

1 COMMITTEE OF THE WHOLE
MINUTES

April 8, 2009

9:00 am

CALL TO ORDER

The meeting opened at 9:00 a.m. Present were Chair Deputy Mayor DeWolfe, Mayor Phil Roberts, Councillors Pat Power, Kathie Fearon, Doug Shaffner, Sherman Hudson, Director of Finance Melony Robinson, and CAO Amery Boyer also acting as recording secretary.

Regrets: Jackie Longmire is in Amherst today for an announcement about a grant for replacement of street lights with more energy efficient lights.

APPROVAL OF COMMITTEE OF THE WHOLE MINUTES

March 4, 2009

Moved and seconded acceptance of the minutes of March 4, 2009.

ADDITIONS TO AGENDA

Additions under New Business:

- 24. Traffic Authority
- 25. AIMS Report Card
- 26. Twinning with Royan
- 27. Newsletter

APPROVAL OF AGENDA

April 8, 2009

Moved and seconded acceptance of the agenda as amended.

PRESENTATIONS:

9:05 am – Nora Robicheau and Kristane Chandler – Proposed sale of Irving Lands

10:00 am – Council Orientation - ADPC (deferred until the return of Executive Director Roger Sturtevant)

Proposed Sale of Irving Lands

Mss. Robicheau and Chandler presented information about the Buy Back Nova Scotia Coalition whose aim is to prevent Irving-owned property in Annapolis, Digby, and Yarmouth counties from being sold to private developers. Following the presentation, the following motion was proposed.

Motion 1:

Moved and seconded that a recommendation be made to Council that the Town send a letter of support to the Buy Back Nova Scotia Coalition endorsing their efforts to lobby all levels of government to engage in a meaningful dialogue with the J.D. Irving Company and stakeholders in order to delay the private sale of the lands in question until all viable and mutually acceptable options for public ownership are explored and considered, and a copy of this letter be forwarded to MLA Stephen MacNeil, MLA Darrell Dexter, the Honourable Carolyn Bollivar-Getson, Minister of Natural Resources, Premier Rodney MacDonald and our sister town councils in Yarmouth County, Digby County and Annapolis County. Motion carried.

PUBLIC HEARING: None

BUSINESS ARISING

Item	Decision /Action	Responsibility	Target date
1. Fire and Burglar Alarm By-Law (1)	It was agreed that no changes are required to the By-law.		
2. Cost of Living	<p>A motion is required for all non-unionized staff to receive the 3% cost of living salary increase effective April 1, 2009. This motion should also include the Marketing and Events Coordinator. This item was reviewed during budget deliberations and requires a response in the minutes.</p> <p><i>Motion 2:</i> <i>Moved by Mayor Roberts and seconded by Councillor Fearon that a recommendation be made to Council that staff receive the cost of living salary increase effective April 1, 2009. This includes the Marketing and Events Coordinator. Motion carried.</i></p>		
3. Budget	Budget deliberations continue – this item will be dealt with at 1:00 p.m. Val Peterson has expressed an interest in attending and has been advised of the time.		

4. Champlain Drive	<p>It looks like Champlain Drive has to be one-way or two-way all along its length. Kevin Skebo has confirmed that costs are included in the existing engineering quote.</p> <p>Motion 3: <i>Moved by Mayor Roberts, seconded by Councillor Power, that a recommendation be made to Council that Champlain Drive be made a two-way street all along its length. Motion carried.</i></p>	CAO Boyer	
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NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Water Tests	Water tests have been reviewed and found to be satisfactory.	CAO	
2. Municipality of the District of Barrington	<p>Request for support in having 2009 declared as the Year of the Lobster</p> <p>Motion 4: <i>Moved by Councillor Fearon, seconded by Councillor Shaffner that a recommendation be made to Council that a letter of support be sent to MP Gerald Keddy in support of the Municipality of the District of Barrington's initiative to have 2009 declared as the Year of the Lobster. Motion carried with one nay vote.</i></p>		
3. Application through the Policy on Low Income Tax Exemption (4)	<i>Moved to in camera session.</i>	CAO Boyer	
4. Sidewalk Lease – Cozy Internet Café (7)	<p>Renewal request with no changes</p> <p>Motion 5: <i>Moved by Councillor Power, seconded by Councillor Shaffner that the lease be renewed on the same terms. Motion carried.</i></p>		
5. Request to write of an old business occupancy account that has been outstanding since 2005	<p>Account number 07095015 in the amount of \$16.38.</p> <p>Motion 6:</p>		

	<i>Moved by Councillor Hudson, seconded by Councillor Shaffner, that the old business occupancy account 07095015 in the amount of \$16.38 be written off. Motion carried.</i>		
6. Wharf Association	<p>Council is asked to appoint a representative on the Wharf Association Board.</p> <p><i>Motion 7:</i> <i>Moved by Councillor Fearon, seconded by Councillor Hudson that Pat Power be appointed voting representative for the Wharf Association.</i></p>		
7. Hatch Mott MacDonald – Rising Sea Level and Storm Surge (9) and information from ICLEI on the same topic	<p>Preliminary review on the effects of an anticipated rising sea level extreme storm surge. Also included under this tab is an e-mail from Ewa Ciuk from ICLEI regarding a new case study series.</p> <p>It was agreed that the Town should participate and that the project can be referred to ADEDA.</p>	CAO Boyer	
8. Pool Insurance (25)	The Town's insurer has advised that the cost of insurance for the pool for FAPS will be \$1,500.00 unless Council forms a special committee of Town.	Director of Finance and CAO Boyer	
9. Activities of the REMO Coordinator 2008-2009 (10)	For information only.		
10. FCM – Milestone Three (11)	Achieving Milestone 3 makes the Town eligible for new grants.		
11. Letter to the Rodney MacDonald from Mayor Roberts (12)	The letter expresses support for the position recently taken by ADEDA with respect to the proposed sale of Irving lands in southwestern Nova Scotia.		
12. Policy on Council Expense Allowance (13)	<i>Motion 8:</i> <i>Moved by Councillor Hudson, seconded by Mayor Roberts, that the policy be changed to comply with federal legislation.</i>		
13. North American Occupational Health and Safety Week (14)	The request for proclamation will be denied as per existing Town policy.		

14. Website Contract – April 2009 – April 2010 (16)	Motion 9: <i>Moved by Councillor Fearon, seconded by Councillor Hudson, that recommendation be made to Council that the contract for website maintenance be approved for 2009-2010. Motion carried.</i>		
15. Cruise Fundy.com (17)	Request for funding referred to budget deliberations.		
16. Emergency Preparedness Week – May 3-9	REMO Coordinator is suggesting that the Town may wish to issue a proclamation. The Town has a policy that it does not issue proclamations.		
17. www.annapolisroyal.com – data (18)	For information only. Data shows such things as number of hits on the site, where the hits come from and what words are used in an Annapolis Royal search.		
18. TrueCheck (19)	A draft contract with the Town regarding security checks was reviewed. It was agreed that the Town should pursue this.	Director of Finance	
19. Request for Decision (20)	Motion 10: <i>It was moved by Councillor Fearon, seconded by Mayor Roberts , that a recommendation be made to Council that the Town pursue a community foundation through the Community Foundation of Nova Scotia. Motion carried.</i>	CAO Boyer	
20. By-Law to Permit the Production and Distribution of Energy from Specific Renewable and Green Energy Sources (21)	Motion 11: <i>It was moved by Mayor Roberts, seconded by Councillor Fearon, that a recommendation be made to Council for first reading of the By-law, subject to clarification of the definitions for “geothermal and “electrical.” Motion carried.</i>		
21. Town of Berwick By-Law – Lot Grading and Drainage By-Law (22)	To be adapted for the Town and brought back to Committee of the Whole.		
22. Hybrid Vehicles for the Annapolis Royal Police Department (23)	Funding is through the Municipal Program. It was agreed that further research needs to be done and that this should be actively pursued.		
23. Update on Federal Infrastructure Funding (24)	Motion 12: <i>It was moved and seconded that a recommendation be made to Council that the Town proceed with an application for Building Canada Round 2 for :</i>		

	<input checked="" type="checkbox"/> <i>Safe sidewalk along St Anthony Street</i> <input checked="" type="checkbox"/> <i>Safe sidewalk for Drury Lane</i> <input checked="" type="checkbox"/> <i>Prince William Street water/sewer and street upgrade</i> Motion carried.		
24. Traffic Authority	Motion 13: Moved and seconded that Police Chief Preston Matthews be appointed Traffic Authority for the Town. Motion carried.		
25. AIMS Report Card	The Mayor will invite Charles Cirtwill to come to Town to explain his report.		
26. Twinning with Royan	Motion 14: Moved by Mayor Roberts, seconded by seconded by Councillor Fearon, that a recommendation be made to Council that the Town accept the formal invitation from the City of Royan, France to enter into a formal twinning agreement, at no cost to the Town.		
27. Newsletter	The Mayor stated that the newsletter should be used to get the message out about the budget. A copy of the solid waste program for the Town will be brought forward for review.		

PLANNING AND HERITAGE ADVISORY COMMITTEE (10:00 a.m.)

Peter Davies and Ian Lawrence were present. Regrets were received from Grant Slinn.

BUSINESS ARISING

Item	Decision / Action	Responsibility	Target Date
1. None			

PLANNING HERITAGE ADVISORY COMMITTEE

NEW BUSINESS

Item	Decision/Action	Responsibility	Target Date

<p>1. Potential for subdivision of property – Prince William Street (5)</p>	<p>Mayor Roberts declared a conflict of interest and left the Council Chamber.</p> <p>Ian Lawrence explained that he would like to see Prince William extended to Battle Street and the rich history of the area explored with a walking trail and interpretive panels. That section of Town used to be the main part of Town.</p> <p>Chris Millier represented a report and recommendations and said that PHAC has an important role to play here. The Town should be giving the Development Officer some principles to guide development. The proposal is to subdivide the lot into two lots of equal size, about 9,000 square feet in area. There would be frontage on Prince William Street and St George Street. A factory built Kent home is proposed for the lot on Prince William Street. Elevations and a floor plan were provided. However, water and sewer services only go to where the paving stops on Prince William Street. Chris Millier advised that Battle Street could be reinstated as a street if Council so wished. The Town also has the right to close the street and sell it. There are four other properties council should be looking at when the final decision is made.</p> <p>There is currently no restriction to residential development on Prince William Street, north of Drury Lane, despite the commercial zoning according to Chris Millier. The matters of sewer, storm drain versus open ditch, and water services, and the actual road surface itself need to be addressed. Upgrading of Prince William Street would be required for any new subdivision development and the developer is responsible for the upgrade. There is no distinction in the Town by-law for infill situations versus new subdivision. However, there is nothing to prevent the Town from proceeding with upgrades to the property line.</p> <ol style="list-style-type: none"> 1. Betterment charges 2. Developer bears the cost 3. First developer pays the most 4. The Town, for a Town purpose, could install the necessary infrastructure 		

	<p>to the property line</p> <p>The Town and the developer need to know what the cost of the required upgrades would be.</p> <p>There are two problems for the proposal as it stands: the property doesn't have the frontage on Prince William Street, and it doesn't have access to Town services. A variance could be granted in accordance with Section 279 of the MGA. The Town also uses the provincial Subdivision Regulations which allows approval of such a variance (up to 10%) by the Development Officer. There is precedent for this in the Town (214 St Anthony Street was the most recent example, in January 2005). There are also the implications for adjacent property owners. There is also the issue of emergency access from what is currently a dead end street.</p> <p>Ian Lawrence stated that he would be interested in seeing as many of the trees in the area preserved as possible.</p> <p>Members of Council agreed as follows:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Any development in that area should be considered residential <input checked="" type="checkbox"/> the generalized future land use map should be amended to reflect this in future <input checked="" type="checkbox"/> the Town will conduct an assessment of the infrastructure requirements and obtain costs <input checked="" type="checkbox"/> any development has to be sensitive to the heritage district <input checked="" type="checkbox"/> once the information from the assessment and costs are known, PHAC will be reconvened to consider all aspects, including sensitivity to heritage considerations. <p>Motion 15: <i>Moved by Peter Davies, seconded by Councillor Hudson, that a recommendation be made to Council that an assessment for extension of water and sewer services be conducted. Motion carried.</i></p>		
2. Design for Bicycle Stand (6)	<p>Ian Lawrence stated that he did not find the design particularly aesthetic. Where will they be installed?</p>		

3. Bailey House (8)	<p>Chris Millier gave members of PHAC a copy of his report and recommendations. The property is zoned heritage commercial. Uses permitted in the R1 and R2 zones are permitted in the C3 zone. In this case, residential policies apply. Policy 6.13 specifically deals with a second building on the property. It can be used for accommodation only with a development agreement.</p> <p>Prince William Street is capable of accommodating increased traffic for this property application.</p> <p>The Town would need to look at any potential drainage problems that may occur.</p> <p>ADPC recommends that the Town enter into an agreement with Suzan Hebditch for the purposes of permitting the development of an accommodation unit in an existing accessory building located at 150 St. George Street.</p> <p><i>Motion 16:</i> <i>Moved by Councillor Shaffner, seconded by Ian Lawrence, that a recommendation be made to Council that the Town enter into an agreement with Suzan Hebditch for the purposes of permitting the development of an accommodation unit in an existing accessory building located at 150 St. George Street. Motion carried.</i></p>		
4. Heritage Conservation District Committee	<p>Peter Davies asked about the status of this committee. The Committee has met only once. He would like to see it revitalized. Peter Davies would be willing to serve on this Committee. Ian Lawrence and Ryan Scranton would also be on the Committee. Councillor Shaffner will represent Council on the Committee.</p>		

GENERAL / CORRESPONDENCE (FOR INFORMATION ONLY)

1. Letter from FCM re Back to the Future GMF 9525 (3) – For information only
2. Letter to the Editor of the Annapolis Spectator re Public Works (15) – For information only

GENERAL DISCUSSION

IN CAMERA

1. To discuss staffing and negotiations in the Police Department
2. To discuss labour relations

Moved and seconded that the meeting move into camera.

Motion 15:

It was moved and seconded that a low income exemption be granted to a Town resident (tax account 02599554) who qualifies under the Town's policy. Motion carried.

Motion 16:

It was moved by Councillor Fearon, seconded by Mayor Roberts, to recommend to Council to make the Marketing and Events position permanent effective April 13, 2009. She will manage the VIC from May 15 to October 15, 2009 and will focus on grant writing, the wharf project, website management for the remainder of the year. Motion carried with 2 nay votes.

Moved and seconded that the meeting be adjourned. The meeting was adjourned at 2:52 p.m.

OTHER

NEXT MEETING

May 6, 2009, at 9:00 a.m.

ADJOURNMENT