

**MINUTES**  
**TOWN OF ANNAPOLIS ROYAL**  
**REGULAR COUNCIL**  
**October 16, 2006**  
**9:30 a.m.**

The regular meeting of the Council was held on Monday, October 16, 2006 in Council Chambers at Town Hall. In attendance were Chair Mayor John Kinsella, Deputy Mayor Jane DeWolfe, Councillors Sherman Hudson, Phil Roberts, Ron Boulding and Doug Shaffner, CAO Amery Boyer, Director of Finance Melony Robinson and Administrative Assistant Jackie Longmire as recording secretary.

**APPROVAL OF REGULAR COUNCIL MINUTES**

**September 18, 2006**

**Motion # 1**

*It was moved by Councillor Shaffner, seconded by Councillor Hudson approval of the regular Council minutes dated September 18, 2006.*  
*Motion carried.*

**ADDITIONS/DELETIONS TO AGENDA**

**Under Presentations add:**

{a} David Lee - Dutch Elm Disease

**APPROVAL OF AGENDA**

**October 16, 2006**

**Motion # 2**

*It was Moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson approval of the agenda dated October 16, 2006, as amended.*  
*Motion carried.*

**PUBLIC HEARINGS**        None

**PRESENTATIONS**

{a} Arborist David Lee was in attendance to answer Council's questions and offer advice concerning the take down of diseased elm trees. Michael Susnick has asked Council to consider changing the current Tree Removal Policy to allow diseased elm trees to remain standing until it is absolutely necessary to have them removed. Mr. Lee explained that he understands Mr. Susnick's request from an aesthetic point of view but from a technical standpoint it is necessary to have the infected trees removed as soon as possible. Removal of the trees

will eliminate habitat for beetle hibernation and keep mortality rates to a minimum. He explained that the beetle feeds in the trees and transfers a fungal infection. The primary vector is the beetle and a secondary vector is root graft transmission. Mr. Lee said that allowing infected trees to remain standing is a threat to the other trees in the community and spraying the trees is not an option.

Mayor Kinsella asked Mr. Lee what his recommendation was. Mr. Lee said that the Town should proceed as it has in the past and not make any changes to the current policy. Mayor Kinsella asked if the loss of all the elm trees was inevitable. Mr. Lee said if nothing was done now to protect the healthy trees, a major loss would be experienced in 2 - 3 years. If the Town continued with its current policy, the trees may be saved for a period of 5 - 10 years. Mr. Lee said that some residents are presently taking extraordinary measures to save the elm trees. Historic Gardens staff are using a fungicide injection on some of their elms.

Mr. Lee said that it is a big job to monitor all the Town trees to ensure that all are being removed as soon as possible. He suggested that a committee be established for monitoring purposes or that residents be encouraged to report any obvious signs of infection to the Town. Mayor Kinsella said that the Town appreciates Mr. Lee's services and Mr. Susnick's objections were the first raised in 25 years that Mr. Lee has been providing advice to the Town.

Mayor Kinsella asked Mr. Lee if he had any suggestions on how the Town could effectively control Dutch Elm Disease. Mr. Lee said that it is possible to extend the Town's right of way to 66'; this would mean a greater expense to the Town for tree removal but would remove some of the burden from the residents. He said that most towns offer the extended right of way or a cost share program for privately owned trees. He said the Town would be better able to preserve the tree canopy if it had more control over removal. The financial implications for the Town could result in an additional \$20,000.00 expense for tree removal. Mr. Lee said that some towns offer to cover the expense of all tree removal, even in private back yards. He said that this gives the town the authority to go onto properties for removal purposes. Everyone agreed that the current policy should be continued. Mayor Kinsella asked staff to produce a report and recommendation concerning the financial implications of a possible 50 % cost share program. The program should extend to all trees that are hazardous.

Councillor Shaffner asked if the Town was attempting to replace the diseased elms with a species that is disease free and fast growing. CAO Boyer said that the Town has a plan for tree planting but it is difficult to get qualified individuals to plant the new trees. She said that the succession plan includes a good variety that should eliminate the problems experienced with the elms.

Mr. Lee was thanked for his time and efforts. It was agreed that the policy would remain the same and the Town would proceed as usual. The staff report and recommendations will be reviewed when it is complete.

## **BUSINESS ARISING FROM MINUTES**

Item	Decision / Action	Responsibility	Target Date
{a} Human Resources Manual	<p>All corrections have been made to the manual. A definition of flex time will be inserted. The manual is considered to be complete.</p> <p><b><i>Motion #3</i></b>  <b><i>It was moved by Councillor Boulding, seconded by Deputy Mayor DeWolfe approval of the Town of Annapolis Royal's Human Resources Manual. Motion carried.</i></b></p>		
{b} Managing E-mail	A change will be made to the internal procedure for e-mail. The e-mail procedure will now state that the most important message must be included in the subject line.		
{c} Building Bylaw	First reading of the bylaw was tabled until the next meeting of Council to allow for changes to be made.		
{d} Historic Gardens Assessment	More information was provided , as requested. The Director of Finance indicated that the property is the parking lot across the street from Historic Gardens and the request was to apply a property tax reduction to tax account #100943. This reduction will not result in less revenue for the Town as the property was always assessed as residential and with the new commercial assessment, the reduction will bring the amount owing to what it has always been.		
{e} Arts & Culture Policy	<p>The final copy of the Arts &amp; Culture Policy has been approved by the Arts Council. Mayor Kinsella said that a signing ceremony would be possible in light of the Council's 25<sup>th</sup> anniversary activities.</p> <p><b><i>Motion #4</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Boulding to adopt the proposed Arts &amp; Culture Policy. Motion carried.</i></b></p>		
{f} Request for Town share for new 30 foot bus	Council has reviewed the information on the new bus. CAO Boyer said that this expense would be a capital expense in next year's budget. The Town's share would be approximately \$30,000.00 - \$40,000.00. Deputy Mayor DeWolfe asked about ridership. CAO Boyer said that ridership has not reached 30,000 in this area yet, but a new bus may increase the amount of riders. Mayor Kinsella said that he is pleased that Council continues to		

	<p>support the County and public transit.</p> <p><b><i>Motion # 5</i></b>  <b><i>It was moved by Councillor Boulding, seconded by Deputy Mayor DeWolfe to approve the request from Annapolis County for the Town's share (\$30,000.00 - \$40,000.00) of the expense for purchasing a new bus for the Annapolis King's Transit route.</i></b>  <b><i>Motion carried</i></b></p>		
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**MOTION(S) OF RECONSIDERATION:** none

**MOTION(S) OF RESCISSION:** none

**OTHER NOTICE(S) OF MOTION:** none

#### **NEW BUSINESS**

<b>Item</b>	<b>Decision / Action</b>	<b>Responsibility</b>	<b>Target Date</b>
{a} Water Reports	Reports have been reviewed and found to be satisfactory.	CAO	
{b} Application for changes to Heritage Property - 324 St. George Street	<p>John Brittain was in attendance to answer questions regarding his application for changes to heritage property. Council reviewed his application and pictures. Mr. Brittain said that he is planning to renovate the suite on the upper floor of the building and the proposed changes will allow for outdoor exposure. The proposed deck on the front of the building will protrude over the side walk approximately 2 feet. The application indicates that garden doors will be installed and the windows will be realigned to be properly centred on the front of the building. Mr. Brittain asked Council about the use of vinyl siding and was informed that PHAC preferred the use of wooden clapboards or shingles rather than vinyl.</p> <p><b><i>Motion #6</i></b>  <b><i>It was moved by Deputy Mayor DeWolfe, seconded by Councillor Hudson</i></b></p>		

	<i>approval of the application for changes to Heritage Property located at 324 St. George Street. Motion carried.</i>		
{c} Town policy regarding Dutch Elm Disease	This item was discussed with David Lee during his presentation. Council is in favour of continuing with the current policy and staff will research expenses associated with offering a cost share program.		
{d} Apple Blossom Festival - Big Dreams Program	It was agreed that the Town will participate in the Big Dreams Program by offering a day with the Mayor as an item for auction. A discussion was held regarding attendance at the banquet. The Town will purchase a number of seats for members of Council and staff who wish to attend. This expense will be in addition to the \$800.00 booster that the Town provides each year to the Apple Blossom Festival.		
{e} Application for changes to Heritage Property - 98 Victoria Street	<p>Glen Adams has submitted an application for structural changes to his property located at 98 Victoria. Mr. Adams has also indicated that he would like to have his heritage property de-registered. He states that having the property registered as a Municipal Heritage Property offers no benefits to him. CAO Boyer will begin the process of de-registration.</p> <p><b><i>Motion #7</i></b>  <b><i>It was moved by Deputy Mayor Dewolfe, seconded by Councillor Roberts to approve the application for changes to Heritage Property located at 98 Victoria Street with the condition that the work be completed as stated within a reasonable time frame. Motion carried.</i></b></p>		
{f} Annual Report	CAO Boyer explained that this was the first draft of the Annual Report and contained text only. Jim Todd is formatting the final copy and it will be available before the strategic planning meetings scheduled in November. CAO Boyer asked that Council's comments be submitted before Friday, October 20 to make the print deadline.		

## RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
{a} Recommendations from Committee of the Whole	<p><b>8. It was moved by Councillor Roberts, seconded by Councillor Hudson approval of the draft letter of support regarding the lowering of employment insurance qualifying hours in Southwestern Nova Scotia. Motion carried.</b></p> <p><b>9. It was moved by Councillor Hudson, seconded by Deputy Mayor DeWolfe, approval of the heritage designation of the elm tree located at 616 St. George Street. Motion carried.</b></p> <p><b>10. It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the adoption of a resolution for developing and piloting a capital investment plan that will be coordinated by the CAO and that will follow the workplan suggested by Service Nova Scotia and Municipal Relations and Municipal Finance Corporation. Motion carried.</b></p> <p><b>11. It was moved by Councillor Hudson, seconded by Councillor Roberts, to proceed with the pool build under the new plan to construct the pool and mechanical room only. The building and other structures will be completed at a later date. Motion carried</b></p> <p>Deputy Mayor DeWolfe expressed concerns about the pool project and voted nay to the motion. She said that although she is voting nay if Council approves the project, she will support the project and fundraising efforts.</p>		
Recommendations from Committee of th Whole - continued	<p><b>12. It was moved by Councillor Roberts, seconded by Councillor Hudson, approval of the application for changes to Heritage Property, located at 219 St. George Street (new windows and structural repairs). Motion carried.</b></p> <p><b>13. It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the application for changes to Heritage Property located at 6 Drury Lane, with the condition that the</b></p>		

	<p><b>colours of the barber pole remain the traditional red &amp; white. Motion carried.</b></p> <p><b>14. It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the application for changes to Heritage Property located at 241 St. George Street (side vent for furnace). Motion carried.</b></p> <p><b>15. It was moved by Councillor Hudson, seconded by Councillor Roberts approval of the application for changes to Heritage Property located at 253 St. George Street with the condition that the proposed sign does not exceed the size restrictions established by the Annapolis District Planning Commission. Motion carried.</b></p> <p>Mayor Kinsella declared a conflict of interest for the following motion and left the room. Deputy Mayor DeWolfe chaired the meeting until his return. The motion relates to his property.</p> <p><b>16. It was moved by Councillor Roberts, seconded by Councillor Boulding, approval of the development application for changes to a property located at 30 St. James Street which is adjacent to a Heritage Property.</b></p>		
Recommendations from committee of the Whole - continued	<p><b>17. It was moved by Councillor Roberts, seconded by Councillor Hudson approval of the signage application for changes to Heritage Property located at 253 St. George Street, with the condition that the proposed sign does not exceed the sign restrictions established by the Annapolis District Planning Commission. Motion carried.</b></p> <p><b>18. It was moved by Councillor Hudson, seconded by Councillor Boulding approval of the application for changes to Heritage Property located at 136 - 138 St. George Street ( new roof on the carriage house). Motion carried.</b></p>		
{b} Board of Police Commissioners	Deputy Mayor DeWolfe said that a Board of Police Commissioners meeting is scheduled for October 18 at 9:00 a.m.	Deputy Mayor DeWolfe	
{c} Mayor's Report	Mayor Kinsella distributed photos of Heritage Canada's Award Ceremonies in Ottawa. He attended the ceremonies to receive the Prince of Wales Award on behalf of the Town. He said that the award	Mayor John Kinsella	

	<p>presentation was well attended and a great experience. The Prince of Wales Gala held in honour of the award at the Hillsdale House was also successful.</p> <p>Mayor Kinsella reported that the Mayors and Wardens are still working on the Regional Development Agency and he is hopeful that it will be set up soon. He had no updates to offer regarding the Digby Ferry. Mayor Kinsella said that Upper Clements Park is moving forward with its lease renewal. They had a good season overall and are hopeful that the Province will renew the agreement.</p>		
{d} King's Theatre	<p>Councillor Roberts reported that he is now organizing and producing the Theatre's newsletter that is distributed to members of the King's Theatre Society. He also said that Linda Brown has resigned from her position as marketing chair; the Society is hopeful that a new person from the area will be interested in taking over the position. Susan Hay has resigned from Programs and Sue Lane will take over her responsibilities.</p> <p>Councillor Roberts reminded everyone of the re-enactment of the Theatre of Neptune that will take place on November 12 at 3:00 p.m. He said that the Historical Association of Annapolis Royal has donated \$1,000.00 to the project and Deb Ryan of the County Recreation Department has been assisting with marketing.</p>		

## CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} None			

## OTHER BUSINESS

- {a} Councillor Roberts asked Council if there was something that could be done to encourage young families with children to move into the Town. He asked about financial incentives to encourage full time residents. He asked staff to look into the possibilities. Mayor Kinsella said that this matter should be addressed during the strategic planning meetings that are scheduled in November, 2006. He asked Councillor Roberts to draft something that could be reviewed during the strategic planning process. Councillor Roberts said that it would be interesting to know if other towns and municipalities have offered any incentives or how they encourage families to settle in their area. It was agreed that the question would be posted on the AMA<sup>1</sup> listserve and any responses would be reviewed at a later date. Mayor



Kinsella said that the Town has made some efforts to encourage families to settle in the Town with decisions such as not allowing bed & breakfasts in the residential zone and moving forward with the pool build.

<sup>1</sup>Association of Municipal Administrators

Councillor Boulding said that he has been approached regarding the tendering process for the Town. A potential contractor has stated that the process is unfair. CAO Boyer said that a copy of the process will be provided to all members of Council. She said that the decision to extend the current garbage contract for one year at a reduced rate was a deviation from the regular policy, but it was approved by Council.

Mayor Kinsella questioned the barricades around the old pool site. CAO Boyer explained a complaint that was received from AWEC Principal Ferry Patterson and the barricades were an attempt by the Police Department to alleviate his concerns. Apparently, non-students have been congregating in the Town owned parking lot and he has asked the Town to assist in solving the problem. The barricades are considered a temporary solution. CAO Boyer said that dealing with these types of issues are difficult for the Police Department because their overtime hours require approval. It was agreed that if a request or complaint comes in that requires immediate action it should be dealt with by the Chief as soon as possible.

Councillor Shaffner asked about the security cameras. CAO Boyer said there was a problem with the power supply on the poles, NSPI has been contacted and the problem will be corrected as soon as possible. The cameras should be installed before October 31, 2006.

## QUESTIONS

**NEXT MEETING** November 20, 2006 at 9:30 a.m.

## ADJOURNMENT

***It was moved by Councillor Roberts to adjourn the meeting.***

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