

**TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
APPROVED MINUTES
October 18, 2010
9:00 a.m.**

Present: Mayor Phil Roberts (Chair), Councillors Pat Power, Sherman Hudson, Kathie Fearon and Holger Mueller-Sparenberg, CAO¹ Amery Boyer, Director of Finance Melony Robinson, and Charles Cranton as Recording Secretary. Members of the public in attendance included Corinne Frantel and Sheila Journey. Chris Millier joined the meeting 9:45 am.

Regrets: Deputy Mayor Doug Shaffner

CALL TO ORDER The meeting was called to order by Mayor Phil Roberts at 9:00 am

APPROVAL OF REGULAR COUNCIL MINUTES

Moved by Councillor Power, seconded by Councillor Hudson, that the minutes, as amended, for September 20, 2010 be approved. Motion carried.

ADDITIONS/DELETIONS TO AGENDA

Under Business Arising:	7. Pets at the Farmer's Market
Under New Business:	6. Flag Pole at Town Hall

APPROVAL OF AGENDA

Moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson, that the agenda, as amended, for October 18, 2010 be approved. Motion carried.

PRESENTATIONS None

PUBLIC HEARING 10:00 am Application for Land Use By-Law Amendment – 225 St George Street

¹ Chief Administrative Officer

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
1. Water Utility Budget	Tabled until November Committee of the Whole	Director of Finance	
2. Basement renovations	<p>To date, engineering costs are approximately \$ 17,000 for basement renovations to accommodate a larger space for the ARPD². DOF³ Robinson noted that the approved budget for this project is \$ 25,000 which leaves only \$ 8,000 for actual construction. It is estimated that the costs to complete the renovations will be in excess of \$ 50,000.</p> <p>Mayor Roberts asked Council for their thoughts on the estimated costs. After much discussion, Council agreed it cannot support any additional costs above the approved budgeted amount of \$ 25,000.</p> <p>Mayor Roberts stated the ARPD may want to consider fundraising to cover any additional costs.</p>	Deputy Mayor Doug Shaffner	

² Annapolis Royal Police Department

³ Director of Finance

3. Status of New Public Works building	<p>The Tender closes on October 21st, 2010.</p> <p>A petition has been received asking Council to consider modifications to the new building's design.</p> <p>Mayor Roberts stated that the Environment Committee is unhappy that the new building is not a sustainable or "green" building.</p> <p>CAO Boyer stated that at the time, the Town had requested the engineers to develop the best option for the funds available. CAO Boyer also noted ADPC⁴ Managing Director Chrystal Fuller had reviewed the plans and there are no development or heritage issues.</p> <p>Councillor Power asked if it is possible to make modifications to the design.</p> <p>CAO Boyer stated that the Town would not be able to make any structural changes; however, modifications to the windows, doors and other appearance-related items may be possible.</p>	CAO	
4. Waterfront Development Funding Update	The Canada Revenue Agency has acknowledged the Town's request for a ruling to allow it to issue tax receipts for capital donations.	CAO	
5. UNSM ⁵ Conference	Councillor Mueller-Sparenberg will be attending.		
6. Contract Marketing Position	<p>A draft budget for this position was reviewed for information purposes.</p> <p>Councillor Power commented that the VIC⁶ is asking for assistance in the upcoming budget.</p>	CAO	

⁴ Annapolis District Planning Commission

⁵ Union of Nova Scotia Municipalities

⁶ Visitor Information Centre

7. Pets at the Market	<p>Mayor Roberts stated he has received a complaint from a citizen regarding the “No Pets allowed” signs at the market. The Town has no legal authority to enforce these signs, nor do these represent the opinion of the Department of Agriculture. Mayor Roberts has followed up on this issue and has found that as long as pet owners adhere to the town’s animal control by-law, they should be permitted on the general premises. Vendors are not allowed to have pets at their tables. Furthermore, the Department of Agriculture was upset that its name is displayed on the signs.</p> <p>Mayor Roberts commented that some markets welcome dogs and feel this is a much more positive approach. Mayor Roberts asked if Council wants to take the signs down.</p> <p>Councillor Fearon asked how much was paid for the signs. DOF Robinson will look up and advise council of the costs.</p> <p>Councillor Mueller-Sparenberg suggested the town leave the signs up and cover up the Department of Agriculture name. Council agreed.</p>		
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NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Water Tests	Water tests have been reviewed and are within the required parameters	CAO	
2. Proposed Parking Lot Design AR Fire Hall	<p>A submission by Joy Elliott, Landscape Architectural Design was reviewed for information purposes. Mayor Roberts stated that the only potential costs to the Town would be the cost of the curb cut. This cost is unknown.</p> <p>DOF Robinson stated that the cost of a curb cut is not in the current budget.</p>	CAO	

3. Application for a Municipal Intern	<p>CAO Boyer reported that an application for a municipal intern has been submitted. The application has been submitted in order to meet a deadline. If it is successful, Council may decide whether it wishes to take part in the program or not. A copy of the application was reviewed. If successful, the Town will incur some costs associated with wage costs and expenses (approximately \$ 12,200). Councillor Fearon asked if the Town can afford its share in the current budget. DOF Robinson stated that it can. Councillor Power asked if this program will evolve into a full-time position. CAO Boyer stated that the term is one year, and it most likely will not last any longer. During this year, the Town will need to figure out its plans for current and future staff positions. One job duty for the municipal intern may be to prepare a recommendation on staff positions. Councillor Power asked if any consideration was given to sharing the intern with other municipalities such as the Town of Bridgetown or the County of Annapolis to help reduce the financial burden. CAO Boyer said we would be open to it.</p>	CAO	
4. Thank You	Thank you from Mayor and Council to all those who helped with the benefit for the family of Grant Potter.		
5. ACT ⁷ Grant Project Development	Progress Update has been submitted by ADPC.		
6. Flagpole at Town Hall	<p>Mayor Roberts stated the contractor completing the sidewalk in front of Town Hall informed him that the flagpole and base are safety hazards. The base needs to be replaced and the pole either repaired or replaced. Mayor Roberts suggest this information be mentioned in the Town Crier along with a request for a donation of a new flagpole. Councillor Hudson stated that the current flagpole was donated at no cost to the Town. DOF Robinson suggested that the Town authorize the sidewalk contractor to make the necessary preparations for a new flagpole while they are completing work outside of Town Hall and then ask for donations towards this work in the Town Crier. A potential donor can be recognized with a commemorative plaque. This plan was agreed to.</p>		

⁷ Affordability & Choice Today

RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS

Item	Decision/Action	Responsibility	Target Date
1. Recommendations from Committee of the Whole	<p>Mayor Roberts stated that there is no clearly defined term length for the initial term of Council appointments to the ADEDA⁸ board. The length of the initial term is left to Council's discretion and may be either two or three years. Councillor Mueller-Sparenberg suggested that council define its own terms and remove the discretion aspect. CAO Boyer noted that the term of the current citizen appointment is being researched.</p> <p><i>Motion 1:</i> <i>Moved by Councillor Power, seconded by Councillor Mueller-Sparenberg, that for future appointments for citizen representative on the ADEDA Board, the position be advertised through the Spectator, the Town website and Town bulletin board. Motion carried.</i></p>		
	<p><i>Motion 2:</i> <i>Moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson, that a recommendation be made to Council that Town staff, with the exception of the CAO, be given time off with no loss of pay on December 29, 30 and 31, the period between Christmas and New Year's. Motion carried.</i></p>		
	<p><i>Motion 3:</i> <i>Moved by Councillor Hudson, seconded by Councillor Fearon, that the draft PHAC⁹ by-law be referred to PHAC for review and comment. Motion carried.</i></p>		

⁸ Annapolis Digby Economic Development Agency

⁹ Planning & Heritage Advisory Committee

	<p>A letter has been sent to the ADEDA funding partners appointing Councillor Mueller-Sparenberg and CAO Boyer to the working group and to advise of the Town's intention to serve notice of withdrawal from ADEDA.</p> <p><i>Motion 4:</i> <i>Moved by Councillor Fearon, seconded by Councillor Power, that notice of withdrawal from ADEDA be served. Motion carried.</i></p>		
2. Recommendations from PHAC	<p>CAO Boyer noted that a draft Project Mandate had been reviewed and amended by PHAC before being forwarded to Council.</p> <p><i>Motion 5:</i> <i>Moved by Councillor Power, seconded by Councillor Mueller-Sparenberg, that the Project Mandate for a Plan Review be approved. Motion carried.</i></p>		
	<p><i>Motion 6:</i> <i>Moved by Councillor Muller-Sparenberg, seconded by Councillor Hudson, that the property located at 23 St. James St. be given heritage approval to alter its exterior appearance as shown on the plans dated September 16th, 2010.</i></p>		
	<p><i>Motion 7:</i> <i>Moved by Councillor Hudson, seconded by Councillor Fearon, that property located at 200 St. George St is given heritage approval to alter its exterior appearance as described on the application form.</i></p>		
3. Board of Police Commissioners	<p>The Board of Police Commissioners recommends to Council that \$ 1,000 for Board Expenses be added to the Town Budget for 2011/12.</p> <p>Referred to the budget process.</p>		

	The Board of Police Commissioners recommends to Council the following membership for the upcoming term: Chair Jim McGinis, Deputy Mayor Doug Shaffner, Councillor Kathie Fearon, Brian Keevill, and Department of Justice Appointee Jane DeWolfe. Referred to November Committee of the Whole.	COW	
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PUBLIC HEARING

Mayor Roberts suspended council at 10:00 am to accommodate a Public Hearing.

Council resumed at 10:08 am.

Motion 8:

Moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg, based on the recommendation by Chris Millier on behalf of the ADPC, that lands of David and Sheila Journeay located at 225 St George Street (PID 05003819) be rezoned from Residential Light Density (R1) to Commercial General (C1). Motion carried.

Chris Millier left the meeting at 10:10 am.

REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS

(a) Board of Police Commissioners	<p>Councillor Fearon reported on the recent Board of Police Commissioners meeting. The Department of Justice wants to do a presentation on Safe Communities.</p> <p>Councillor Fearon gave an overview of recent training accomplishments. She stated that Corporal Chase is now considered a drug recognition expert.</p> <p>Local Registration Authority training needs to be completed before Jackie Longmire's term as Admin Assistant is completed in December.</p> <p>CAO Boyer asked if the annual Boots to the Street report had been filed with the Department of Justice. It would appear that it has not. Mayor Roberts will correspond with Chair Jim McGinis.</p> <p>The Board supports the Legal Aid provisions being offered to the officers. The offer is still being reviewed by the officers.</p> <p>A procedure is still being developed for filing a parking-infraction ticket with the court system.</p> <p>Jim MacIntosh will be stepping down from the Board. Jim McGinis has reoffered as Chair.</p>	Councillor Fearon & Deputy Mayor Shaffner	
(b) Mayor's Report	<p>Mayor Roberts attended and reported on the following events:</p> <p>Sept 21 – Annapolis Valley Health annual general meeting</p> <p>Sept 23 – Friends of ACHC¹⁰ general meeting</p> <p>Sept 27 – Friends of ACHC Steering Committee</p> <p>Oct 2 – Grand Opening of the Bridgetown Fire Hall</p> <p>Oct 2 – Benefit for the Family of Grant Potter</p> <p>Oct 3 – Terry Fox Run</p> <p>Oct 3 – Friends of ACHC Steering Committee</p> <p>Oct 4 – Meeting with Hon. Maureen MacDonald, Health Minister</p> <p>Oct 4 – Meeting with VON¹¹ representatives.</p> <p>Oct 5 – 300th Anniversary Celebrations Finale at Fort Anne</p> <p>Oct 6 – Friends of ACHC Steering Committee</p> <p>Oct 13 – ADEDA Discussions – Mayors & Wardens</p>	Mayor Roberts	

¹⁰ Annapolis Community Health Centre

¹¹ Victorian Order of Nurses

(c) ADEDA	Nothing to Report Working Group meets on Monday October 25, 2010	Councillor Mueller- Sparenberg	
(d) ADPC	1. Fire Inspection Report was submitted 2. Building Development Report was submitted		
(d) King's Theatre	Councillor Fearon reported the Theatre is still profitable, however, attendance is down. The Theatre would like better signage, perhaps something similar to a marquee. The Theatre is still seeking sponsorship. CAO Boyer suggested that Linda Brown may be able focus on promoting the theatre now that the 300 th celebrations are complete. Janice Slauenwhite will serve as House Manager until the Spring of 2011.	Councillor Kathie Fearon	
(e) REMO ¹²	Nothing to report. Next Meeting is Thursday, November 4 th , 2010	Councillor Sherman Hudson and Mayor Roberts	
(f) Historic Gardens	Attendance is up. Fundraising goals have not been reached. There is a waiting list for vendors to take part at the Winter Market. Heat will be provided indoors at the gazebo building for the market.	Councillor Pat Power	
(h) Twinning Committee	Nothing to report.	Mayor Phil Roberts	
{i} Hanse Society	Absent.	Deputy Mayor Doug Shaffner	

¹² Regional Emergency Measures Office

{j} Environment Committee	Mayor Roberts stated he has heard complaints that some recommendations to Council from the Environment Committee have been ignored (e.g. lower speed limits, bike lane). He feels they have not been ignored, but perhaps feedback to the committee is not being delivered. CAO Boyer will attend the next meeting to address some of the Committee's issues. Wayne Morgan will be stepping down from the committee in a few months and Susan Jost is interested in joining.	Mayor Phil Roberts	
{k} Planning and Heritage Advisory Committee	Most issues have been covered during this Council meeting. Councillor Fearon noted that a questionnaire regarding changes to the Heritage Act is in circulation. PHAC members Chair Peter Davies and Grant Slinn attended a public meeting on this matter.	Councillors Kathie Fearon and Sherman Hudson	

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
1. Single Address Initiative - PVSC ¹³	The PVSC is looking at a procedure in which a change of address will be processed only once and then dispersed to all parties with an interest. Currently, a change in address needs to be processed by PVSC, the municipal unit, Property Online, and Registry of Deeds.		
2 Aerial Oblique photography - PVSC	An overview was submitted for information purposes		
3. Visitor Information Centre	A planning meeting for 2011 operations will be held on Nov 4 at 7 pm		
4. Department of Justice	A letter regarding possible amendments to the Police Act was reviewed.		
6. Future View TRE	Correspondence from Future View TRE was sent to the Municipality of the County of Annapolis voicing disappointment with the recent decision to discontinue funding to ADEDA. Mayor Roberts stated that to date, this is the only written opposition to the County's decision. Mayor Roberts also noted that the Town of Middleton appears to be content with ADEDA.		

¹³ Property Valuation Services Corporation

Councillor Hudson left the meeting at 10:45 am

OTHER BUSINESS

Councillor Fearon questioned why Chris Millier is still required on behalf of ADPC now that a Managing Director has been hired. CAO Boyer answered that Millier is only working on old files that were started before the Managing Director was hired.

Councillor Power questioned the status of the NSPI¹⁴ appraisal report. CAO Boyer stated a report is due soon. Mayor Roberts questioned where the Town is in the NSPI assessment appeal process. CAO Boyer reported that the Town is still in the informal process. The assessment team is working on a report on what the assessed value should be. The parties have acknowledged that it is in everyone's best interest that the appeal be settled without a public hearing. The Town is at the same point in the process as Queens County is with their process.

IN CAMERA

It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Power to go in camera to discuss union negotiations at 11:05 am

It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Power to come out of camera at 11:40 am

Motion 9:

Moved by Councillor Mueller-Sparenberg, seconded by Councillor Power, that the tentative collective agreement between CUPE¹⁵ and the Town be ratified. Motion carried.

NEXT MEETING Monday, November 15, 2010 at 9:00 am

ADJOURNMENT Moved by Councillor Mueller-Sparenberg, that the meeting be adjourned. Motion carried.

¹⁴ Nova Scotia Power Incorporated

¹⁵ Canadian Union of Public Employees

<i>Action:</i>	<i>Date</i>	<i>Signature</i>
Reviewed by Mayor Roberts		
Changes made by CAO		
Approved for website by CAO		
Sent to webmaster		