

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

The regular meeting of Council was held on Wednesday, July 21, 2008 in Council Chambers at Town Hall. In attendance were Chair Mayor Jane DeWolfe, Deputy Mayor Phil Roberts, Councillors Sherman Hudson, Doug Shaffner and Ron Boulding, Acting CAO Melony Robinson and Jackie Longmire as recording secretary.

Regrets: CAO Amery Boyer

APPROVAL OF REGULAR COUNCIL MINUTES

June 16, 2008

Motion # 1

It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the regular Council minutes dated June 16, 2008. Motion carried.

APPROVAL OF AGENDA

July 21, 2008

Motion # 2

It was moved by Councillor Shaffner, seconded by Deputy Mayor Roberts, approval of the agenda dated July 21, 2008, as amended. Motion carried.

PRESENTATIONS

- 1. Chris Millier and Joy Elliott – Fortier Mills** – Ms. Elliott described the new development that is planned for the area behind the Fire Hall, extending almost to Chapel Street. Brown Brothers Excavating has had a geo-technical report completed and the area had been given consideration for foundation construction. Ms. Elliot explained how the development is based on a number of things including goals to protect heritage. The development is planned as a natural extension of the Lower St. George Street area. A marketing study was completed and the target market appears to be seniors aged 50 and up.

The street width for the right of way has been reduced from the usual 45 feet to 30 feet of actual asphalt. Kevin Skebo, Kevin McLean

and Laurie Emms have reviewed the plans and see no problems with the reduced width for the right of way. Ms. Elliot said that there is a dispute with Loblaws' over the street right of way and they have no interest in an easement. The standard specification for a cul de sac is 750 feet in length; the Fortier Mills cul de sac is 1350 feet. The Traffic Authority does not see any issues with this measurement either. An emergency exit is required and is included in the plan. There do seem to be some issues with snow clearing but all options are being explored.

Ms. Elliott said that this project should provide a solution to the intersection problems in front of the Fire Hall. The Department of Transportation has been contacted and has requested more information. She said that it is in the best interest of the Town and the development to solve the issues now.

Changes have been made to the lot designs and some of the lots are smaller than the standard at 4500 square feet. The proposed house sizes are 1100 to 2200 square feet; there are 28 lots in the plan. Each site will accommodate two vehicles and each house will be energy efficient.

The project will take place in phases with the entrance road, excavation and the fire pond to take place this year. Site preparation is underway and the Perimeter Trail will also be constructed this year. Underground services may not happen until 2009. Construction of the homes will also begin in 2009 with up to 4-5 homes built each year for a full development in 2016.

Chris Millier made reference to the MPS/LUB and said that the proposal does not conform to several areas of the MPS/LUB and the Town is now faced with standards that are not conventional within the Town. Mr. Millier has completed a report that he said will assist Council and PHAC members in focusing on the MPS/ LUB and explains all related issues. He reviewed all the relevant strategy text and policies. He explained that the development plan shows a high level of commitment and will be attached to the Development report to form the completed agreement proposal.

Mr. Millier also said that Council and PHAC must get a sense of how they wish to deal with heritage approval of all built properties. It must be determined if each property will be dealt with separately or if the development is to receive heritage approval as a whole. He also said that the sub-division by-law requires a public open space. He said that there have been conversations with the Town regarding the Perimeter Trail and it is his understanding that the trail would meet the mandatory requirements of the public open space. He suggested that the Town confirm this fact.

Mr. Millier said that some corrections are required in the document that was presented by Joy Elliot but he recommend that it be appended and become part of the agreement. He suggested that the Town enter into the development agreement with Brown Brothers Excavating for the Fortier Mills development.

Motion #3

It was moved by Deputy Mayor Roberts, seconded by Councillor Shaffner, based on the recommendation of the Annapolis District Planning Commission, to enter into a development agreement with Brown Bros. Excavating for the purpose of the Fortier Mills Development, with all accompanying documentation to be appended to the agreement. Motion carried.

2. **Chris Millier – Hutchin’s Pharmasave** – A request has been received from the owners of Hutchin’s Pharmasave to have the Land Use By-law amended to allow additional signs on each side of their building. The LUB restricts facial signs to one and Hutchin’s Pharmasave currently has two signs on the front of their newly renovated building. Mr. Millier said that if the Land Use By-law is changed, the provisions will apply to everyone. No special exceptions can be made specifically for Hutchin’s Pharmasave. The total of 100 square feet of signage does not change. The amendment will allow additional signs up to a total of 100 square feet. Mr. Millier said that the following motion would result in a referral for a public hearing:

Motion #4

It was moved by Deputy Mayor Roberts, seconded by Councillor Shaffner, based on the recommendation of the Annapolis District Planning Commission, that the Part 7.3.2 (d) of the Annapolis Royal Land Use By-law be amended to read: “not more than two (2) facial wall signs per wall shall be permitted for each business premises” and that Part 7.8 (d) be amended to read: “exceed 10 m2 (107.6 sq. ft) in total combined sign area”. Motion carried.

3. **Chris Millier – Proposed Office Building** – Mr. Millier presented the development report for the proposed office building on St. Anthony Street. The application is to have the property re-zoned from residential to commercial. There is no additional information on the building at this point, only that it is proposed as a single story, 2400 square footage office complex. Mr. Millier said that there are two options for the zoning. The land adjacent to the affected lot is zoned commercial and there is a flexibility clause that would allow this lot to be zoned to that of adjacent property. Through the adjacency provision the rezoning can proceed. If there is intent or a desire for other commercial properties in this area, it was recommended that the lot be rezoned as a way to indicate that commercial development is welcome in the area.

The following motion allows the public process to open and is not a commitment from the Town to change the zoning:

Motion #5

It was moved by Deputy Mayor Roberts, seconded by Councillor Boulding, based on the recommendation of the Annapolis District Planning Commission, that it is envisioned that future commercial development is appropriate for this portion of St. Anthony Street and that public input be obtained concerning whether this intent should be confirmed through redesignation and rezoning of this

area and that the subject property, known as the Melanson/Jansen property, is to be designated commercial with a highway commercial zone. Motion carried.

4. **Presentations of Financial Statements** – Gavin Brewster and Lawrence Lake of Morse Brewster & Lake presented draft financial statements. Mr. Lake explained that the Town appears to be in a good financial position; there are some challenges in capital financing. All members of Council had questions about the amount of surplus that appears on the statements. Mr. Lake explained all the figures and it was decided that some lines within the statements would be changed to better reflect the actual position of the Town. The school reserve fund makes it appears as though the Town has more operating surplus than it actually has. The schools reserve fund will be moved to its own line. Other suggested changes will be made before the statements are considered final.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
{a} Street Theatre	All members of Council agreed that this item would not be pre-approved for 2009. It was suggested that Peter Davies make another request for funding during the 2009-2010 budget discussions.	CAO Boyer	
{b} Annapolis Royal Sewage Treatment Plant UV System's Power Consumption	The Director of Finance explained that the capacity is down at the Sewage Treatment Plant but the electricity expense continues to rise. The electricity expenses appear to be related to the UV disinfection bulbs. Efforts to reduce electricity costs do not appear to be having any effect.	CAO Boyer	
{c} Request for an exemption to the Noise By-law from the Annapolis Royal Legion	An exemption to the Noise By-law has not been granted, to date. CAO Boyer has requested a meeting with the President of the Legion and Jim Bickford, the owner of Bread and Roses. This item has been tagged as priority for completion before Natal Day weekend.	CAO Boyer	
{d} Policy on the use of Town Hall	The Director of Finance conducted a poll on the Listserve to see how other municipal units charge for room rentals. The survey determined that most other units do not charge a fee. Based on the results of the survey, it was decided not to introduce a policy for use of Town Hall.		

{e} Traffic Authority	Relevant sections from the MGA and MVA were provided for Council's review and consideration. It appears that the Chief of Police is qualified for the position as is the CAO and Superintendent of Public Works. This item has been referred to the next Committee of the Whole meeting on August 6 for further discussion.		
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NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} CUPW Postal Services campaign	All members of Council agreed that this correspondence was geared more toward rural postal services and the Town does not have any issues with postal service in Annapolis Royal.	CAO Boyer	
{b} Energy Management	<p>CAO Boyer would like to attend an upcoming Energy Management Conference in British Columbia. She will pay for the transportation and has requested that the town pay for the \$1,200.00 registration fee.</p> <p><i>Motion #3</i> <i>It was moved by Councillor Boulding, seconded by Councillor Hudson to approve the request from the CAO to attend an Energy Management Conference in British Columbia with the Town being responsible for the \$1,200.00 registration fee. Motion carried.</i></p> <p>A nay vote was recorded from Councillor Shaffner.</p>	CAO Boyer	

RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
{a} Recommendations from Committee of the Whole	<p>Motion #5 <i>It was moved by Deputy Mayor Roberts, seconded by Councillor Hudson, to accept and approve the expression for support for the Auxiliary Role Project and in particular the renewal of the framework for cooperation between public authorities and the Canadian Red Cross to better address humanitarian challenges of the 21st century by: a) working to reinforce the status and roles of the Canadian Red Cross as auxiliary to public authorities in the humanitarian field; and b) reviewing existing measures, arrangements and instruments supporting the relationship. Motion carried.</i></p>	CAO Boyer to draft press release	
	<p>Motion #6 <i>It was moved by Councillor Hudson, seconded by Councillor Shaffner, to accept and approve the signage application for free standing signage at 285 St. George Street. Motion carried</i></p>	Administrative Assistant	
	<p>Motion #7 <i>It was moved by Councillor Hudson, seconded by Councillor Shaffner, acceptance and approval of the application for changes to heritage property located at 221 St. Anthony Street. (solar panels) Motion carried.</i></p>	Administrative Assistant	
	<p>Motion #8 <i>It was moved by Councillor Shaffner, seconded by Councillor Boulding, to establish a committee of no more than four members to review and consider the Heritage Property Program from the Nova Scotia Department of Heritage and Culture and the Annapolis, MD Design Manual for Heritage Properties. Motion carried.</i></p>		
	<p>Motion #9 <i>It was moved by Deputy Mayor Roberts, seconded by Councillor Hudson, to approve the request to have tax account #7082827 in the amount of</i></p>		

	<i>\$6,410.24 written off. Motion carried.</i>		
{b} Board of Police Commissioners	Mayor DeWolfe said that there was no meeting held in the month of July. Constable Jason Gregan has tendered his resignation with his last day of work with the Department being July 27, 2008. He has accepted a position with the Kensington Police Department in Prince Edward Island. Ads for a replacement will appear in the Spectator and the Chronicle Herald.	Mayor Jane DeWolfe	
{c} Mayor's Report	Mayor DeWolfe attended several events and meetings over the past month, some of which included the Art Gallery of Nova Scotia, AWEC graduation, NSPI re-opening, reception at the County office, a garden party at the How residence and the Rose Fortune event.	Mayor Jane DeWolfe	
{d} ADEDA	By-laws were reviewed at the last meeting. Another meeting is scheduled for this week.	Mayor Jane DeWolfe	
{d} King's Theatre	Nothing to report.	Deputy Mayor Phil Roberts	
{e} REMO	The next meeting is scheduled for September, 2008.	Mayor Jane DeWolfe	
{f} Hanse Society	Councillor Boulding said park attendance is up compared to the same period last year from 16,485 visitors to 18,430 visitors. Total revenue is up 28%. All reports from the first Park after Dark event were good. Approximately 155 were in the park after 6:00 pm and 450 people were at the concert.	Councillor Ron Boulding	
{g} Historic Gardens	Councillor Shaffner was not able to attend the last meeting but did report that attendance at the Gardens for the end of June/first of July period is down; shop sales have increased slightly.	Councillor Doug Shaffner	
{h} FAPS	Councillor Roberts said that all appears to be going well at the pool and the new splash pad is a great hit.	Deputy Mayor Phil Roberts	

{g} Twinning Committee	No update was provided.	Deputy Mayor Phil Roberts	
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CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} Chronicle Herald Ad – Sally Burnie and Extreme Make-over	For information only.		
{b} House of Assembly – Keji Trails Brochures funding	For information only		

NEXT MEETING August 18, 2008 at 9:00 a.m.

IN CAMERA

It was moved by Councillor Boulding, seconded by Councillor Hudson to move in camera to discuss personnel issues.

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

The following motion is a result of the in-camera discussion:

Motion #12

It was moved by Councillor Hudson, seconded by Councillor Shaffner, that the Administrative Position be changed to Executive Assistant for the Town of Annapolis Royal and Office Manager for the Annapolis Royal Police Department. The Executive Assistant is to receive a \$2,000.00 salary increase and the Director of Finance and the CAO to each receive a \$1,500.00 increase in salary. Motion carried.

ADJOURNMENT

It was moved by Councillor Boulding to adjourn the meeting.

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