

COMMITTEE OF THE WHOLE
Draft Minutes
December 7, 2005

The monthly session of the Committee of the Whole was held on Wednesday, December 7, 2005 in the Council Chambers at Town Hall. In attendance were Chair Deputy Mayor Jane DeWolfe, Mayor John Kinsella, Councillors Ron Boulding, Sherman Hudson and Douglas Shaffner, Amery Boyer CAO, Melony Robinson Director of Finance, and Jackie Longmire Administrative Assistant as recording secretary. Phil Roberts, newly elected Councillor and Patricia Lonergan from the Spectator were also present. Grant Potter, Recreation Director was present for the discussion regarding the Annapolis Royal pool.

CALL TO ORDER

Chair Deputy Mayor J. DeWolfe called the meeting to order at 9:00 a.m.

APPROVAL OF COMMITTEE OF THE WHOLE MINUTES

November 9, 2005

Motion # 1

It was moved by Mayor Kinsella, seconded by Councillor Shaffner, that the minutes dated November 9, 2005 be approved. Motion carried

ADDITIONS TO AGENDA

Under Business Arising add:

{3} Letter of Authority from Department of Natural Resources concerning the non-motorized recreational trail

Under New Business add:

{2} World Vision

Under PHAC add:

{2} Public Works - Site Development Concepts

APPROVAL OF AGENDA

December 07, 2005

Motion # 2

It was moved by Councillor Boulding, seconded by Councillor Hudson, that the agenda for the Committee of the Whole meeting dated December 7, 2005 be approved. Motion carried

Welcome was offered to the newly elected Phil Roberts who will be sworn in at the next meeting of Council on December 19, 2005.

Congratulations was offered to Patricia Lonergan from the Spectator who has accepted an job opportunity in Ottawa.

PRESENTATIONS:

1. Melony Robinson, Director of Finance, made her departmental presentation. She defined the role of each employee within the Department. Melony talked of past accomplishments and future plans. She also distributed a financial schedule and calendar. She explained that all water bills are up to date; there was one property that was eligible for tax sale but that debt had been paid to avoid the sale. Mayor Kinsella asked about the amount of outstanding taxes compared to past years. Melony explained that the debt is down to approximately \$15,000.00 from about \$84,000.00 2 years ago. She also noted that the bulk of the outstanding taxes was current. Melony also spoke of challenges which include: Munisoft, Word training, data dump from assessment and the pending approval of the Water Rate Study. Plans for the Department included: policies and procedures for capital improvement, contingency plan for special elections, tax revenue opportunities from the wharf and accessing new money. When the presentation was complete, the floor was opened for questions or comments.

Phil Roberts explained that in his door to door canvassing he was asked many questions about the Zero Waste Program and he wondered what the future plans were. The CAO stated that a consultant had been hired to conduct a survey of the program with the residents. Unfortunately the consultant has only completed 40 surveys and the Town is in the process of preparing the survey as a mail out. Mayor Kinsella stated that he is hopeful that the survey will offer direction. There are issues with organic waste that will be addressed once the results of the survey are finalized.

Mayor Kinsella asked Melony Robinson about the balloon payment that was possible in 2008 for the Water Utility. Melony said that it was possible to make the payment to greatly reduce the debt but at this time it appeared that the payment may not be possible. Mayor Kinsella asked what the debt was at this time. Melony said the Water utility debt is \$418,541.00. The present operating debt is \$113,457.00. Mayor Kinsella commented that the Town is in a much better financial situation than it was a few years ago.

Phil Roberts also questioned the \$20.00 fee for a tax certificate. It was decided that perhaps the fee structure should be reviewed and exceptions made so that those running in an election are not required to pay the fee. The CAO suggested that the fee structure be forwarded to a future meeting.

BUSINESS ARISING

Item	Decision /Action	Responsibility	Target date
1. Bylaw respecting the destruction of certain documents (1)	<p>The CAO presented the new bylaw which was drafted from the Association of Municipal Administrators model bylaw. Chair Deputy MayorDeWolfe asked if this was simply an update of the bylaw with no significant changes. The CAO said that it was indeed just an update and the only change was that permission did not have to be granted from Council to destroy any documents that were not considered to hold any significant value. Chair Deputy Mayor DeWolfe asked Council if they wished to table the bylaw for further review or forward it to Council for first reading.</p> <p><i>Motion # 3</i> <i>It was moved by Mayor Kinsella, seconded by Councillor Boulding to recommend to Council first reading of the Records Management and Destruction Bylaw. Motion carried.</i></p>	CAO	
2. Heritage deregistration request - 36/38 St. Anthony Street (4)	<p>The CAO stated that she received a letter from the owner saying that she wished to proceed with the deregistration and a family member would be the contact person for the process. During the PHAC portion of the meeting further discussion was held and it was determined that deregistration was the best option for the property. The CAO noted that she had explained all the reasons for keeping the registration to the owners.</p>	CAO	

	<p><i>Motion # 4</i></p> <p><i>It was moved by Councillor Boulding, seconded by Councillor Shaffner to recommend to Council to proceed with the deregistration of the property located at 36/38 St Anthony Street. Motion carried.</i></p>		
3. Letter of Authority from Natural Resources (2)	<p>A letter of authority has been received from the Department of Natural Resources regarding the use of Crown Land for a non-motorized recreational trail. The CAO stated that she has had the opportunity to briefly review the letter and has noted several issues that she believes should be reviewed by the Town Solicitor, George Lohnes. There also seem to be some question as to ownership of the old railway bridge over Allain's Creek. It was agreed that all issues should be explored before the letter is accepted. It was also agreed that the letter should be forwarded to the Town Solicitor for review.</p>		

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Protocol for names - COW & Council minutes	Deputy Mayor DeWolfe stated that her concerns were for the archival value of the minutes. She believes that the Mayor,		

	Deputy Mayor and Councillors should be referred to by their title and last name. She also stated that staff could choose how they wish to be referred to.		
2. Policy on Council Expense Allowance (5)	<p>Amery Boyer stated that it was an annual requirements to review this policy. Deputy Mayor DeWolfe read the policy aloud.</p> <p>Motion #5</p> <p><i>It was moved by Mayor Kinsella, seconded by Councillor Shaffner to recommend to Council to accept the policy on Council Expense Allowance, as presented. Motion carried.</i></p>		
3. Request for a Decision - Donation to the Cornwallis Reunion (6)	<p>A discussion was held regarding the reunion and how it compares to the reunion being held in 2007. This particular reunion is for anyone who worked or trained at the Cornwallis base. It has the potential to attract many participants. The request was for a \$1,000.00 donation. Councillor Boulding stated that he did not believe that this was an unreasonable request. Councillor Shaffner noted that the businesses in Town would probably benefit from the reunion.</p> <p>Motion #6</p> <p><i>It was moved by Councillor Boulding, seconded by Councillor Hudson to donate the requested \$1,000.00 to the CFB Cornwallis Reunion scheduled for August, 2006.. Motion carried.</i></p>		
4. Outstanding Account Receivable	<p>An American tourist visiting Annapolis Royal in 2004 was involved in an accident. As a result, there was damage to the traffic lights. The Town paid the bill in the amount of \$197.57 and has been billing the tourist, with no response. Melony Robinson, Director of Finance explained that there have been several attempts made to collect this money but none have been successful.</p> <p>Motion #7</p>		

	<i>It was moved by Councillor Boulding, seconded by Mayor Kinsella to recommend to Council to write of the receivable in the amount of \$197.57 for repairs to the traffic lights. Motion carried.</i>		
5. Fund Raising Campaign for the Annapolis Royal Town Pool (8)	<p>A public meeting was held on December 1, 2005 and all aspects of fundraising were discussed. A report was compiled that outlined fundraising options as well as the estimated cost of any extras that may be added to the project. Shela Breau was selected as the Chair for the fundraising committee. A fundraising letter was prepared and will be mailed to homes in the B0S 1A0 and B0S 1K0 areas. The report was discussed and several items were selected to be corrected or changed. The CAO stated that the mail out must be clear that the estimated \$375,000.00 for the project gets only the pool and the building. Any other options, such as steps, beach entrance or slide are not included in that total. Grant Potter, Recreation Director suggested that steps may serve the same purpose as the beach entry for a fraction of the cost. It was agreed that there must be some effort made with entry options to accommodate seniors. The CAO also stated that Planner Roger Sturtevant and landscape architect Joy Elliot are working on the configuration of the land. It was agreed that the letter that is mailed to the public must be clear and easy to understand. Phil Roberts stated that the public may be more eager to donate if they were able to receive receipts. Melony Robinson stated that she will let Council and the pool committee know if issuing receipts were possible.</p> <p><i>Motion #7</i></p> <p><i>It was moved by Councillor Hudson, seconded by Mayor Kinsella to proceed with the pool project and any clarification or necessary changes be made to the report before it is distributed to the public. Motion carried.</i></p>		

Elizabeth Ross and Kathie Fearon were present during the PHAC portion of the meeting. Also present were Roger Sturtevant for the Presentation on amendments to the MPS/LUB, and Wayne Morgan for the public participation portion of the meeting. Regrets from PHAC member Ian Lawrence

PRESENTATION Roger Sturtevant, Town Planner, circulated the ad from the Spectator and explained the reason for the presentation. He stated that the subject was not the Susnick development agreement, but an opportunity to discuss zones within the community where B & B's may or may not be permitted. He explained that the R1 zone, which was the major topic of discussion, is primarily reserved for light residential, single detached dwellings. The R2 zone allows apartments and B & B's. Roger stated that there are 15 tourism establishments in Town providing accommodations and that there is no monopoly. It is considered a healthy market and there are still plenty of places to live. He also stated that it was early in the process and there were several options available. He said that after the meeting PHAC can decide to make a recommendation, Council may then choose to go to an actual public hearing.

The floor was open for discussion and Phil Roberts asked for a map that showed the different zones. Roger Sturtevant displayed a map. He explained that the areas were zoned in 1981 by what was already on the property; blocks and mixed use property have been established over time. Roger stated that it is good to offer a mix where it will work and where it is appreciated. Roger explained the general policy of the Town and the regulations in the Land Use Bylaw. He said each zone has a list of what is permitted in that particular zone. The list for the R1 zone include: Single dwellings, duplexes, semi-detached dwellings, day care facilities, parks and playgrounds. Three unit B&B's and heritage vacation suites are permitted through a development agreement. He said that if Council removed B&B's from the R1 zone, the existing B&B's would not be affected and the development of new B&B's would have to be outside of the R1 zone.

At this time, Wayne Morgan expressed his concerns saying that Council should not be restricting competition and if they deemed it necessary they could reject the Susnick development agreement. Roger stated that there still seems to be some misunderstanding with regard to the development agreement. He stated that the agreement could not be rejected unless it was unreasonable and the agreement that was proposed is not considered to be that. Wayne Morgan said that he lives in a R1 zoned neighbourhood and has not noticed any issues with the smaller B & B's in the area. He said B & B's owners are a credit to the Town and good citizens who maintain their homes and grounds very well. A thank you was offered to Wayne Morgan for his comments and he left the meeting.

There was a discussion regarding the HST issue when purchasing a B&B; the issue is still not clear but there seems to be some concern that families will not purchase a B&B to convert it into a family dwelling because of the extra HST cost. Concerns were also expressed that this may limit residential properties over time. The discussion switched to heritage vacation suites and it was realized that these properties are also a concern in the R1 zone. Phil Roberts stated that he was a member of Council when the Suites were approved and he believes now that this may have been a mistake on Council's part. Roger Sturtevant informed that the vacation suites can also be included now, in the early stages of this process. There also seems to be an issue with affordable family housing in Town. The conversion of homes to B&B's inflates the market value and may not be affordable for some families, who will then look elsewhere for affordable housing.

Roger advised that there are several options available to Council at this time. Council may agree to have an amendment to the MPS/LUB

drafted or make other recommendations that may be appropriate. It was decided that amendments would be received at the next meeting of Council and a public hearing would be scheduled for February, 2006.

Motion #8

It was moved by Mayor Kinsella, seconded by Kathie Fearon that a recommendation be made to Council for amendments to the MPS/LUB to reflect the restriction of B&B's and Historic Vacation Suites in the R1 zone. Motion carried. (Councillor Boulding abstaining)

At this time, Councillor Boulding submitted his conflict of interest statement, indicating pecuniary and deemed pecuniary interest.

**PLANNING HERITAGE ADVISORY COMMITTEE
NEW BUSINESS**

Item	Decision/Action	Responsibility
1. Development/Building Permit (3)	The report was reviewed. No action was required.	
2. Public Works Grounds - Site Redevelopment Concepts (9)	A proposal was introduced for development of the Public Works property. There is a portion of land that was recently deeded to the Town and could be made available for development. Roger Sturtevant stated that the Town as the owner could accept or reject any proposal for development. The parcel, that has Victoria Street access, could be sold and possibilities for land use could be explored. He explained that it could be used for commercial development, multiple residential housing, apartments, town houses or senior housing. Roger explained that this was brought forward for discussion purposes and further investigation. The CAO said that she would like to list the property adjacent to the Public Works Yard to see what the interest is. She also stated that there should be a vision for the development of the property. Chair Deputy Mayor DeWolfe agreed that the land should be listed on the website for	

	proposals and expressions of interest. It was decided that The CAO would proceed with listing the property to explore the options.	
--	--	--

GENERAL / CORRESPONDENCE

1. Article of interest - Local playwright, Dean Taylor, won a contest with Alleyway Theatre in buffalo, New York (7)

The article was briefly reviewed and a letter of congratulations will be drafted.

2. World Vision - A new fundraising campaign has been launched by World Vision and the question has been asked if the Town would like to participate. The CAO explained the campaign. A catalogue is available and items such as farm animals, blankets and school supplies can be purchased to be donated. A jar for donations can also be placed for cash collection to donate. Chair Deputy Mayor DeWolfe stated that she is not in favour of the Town becoming involved in the program. There was an agreement the any donation money that was available from the Town would be much better used for local events and charities. Chair Deputy Mayor DeWolfe stated that a jar for donation to World Vision would be fine but anything more extensive would not be appropriate.

3. E-mail from the Annapolis Royal Board of Trade - An e-mail was received and Chair Deputy Mayor DeWolfe outlined the details. Local residents and Business owner, Kerra St. John, has lost her income due to a fire that closed her business. The Board of Trade is asking for donations to assist her during this time. It was the opinion of Council that this is not something that the Town should contribute to. It could be left to business owners to decide if they would like to contribute.

OTHER

1. The discussion of the fire at Drury Lane generated a discussion regarding the current situation with the surveillance cameras which have not been installed. Amery Boyer explained that there have been some problems with obtaining necessary approvals from Nova Scotia Power and Aliant, and the project has stalled. The original quote from Meritect did not include pricing for cables and wiring. There has been some effort to rectify that problem and she noted that Meritect want to get the project completed and they are exploring all options to do so.

NEXT MEETING January 4, 2006 at 9:00 a.m.

IN CAMERA

Motion #9

It was moved by Mayor Kinsella, seconded by Councillor Shaffner to move in camera to discuss a land sale matter.

It was moved by Mayor Kinsella, seconded by Councillor Shaffner to move out of camera

ADJOURNMENT

It was moved by Mayor Kinsella that the meeting adjourn.

<u>Action:</u>	<u>Date</u>	<u>Signature</u>
Reviewed by Deputy Mayor DeWolfe		
Changes made by Administrative Assistant Jackie Longmire		
Approved for website by Mayor or CAO		