

**Town of Annapolis Royal
Approved Minutes
Of the Regular Council Meeting
held July 15, 2013**

1. PRESENT: Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paul Paquette, CAO Carol St-Amour, Recording Secretary Dawn Bourke, AnnMarie Monk, Wendy Knowlton, and members of the public.

2. REGRETS:

3. CALL TO ORDER: Mayor Tompkins called the meeting to order at 6:02 pm.

4. APPROVAL OF COUNCIL MINUTES: June 17, 2013

MOTION 1

It was moved by Deputy Mayor Power, seconded by Councillor Hudson to approve the minutes of the Council meeting held June 17, 2013 with the following amendments: Page 2, Item i. Letter from County of Annapolis re: Community Program Officer Funding, delete the second sentence; and last sentence add “ that is mandated to provide similar services” after the words “police force”; and Page 5 Item v. Website Audit AnnapolisRoyal.com, second paragraph first sentence delete the word “immediately” and insert “as soon as reasonably possible”. **CARRIED.**

5. ADDITIONS TO AGENDA:

- 10. Business Arising Item vii. Secondary Use of Police Vehicle
- 10. Business Arising Item viii. Notice of Motion
- 10. Business Arising ix. Second Tax Bill, re: How is it Calculated
- 11. New Business Item x. add - two draft agreements as per addendum
- 11. New Business Item xiv. Letter from the Haftings’
- 11. New Business Item xv. Annapolis Royal Fire Department
- 16. In Camera Item i. Reason (e) Contract Negotiations
- 16. In Camera Item ii. Reason (c) Personnel Matter
- 16. In Camera Item iii. Reason (f) Litigation or Potential Litigation
- 16. In Camera Item iv. Reason (g) Legal Advice

6. APPROVAL OF AGENDA:

MOTION 2

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power to approve the agenda as amended. **CARRIED.**

7. PUBLIC INPUT: None

8. PRESENTATIONS:

i. Wendy Knowlton of Family Matters – Request Resolution for UNSM

Wendy Knowlton of Family Matters made a presentation to Council on behalf of the Annapolis Valley Poverty Coalition regarding rural poverty in Annapolis and Kings Counties.

Wendy requested Town Council to pass a motion to request the Union of Nova Scotia Municipalities to urge the provincial government to look at the issues with the purpose of developing policies that specifically address poverty, housing, literacy and other social determinants of health in rural areas.

ii. AnnMarie Monk – Request to Assist with Bursary

AnnMarie Monk spoke on behalf of the Annapolis District & Natal Days Committee, the Princess Leadership Program, and the 2012 Queen Annapolis Royal and Annapolis Royal Apple Blossom Princess, Rachel Lowe. AnnMarie thanked Town Council, including the Marketing and Economic Development Committee for their generous contribution, as well for the permission to use the Town logos to establish the Town of Annapolis Royal permanent parade float and she distributed pictures of the parade float used during this year's Apple Blossom Festival.

AnnMarie Monk on behalf of the Annapolis & District Natal Days Committee and Princess Leadership Program requested Council's consideration of a donation for a bursary in a dollar amount of Council's choosing, to be used to continue to encourage and support this time honoured and valued tradition of nurturing and further preparing the young women of Annapolis Royal and surrounding communities to gain important life skills to be successful and to maintain their community spirit and pride as they make their way in the world. Mayor Tompkins thanked AnnMarie Monk for everything she does for the Natal Days Committee and the Princess Leadership Program.

It was agreed by Town Council to address the following agenda items at this time: Request for Resolution for UNSM, Request to Assist with Bursary; and Request for Approval Temporary Sign.

MOTION 3

It was moved by Councillor Hudson, seconded by Councillor Paquette, to support the resolution "Promoting a Provincial Dialogue on Poverty in Rural Settings" as presented based on the position paper of the work of the Annapolis Valley Poverty Coalition.

Discussion was held and Mayor Tompkins noted there are social services in place that deal with these issues; Councillor Mersereau advised he could endorse the objective in the final paragraph of the resolution starting with "Further Be It Resolved . . ." and suggested sending a letter that refers to the work of the Coalition and Deputy Mayor Power concurred, to send a letter of support in principle.

One nay; **MOTION CARRIED.**

In response to a question from Council, AnnMarie advised that the contribution being requested would go towards the outgoing queen who had completed and fulfilled all of her responsibilities. Councillor Mersereau mentioned that he is totally appreciative of the work being done on the Princess Committee; and expressed reservations if Council supports one specific bursary. AnnMarie noted there is a great deal of expectations placed on the Princesses; there is both emotional and psychological costs; financial costs to the princess and her family; they make a commitment to us as an ambassador for the Town and learn skills and leadership development through the program. Deputy Mayor Power reminded Council that in the past the Town Council always sponsored a Princess.

MOTION 4

It was moved by Deputy Mayor Power, seconded by Councillor Hudson to approve a grant in the amount of \$500.00 to the Natal Days Committee to allocate as they see fit. **CARRIED.**

Mayor Tompkins advised the Town Council is trying to track financial requests and suggested the Natal Days Committee approach Town Council in September/October of this year for funding requests for the following year.

11 iii. Annapolis Royal Fire Department Auxiliary – Request for Approval Temporary Sign

The Annapolis Royal Fire Department Auxiliary requested approval for a temporary sign at the Fire Hall to be installed where the previous sign was on Town land; and requested a refund of the \$50.00 permit application fee. CAO St-Amour advised the fees are in the Land Use By-law so it would not be possible for an instant decision; Council may want to review the Land Use By-law in the future and can consider a different fee for a temporary sign. At present there is a \$50 permit application fee for a temporary sign and \$50 permit application fee for a permanent sign. Councillor Mersereau inquired within the Land Use By-laws, does the Town have the ability to only charge for the permanent sign. Mayor Tompkins advised the permit application fees should be paid by the insurance company who is covering the loss, out of insurance claim. CAO St-Amour noted that she is in contact on a daily basis with the Annapolis Royal Fire Department regarding this matter of signage and the Town Insurers and the Insurance Company of the people who damaged the sign; further noting a certain amount is coming forward for the new sign, at a depreciated value not replacement cost.

9. PUBLIC HEARING: None

10. BUSINESS ARISING

i. The Acadia Centre for Social & Business Entrepreneurship – Update

CAO St-Amour advised she has been in touch with Chris Pelham who is in the process of providing her with contact information; she spoke with Paul Stackhouse regarding Destination South West Nova funding and that is oriented to bringing more visitors regionally, not really appropriate for the project; Paul Stackhouse provided a phone number for support programs for Destination South West Nova. Mayor Tompkins suggested CAO St-Amour contact Jane Nicholson who may provide contact information for Ms. Williams who is a facilitator for programming that is tied into heritage and culture as there may be some funding available.

ii. Fire Inspections – re: Invoice Non-public Property Owners

CAO St-Amour advised potential charge back for fire inspections for non-public property owners is being further investigated. Under the Fire Act, the Municipality shall provide inspections, and it is the opinion of the Fire Inspector that the Town could not charge for any inspections as per the Fire Act.

iii. Website Audit AnnapolisRoyal.com – Update

CAO St-Amour advised she has been in touch with Addie MacDonald regarding the website audit and discussions are taking place regarding changes to the Town website in cooperation with the Town Webmaster. Councillor Paquette inquired if the Town's webcams are being incorporated into the Town website; suggested a view of the basin from Town Hall, a view of the Boat Haul-up and suggested this also be considered when reviewing the Town website.

iv. Policy – Enforcement of Town By-laws

The enforcement of Town by-laws is under review and revision for the purpose of determining who is going to enforce what by-law. Enforcement needs to be identified as the police department, the CAO or the planning coordinator responsibility.

v. Water Utility Budget – Requires Motion(s)

Discussion was held regarding the three year capital and operating budgets for utilities respecting the capital budget as follows: research previous long term capital; carry surplus and budget for surplus every year, where does the surplus go; include a caveat subject to change based on next water rate review when submitting document to the Nova Scotia Utility and Review Board.

It was agreed to table this item until the September meeting of Town Council and to provide the balance statement for utilities for the year end 2012/2013 to Council prior to the meeting.

vi. Vending By-law

MOTION 5

It was moved by Councillor Mersereau, seconded by Councillor Hudson that Council direct the CAO to proceed with drafting a new Vending By-law based on but not limited to the model by-law provided by Municipal Relations, to include among other suggested changes: revised and new definitions and prohibitions, and give consideration to a fee structure; and that the first draft of the by-law be placed on the Committee of the Whole September 4, 2013 agenda with the intention of Council giving consideration to first reading of the by-law at the September 16, 2013 Regular Council Meeting. **CARRIED.**

vii. Secondary Police Vehicle,

Councillor Paquette read the motion of the Council meeting held May 11 regarding the secondary police vehicle; noting limited use as a back-up vehicle only to service as emergency need and based on the current use of the secondary police vehicle; a lack of response thereof to his inquiries, suggested a clear misunderstanding of emergency use. Council budgeted for the use of one single police vehicle, requested clarification of Council's intention of the use of the secondary police vehicle.

MOTION 6

It was moved by Councillor Paquette, seconded by Councillor Hudson to bring the motion to the table for discussion, that Council's original intention that the car have limited use as back up only to service the purpose of emergency needs, needs to be strictly defined; as such, the secondary police vehicle will be used exclusively when the primary police vehicle is out of commission; that is, when the primary police vehicle is in a mechanical state where it cannot driven thereby depriving the police department of a vehicle; only when the primary vehicle is out of commission may the secondary police vehicle be used as a replacement for the primary police vehicle. Any other use of the secondary vehicle, without the specific consent of Council will be deemed contempt of the will of Council and subject to disciplinary action.

CAO St-Amour clarified that a written notice of motion should be made at a meeting if a councillor is intending to bring up an important or complicated matter for discussion at the next meeting of the same body. A motion in the case of an urgent and pressing necessity may be added to the agenda of Council at the time of approval of the agenda, without previous debate or notice being given only by the unanimous consent of the Councillors present.

Considerable discussion was held regarding the use of the police vehicle as intended by the previous motion of Council; prefer to have the chance to give it more thought and review the mileage usage log; the log may justify the use of the vehicle; have asked the Police Chief to maintain a log for a three month period to include type of usages and in the process of doing that; can address this after the process where are both vehicles doing a comparison to determine where the other vehicle was at the time both vehicles are being used.

It was agreed to request Police Chief McNeill to attend the September meeting of the Committee of the Whole. Deputy Mayor Power will provide a summary of the police vehicle usage log at the September meeting.

viii. Notice of Motion

Councillor Paquette distributed a Notice of Motion. It was agreed by a majority of Council to discuss the items In-camera.

viii. Second Tax Bill re: How is it Calculated

Administrative Assistant Bourke advised the tax rates approved by Council are calculated on the total assessed value or the capped assessed value for the year; and any interim tax payments are credited against the total amount owing.

11. NEW BUSINESS:

i. Memorandum of Understanding between the Town of Annapolis Royal and Friends of the Annapolis Pool Society

CAO St-Amour advised of a meeting of the Annapolis Pool Committee. The Committee reviewed the Memorandum of Understanding between the Town of Annapolis Royal and Friends of the Annapolis Pool Society and have agreed upon the amendments as presented.

MOTION 7

It was moved by Councillor Paquette, seconded by Councillor Hudson to authorize Mayor Tompkins and CAO St-Amour to sign the Memorandum of Understanding between the Town of Annapolis Royal and the Friends of the Annapolis Pool Society.

Mayor Tompkins asked about a registered coach for the swim team.

MOTION 8

It was moved by Councillor Mersereau, seconded by Councillor Paquette to amend MOTION 7 so that the first sentence reads "The Annapolis Community Pool at 62 Champlain Drive is on outdoor recreational facility constructed by Friends of the Annapolis Pool Society on land the belongs to the Town of Annapolis Royal." **CARRIED.**

ii. Friends of the Annapolis Pool Society- re: Swim-a-thon

It was agreed to accept the Swim-a-thon information and to advertise this on the Town website; in the Town Crier; Town calendar and the on ARRA sign.

iii. Annapolis Royal Volunteer Fire Department – Request for Approval Temporary Sign

CAO St-Amour noted that Council is approving the erection of the sign on Town land; the actual development permit is issued by the Development Officer.

MOTION 9

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Council ratify the electronic poll of July 12, 2013, that Council approve the Fire Department to place a temporary sign at the Fire Hall in the location where the old sign used to be located until such time as a new sign is installed" and to include "the temporary sign shall not be in place for more than 10 weeks". **CARRIED.**

iv. Annapolis Royal Volunteer Fire Department – Request for Approval Sign

CAO St-Amour advised she spoke with the Fire Chief and two other members of the department regarding the application for a permanent sign, noting there will not be any commercial advertisements on the sign; it will be used the same way as in the past in support of helping others; it will utilize the current base; it will be a replica similar to what was there; with the digital sign it will be easier to change the wording electronically; according to the current Land Use By-law the digital sign cannot be changed continuously, may be changed as often as once a day.

MOTION 10

It was moved by Councillor Mersereau, seconded by Councillor Hudson, to recommend approval of the application from the Fire Department that allows the fire department to erect a new sign on Town land subject to the sign being approved by the Development Officer and being fully in compliance with all signage conditions as per the land use by-law. One Nay, **CARRIED.**

v. Town of Middleton – re: Signatories to Transit Agreement

CAO St-Amour distributed copies of the Annapolis East Transit Service 2013-14 Budget and Subsidy Contributions. Discussion was held suggesting to pay dues directly to Kings Transit Authority and not via County of Annapolis; could allow for a 50% subsidy for every Annapolis Royal rider up to a maximum of \$5,000; in favour of a letter similar to the Town of Middleton; the projected ridership is 23,000; the bill to the Town is approximately \$23,000; express concerns at costs and indicate support and willingness to participate in a 50% subsidy up to a maximum of \$5,000 dollars per year. It was agreed to direct the CAO to write a letter to the Municipality of the County of Annapolis as discussed.

vi. Municipality of Annapolis County – Invitation to Town of Annapolis Royal as Signatories to Transit Agreement

MOTION 11

It was moved by Councillor Paquette, seconded by Councillor Hudson that the Town of Annapolis Royal does not want to participate in being a signatory to the transit agreement. **CARRIED.**

vii. Annapolis Royal Arts Unleashed Budget – Budget

It was agreed to receive the Annapolis Royal Arts Unleashed Budget for information purposes.

viii. Town of Annapolis Branding – Excerpts from the Annapolis Royal & Area Tourism Vision Final Report 2007

Councillor Paquette commented that the “Timeless Annapolis Royal “ slogan came forward based on the Annapolis Royal & Area Tourism Vision Report; that the criteria required to make a decision for branding is included in the report; no proper review has taken place as outlined in the report; the milestones are at 2 years; 5 years and 20 years; suggest that the Destination Marketing Subcommittee evaluate to determine if the slogan still meets the Town’s requirements; if not proceed with new slogan campaign. Mayor Tompkins suggested incorporating the slogan campaign into the survey as questions; do you remember the Town slogan, what do you think of the Town slogan, any comments on the Town slogan.

It was agreed to direct Councillor Paquette as Chair of the Marketing & Economic Development Committee to bring this item back to MEDC for review and recommendations.

ix. Sandwich Board Signs Policy

Councillor Mersereau noted that the numbers for square footage in feet, need to be corrected on the application form.

MOTION 12

It was moved by Councillor Mersereau, seconded by Councillor Hudson to add a line to the Sandwich Sign Application Form under the fee structure to include “to provide for the occasional promotion of special events by non-profit organizations; normally one sandwich board permitted; the Town Administration may authorize up to three sandwich boards. **CARRIED.**

x. Streets and Sidewalks By-law – re: Section 15, Draft Agreements Café Compose and Bistro East

CAO St-Amour advised the seasonal time line for the lease agreement is April 1st to the 15th of November and the rate is \$2.00 per square foot for the year 2013/2014.

MOTION 13

It was moved by Deputy Mayor Power, seconded by Councillor Paquette, that the Town enter into a lease agreement with Café Compose for the seasonal use of sidewalks as a sidewalk café or restaurant as set out in the Streets and Sidewalks By-law of the Town of Annapolis Royal. **CARRIED.**

MOTION 14

It was moved by Councillor Paquette, seconded by Deputy Mayor Power, that the Town enter into a lease agreement with Bistro East for the seasonal use of a sidewalk as a sidewalk café or restaurant as set out in the Streets and Sidewalks By-law of the Town of Annapolis Royal. **CARRIED.**

It was agreed to recess at 9:00 pm

Mayor Tompkins called the meeting back to order at 9:07 pm

xi. Email from Sheila Breau – re: Sidewalk Cafes

It was agreed to accept the email from Sheila Breau for information purposes.

xii. Planning and Heritage Advisory Committee – Request for an Alteration to a Registered Heritage Building – re: 228 St. George Street

Considerable discussion was held regarding the car port/shelter to the rear of the building located at 228 St. George Street; including a review of the conveyance information; a review of the lease agreement regarding the parking lot; the responsibility for plowing; the town fence; and parking.

It was agreed to table this item until the September regular Council meeting, and further to verify the easement and right of way registered on the deed; and have Superintendent of Public Works McLean review the area keeping in mind the type of materials being used and the ability to plow in this area if the shelter is constructed.

xiii. Planning and Heritage Advisory Committee – Request for an Alteration to a Registered Heritage Building – re: 314 St. George Street

MOTION 15

It was moved by Councillor Mersereau seconded by Councillor Hudson to approve the application to install a venting sash at 314 St. George Street subject to all regulatory requirements of the building code being met and providing all conditions of the Land Use By-law are met. **CARRIED.**

xiv. Letter from Jeff and Paula Hafting re: Motion from June 17, 2013 Council Meeting

The letter from Jeff and Paula Hafting was accepted for information.

12. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS

Marketing and Economic Development Committee meeting of July 9, 2013

MOTION 16

It was moved by Councillor Paquette, seconded by Councillor Hudson, that upon presentation of a budget from the Art Festival, approval of an event grant of \$650.00 to be used for art programming. **CARRIED.**

It was agreed to table the motion from the MEDC committee to recommend that Council approve a competition for a new slogan for the Town of Annapolis Royal, and to advertise the competition for a new Town slogan in the Town Crier and on the Town website; until September to allow time for a review.

MOTION 17

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council refund an amount equal to the HST refund portion for the promotional documentary, back to the promotional documentary fund for the purchase of DVD's or other promotional items. **CARRIED.**

Traffic Flow Advisory Committee meeting held July 9, 2013

MOTION 18

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council meet with the Farmers Market Association for an initial conversation with a view to accomplishing the removal of the vendors from the Farmers Market Parking Lot and move them to Church Street. **CARRIED.**

Committee of the Whole meeting held July 10, 2013

MOTION 19

It was moved by Deputy Mayor Power, seconded by Councillor Paquette, that Council approve the Town of Annapolis Royal administration to accept donations for two projects: the Annapolis Royal Wharf Association Wharf Project and the Annapolis Royal Promotional Documentary. **CARRIED.**

13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

1. Mayor's Report

Mayor Tompkins advised he attended the Canada Day Fireworks in Bridgetown and gave greetings from the Town of Annapolis Royal. He also attended the funeral for a long time resident and Deputy Mayor Power and Councillor Hudson were in attendance.

2. REN

Councillor Mersereau advised there is no report as the Town of Annapolis Royal is not part of REN. It was agreed to delete this item from the agenda and substitute ARRA.

2.1 ARRA

Mayor Tompkins advised that an ARRA meeting was held Thursday July 11th; Sally O'Grady created a mini brochure; all the pertinent information is being sent to Councillor Mersereau for review and organization; going to approach MEDC for approval of funds towards a promotional package regarding the school; and package should have an electronic proponent.

CAO St-Amour advised that a letter was received from the Province requesting a response from Council respecting the percentage being transferred to the Town of Annapolis Royal. Discussion was held regarding the timeframe when the transfer comes back to the Town; in September or end of June, or when. Councillor Mersereau suggested the Province should be asked to retain the property for two years after closure, and when the Town finds a purchaser for the property then the transfer could take place and further suggested this could be tied into UNSM resolution for the upcoming conference. It was agreed to table this item until the September meeting of the Town Council.

Mayor Tompkins noted request for motions to the UNSM deadline is August 7th and he would like to see a motion from the Town of Annapolis Royal asking the UNSM to approach the province and ask the question regarding road maintenance with respect to highways through Towns. The deadline for UNSM motions in this regard cannot be met.

3. Planning Services – Report for June 2013

The Town of Annapolis Royal Planning Services Report for June 2013 was accepted as presented.

4. REMO – Councillor Hudson

Councillor Hudson advised the next meeting is scheduled for September 2013; and the Regional Emergency Management Coordinator Activities for June 2013 were included with the agenda.

5. Planning and Heritage Advisory Committee

The unapproved minutes of the Planning and Heritage Advisory Committee meeting held July 2, 2013 were included with the agenda for information purposes.

6. Board of Police Commissioners

The unapproved minutes of the Board of Police Commissioner meeting held July 10, 2013 and the Chief of Police report were included with the agenda for information purposes

Mayor Tompkins departed the meeting at 10:11 pm.

Deputy Mayor Power chaired the meeting commencing at 10:11 pm

6. Marketing and Economic Development Committee

The unapproved minutes of the Marketing and Economic Development Committee meeting held July 9, 2013 were included with the agenda for information purposes. Councillor Paquette noted the Committee is undertaking a tourist survey, which will be placed at B & B's, restaurants, VIC, and other various locations including on-line on the Town website; asking how did you hear about the Town, why did you decide to come here, what way did you travel to get here, where did you locate information about the Town; will you be returning; discussed a prize being drawn of 2 nights accommodation and 2 meals in Town for responding to the survey.

7. Traffic Flow Advisory Committee

The unapproved minutes of the Traffic Flow Advisory Committee meeting held July 9, 2013 were included with the agenda for information purposes. Councillor Paquette noted the next meeting of the TFAC has been scheduled for July 29, 2013 at noon.

8. Annapolis Pool Committee

The unapproved minutes of the Annapolis Pool Committee meeting held July 9, 2013 were included with the agenda for information purpose. CAO St-Amour advised that Councillor Paquette is the Chair and Pierre Igot is the Vice-chair of the Annapolis Pool Committee.

Mayor Tompkins returned to the meeting at 10:18 pm and resumed the Chair.

9. CAO's Report

CAO St-Amour provided a verbal report as follows: the date for the change-over of certain Planning Services functions is August 6, 2013; a preliminary job description for the Recreation Coordinator has been sent to the province; reviewed unpaid taxes; heard neighbour complaints; addressed unsightly properties; responded to inquiries from Valley Waste; ongoing projects include work order process for public works; by-laws review, policies review, drafting the vending by-law, human resources policies review, donations and grant procedures for next budget year. Suggested addressing all the organizations by way of Town Crier and on the website when procedure is set for donations and grants. A deed transfer tax came in today exceeding \$11,000.

Councillor Mersereau commented that the particulars on overdue accounts and aged receivables should be reviewed every 6 months and would like to review these at the September meeting of Council.

14. OTHER BUSINESS:

15. CORRESPONDENCE FOR INFORMATION:

- i. Nova Scotia Labour and Advanced Education- re: Amendments to the Nova Scotia Building Code Regulations
- ii. Annapolis & District Natal Days
- iii. Annapolis Valley Regional Library – Annual Report April 1, 2012 to March 31, 2013
- iv. Annapolis Digby Economic Development Agency – re: Agency Dissolution

16. IN CAMERA:

MOTION 20

It was moved by Councillor Paquette, seconded by Councillor Hudson to move in camera at 10:26 pm.

CARRIED.

MOTION 21

It was moved by Councillor Paquette, seconded by Councillor Hudson to come out of in camera at 11:27 pm

17. ADJOURNMENT

MOTION 22

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to adjourn the meeting at 11:28 pm. **CARRIED.**