

DRAFT MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
October 19, 2009
9:00 a.m.

The regular meeting of Council was held on Monday, October 19, 2009 in Council Chambers at Town Hall. In attendance were Chair Mayor Phil Roberts, Deputy Mayor Doug Shaffner, Councillors Sherman Hudson, Pat Power, Holger Mueller-Sparenberg and Kathie Fearon, CAO Amery Boyer, Director of Finance Melony Robinson and Jackie Longmire as recording secretary. Several residents and business owners were also in attendance.

APPROVAL OF REGULAR COUNCIL MINUTES

September 21, 2009

Motion # 1

It was moved by Councillor Mueller-Sparenberg, seconded by Deputy Mayor Shaffner, that the regular Council minutes dated September 21, 2009 be approved as amended Motion carried.

ADDITIONS/DELETIONS TO THE AGENDA

Under Presentations add:

1. John Kinsella – NSPI Appeal
2. Jim McGinis – Board of Police Commissioners

Under Business Arising add:

{d} Borrowing Resolution

Under Correspondence add:

2. Advertising Opportunity – Forum Magazine

3. King's Theatre – Windows

APPROVAL OF AGENDA

October 19, 2009

Motion # 2

***It was moved by Councillor Power, seconded by Councillor Fearon, that the agenda dated October 19, 2009 be approved as amended.
Motion carried.***

PRESENTATIONS

1. NSPI Appeal – John Kinsella spoke on behalf of a group that has been doing background research for Council to assist with the NSPI appeal process. He reviewed the history of the causeway and the tidal power generating station. The Town received approximately \$4,300.00 per year for the property before the UNSM became involved in the NSPI taxation issue in 2000. A phased-in compensation program was developed and the Town of Annapolis Royal received \$360,000.00 in the first year. That amount grew and is presently at \$947,000.00. The funds received have been used for infrastructure improvements and have also contributed to reduced tax rates and reducing the overall debt of the Town. The NSPI property has been reassessed and the Town faces a significant loss in revenue due to the reassessment.

It is the opinion of the group that identified inequities in previous assessments should have been addressed. There were other municipalities that had legitimate concerns about their level of funding from that limited pool of funds from NSPI. There should have been additional funds allocated to accommodate re-allocation of those limited funds. The Council of the Town of Annapolis Royal continues to enjoy the support and encouragement of their community and surrounding area. Given the recent change in government, it is time for this Council to use the support of the community to convey the Town's concerns to our new Minister of Service Nova Scotia and Municipal Relations, including the need for said Minister to meet with Council. This Council and the community as a whole need to urge both the Property Valuation Services Corporation and Service Nova Scotia and Municipal Relations to do the following:

- Recognize the assessed value of the NSPI holdings within the Town of Annapolis Royal at \$31,000,000.00.
- Continue to provide funding for the Town to compensate it by a grant in lieu of taxes.
- Compensate all municipalities fairly for NSPI holdings until all NSPI holdings are subject to full taxation by municipalities just like any other business.

It was agreed that the appeal process should continue because it will force PVSC to disclose how the new assessment for the NSPI property was determined. Mr. Kinsella suggested that Council launch a letter writing campaign and indicated that the Research Group would assist with the process. It was also suggested that the Town contact Stephen MacNeil and Greg Kerr to discuss the issues and that the public be kept informed.

Mayor Roberts thanked John Kinsella, Jim McGinis, Rion Microys and Trish Fry for all of their work through the Research Group. Copies of all the information provided by the group will be distributed to members of Council.

2. **Board of Police Commissioners – Selection Process – Chief of Police** – Jim McGinis said that an advertisement was placed for a Chief of Police and 11 applications were received. The list of applicants was short-listed to 3 and the interviews were conducted on October 14, 2009. Mr. McGinis said that all three applicants were worthy of the position and the decision was difficult. A recommendation to Council will be made during an in-camera session.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
{a} Civic Address By-law	<p><i>Motion #3</i></p> <p><i>It was moved by Councillor Fearon, seconded by Councillor Hudson, to approve second and final reading of the Civic Address By-law. Motion carried.</i></p>	Executive Assistant	
{b} Outdoor Fire By-law	<p>A resident suggested that the Town consider incorporating a yearly burn at the Public Works leaf and yard waste drop-off site. It was noted that the debris at the Drop-Off Site is not trucked to another location and there is no need to burn what is in the yard. CAO Boyer noted that this by-law was a result of a neighbourhood dispute and several complaints received regarding smoke from outdoor burning.</p> <p><i>Motion #4</i></p> <p><i>It was moved by Councillor Fearon, seconded by Councillor Mueller-Sparenberg, to approve second and final reading of the Outdoor Fire By-law. Motion carried with one nay vote recorded.</i></p>	Executive Assistant	

{c} Idling Control By-law	This by-law has been referred back to the Environment Committee to be considered as a policy rather than a by-law.	Environment committee	
{d} Borrowing Resolutions	CAO Boyer and the Director of Finance had a meeting with Service Nova Scotia and Municipal Relations on Friday, October 16. Bridge financing is being contemplated until the new fiscal year when long term financing will be arranged. CAO Boyer will provide copies of the correct borrowing resolutions when the details are finalized.	CAO Boyer	

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Water Tests	The tests continue to show limits within the required parameters.	CAO Boyer	
{b} Request for Sponsor	A request for team sponsorship was received from Noah Robinson. Unfortunately the Town cannot accede to such requests and it was suggested that Noah go directly to the residents of the Town with his request. CAO Boyer will respond to the letter.	CAO Boyer	

{c} Proposal for Winter Market	<p>Mayor Roberts continues to work on establishing a winter market and an agreement appears to have been reached with the Historic Gardens. The winter market will be held in the building at the back of the German Bakery, with no heat. The rental fee for the space will be \$1,500.00 for the 26-week season. The additional insurance expenses are estimated at \$200.00 and the Town will be billed for any additional snow clearing and washroom supplies. Mayor Roberts has volunteered his time as the coordinator on site to receive payment for tables and organize vendors. It will be written into the agreement that it can be cancelled at any time.</p> <p>It was agreed that the Town will establish the Winter Market and operate it for a one-year period as a pilot project. There will be no guarantees written into the agreement with the Gardens; staff time has been taken into consideration and any profits will stay with the Town. A separate line item will be created for the market and the banking will be done by Town staff.</p> <p><i>Motion #6</i> <i>It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Fearon, that the Winter Market agreement with Historic Gardens be approved on the basis of \$1,500.00 rent to a maximum of \$1,700.00 with expenses such as snow clearing and washroom supplies to be invoiced seperately and that the agreement can be cancelled at any time. Motion carried.</i></p>	CAO Boyer/Mayor Roberts	
{d} Single Tax Bill	<p>Approval is being requested for a single tax bill rather than billing twice yearly for taxes. This will save approximately 1 month of administrative staff time and will provide cash flow when most needed.</p> <p>It was suggested that this item be discussed at the next public meeting which will be scheduled in November.</p>		

{e} Letter to non-profit organizations	<p>A letter has been drafted for non-profit organizations to address the property tax reduction for non-profit organizations. Each organization must now apply for the reduction which was automatically granted in previous years.</p> <p>There is also an issue with furnace oil being purchased on the Town account by non-profit organizations. The Town can no longer re-bill these organizations and each must now create their own account with the furnace oil company. The letter will also include this information.</p>		
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RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
{a} Recommendations from Committee of the Whole	<p>7. It was moved by Deputy Mayor Shaffner, seconded by Councillor Fearon, that the application for changes to heritage property located at 208 St. George Street be approved with a suggestion made that a different typeface be considered and on the condition that a picture be provided showing the actual appearance of the sign. Motion carried.</p> <p>After some discussion, Council referred this item to the next meeting of the Planning and Heritage Advisory Committee. A picture of the sign has not yet been provided.</p>		
{b} Recommendations for the Environment Committee	<p>8. It was moved by Councillor Power, seconded by Councillor Mueller-Sparenberg, that a letter be drafted to the Province on behalf of the Environment Committee to request a reduction in the speed limit in certain areas from 50 kmh to 35 kmh. Motion carried.</p> <p>It was noted that the exact area for the speed reduction must be determined. The requirements for such a request will be researched and the Environment Committee will provide the details for the letter.</p> <p>9. It was moved by Councillor Power, seconded by Councillor Mueller-</p>		

	<i>Sparenberg, that the following parameters of the Environment Committee be approved: Act as an advisory body for matters relating to the community sustainability and energy conservation for town Council, facilitate/sponsor/encourage community efforts for community sustainability and energy conservation, and establish greenhouse gas emission reduction targets for the Town. Motion carried.</i>		
{c} Recommendation from the Business Liaison Committee	<i>10. It was moved by Councillor Mueller-Sparenberg, seconded by Councillor Hudson, that the Business Liaison Committee guidelines be amended to read the following: "That membership be limited to a resident, tax payer, business owner or senior manager of a business operating within Annapolis Royal." Motion carried with one nay vote recorded.</i>		
{b} Board of Police Commissioners	<p>Councillor Fearon said former Chief Ross Campbell and former Sergeant Dale Miller will be receiving their long service awards in Halifax on October 27; Mayor Roberts and Chair of the Board Jim McGinis will be attending. Some of the recently purchased police equipment including rifles have been returned for credit to the appropriate suppliers. Fort Anne will be issued a "warning" letter for having three false-alarm calls in the past twelve month period.</p> <p>It was noted that the problem with dogs in the market has been mentioned to the Police Department several times. The Town does have a by-law that addresses the issue and there are signs posted in the area, but dogs continue to be a problem in the market. The Market Coordinator has brought the issue to the attention of several dog-owners but there has been no change in the situation.</p>	Deputy Mayor Shaffner and Councillor Fearon	
{c} Mayor's Report	Mayor Roberts reported a very busy month but nothing that required a public appearance.	Mayor Phil Roberts	

{d} ADEDA	<p>Councillor Hudson has not been able to attend recent meetings as a result of his work schedule. It was suggested that Councillor Mueller-Sparenberg be made the Town representative for ADEDA.</p> <p>Councillor Power and CAO Boyer attended the Annual Report Meeting for ADEDA and the presentation by Roger Brooks.</p> <p><i>Motion #8</i> <i>It was moved by Councillor Fearon, seconded by Councillor Power, that Councillor Mueller-Sparenberg replace Councillor Hudson as the Town representative for ADEDA. Motion carried.</i></p> <p>Councillor Power will continue to act as an alternate.</p>	Councillor Hudson	
{d} King's Theatre	<p>A meeting was held on October 13, 2009. Linda Brown provided information to the Board on the 300th anniversary of the renaming of the Town. Other items such as new computers, new windows and the need for a new tech person were also discussed.</p>	Councillor Fearon	
{e} REMO	<p>The next meeting will take place in November via teleconference.</p>	Councillor Hudson	
{g} Historic Gardens	<p>A new mission statement and vision is being created for the Gardens; more information will be available at the next meeting.</p>	Councillor Power	
{h} Business Liaison Committee	<p>The Business Liaison Committee minutes from the meeting on October 8 will be circulated to all members of Council. It is still unclear as to why the BLC minutes cannot be posted on the Town website. It has been suggested that the minutes be posted on the Board of Trade website.</p>	Councillor Power	
{i} Twinning Committee	<p>Mayor Roberts had nothing to report. A meeting will be scheduled in November.</p>	Mayor Roberts	

{k} Hanse Society	The Wildlife Park has been closed and all of the animals have been relocated with the exception of two porcupines that have been released to the wild. The transfer of the property to the Hanse Society will be complete by mid-November. There are plans for the property but nothing has been released to the public at this time.	Deputy Mayor Doug Shaffner	
{l} Environment Committee	The Environment Committee minutes will be distributed to all members of Council.		

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} Nova Scotia Community-Based Transportation Association	The Town of Annapolis Royal currently contributes approximately \$13,000.00 to King's Transit. The mandate of the Nova Scotia Community-Based Transportation Association does not seem to apply to Town residents; no funding contribution will be made at this time.		
{b} Advertising Opportunity – Forum Magazine	LED Roadway Lighting has approached the Town about matching funds on a one page advertisement in the Forum magazine about the new LED streetlights. The Town's contribution to the ad would be approximately \$1,400.00. CAO Boyer has forwarded the request to ARDMA and the ADBOT but no response has been received.		
{c} New Windows for King's Theatre	<p>A number of windows at King's Theatre must be replaced this year. It is the responsibility of the Town to maintain the exterior of the building but the amount in the budget was reduced for the 2009-2010 budget year and only \$1,800.00 remains in the budget. This will be confirmed with the King's Theatre Manager.</p> <p>The information on the new windows will be reviewed by the Planning and Heritage Advisory Committee.</p>		

GENERAL DISCUSSION

1. **Annapolis, Maryland – Trolley Buses** – The Hanse Society and the Town are interested in obtaining the buses that were offered but issues remain with cross-border delivery of the vehicles. CAO Boyer is waiting for more information from Dave Shelton.
2. **Letter to the Editor of the Spectator** – A letter was recently published in the Spectator that made reference to 17 staff members at Town Hall. It was suggested that the Town correct misinformation that is either published or spoken. The following items were raised that require correction:
 - Town Hall staff at 17 – The Town currently has 13 staff members which includes a Police Department and a Public Works Department.
 - The Town is facing a \$500,000.00 lawsuit. This information is incorrect; there are no details on where this information may have come from.
 - The Town is paying hundreds of thousands for dollars for the LED streetlights. This is not true, the streetlight retrofit is a Nova Scotia Power pilot project that is completely funded through ecoNova Scotia and Conserve Nova Scotia. There is absolutely no cost to the Town for the conversion to LED street lights.

The Town Crier will be used in the future to refute misinformation.

Motion #9

It was moved by Councillor Power, seconded by Councillor Fearon, that a letter be drafted by CAO Boyer to refute the reference to the number of staff in the letter to the editor that appeared in the October 15th edition of the Spectator. Motion carried.

IN CAMERA

It was moved by Councillor Fearon, seconded by Deputy Mayor Shaffner to move in camera to discuss a personnel issue and possible legal action with respect to unsightly premises.

It was moved by Deputy Mayor Shaffner, seconded by Councillor Hudson to move out of camera.

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

Motion #10

It was moved by Deputy Mayor Shaffner, seconded by Councillor Fearon to accept and approve the recommendation from the Board of Police Commissioners, that Burt McNeil be hired as the Chief of Police for the Annapolis Royal Police Department with a start date of approximately two months from today but to be clarified in the letter of offer. Motion carried.

NEXT MEETING November 16, 2009 at 9:00 am

ADJOURNMENT

It was moved by Deputy Mayor Shaffner to adjourn the meeting.

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