

**Town of Annapolis Royal
Approved Minutes of the Regular Council
November 18, 2013, 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 Dawn Bourke, and member of the public Phil Roberts.

2. REGRETS:

3. CALL TO ORDER: Mayor Tompkins called the meeting to order at 6:00 pm.

4. APPROVAL OF COUNCIL MINUTES: October 21, 2013

MOTION 1

It was moved by Councillor Hudson, seconded by Councillor Paquette to approve the minutes of the Town Council meeting held October 21, 2013 as presented. Mayor Tompkins abstained from voting. **CARRIED.**

5. ADDITIONS TO AGENDA:

In camera Reason (c) Personnel matter

In camera Reason (a) Acquisition, sale, lease and security of municipal property

Business Arising iii. Town Hall Roof Repair Update

New Business ix. Supporting Documentation for PHAC Recommendations to Council

6. APPROVAL OF AGENDA:

MOTION 2

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

7. PUBLIC INPUT: None

8. PRESENTATIONS: None

9. PUBLIC HEARING: None

It was agreed to bring forward the agenda item the International Twin City Student Exchange

i. International Twin City Student Exchange

Discussion was held regarding the international twin city of Royan, France student exchange. Phil Roberts advised the School Board cannot sponsor the student when no charges are associated with the exchange; there is a student from France arriving in January for a 6 month stay, need to find a host family with a child of similar age and that member of the family from our area goes to Royan, France for 6 months as a student exchange, no fees are charged by either host family, request the Town to undertake to sponsor the student, and vice versa quid pro quo. Phil Roberts advised school in France starts in September but our exchange student could attend language school which is available in July.

Mayor Tompkins noted that the School Board requires a letter stating responsibility of sponsorship for the exchange student will be the Town of Annapolis Royal.

Councillor Mersereau noted the sponsorship requires finding an appropriate host family and for making sure the 17 year old exchange student does not get into any trouble and is looked after well while here. Councillor Mersereau asked if the Town fails in their commitment what happens? Phil Robert advised that should there be behavioural issues or for example not getting along with the host family the student would immediately be sent back to France at the expense of their own family. Councillor Mersereau asked if the student exchange does not work out or the student ends up with health problems would the liability fall onto the Town? Phil Roberts advised it is their responsibility to cover their own medical insurance and suggested the Town may be liable only if the Town is being neglectful. Councillor Mersereau suggested that if the Town issues a commitment letter to sponsor a student that there be a firm underlying understanding that the Twinning Committee would use their best efforts to seek a host family and see to the needs of the student.

Discussion was held regarding the Twinning Committee being a Committee of Town Council. Councillor Mersereau advised all Committees were reviewed by the newly elected Council last year and under the structure of the motion, did not continue with all previously established Committees. Mayor Tompkins suggested the Twinning Committee could become a sub-committee under the Marketing & Economic Development Committee.

MOTION 3

It was moved by Councillor Hudson, seconded by Councillor Paquette that the Town of Annapolis Royal Council agrees to sponsor an exchange student from Royan, France and further that the Twinning Committee will use their best efforts to seek a host family that meet the required criteria and to look after the logistics of putting all arrangements in place for the student exchange. **CARRIED.**

10. BUSINESS ARISING:

i. Application AR13-021-HER 324 St. George Street – Encroachment

CAO St-Amour suggested a change with regards to the recommendation presented in the Report for Decision based on recent information from the Town Solicitor. Also noted that since the Committee of the Whole meeting, Superintendent of Public Works McLean has voiced concerns about the ramp with respect to snow removal: suggested an engineer should be required to design the ramp which may alleviate liability issues: suggested written terms of agreement, that if at any time in the future the building is sold and the ramp is no longer required the constructed ramp and sidewalk area are to be returned to the original state. Councillor Paquette advised it is not the owner or tenant that requires the ramp, it is a third party.

Discussion was held regarding a concrete ramp, a wooden ramp with railings, that Town By-laws allow for possibility of encroachments for wheelchair access by provision of building code and that no permit has been issued yet.

MOTION 4

It was moved by Councillor Mersereau, seconded by Councillor Hudson that the motion be deferred pending the applicant providing an engineering sketch that shows the design and dimensions of the proposed ramp in relation to the current street lines and that the design be approved by an engineer. **CARRIED.**

Mayor Tompkins advised once the approved engineer drawings have been provided by the applicant, Superintendent of Public Works McLean should also approve the functionality of the design.

ii. Water Infiltration Upstairs Back Middle Office Window Town Hall

CAO St-Amour advised that Sefton Squires cost would be the same as previously quoted whether a genie lift was used or scaffolding was used for the purpose of repairing the window. Discussion was held and it was noted the majority of Council would agreed the window needs to be fixed as economically and as quickly as possible.

MOTION 5

It was moved by Councillor Paquette, seconded by Councillor Mersereau to provide the CAO the authority to enter into a contract for the repair of the window in the upstairs back middle office of the Town Hall to a maximum expenditure amount of \$1200.00 and to search out more cost options. **CARRIED.**

Town Hall Roof Repair Update

CAO St-Amour advised the contractor knows he was awarded the contract, he has received the letter requesting specific documentation required by the Town, and has until March 31st to complete the work. It was agreed to direct administration to follow-up as the start date and the time frame were a benefit to the contract.

11. NEW BUSINESS:

ii. Financials April 1- October 31, 2013

- a) Town Operating Income Statement
Discussion was held regarding the Town Operating Statement.
- b) Town Operating Balance Sheet
- c) Water Utility Income Statement
- d) Water Utility Balance Sheet
- e) Water Capital Balance Sheet
- f) General Capital Balance Sheet
- g) Reserve Capital Balance Sheet

iii. Valley Waste Resource Management – Draft Budget 2014/15

CAO St-Amour advised that Valley Waste Resource Management invited CAO's from member municipalities to a meeting to discuss the 2014/15 draft budget and the projected increase in expenditures. The CAO's have expressed concerns and suggestions.

CAO St-Amour advised the Town will be receiving a new draft by-law for consideration with respect to Valley Waste Resource Management.

iv. Request from Annapolis Valley Regional School Board (AVRSB) for Easement – Annapolis West Education Centre

CAO St-Amour provided some background information noting David Floyd of AVRSB wanted to and was in a position to put in three primary power poles on the property, NSPI wants to secure a distribution easement over a portion of the Lands, the Town owns the property (the "Tennis Court Lot" and the "Pool Lot" and the "Parking Lot"), both the Town and the County of Annapolis own the AWEC Property (the Actual School Lot), NSPI provided a draft agreement and Schedule A being a not to scale sketch of the description of the easement.

The easement agreement would need to be signed by both the Town of Annapolis Royal and the Municipality of the County of Annapolis.

Councillor Mersereau noted the request is for a 40 foot easement, the easement will come down tight against the edge of the tennis court where the fence is, and further, that not being allowed to plant or put anything on the 40 foot strip may be inappropriate. Councillor Mersereau advised the grant of easement has some obvious errors that should be addressed.

A telephone conference was held with David Floyd of AVRSB and the Town Council. David Floyd suggested if the Town Council is in general agreement with an easement it would helpful to have a letter stating in general principal the Town is in agreement with having an easement on the property.

Councillor Mersereau suggested that if the Town is considering an agreement in principal, there should be a “However” clause that basically provides the property owners and tenants (being the School Board) are free to utilize and construct improvements (that could include storm sewers for run off, pavement for driveways or sidewalks) to the lands for purposes of vehicle and pedestrian access across the 40 foot easement, a revised draft should include a to-scale a sketch; also a new draft of the legal agreement.

The Town needs access to Town owned property and does not agree in principal to the easement as presented. CAO St-Amour advised the Annapolis Valley Regional School Board will pay the cost associated with additional legal fees for the Town regarding the easement agreement.

It was agreed to direct CAO St-Amour to contact the Town’s Solicitor for legal advice regarding the easement agreement. It was agreed to discuss with the School Board an engineered design of the way AWEC will look after all improvements, specifically in relation to the power poles, the drop off of students on Champlain Street, and the stairs.

Once the CAO has this information it will be circulated to Town Council, to be voted on and ratified at the next meeting of the Town Council.

v. Emergency in the Philippines

It was agreed to advertise Donations to the Emergency in the Philippines in the Town Crier and to the community reminder list.

Discussion was held regarding a policy for requests for donations, noting Springhill has an appropriate policy.

vi. Request for Tax Exemption – Policy on Low Income Tax Exemption
MOTION 6

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to give authority to the CAO to approve the request for tax exemption in the amount of \$300.00 as per the Town Policy on Low Income Tax Exemptions. **CARRIED.**

vii. Annapolis Community Pool – Paver Campaign and Passes

It was agreed to support the Annapolis Community Pool Paver Campaign and Passes by placing the information in the December Town Crier and to advertise on the Town website and through the community reminder list.

viii. Christmas/New Year's Office Hours

MOTION 7

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Town Hall be closed December 24th, 2013 to January 1, 2014 inclusive, to reopen for business January 2nd, 2014 and further, that Town staff use vacation time, unpaid leave or time in lieu in the equivalent amount of 3 days, or use the option to work during the period. **CARRIED.**

ix. Supporting Documentation for PHAC Recommendations to Council

Councillor Mersereau suggested that Planning and Heritage Advisory Committee recommendations to Council include complete copies of applications.

12. RECOMMENDATIONS FROM COMMITTEES, BOARD AND COMMISSIONS

MOTION 8

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council ask to the extent the information is available from Town records, that staff provide an updated list of right-of-ways, easements and encroachments affecting all Town streets, and that the updated list be made available for consideration of the Traffic Flow Advisory Committee as soon as reasonably possible. **CARRIED.**

MOTION 9

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council approve 2 hour parking signs be removed from Victoria Street between St. Anthony and St. James. **CARRIED.**

Memorandum of Understanding Between the Town of Annapolis Royal and the Department of Transportation

MOTION 10

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that Council accepts the Report for Information regarding the Memorandum of Understanding Between the Town of Annapolis Royal and the Department of Transportation. **CARRIED.**

Canadian Union of Postal Workers re: the Future of Canada Post

MOTION 11

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that Town Council support the Canadian Union of Postal Workers regarding the Future of Canada Post as requested and as per the amended resolutions. **CARRIED.**

Tax Bill Write-offs

MOTION 12

It was moved by Councillor Paquette, seconded by Councillor Hudson that Council write off taxes for Town owned properties municipal account number 04997409 in the amount of \$2,959.42 and municipal account number 00092398 in the amount of \$640.80. **CARRIED.**

364 St. George Street

MOTION 13

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the application to construct a garage on the rear of the lot at 364 St George Street, AR13-028HER, be approved, provided that all conditions of the Land Use By-Law are met and the development permit application process is made clear to the applicant. **CARRIED.**

AR-13-035-HER – 669 St George St - Request for Changes to Heritage Building

MOTION 14

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that the application to build a storage shed at 669 St George Street as detailed in the application AR13-035-HER be approved, providing all conditions of the Land Use By-law are met including the requirements for a development permit.

CARRIED.

AR-13-036-HER – 294 St George St – Request for Changes to Heritage Building

MOTION 15

It was moved by Deputy Mayor Power, seconded by Councillor Paquette, that Council give heritage approval to the applicant to install signage at 294 St George Street as detailed in the application AR13-036-HER, providing the requirements of the Land Use By-law are met. **CARRIED.**

AR13-038-HER - 223 St. George Street – Request for Changes to Heritage Building

MOTION 16

It was moved by Councillor Paquette, seconded by Councillor Hudson that the applicant at 223 St. George Street be given heritage approval to add heat pumps on the sides of the house, and not visible to viewers on St George Street, as detailed in application AR13-038-HER be approved, providing all conditions of the Land Use By-law are met. **CARRIED.**

Mayor Tompkins noted that in the past the Town Council has not dealt with heat pumps and the placement thereof. Councillor Paquette advised that anything that changes the exterior of buildings must come before the Planning & Heritage Advisory Committee and suggested that Council should consider a motion that allows for a process whereby administration has approving authority for the placement of heat pumps. This item requires further investigation by administration. It was noted that an article will be placed in the December Town Crier from PHMC Millett-Campbell addressing heat pumps.

MOTION 17

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the Marketing and Economic Development Committee move ahead with ordering the shuttle for the Christmas Market Extravaganza for \$70/ hour for 7 hours and to accept a free will offering donation to ride the shuttle.

Discussion was held regarding the options for revenue to offset the expenditure of a shuttle for the Christmas Market Extravaganza.

MOTION 18 being an AMENDMENT TO MOTION 17

It was moved by Councillor Hudson, seconded by Councillor Mersereau to amend Motion 17 by deleting “to accept a free will offering donation” and inserting “to charge \$2.00 per person or \$5.00 per family”.

AMENDMENT CARRIED.

MOTION 19

It was moved by Councillor Hudson, seconded by Councillor Mersereau to approve Motion 17 as amended by deleting “to accept a free will offering donation” and inserting “to charge \$2.00 per person or \$5.00 per family”. **CARRIED.**

It was suggested copies of the Christmas Market Extravaganza flyer be distributed to the Seniors Home, Home Hardware, Save Easy, Foodland and the Guardian Pharmacy.

MOTION 20

It was moved by Councillor Mersereau, seconded by Councillor Paquette to extend the Council meeting by ½ an hour. **CARRIED.**

13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

- 1. Mayor's Report** – Mayor Tompkins noted he attended the Remembrance Day Services, the Remembrance Day Dinner at the Legion, attended a meeting with representatives from the Irving Gas Station, and recently return from Royan, France (the Town's Twin City).
- 2. Marketing and Economic Development Committee** – Councillor Paquette advised of the appointment of two new members Adele MacDonald and Bill Monk.
- 3. ARRA** – Councillor Mersereau advised the sub-committee met on October 29th, had a productive meeting, discussed work plan documents, several steps have been put in print form which will guide activities for the next few months. Next meeting is scheduled for Dec 9th.
- 4. Planning Services** – Status Report Oct 1-31, 2013
- 5. REMO** – Councillor Hudson advised a telephone conference is scheduled for November 20.
- 6. Planning and Heritage Advisory Committee** – discussed under Recommendations from Committees, Board and Commissions
- 7. Traffic Flow Advisory Committee** – Mayor Tompkins advised the Committee would be meeting every couple of months.
- 8. CAO's Report** – CAO St-Amour provided a written hand out of her report.
- 9. Water Report** - Water test results have been viewed and are within the required parameters.

14. CORRESPONDENCE:

- i. Property Valuation Services Corporation – Delivery Options
- ii. The Nova Scotia FreeMason – June 2013 Special Edition Two Hundred & Seventy Fifth Anniversary of Freemasonry in Canada

15. IN CAMERA:

MOTION 21

It was moved by Councillor Hudson, seconded by Councillor Paquette to move in camera at 9:13 pm. **CARRIED.**

16. ADJOURNMENT

MOTION 22

It was moved by Councillor Hudson, seconded by Councillor Paquette to adjourn the meeting at 9:34pm. **CARRIED.**

Mayor Michael Tompkins

CAO Carol St-Amour