Hearing re: Municipal Electoral Boundary Review**

The Nova Scotia Utility and Review Board meeting will take place March 10, 2015 at 10:30 am at the Annapolis Royal Fire Hall.

11. NEW BUSINESS:

i. **Review of Parks Canada Lease**

Councillor Paquette advised that while reviewing the lease between Parks Canada and the Town of Annapolis Royal regarding the Town Hall, Articles 12 and 13 may become important for future consideration regarding a potential the move of Town Hall to the Annapolis Royal Regional Academy (ARRA). Councillor Paquette noted that Town Council does not know what Parks Canada wants. Councillor Paquette advised that the Parks Canada administration building is 49 years old, one year short of being designated a heritage building which may have an impact. The idea of the Town moving to ARRA can be done, but if Parks Canada stays in their current administration building, then article 12 and 13 makes the Town responsible for removing the Town Hall building and remediating the site. Councillor Paquette wanted to make Council aware of these articles noting a move is not straight forward. Mayor Tompkins advised that Parks Canada would need a proposal from the Town, and subsequently any changes to the lease would require the approval of the Minister of Environment, and these matters are still part of the discussions.

ii. **Climate Change Action Plan re: Discussion for Site of Future Fire Station**

Councillor Paquette advised that with regards to the Climate Change Action Plan, there are important flooding issues to be discussed by Council, areas in Town that will become flooded, including the Annapolis Royal Volunteer Fire Department (ARVFD). Councillor Paquette suggested discussions be held with the Fire Department and the County, including identifying property in Town that could be used for a future site for the fire hall. It is important that Council start the groundwork for the future.

Councillor Mersereau suggested that it may be appropriate to have the Strategic Plan and the Climate Change Action Plan viewed by the new Chief Administrative Officer, noting it is a high priority.

iii. **Park Canada re: Conflict of Interest**

Councillor Paquette advised that as of April 27th, 2015 he will be the Site Supervisor at Fort Anne. Councillor Paquette noted that there has been discussion regarding making Fort Anne a full service site which will directly impact his position. Councillor Paquette advised that he will be declaring a conflict of interest when the Town Council is discussing matters that pertain to Parks Canada.

Christine Igot and Wayne Smith departed the meeting at 7:09 pm

iv. **Borrowing Resolution Municipalities and School Boards**

MOTION #C-2015-01-19-05

Moved by Councillor Mersereau, seconded by Councillor Hudson, it was agreed, as agreed to last year including the changes made to the Borrowing Resolution to approve execution of the renewal document in the form presented. **CARRIED**

v. **African Heritage Month 2015**

Deputy Mayor Power advised that she will attend the February session of the regular session of Municipal Council of Annapolis on Tuesday, February 17th at 10 am, which will be hosted by the Inglewood Community Club at the Inglenook Community Centre and will bring greetings on behalf of the Town of Annapolis Royal.

vi. **Financial Condition Index**

Discussion was held regarding the Financial Condition Index.

vii. **Annapolis County Volunteer Week**

Councillor Mersereau noted that February 9th, 2015 is the deadline for volunteer nominations, and suggested if Council is going to submit a nomination on behalf of the Town, names should be submitted no later than the February 4th at the Committee of the Whole meeting. Town staff is also encouraged to submit names for consideration.

viii. **Valley Waste Resource Management re: Report to Municipal Partners**

CAO St-Amour noted that Councillor Hudson will be attending a Valley Waste Resource Management meeting Wednesday January 21, 2015 and inquired if Council has any comments for Councillor Hudson to present. It was noted the proposed budget results in a 5.8% increase over 2014-2015 approved budget. The Town had budgeted \$53,003 for 2014-2015 and the actual is \$53,038. The project amount detailed in the Valley Waste budget for the Town of Annapolis Royal in 2015-2016 is \$56m,077.

ix. **Valley Waste Resource Management re: Draft 2015-2016 Operating and Capital Budget**

Councillor Hudson mentioned that the County of Kings wants the Fall Pick-up reinstated. Councillor Paquette noted that he is in favour of the fall pick-up. Mayor Tompkins advised he is in favour of one pick-up, preferably in the Fall. Councillor Hudson mentioned the previously discussed curbside pick-up as per Deputy Mayor Power's suggestion last Fall. Mayor Tompkins noted that fuel cost has decreased by approximately 40% and would like this mentioned at the Valley Waste Resource Management meeting as it may have an impact on their budget. The two items Council wants Councillor Hudson to bring forward are the fall clean-up and fuel costs.

x. **Draft Routine Access Policy re: Recommended Fees**

Councillor Mersereau advised that his understanding is the Town has the right to charge \$15.00 per hour per person for staff time and 20 cents for each photocopy.

MOTION #C-2015-01-19-06

Moved by Councillor Hudson, seconded by Councillor Paquette to bring the Draft Routine Access Policy forward to the February Committee of the Whole meeting. **CARRIED**

xi. **Janitorial Tenders**

CAO St-Amour advised that two tenders were received for the Janitorial Tender for the Town of Annapolis Royal.

MOTION #C-2015-01-19-07

Moved by Councillor Mersereau, seconded by Councillor Hudson, it was agreed to accept the offer from CustomClean Atlantic Company to provide Janitorial Services to the Town of Annapolis Royal for the period February 1, 2015 to March 31, 2016, with the option for renewal by mutual written agreement for a further period of one year, on the understanding that they give priority to hiring local people. Deputy Mayor Power abstained from voting. **CARRIED**

xii. Notice of Motion By-law Enforcement

Councillor Paquette gave a Notice of Motion as follows:

Be it resolved that Council direct the Police Commission to:

- a) Identify the provincial statute that states that a Police Force is or may be responsible for by-law enforcement;
- b) Review all of the Town's by-laws to identify those by-laws where non-compliance leads to a court issuing a verdict;
- c) Establish a protocol to be followed when a complaint or request for by-law enforcement is received by either Town Hall or the Police Department directly;
- d) Instruct the Police Chief of the date at which the enforcement of the identified by-laws become effective.

Discussion was held and it was agreed that this item will be placed on the Board of Police Commissioners agenda for the meeting of February 11, 2015; and subsequently the discussion from the Board of Police Commissioners be placed on the agenda for the regular Council meeting of February 18, 2015.

12. RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS:

Planning and Heritage Advisory Committee – no meeting due to no applications received

Board of Police Commissioners – no motions from the meeting

Committee of the Whole – no motions from the meeting

Marketing and Economic Development Committee – December 16, 2014

MOTION #MEDC-2014-DEC-16-4

It was moved by Addie MacDonald, seconded by Holly Sanford to recommend to Council to reconsider the original motion in regard to Route 8 sign locations made at the November 12th 2014 Marketing and Economic Development Committee meeting. 1 Nay Vote. CARRIED

The original motion from the November 12, 2014 meeting

Route 8 Signage Locations

MOTION #MEDC-2014-NOV-12-4

Moved by Bill Monk, Seconded by Holly Sanford that subject to approval by the Department of Transportation and Infrastructure Renewal, that council approve the following locations for the signs along Highway 8: Near the intersection of Highway 3 and Highway 8; before Highway 210 (optional if only five signs); before Highway 209; at Kejimkujik Park; just before Highway 101; and finally, along Highway 8 just after the Highway 101 turnoff on the way to Annapolis Royal. CARRIED

CAO St-Amour advised that six signs rather than five are being purchased.

CAO St-Amour noted that once Council determines where the signs are to be located, the next step is to determine the kilometers from the Town for printing on the signs; subsequently a drawing of where the signs are to be located is required, then the Planning & Heritage Coordinator will provide the Department of Transportation the co-ordinates, which require their approval and the signs must be printed before March 31st, 2015.

MOTION #C-2015-01-19-08

Moved by Councillor Hudson, seconded by Councillor Hudson that Council approve the original MEDC motion #MEDC-2014-NOV-12-4 as printed in the agenda. **CARRIED**

MOTION #C-2015-01-19-09

Moved by Councillor Mersereau, seconded by Councillor Hudson, that the Council approve the wording of the original MEDC motion as printed in the agenda with the amendment of the substitution for the words “just after” for “near”. **CARRIED**

13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

- i. **Mayor’s Report** – Mayor Tompkins advised he attended the New Year’s Levee, noting that it was mentioned at the MEDC meeting that Council should stay for the full four hours. Mayor Tompkins noted he attended an ARRA tour with developers that came from Europe.
- ii. **Marketing and Economic Development Committee** – Mayor Tompkins advised the Committee had discussions with regards to the Town logo; reviewed the tourism survey and the comments were interesting; 1-8-3 marketing initiative regarding the loop of Highways 101, 8 and 103; Cruise Fundy is another item that is an offshoot of that; 11 small cruise ships are looking at coming into the Port of Digby; starting the process regarding funding requests, there will morning meetings of the Committee for the people who received funding last year, and people who are new requests for funding will attend the evening meetings of MEDC; discussed the Christmas shuttle bus, not high usage, most usage was from people attending the event who live outside of the Town, this year will initiate conversation with organizations/businesses for participation. Councillor Mersereau advised that the 1-8-3 group is holding a meeting Friday 23rd at ARCAC, both the Mayor and Councillor Mersereau will be attending.
- iii. **Board of Police Commissioners**– Deputy Mayor Power advised the Board met last Wednesday; a date was set for a review of the Strategic Initiatives of the Annapolis Royal Police Department; the Police Chief was asked to track crime statistics to determine trends, a couple members of the Commission will be undertaking the project; the police Administrative Assistant has not been in the police department since December as she is operating her own new business; helmet use was discussed. Deputy Mayor Power advised that she took part in a phone conference with the Provincial Board of Police Governance; for the first time they had almost 20 representatives from the Police Advisory Boards; Digby is interested in shared services. Deputy Mayor Power advised that when on a conference call upstairs, PHMC Millett-Campbell’s phone line is used and suggested during budget deliberations the consideration of another phone line upstairs at the Town Hall will help to avoid this problem.
- iv. **Friends of the Annapolis Royal Library** – Deputy Mayor Power advised the Annual General Meeting was held last Tuesday evening; Barry Moody was the guest speaker and spoke of his research; discussion was held regarding the move of the Town Hall to the ARRA and waiting for the Town to decide what they are going to do. The new Chair of the Friends of the Library Board is David Tinker.
- v. **ARRA** – Councillor Mersereau advised of two major developments; January 15th conducted a tour of the ARRA with a couple from Ottawa that run a small consulting firm and it is appropriate to continue to follow up with them; successful in generating 5 applications for Project Manager and the Mayor, CAO and Councillor Mersereau are the selection team, have identified two people for interviews and based on the resumes sound like they bring a fair number of items to the table; want to continue to maintain communications with groups that have viewed the ARRA.
- vi. **Planning Services Report** – December 2014 – Councillor Mersereau noted the permit activity summary year to date is not as good as last year.

- vii. **REMO** – Councillor Hudson – Report from David McCoubrey (REMO Coordinator) from December 10, 2014 to January 15, 2015.
- viii. **Valley Waste Resource Management** – discussed previously
- ix. **Traffic Flow Advisory Committee** – Mayor Tompkins advised a meeting will be arranged early this year and one of the items for discussion will be paving issues.
- x. **Protocol** – Councillor Paquette noted February is Black History Month; March is when the Annual General Meetings are being held for ARCAC, Board of Trade, Historic Gardens, Historic Society and the King Theatre Society; last year towards the end of March the Queen Annapolis Royal Dinner was held.
- xi. **CAO's Report** – January 9th Report to Council is included with the agenda, as well as the Planning Heritage and Marketing Coordinators Report and the Active Living Coordinators Report. CAO St-Amour noted that the Project Manager for the ARRA interviews have been scheduled for January 21st, and the CAO interviews have been scheduled for February 2nd and 3rd.
- xii. **Water Report** – meets required parameters

14. OTHER BUSINESS:

- i. The Annapolis Partnership Steering Committee location of the meeting has been changed to Bridgetown.

15. CORRESPONDENCE:

- i. Nova Scotia Municipal Affairs re: 911 Cost Recovery Fund - for info
- ii. Atlantic Flood Management Conference 2015 - for info

MOTION #C-2015-01-19-10

Moved by Councillor Hudson, seconded by Councillor Paquette it was agreed to move in-camera at 8:45pm.
CARRIED

16. IN CAMERA:

- i. Reason (c) Personnel

MOTION #C-2015-01-19-11

Moved by Councillor Hudson, seconded by Councillor Paquette it was agreed to come out of in-camera at 9:27pm. **CARRIED**

MOTION #C-2015-01-19-12

Moved by Councillor Hudson, Seconded by Councillor Paquette that Dawn Bourke be appointed Interim Administrative Officer for the period from January 24, 2015 until one week after the new Chief Administrative Officer commences work with the Town of Annapolis Royal, that her salary be increased as approved in-camera for the interim appointment, and that a letter reflecting Council's in-camera discussion as to duties to be performed by the Interim Administrative Officer be prepared and the position be offered accordingly. **CARRIED**

17. ADJOURNMENT

MOTION #C-2015-01-19-13

Moved by Councillor Hudson, seconded by Councillor Paquette it was agreed adjourn the meeting at 9:30pm. **CARRIED**

Mayor Michael Tompkins

CAO Carol St-Amour