

DRAFT MINUTES
TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
September 21, 2009
7:00 p.m.

The regular meeting of Council was held on Monday, September 21, 2009 in Council Chambers at Town Hall. In attendance were Chair Mayor Phil Roberts, Deputy Mayor Doug Shaffner, Councillors Sherman Hudson, Pat Power 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

August 17, 2009

Motion # 1

It was moved by Deputy Mayor Shaffner, seconded by Councillor Hudson, that the regular Council minutes dated August 17, 2009 be approved as amended Motion carried.

ADDITIONS/DELETIONS TO THE AGENDA

Under Correspondence add:

{a} Letter from Annapolis Society for Youth-friendly Public Spaces (ASYPS)

Under In Camera add:

1. To discuss the NSPI appeal

APPROVAL OF AGENDA

September 21, 2009

Motion # 2

It was moved by Councillor Power, seconded by Councillor Fearon, that the agenda dated September 21, 2009 be approved as amended. Motion carried.

OATH OF NEW COUNCILLOR

Holger Mueller-Sparenberg took the Council members' oath of allegiance and of office. He replaces former Deputy Mayor DeWolfe who resigned in June 2009. Mr. Mueller-Sparenberg became a member of Council by acclamation.

PRESENTATIONS

1. Farmer's Market - John Elliott and Corrine Warner attended the meeting at the request of Council. There are some on-going issues with the Market and revising the lease agreement is being considered. Cindy Wilson presented a petition to Council with 35 signatures of individuals who believe there is a parking issue with the Farmer's Market. Ms. Wilson said that the Town is the landlord and the parking problems should be addressed as soon as possible. She said that the Market Coordinator Corrine Warner is under the impression that there are no problems based on letters and communication from the Town. Mayor Roberts said that the Business Liaison Committee discussed the issues at its last regular meeting and there are items that are not clearly defined in the current lease agreement. Mayor Roberts said that Council intends to briefly discuss the concerns and will schedule a special meeting to resolve the issues. Ms. Wilson said that there was no need to go through a bureaucratic process; just control the parking on sidewalks. Angela Chartier said that the blocked sidewalk in front of the Market is a safety issue; it is Town property and not covered in the Farmers' Market lease. Mayor Roberts said that the Police have been asked to patrol the area and keep the sidewalks clear.

John Elliott said that the Market Association would be agreeable to meeting and reviewing the current lease. Mr. Elliott was provided with a copy of the lease. It also appears that the Market has out grown the space and it has been suggested that it expand into the parking area. It was agreed that a special Committee of the Whole meeting would be scheduled for Wednesday, September 23 to discuss all the issues with the Market. The meeting will be open to the public.

Mayor Roberts also mentioned the possibility of a winter market continuing at the Legion until Christmas. He said that he spoke to several of the food vendors and 15 have expressed interest. The Legion has offered space with no heat. John Elliott said that the Market Association would probably not be interested in running the winter market but he would bring it up at the Annual General Meeting in March, 2010. Market Coordinator Corrine Warner said she would consider organizing and operating the winter market.

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
{a} Civic Address By-law	Council will consider second and final reading at the next meeting of Council.	CAO Boyer	

{b} Orderly and Peaceful Conduct By-law	<p><i>Motion #3</i></p> <p><i>It was moved by Councillor Hudson, seconded by Councillor Fearon, first reading of the Orderly and Peaceful Conduct By-law. Motion carried.</i></p>	Executive Assistant	
{c} Procurement Policy	<p>The Policy was revised to include buy-local and to apply to the federal free-trade policy. More information was requested on the Energy Star designation.</p> <p><i>Motion #4</i></p> <p><i>It was moved by Councillor Fearon, seconded by Councillor Hudson, that the Procurement Policy be approved as presented. Motion carried.</i></p>	CAO Boyer	
{d} Policy on Meetings and Procedures	<p>The Policy was reviewed and Council asked for clarification on several items such as: Deputy Mayor election, term of the Deputy Mayor, resolution definition, telephone polls, advertising and minutes on the website.</p> <p>The Council meeting time was also discussed. The meetings were changed to the evening so members of the business community could attend. It was noted that there has been no increase in attendance since the time change and it is the preference of Council that the meetings be held during regular business hours.</p> <p><i>Motion # 5</i></p> <p><i>It was moved by Councillor Fearon, seconded by Deputy Mayor Shaffner, that the regular meetings of the Council be held at 9:00 am on the third Monday of every month and if there is an issue that needs further discussion, the meeting will reconvene at 7:00 pm to discuss specific issues only. Motion carried.</i></p> <p>CAO Boyer will review the time change with the Town Solicitor to determine what the advertising requirements are when reconvening a meeting at a later time.</p>	CAO Boyer	

{e} Outdoor Fire By-law	<i>Motion #6</i> <i>It was moved by Councillor Fearon, seconded by Councillor Hudson, first reading of the Outdoor Fire By-law. Motion carried.</i>	Executive Assistant	
{f} Lower St. George Street – Sidewalk Project	It is considered most convenient for all involved, to have the Lower St. George Street sidewalk project begin as soon as possible.		
{g} Idling Control By-law	<p>The By-law has been reviewed and revised by the Environment Committee. Council reviewed the By-law and raised questions about enforcement and the penalty for violations. CAO Boyer said that this By-law is an initiative to curtail gas emissions. She said that it is the responsibility of the Police and the CAO to enforce the By-law. The Police Department would report violators to the CAO and a warning would be issued before prosecution.</p> <p><i>Motion #7</i> <i>It was moved by Councillor Power, seconded by Councillor Mueller-Sparenberg, first reading of the Idling Control By-law. Motion carried.</i></p> <p>One nay vote was recorded from Councillor Shaffner. He said that an educational campaign would be more effective at this time.</p>		

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Water Tests	The tests continue to be within the required parameters.	CAO Boyer	

{b} Request for approval	<p>The ballots for the election scheduled for September 26, 2009 were received before the second candidate withdrew. This request is for permission to destroy those ballots.</p> <p><i>Motion #8</i> <i>It was moved by Councillor Fearon, seconded by Councillor Hudson, that approval be given to the request to destroy the election ballots.</i> <i>Motion carried.</i></p>		
{c} Municipal Investment Program – Destination South West Nova Scotia	For information only.	CAO Boyer	
{d} Complaint	A complaint was received from an individual who sustained damage to her vehicle after hitting a pot hole on St. Anthony Street. The complainant has provided an estimate of the cost to repair. This issue will be forwarded to the Town's insurance agent for review and advice.		
{e} Property Tax Reduction By-law	The property tax reduction provided to non-profit organizations was automatically given to those organizations that qualified in the past. It will now be necessary for those organizations to apply for the reduction. This information will be advertised and it will be necessary to apply for the 2010-2011 tax reductions.		

{f} Business Liaison Committee	<p>The minutes of the last meeting of the Business Liaison committee were reviewed; it was noted that any motion made by the Business Liaison Committee must be a recommendation to Council. The CAO cannot act on a recommendation from any committee other than Council.</p> <p>The guidelines of the Committee were also discussed because the original guidelines for members of the Committee were that each member had to be a taxpayer of the Town. A taxpayer of the Town would include residents and business owners; there is currently one member on the Committee who is not eligible to be a member under the current guidelines. This issue will be added to the agenda of the next Business Liaison Committee and the guidelines could be changed to include employees of any tax paying business.</p> <p>Issues with the Farmer's Market were also discussed after a review of the Business Liaison Committee minutes. CAO Boyer is the negotiator of the lease and to date there have been no actual violations of the lease. All of the issues will be further discussed at the meeting a Special Committee of the Whole meeting on Wednesday, September 23.</p> <p>Councillor Mueller-Sparenberg was asked if realtors would benefit from having access to zoning information. He said that his office currently has access to all of the zoning information. He will follow-up on the issue.</p>		
{g} Wharf Association	Councillor Pat Power had been previously asked to assume Ron Boulding's position on the Annapolis Wharf Association and has indicated that she wishes to remain involved with the Association.		
{h} Advisory Committee and Council	This issue has been addressed through conversations regarding the Farmers' Market and proper procedure for requests made of the CAO.		
{i} Integrated Community Sustainability Plan (ICSP) – First draft	CAO Boyer has completed a first draft of the Integrated Community Sustainability Plan which includes the MPS ¹ and the Town's Strategic Plan. The final plan is due in March 2010 but a draft must be submitted to the Province by September 30, 2009. A copy was provided for each member of Council for review. The draft copy will be submitted by the due date and any amendments will be completed before the final copy is submitted.		

{j} Capital Investment Plan – need for software development	CAO Boyer said that there are problems with software that is used by the Province for the collection of data from municipal units. The forms require inputting data on several different spreadsheets and it takes a considerable amount of time. If the forms are not completed, it may cause the equalization grants to be delayed. The Director of Finance says that she is experiencing similar difficulties with similar software.		
{k} Notional Deeds – 300 th anniversary of the naming of the Town of Annapolis Royal	<p>This fundraiser has the potential to raise \$80,000.00. The idea is that a small portion of Annapolis Royal can be purchased for \$10.00; a notional deed is issued for the portion that was purchased. The Town Solicitor has reviewed the project and the deeds; all legal issues have been covered with a disclaimer on the back of the deed.</p> <p><i>Motion #8</i> <i>It was moved by Councillor Fearon, seconded by Councillor Hudson, that the Notional Deed Fundraiser be approved as presented. Motion carried.</i></p>		
{l} Budget Update	<p>The Director of Finance had to revise the budget based on information received indicating that the Town could not show a deficit in the budget. The line for the NSPI tax appeal and the line for the brick re-pointing of Town Hall were both reduced.</p> <p><i>It was moved by Councillor Hudson, seconded by Councillor Fearon, that the amended operating budget in the amount of \$2,124,103.57 be approved. Motion carried</i></p>		

¹- Municipal Planning Strategy

RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date
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<p>{a} Recommendations from Committee of the Whole</p>	<p><i>10. It was moved by Deputy Mayor Shaffner, seconded by Councillor Fearon, that the Drury Lane sidewalk project proceed with the suggestion of the Annapolis Heritage Society to have appropriate heritage sidewalks constructed from typical Town standards with an exposed aggregate finish at an additional expense of \$7,000.00. Motion carried.</i></p> <p><i>11. It was moved by Councillor Power, seconded by Councillor Hudson, that the Lower St. George Street sidewalk project proceed with the suggested changes from the Annapolis Heritage Society at an additional expense of \$16,500.00. Motion carried.</i></p> <p><i>12. It was moved by Councillor Hudson, seconded by councillor Fearon, that the assets of the Fundy Broadband be sold and the operation of the Board wound up. Motion carried.</i></p> <p><i>13. It was moved by Councillor Fearon, seconded by Deputy Mayor Shaffner, that the tax accounts detailed on the list of properties to special tax agreements be written off to a total of \$27,482.61 for all properties listed. Motion carried.</i></p> <p><i>14. it was moved by Deputy Mayor Shaffner, seconded by Councillor Power, that the application for changes to heritage property located at 446 St. George Street be approved. Motion carried,</i></p> <p><i>15. It was moved by Councillor Power, seconded by Hudson that the application for changes to heritage property located at 238 St. Anthony Street be approved. Motion carried.</i></p> <p><i>16. It was moved by Councillor Hudson, seconded by Councillor Fearon, that the application for changes to heritage property located at 144 St. George Street be approved. Motion carried.</i></p>		
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{b} Board of Police Commissioners	Councillor Fearon and Councillor Shaffner attended the meeting on September 1, 2009. All officers require firearms recertification by the end of September; Corporal Chase is currently making arrangements for the training. At the time of the Police Board meeting, the Department was operating with a rental vehicle. A recommendation was made to Council to purchase a new vehicle as soon as possible. Department of Justice representative Bob Eyre attended the meeting and agreed that the Department should have a full time Chief with the required management training. An ad for a Chief of Police has been posted and the deadline for applications is September 25, 2009.	Deputy Mayor Shaffner and Councillor Fearon	
{c} Mayor's Report	Mayor Roberts attended a presentation by the Hanse Society on August 18, 2009. He said Upper Clements Park is doing well and the year-end figures look good. On August 19, he met with Chief Meuse and Council at Bear River 1 st Nations to discuss the naming of the new trail in Annapolis Royal. There were no objections but it was suggested that the trail be given a name of a place rather than a person. Mayor Roberts will continue to follow up on the issue. On August 26, Mayor Roberts walked the new trail with Field Naturalist Society member Jini Proulx to explore the possibility of a medicine trail. Mayor Roberts also attended other activities throughout the month which included: the Southwest Nova Biosphere announcement, a meeting with Stephen MacNeil, the Mayor's open meeting at the Legion and a meeting with Gordon Philips, Tourism Consultant for ADEDA, to discuss a Good Cheer Dinner concept.	Mayor Phil Roberts	
{d} ADEDA	CAO Boyer and Councillor Power attended that last meeting. CAO Boyer said another plan is in the process of being developed on the subject of economic development. This will be discussed at an upcoming meeting of the Mayors & Warden. Mayor Roberts suggested that the CAOs from the 5 municipal units meet to discuss the connection between the municipal and ADEDA staffs.	Councillor Hudson	
{d} King's Theatre	Councillor Fearon was not able to attend the meeting but provided an update through a copy of the minutes. The golf tournament was a success; the website is complete and will be launched in the fall of 2009. Andrea Boulding has resigned as Treasurer and the names of two individuals were suggested as a replacement.	Councillor Fearon	

{e} REMO	The next meeting will take place in November via teleconference.	Councillor Hudson	
{g} Historic Gardens	Councillor Power said that the last meeting was held in two parts with new Board member Peter Nicholson joining in through teleconference. The mission and mandate are in the process of being redefined.	Councillor Power	
{h} Business Liaison Committee	<p>The Business Liaison Committee met on September 15; Councillor Power and Mayor Roberts attended. The group will be contacting the owners of empty store front windows to discuss the possibility of tourism related displays being placed in the windows. The group suggested that the Town consider financing a medical student with a guarantee that the student will work at the Annapolis Health Centre for a minimum of 5 years. Paul Stackhouse will approach ADEDA to discuss the issue further. The group is also looking for an update on the Fortier Mills Project. CAO Boyer said that the developer has been very busy working on Town infrastructure projects but the Fortier Mills development seems to be on schedule starting in 2010.</p> <p>It was suggested that an article on the Business Liaison Committee be placed in the next edition of the Town Crier.</p>	Councillor Power	
{i} Twinning Committee	Mayor Roberts had nothing to report.	Mayor Roberts	
{j} Wharf Association	CAO Boyer said that about 50% of the funding for the Waterfront Development project is in place but there is still an approximate \$600,000.00 shortfall. The Town's financial situation is such that it may not be in the position to secure \$400,000.00 in funding through non-interest bearing loans but there may be an opportunity for \$500,000.00 through a capital grant program. If the application is successful, the grant money would be considered the Town's share of the project.	Councillor Power	
{k} Hanse Society	Councillor Shaffner attended his first meeting as the Town's representative. He was very impressed with the management and said the park has had a very successful year. The Society has taken over all of the food services within the park with great results.		

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} Letter from ASYPS	The group can access provincial funding if a Recreational Facilities Fund grant application can be completed through the Town. The Recreation Director will complete the grant application and the Town will not be committing to any funds. The group had provided the Town with a letter confirming that is it not seeking any further funds from the Town.		

GENERAL DISCUSSION

Think Tank - Facilitator Bernie Smith suggested that the Town gather a group of residents and business owners as a think tank to discuss the future of the Town. A list of several individuals was provided by each member of Council. Phil will contact each of those listed to see if they are interested in attending a meeting. Bernie Smith can attend and all members of Council will also sit in on the discussion. The discussion will take place during an in-camera session of an upcoming Committee of the Whole meeting. This will not be a permanent group, just a one time meeting.

Committee Representation – Councillor Mueller-Sparenberg will become a member of the Business Liaison Committee; Councillor Power will be considered an alternate but will still attend the meetings on a regular basis. Councillor Mueller-Sparenberg will also attend the ADEDA meetings on the third Thursday of each month.

IN CAMERA

It was moved by Deputy Mayor Shaffner, seconded by Councillor Hudson to move in camera to discuss a personnel issue.

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

NEXT MEETING October 19, 2009 at 9:00 am

ADJOURNMENT

It was moved by Councillor Hudson 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		