

**MINUTES**  
**TOWN OF ANNAPOLIS ROYAL**  
**COMMITTEE OF THE WHOLE**  
**March 5, 2008**  
**9:00 a.m.**

The regular meeting of the Committee of the Whole was held on Wednesday, March 5, 2008 in Council Chambers at Town Hall. In attendance were Chair Deputy Mayor Jane DeWolfe, Mayor John Kinsella, Councillors Phil Roberts, Ron Boulding, Sherman Hudson and Doug Shaffner, CAO Amery Boyer, Director of Finance Melony Robinson, Municipal Intern Tammy Bernasky and Administrative Assistant Jackie Longmire as recording secretary. Recreation Director Grant Potter, Active Living Facilitator Andr\_ Bouchard, residents Gene Lane, Brad Hall and Richard Hawkins were in attendance for the Skatepark discussion.

**APPROVAL OF COMMITTEE OF THE WHOLE MINUTES**

**February 6, 2008**

***Motion # 1***

***It was moved by Councillor Boulding, seconded by Councillor Hudson, approval of the Committee of the Whole minutes dated February 6, 2008, as presented. Motion carried.***

**ADDITIONS/DELETIONS TO AGENDA**

Under Presentations add:

- A. Town Crier Peter Davies
- B. Skatepark - Site selection process

Under Business Arising add:

{g} Public Works Truck Purchase

Under Business Arising remove:

{g} Town Hall Sign

Under PHAC Business Arising add:

{b} Town Hall Sign

Under PHAC New Business add:

{b} Letter from Heritage Canada - Runciman House

Under Correspondence add:

{g} Boardwalk Replacement

{h} Request for support - Community Band

{i} Letter from the Minister of Justice - Youth Criminal Justice Act Survey

{j} Province of Nova Scotia - Temporary Vehicle Counts

{k} Climate Change Workshop

## APPROVAL OF AGENDA

March 5, 2008

### *Motion # 2*

*It was moved by Mayor Kinsella, seconded by Councillor Hudson, approval of the agenda dated March 5, 2008, as amended. Motion carried.*

**PUBLIC HEARINGS**      None

## PRESENTATIONS

- A. **Town Crier - Peter Davies** - Mr. and Mrs. Davies visited Bermuda and met with the Mayor of St. Georges. They presented St. Georges' Mayor with a letter and other souvenirs from the Town of Annapolis Royal. St. Georges is similar to Annapolis Royal in its cultures and population. Mr. Davies brought back items that were given to him by the Mayor and presented them to Council.
- B. **Recreation Director Grant Potter - Skatepark** - A new site has been reviewed and approved by ABBBA. Mr. Potter said that the new site is immediately adjacent to the French Basin Trail parking lot. He said that all adjacent land owners have been consulted and he has received positive feedback. Ducks Unlimited has been asked to comment but no response has been received to date. He said that the site rates as the number four choice using the original scoring sheet. He also said that if Council approves the site, the next

steps would be to hold a public meeting and then possible rezoning of the property.

Councillor Shaffner asked how this site differed from the site located next to the Dragonfly Inn that was previously rejected. Mr. Potter said that this site is located closer to the parking area and further away from the Inn. He also said that he had a good conversation with the owner of the Dragonfly Inn and she has not expressed any concerns. The area also has a natural tree buffer that should not be disturbed during construction. Mr. Potter said that there is a need for soil tests. Mayor Kinsella said that tests would have been conducted when the property was being considered for other projects. There is the possibility that those tests are still available and could be utilized for this project. It was agreed that the site would be a great location for the park with high visibility and no concerns expressed by residents.

Brad Hall, representing ARCAC, said that he is pleased with the location and the Arts Council supports the project. They will assist with design and intend to have sculptures placed within the park.

### ***Motion #3***

***It was moved by Mayor Kinsella, seconded by Councillor Roberts to recommend to Council approval of the site located next to the French Basin Trail parking lot on Prince Albert Road in principle, to allow ABBBA to move forward with the project through a public process.***

Council confirmed that its approval gave the Committee the freedom to look at the site for design consideration, fundraising and grant applications. The Town is a partner in the project but ABBBA takes the lead. Mayor Kinsella expressed thanks to everyone involved for continuing to work on the project and responding to all requests. He wished the Committee and the project great success.

The Recreation Director took this opportunity to review articles in the provincial Walking & Wheeling newsletter and Ducks Unlimited quarterly publication Conservator. Each article highlights recreation in Annapolis Royal. Both articles will be placed in the read in file for review by Council.

### **BUSINESS ARISING FROM MINUTES**

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Item	Decision / Action	Responsibility	Target Date
{a} Taxi Bylaw	<p>The Municipal Intern has recommended minor changes to the by-law. The by-law will come into effect if a taxi wishes to locate its business within Town or wants to sit in Town waiting for a fare. The fee for the license is set at \$25.00. Chief Campbell has recommended changes to the penalties and fines. Council agreed to set the fines at \$25.00, \$50.00 and \$100.00 respectively. Chief Campbell will no longer inspect the vehicles; a copy of a valid motor vehicle inspection must be provided with the application.</p> <p><b><i>Motion #4</i></b>  <b><i>It was moved by Mayor Kinsella, seconded by Councillor Roberts, to recommend to Council approval and acceptance of the Taxi By-law, as amended.</i></b></p>		
{b} ADEDA	<p>Deputy Mayor DeWolfe said that she attended the regular monthly meeting on February 28. She provided copies of previous minutes, reports and plans for Council's review. She said that concerns regarding the future of Convergys were discussed and everything is fine with the operation. Any problems experienced by Sprint do not affect Convergys. She also said that the Ride the Lobster event was mentioned and ADEDA is waiting for a specific task to be assigned by the organizing group.</p>		
{c} Smoking Cessation Incentive Policy	<p>It was agreed that this policy be incorporated into a new "wellness policy."</p>		
{d} Request for Decision - Solid Waste Management By-law	<p>The document has been reviewed and several changes were recommended. Councillor Roberts said that the word "resource" should not be used in conjunction with residual waste. Ms. Bernasky will make the revisions which will include the name of the by-law. Further review will take place at the next Committee of the whole meeting on April 9, 2008.</p> <p>Deferring this by-law will delay the publishing of all the by-laws that are currently under review.</p>		

{e} Request for Decision - By-law to Repeal Certain By-laws	<p>It was explained that this by-law must be created to repeal by-laws as they become out dated or no longer necessary.</p> <p><b><i>Motion #5</i></b>  <b><i>It was moved by Mayor Kinsella, seconded by Councillor Boulding, to recommend to Council approval and acceptance of the By-law to Repeal Certain By-laws.</i></b></p>		
{f} Proposed Budget for 4Site	<p>Due to the illness of Roger Sturtevant, a replacement needs to be established to handle planning and development issues. A proposal from 4Site was reviewed and it was agreed that the services of 4Site should be utilized during Mr. Sturtevant's absence. Bridgetown and Middleton have not yet approved the proposal and are expected to make a decision by the end of the week.</p> <p><b><i>Motion #7</i></b>  <b><i>It was moved by Councillor Boulding, seconded by Councillor Roberts, to recommend to Council that Chris Millier be appointed Planning and Development Officer, and Ridge Hiltz be appointed Development Officer for the Town of Annapolis Royal during the temporary absence of Roger Sturtevant.</i></b></p>		
{g} Public Works - New Truck Purchase	<p>The tenders have been reviewed and the Superintendent of Public Works has chosen the Ford truck as the best option for the Town. The price was quoted at \$44,548.00 plus HST with an allowance of \$9,000.00 for the trade in.</p> <p><b><i>Motion #8</i></b>  <b><i>It was moved by Councillor Boulding, seconded by Mayor Kinsella, to recommend to Council the purchase of a 2008 Ford F-550 Chassis XL as the new Public Works vehicle with a purchase price of \$44,548.00 plus HST.</i></b></p>		

## NEW BUSINESS

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Item	Decision / Action	Responsibility	Target Date
{a} Water Tests	Water tests have been reviewed and found to be satisfactory.		
{b} Memo to Council	<p>The Director of Finance distributed a memo to keep Council up to date on the Town's cash flow position. The memo demonstrates to Council the reason for borrowing.</p> <p>Councillor Shaffner asked about a commercial tax increase. The Director of Finance said that the Town did not compensate for lost revenue when Business Occupancy tax was eliminated. A commercial rate increase is being considered but the residential rate will, most likely, remain the same.</p>		
{c} Staff Salary Increase	<p><b><i>Motion # 8</i></b></p> <p><b><i>It was moved by Councillor Boulding, seconded by Mayor Kinsella, to recommend to Council pre-approval of the 2.5% cost of living salary increase for all non-unionized staff.</i></b></p>		
{d} Renewable Energy Zoning By-law	CAO Boyer said that this is an example of the policies that will be reviewed as part of the Green Plan. Councillor Roberts said that this particular by-law is very clear and is a good fit to Annapolis Royal.		
{e} Invitation to the Mayor for Quebec's 400 <sup>th</sup> Anniversary celebrations in July, 2008.	<p>Mayor Kinsella has been invited to attend events in Quebec during its 400<sup>th</sup> Anniversary celebrations. This item will be forwarded to budget deliberations to determine a maximum expense allowance but pre-approval is requested for RSVP purposes.</p> <p><b><i>Motion #9</i></b></p> <p><b><i>It was moved by Councillor Roberts, seconded by Councillor Boulding, to recommend to Council pre-approval of expenses the Mayor to attend events in Quebec during its 400<sup>th</sup> Anniversary celebrations, with a maximum expense allowance to be determined during budget deliberations.</i></b></p>		

{f} Strategic Plan	Hard copies had been previously distributed for Councils review. CAO Boyer said that a binder will be created which will include all of the Town's plans for easy reference. She said that the development of an Integrated Community Sustainability Plan is a requirement of the gas tax. Mayor Kinsella suggested a minor corrections and changes. He also said that a review of elected officials compensation should be added under governance.		
{g} Nova Scotia Building Code Regulations - Amendments	For information only.		
{h} Wind Energy	For information only.		
{i} Ye Old Towne Pub Lease	<p>The lease for the deck area is renewed annually. The current rate is \$1.50 per square foot; the rate for the 2008 lease will remain the same.</p> <p><b><i>Motion #9</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Councillor Hudson, to recommend to Council approval of the lease renewal for Ye Olde Towne Pub at a rate of \$1.50 per square foot.</i></b></p>		
{j} TownSuite Municipal Software Proposal	<p>The Director of Finance has request pre-budget approval for the purchase and installation of TownSuite accounting software. The total cost is quoted at \$12,268.50.</p> <p><b><i>Motion #10</i></b>  <b><i>It was moved by Mayor Kinsella, seconded by Councillor Hudson to recommend to Council pre-budget approval of \$12,268.50 for the purchase and installation of TownSuite software.</i></b></p>		
{k} ADPC Building Permit Report	For information only.		
{l} Application for Variance	Mayor Kinsella declared a conflict of interest with respect to this item. He is an adjacent property owner. He left Council Chambers before discussion began.		

	<p>The property owners at 18 St. James Street had made application to ADPC for a subdivision of their property. The application was denied by the Acting Planning and Development Officer and the property owners are now appealing that decision. A public process will be initiated and Council will be kept informed. A hearing will be held on March 17, 2008.</p> <p>Mayor Kinsella returned to Council Chambers.</p>		
{m} Historic Gardens - Application for Support	<p><b><i>Motion #10</i></b></p> <p><b><i>It was moved by Councillor Hudson, seconded by Councillor Shaffner, to recommend to Council referral of the request by Historic Gardens for financial support in the amount of \$14,000.00 for 2008-2009 to budget deliberations.</i></b></p>		
{n} UNSM Municipal Property Tax Relief for Low Income Property Owners	<p>CAO Boyer recommended that the Town follow the lead of other municipal units by supporting the draft policy.</p> <p><b><i>Motion #12</i></b></p> <p><b><i>It was moved by Councillor Hudson, seconded by Councillor Roberts, to recommend to Council support of the UNSM Policy of Municipal Property Tax Relief for Low Income Property Owners.</i></b></p>		
{o} Annapolis Road - Request for the Municipality of the District of Shelburne for a meeting	<p>A meeting has been scheduled for April 16, 2008 at 2:00 pm in Shelburne to discuss the possibility of re-opening all or a portion of the Annapolis Road. Mayor Kinsella is able to attend; he has requested that more detailed information be forwarded before the meeting.</p>		
{p} City Centre Themed Districts - Participant Recruitment in NS	<p>CAO Boyer said that this is a tourism mission that is by invitation only and the Town has received an invitation to attend. ACOA pays 50% of the cost and the Province pays 25%. The estimated cost to the Town is \$905.00. The Marketing and Events Coordinator, Sally Burnie, will be attending on behalf of the Town. She will be expected to file a report upon her return.</p> <p><b><i>Motion #13</i></b></p> <p><b><i>It was moved by Mayor Kinsella, seconded by Councillor Boulding, to recommend to Council pre-approval of the expense to send the Marketing and Events Coordinator to North Carolina for the Tourism</i></b></p>		



	<b><i>Mission with an estimated expense of \$905.00.</i></b>		
{q} Draft Policy on Emergency Services Provider Registration	<p>CAO Boyer said that this policy is a requirement of Part X of the Municipal Government Act. The draft policy was patterned off the Municipality of the County of Annapolis.</p> <p><b><i>Motion #14</i></b></p> <p><b><i>It was moved by Councillor Boulding, seconded by Councillor Roberts to recommend to Council approval and acceptance of the Emergency Service Provider Policy.</i></b></p>		
{r} Request to Designate Champlain Drive a Two-way Road	<p>Traffic Authority Laurie Emms has stated that it is possible to make Champlain Drive a two-way street. Questions have been raised regarding the effect on property owners with the widening of the street, the safety of pedestrians and the cost. All issues will be directed to the Traffic Authority.</p> <p>Councillor Hudson said that when the high school was built, the one way street was included in the plans for the area. He said that he believed the street should remain one way. Mayor Kinsella said that all residents on the street should be surveyed in an effort to get feedback on the issue.</p> <p>Town resident Richard Hawkins said that he is willing to pursue the issue with the federal and provincial governments. There are environmental issues that should be considered and there may be funding available with that consideration.</p> <p>CAO Boyer will explore all options and the issue may have to be brought back to Council at a later date.</p>		
{s} Ring the Bells in Unison - Invitation to Participate	<p>The invitation will be forwarded to the Marketing and Events Coordinator. The event is part of the 400<sup>th</sup> Anniversary Celebrations in Quebec. The Town of Annapolis Royal will participate by organizing a bell ringing ceremony to coincide with that which will take place during celebrations in Quebec on July 3, 2008.</p>		

{t} Southwest Nova Biosphere Reserve Association - Request for Financial Support	This item has been referred to budget deliberations for further consideration.		
{u} PeopleWorx - Request for Financial Support	PeopleWorx is requesting support in the amount of \$680.00 based on assistance given to 239 Town residents. Mayor Kinsella has contacted PeopleWorx requesting documentation but has received no response. The request for financial support has been denied at this time.		
{v} Water Rate Hearing	<p>The Director of Finance provided copies of water rate increases that are being requested in other municipalities. She said that the hearing went well and there were nine undertakings which have been completed and will be submitted.</p> <p>The Fire Department has begun logging the use of potable water for filling the trucks. This water use has to be kept separate for billing purposes. There are issues with operations that use potable water in large amounts and this will have to be addressed.</p> <p>Councillor Roberts said that he was not aware of the meeting and was chided by two residents for not attending. The meeting was advertised in the local paper, daily paper and on the website.</p>		
{w} UNSM - Women in Local Government - Request for Support in Funding a Bursary Program for Female Municipal Staff	The request for funding was denied. CAO Boyer will prepare a response that will highlight hiring practices for the Town and other municipal units.		

## **PLANNING AND HERITAGE ADVISORY COMMITTEE 10:00 am**

In attendance: Kathie Fearon, Ian Lawrence and Elizabeth Ross

## **BUSINESS ARISING**

Item	Decision / Action	Responsibility	Target Date
{a} Update on the Renovations at Hutchin's Pharmacy	<p>Business owner, Danny McClair, presented three new designs for the exterior of the building. Roscoe Construction and Jost Architects assisted with the designs. All of the designs were considered to be more acceptable than the original that was presented at a previous meeting. Mr. McClair said that he will present signage designs at a later date. It was agreed that the windows and star design roof line complemented the adjacent building.</p> <p><b><i>Motion #14</i></b></p> <p><b><i>It was moved by Councillor Roberts, seconded by Mayor Kinsella, to recommend to Council acceptance and approval of design #1 in the application for changes to Heritage Property located 374 St. George Street .</i></b></p> <p>Mayor Kinsella thanked Mr. McClair for working with the Committee and creating a design that was heritage sensitive. Ian Lawrence agreed with the comments but asked if the by-law should be changed so that each property is reviewed on a case by case basis, as applications are submitted. He said that the proposed design does not resemble the original building and he assumed that it was the responsibility of the Committee to ensure that original building designs are protected. Deputy Mayor DeWolfe said that it is not only the building that is being protected but the stories and history as well. It was agreed that changes should be made so that each property is reviewed on a case by case basis.</p> <p>Mr. McClair said that he is pleased with the approval. He also said that he contacted Heritage Nova Scotia and was informed that he should just go ahead with whatever changes he wanted to make, regardless of approval. Mayor Kinsella asked for contact information for Heritage Nova Scotia and he will follow up on the issue.</p>		
{b} Town Hall Signage {a}	A draft design was distributed and discussed. The new signage will be		

Application for Changes to Heritage Property - 561 St. George Street	located to the left of the entrance, horizontal to the building.  <b><i>Motion #15</i></b>  <b><i>It was moved by Councillor Boulding, seconded Councillor Roberts, to recommend to Council acceptance and approval of the signage for Town Hall, as presented, with an estimated expense of \$350.00.</i></b>		
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## NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Application for Changes to Heritage Property - 561 St. George Street	<p>The application is to replace a deteriorating deck on the back of the property and three windows with vinyl inserts.</p> <p><b><i>Motion #16</i></b></p> <p><b><i>It was moved by Councillor Shaffner, seconded by Councillor Roberts, to recommend to Council approval of the application for changes to Heritage Property located at 561 St. George Street.</i></b></p> <p>Ian Lawrence said that the property owner should be advised that repairing older windows can be more beneficial than replacing with vinyl inserts that generally only lasts 15-20 years.</p>		
{b} Letter from Heritage Canada regarding Runciman House	<p>Heritage Canada has stated that it wishes to divest of its responsibility to Runciman House. Ian Lawrence said that AHS has had discussions with Heritage Canada on this issue. At this time, AHS is not interested in assuming responsibility for the property. Heritage Canada can sell the property, it is simply seeking comments or concerns from the Town at this time. Mayor Kinsella said that if the property is to be sold, Heritage Canada should be encouraged to restore the property to the best possible condition before the sale.</p>		

## CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} Annapolis Field Naturalists Society	For information only.		
{b} FCM - Budget 2008 Delivers Good News for Cities and Communities	For information only.		
{d} NS Health and Protection - Funding for Active Living Coordinator of Annapolis County	For information only.		
{e} Letter from Property Valuation Services Cooperation	For information only.		
{f} Letter from the Office of the Minister - Department of Natural Resources	For information only.  Mayor Kinsella said that residents continue to be supportive of the decision to ban ATVs from within Town limits.		
{g} Boardwalk Replacement	The Town applied for 50% funding from the province for upgrades to the Boardwalk. The application was denied but will be considered in the 2008-2009 budget.		
{h} Request for support from the Community Band	This item has been referred to budget discussions for further consideration.		
{i} Minister of Justice - Youth Criminal Justice Act	Members of Council were given the opportunity to sign a petition that was generated by the Department of Justice to strengthen the Youth Criminal Justice system.		
{j} Province of Nova Scotia -	The Town has not participated in this initiative in the past and has decided		

Vehicle Counts	to continue with that decision in 2008.		
{k} New England Governors' and Eastern Canadian Premiers' Adaptation Workshop (Climate Change)	<p>CAO Boyer has been invited to speak at a Climate Change Conference in St. Johns, Newfoundland. The Town will cover the expenses as the CAO will be representing and promoting the Town.</p> <p><b><i>Motion #16</i></b>  <i>It was moved by Mayor Kinsella, seconded by Councillor Boulding, to recommend to Council pre-budget approval of the travel expense to Newfoundland for the purpose of the CAO speaking at a Climate Change Conference.</i></p>		

#### IN CAMERA

*It was moved by Councillor Boulding, seconded by Councillor Roberts, to move in camera to discuss a staffing issue and a legal matter.*

*It was moved by Mayor Kinsella, seconded by Councillor Hudson, to move out of camera.*

**NEXT MEETING** April 9, 2008 at 9:00 a.m.

#### ADJOURNMENT

*It was moved by Councillor Boulding to adjourn the meeting.*

<b><i>Action:</i></b>	<b><i>Date</i></b>	<b><i>Signature</i></b>
Reviewed by Deputy Mayor DeWolfe		
Changes made by		

Town of Annapolis Royal  
Committee of the Whole  
March 5, 2008

Administrative Assistant Jackie Longmire		
Approved for website by CAO		
Forwarded to the Website		