

**Committee of the Whole  
Unapproved Minutes of Meeting Held  
May 7, 2014, 6:00 pm**

**Present:** Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paul Paquette, Director of Finance Melony Robinson, Recording Secretary Dawn Bourke, Angelika Waldow, Mary Ann Fickes, Ron & Norma Grant, Mary McKintosh, Mrs. Jennifer Batiot, Dr. and Mrs. Coady, Peter and Valerie Davies.

**Regrets:** CAO Carol St-Amour

**1. CALL TO ORDER:** Mayor Tompkins called the meeting to order at 6:00 pm

**2. APPROVAL OF COMMITTEE OF THE WHOLE MINUTES:** April 9, 2014

**MOTION #CoW-2014-MAY-7-01**

It was moved by Councillor Hudson, seconded by Councillor Paquette to approve the minutes of the Committee of the Whole meeting held April 9, 2014 as amended: Page 2, 1<sup>st</sup> paragraph, second sentence add “which should be attended to by the Friends of the Library” after the word “application”, Page 2, 3<sup>rd</sup> paragraph change “plains” to “planes” throughout, Page 5, 2<sup>nd</sup> sentence delete “odd” and insert “occasional” and insert “of” prior to the word “interest”, Page 5, 4<sup>th</sup> sentence delete “still provide about 10% of the Town’s” and insert “still provide more than 10% of the Town’s”; Page 6 insert “ 9:15 pm” in Motion #CoW-2014-APR-9-04 and insert “9:16 pm” in Motion #CoW-2014-APR-9-05. **CARRIED.**

**3. ADDITIONS TO AGENDA:**

**9. New Business**

- xvii. Report for Information Outdoor Adult Gym Relocation
- xviii. New Public Works Employee
- xix. Sheriff’s Sale
- xx. Budget Items
  - i. 2013/14 Bell Aliant Price Increase
  - ii. Appeal Summaries
- xxi. King’s Theatre
- xxii. Gardener’s
- xxiii. Journal Entry
- xxiv. Pension Update

**10. Correspondence**

- iii. Towns Caucus Meeting Agenda
- iv. 62<sup>nd</sup> Annual Meeting Day
- v. Ivany Report Workshop

**11. In Camera**

- ii Reason (e) Contract Negotiations
- iii. Reason (i) Other

**4. APPROVAL OF AGENDA:  
MOTION #CoW-2014-MAY-7-02**

It was moved by Councillor Paquette, seconded by Deputy Mayor Power to approve the agenda as amended. **CARRIED.**

**5. PUBLIC HEARING:** None

**6. PUBLIC INPUT:** None

**7. PRESENTATIONS:**

**i. Angelika Waldow – Trees**

Angelika Waldow noted she inspected the trees on St Anthony Street and out of the 8 that were broken she predicts 3 are dead; also there have been some issues with the trees across from Home Hardware as the bark has been damaged by mowing or whipper snipping. Mayor Tompkins suggested it would be appropriate to determine who owns the property. It was noted that it may be owned by ESSO. Angelika Waldow advised she planted the trees when the sidewalks were done, so basically the Town planted the trees. Councillor Paquette advised it is a dangerous property as the fence has collapsed and a letter should be sent to the owner. Discussion was held regarding the entry signs beds at Allain's Creek and the Causeway; planted naturalizing perennials; beds are getting very weedy with horsetail; are the beds viable to be planted or should be considering a rock garden; interested in having Angelica Waldow make recommendation as to the cost of a long term low cost solution; may be a grant opportunity available. It was noted that Valley Waste Resource Management will be at the public works yard May 10, 2014 and free compost is available.

Angelika Waldow was asked to contact PHMC Sandi Millett-Campbell regarding the First Impression Grant regarding funding for gateways and/or entry signs.

Angelika departed the meeting at 6:30 pm.

**ii. Mary Ann Fickes – Snow Removal/Property Damage**

Mary Ann Fickes asked if there is a plan for snow removal on Babineau Heights. The plow comes in at beginning of the street and dumps all the snow on her property. Her concern is that the street was poorly designed and the circumference at the end is too small and all the snow gets plowed onto her property causing property damage to the drain which was installed and maintained at her expense. In the past, snow was moved onto a truck and removed. She does not want snow piled on the drain again. Mrs. Fickes advised this year the snow plow damaged the snow fence. The fence is on Mary Ann Fickes property and it is there to protect her drain system. Mayor Tompkins advised there will be a discussion with Public Works to determine what options are available for snow removal in that area and determine repair costs of the fence. Councillor Mersereau suggested if the residents want the snow hauled away they will have to accept higher taxes. Ronald Grant advised that he lives at the end of the street and with the winter this year, the plow was up on the street every day. Mr. Grant noted the snow plow driver builds the snow around the circumference on the pavement and it builds out and upwards of 15 feet, and the town truck cannot maneuver. Mr. Grant advised the Town needs to have the snow taken away. Mayor Tompkins commented the Town will investigate the snow removal matter and then will respond to the citizens of Babineau Heights

All members of the gallery departed at 6:45 pm.

Councillor Paquette suggested the snow removal situation should be addressed altogether, including the corner by Annapolis Region Community Arts Council, specifically the grey house on the corner. Councillor Paquette advised a concern was brought up noting when there is a very heavy snow fall, the snow is plowed to the green directional sign and then removed but if it is not a major snow fall it does not get done in the same manner. Councillor Mersereau suggested if the Town is going to improve the service level when dealing with snow removal, consideration should be given to increase costs and that would affect the budget.

## **8. BUSINESS ARISING:**

### **i. Association of the Friends of the Annapolis Royal Library 2014 Annual General Meeting and the Library Presentation Future of Libraries**

The Draft Minutes of the Association of the Friends of the Annapolis Royal Library Annual General Meeting were accepted for information.

### **ii. County of Annapolis Public Meeting Economic Development Strategy May 6, 2014**

Mayor Tompkins noted he attended the meeting and provided the introduction. There were 20-25 people in attendance and the focus of the meeting was to get the participants to make long term goals. Councillor Paquette was there and was involved at the group level; the group was supposed to choose 3 main goals but the participants felt they were being directed as there was a limited choice of goals. Deputy Mayor Power and Councillor Mersereau also attended the meeting.

Councillor Paquette advised that he was speaking to Cody Joudrey and there are two massive signs going up in Kingston and Bear River that will display just the logo and Municipality of the County of Annapolis and suggested contacting the County to determine if the Town could be added to their sign. Councillor Mersereau advised he supports the sign request, to be placed on the County Council agenda, and further that he will speak to County Councillor Heming regarding this matter. Discussion was held regarding traffic exits 18, 19, 20 and 22.

Mayor Tompkins suggested with regards to the Yarmouth entry point the whole geographical area from Yarmouth to Windsor could get together for signage that is not specific to municipal units. Mayor Tompkins suggested a letter be sent to all the Councils to move towards geographical signage.

It was agreed to refer this item to Marketing and Economic Development Committee for the meeting of May 13, 2014.

### **iii. Events Protocol**

Councillor Paquette advised the Apple Blossom Festival weekend is May 28<sup>th</sup> to June 2, Mayor attends the Coronation May 30<sup>th</sup>, business attire, sits with family of Queen Annapolis, no chain, June 2 is the Photo Opp at the Historical Gardens, business attire and the Chain of Office.

1<sup>st</sup> weekend in June every 5 years, the Mason Celebrations, starting from last year 2018 will be next event. Last Wednesday of June, June 25<sup>th</sup> is the Annapolis West Education Centre graduation, business attire, Chain of Office and presentation of awards.

Mayor Tompkins asked if Council is still being made aware of funerals. Administrative Assistant Bourke advised that sympathy cards are mailed out on behalf of the Town Council, and Councillor Hudson advises the staff of the funerals.

Deputy Mayor Power advised May 15<sup>th</sup> is the Reception and Website Launch of the Annapolis Royal Visitor Information Centre from 5-7pm at the Tidal Power Plant.

Mayor Tompkins noted he attended the Official Opening of the newly renovated upstairs space at ARTsPlace Gallery and Premier Stephen McNeil as well as representatives from all levels of government were in attendance. Mayor Tompkins was asked to give a speech.

## **9. NEW BUSINESS:**

### **i. Annapolis Partnership Steering Committee Meeting**

Mayor Tompkins noted he attended the meeting. Transit funding was discussed. Mayor Tompkins advised that the transit cost is \$27 per capita and the Towns are not going to commit to something without knowing what is being committed to. Councillor Mersereau commented that in principle, transit lends itself to an intermunicipal agreement with all parties paying some portion. It was noted the Town of Annapolis Royal has not signed an agreement with Kings Transit. It was noted discussion could be held regarding a base rate and a ridership component. Deputy Mayor Power mentioned another item that was discussed was the Provincial Procurement Process with regards to bulk buying. Director of Finance Robinson advised that fuel is purchased through the School Board from the Province. Mayor Tompkins suggested investigating the process to be able to make use of the service and it would be nice to know exactly what is available for purchase.

### **ii. Agreement between the Town of Annapolis Royal and Amanda Egle Carrying on Business as the Café Compose**

Councillor Mersereau suggested amending the agreement as follows: first sentence, delete "town lands, specifically, a portion" and insert "the sidewalk area" and item (a) amended to read (a) that the Town of Annapolis Royal shall lease the section measuring 3' wide X 12' long section of land adjoining the front of the building at 285 St. George Street for the sum of two dollars (\$2.00) per square foot for the year 2014/2015.

Councillor Mersereau also suggested the fee schedule be reviewed to include an amount per square foot subject to a minimum amount of \$100.00.

## **MOTION #CoW-2014-MAY-7-02**

It was moved by Councillor Mersereau, seconded by Councillor Hudson, to recommend to Council the approval of entering into the proposed agreement with Amanda Egle carrying on business as Café Compose for the purpose of utilizing a portion of "the sidewalk area" in front of Café Compose at 285 St. George Street for Café use, subject to the conditions of the agreement as amended: sub section (a) that the Town of Annapolis Royal shall lease the section measuring 3 feet adjacent to the front of the building by 12 feet, at 285 St. George Street for the Sum of Two Dollars (\$2.00) per square foot for the year 2014/2015. **CARRIED.**

### **iii. Annual Expenditure Report**

Director of Finance Robinson advised with regards to the balance sheet, she has not yet transferred the gas tax in the amount of \$60,006.00 over to the water capital which still has to be

done.

Director of Finance advised she has a deadline of May 30, 2014 for the AER interim report, and inquired if Council still wants to continue applying the funds to the water capital project of 2012. Councillor Mersereau suggested retaining the funds for future projects.

Director of Finance Robinson advised the funds are retained and further that Council has to pick a project to allocate the funds, noting there is a new area called Municipal Building Retro Fit Project further noting there are requirements to prove measurable outcomes. Considerable discussion was held regarding the retro fitting of municipal buildings such as Town Hall or ARRA. Director of Finance advised there is still 15% of infrastructure left to complete. Councillor Mersereau suggested allocating funds towards sewer projects if not retro fit as the sewer side has to be funded from general capital. Director of Finance Robinson suggested Council may want engineers to prepare the tender documents then Council would be ready to apply for the grant funding and as the back-up work is complete, more likely to receive grant funding. Mayor Tompkins suggested Council still needs to review and determine which projects should be done. Councillor Mersereau noted projects identified by the engineers on the 10 year priority list include the sidewalks on Chapel Street. Councillor Mersereau also mentioned the Superintendent of Public Works commented on doing the video work on the sewer lines. Councillor Mersereau advised that prior to passing the capital budget, Council should review the 10 year priority list as identified by the engineers. Mayor Tompkins suggested the lift station at Fortier Mills and a water line for fire hydrants for fire protection from First Pond be considered. Council directed Director of Finance Robinson to allocate the gas tax funds as follows 1/3 towards building retro fit for Annapolis Royal Regional Academy; 1/3 towards retro fit of Town Hall and 1/3 towards sewer.

**iv. Nova Scotia Agriculture Office of the Minister re: draft Standards of Care for Companion Animals**

Discussion was held and it was agreed to have staff write a letter inquiring about the resources to enforce the proposed regulations.

**v. Request to Write-off Tree Removal Invoice**

Director of Finance Robinson requested Council's consideration to write-off the invoice as it has been on the books for 4 years. Discussion ensued and the Director of Finance was asked to determine if an "Order" had been issued as per the Town Policy Tree Inspection and Removal Powers.

**vi. Notification Reverse Utility Billing as of March 31, 2014, Account # 383, \$587.70**

Director of Finance Robinson advised in April of 2012, this case went to Small Claims Court; the Town won and there is a payment plan in effect. The water has been turned off before this time. For an unknown reason, in December 2012 the account starting being billed for utilities, plus penalties accrued yet the water had not been turned on. Director of Finance advised she is reversing the amount of \$587.70 as of March 31, 2014.

**MOTION #CoW-2014-MAY-7-03**

It was moved by Deputy Mayor Power seconded by Councillor Hudson to recommend that Council approve the write off of \$74.97 of interest for utility account number 383. **CARRIED.**

**vii. Request to Write Off Taxes – Town Owned Properties Account # 04997409 in the amount of \$2,731.05 and Account #00092398 in the amount of \$660.83.**

**MOTION #CoW-2014-MAY-7-04**

It was moved by Councillor Hudson, seconded by Councillor Paquette to recommend to Council to write-off the taxes on Town owned property Account #04997409 in the amount of \$2,371.05 and Town owned property Account #0092398 in the amount of \$660.83. **CARRIED.**

**viii. Paymentus/Town of Annapolis Royal – By-law**

Director of Finance Robinson advised there is a slight change to the wording under Number 4; instead of “are authorized” it should read “shall apply”. Councillor Paquette noted the fees are created by a third party. Mayor Tompkins suggested investigating the cost to have a terminal that uses credit cards from the banks. Councillor Mersereau suggested checking out the Board of Trade group package and the costs associated with credit card fees. Councillor Mersereau also mentioned the wording of the by-law should state the service fees shall be the actual user fees charged to the Town by Paymentus.

It was agreed to direct the Director of Finance to provide options for credit card payments and the associated fees.

**ix. Feed Nova Scotia – Request for Funding**

It was agreed that Administration write a letter regarding the process for applying for Town grants or donations in response to the letter from Feed Nova Scotia.

**x. Pay for Travel Time to/from Work Related Training Courses**

Councillor Mersereau advised that he raised a question about the amount being paid to some employees of the Town for traveling to courses and the short answer is to draft a policy. Councillor Mersereau noted that if the courses are required courses he would support a travel claim for the actual time travelled; and should be limited to the actual time travelled.

It was agreed to forward this matter to the Human Resources Committee for their consideration.

**xi. Purchase of Vacuum Cleaners**

**MOTION #CoW-2014-MAY-7-05**

It was moved by Councillor Hudson, seconded by Councillor Paquette, to recommend that Council pre-approve the purchase of 3 vacuums up to a maximum expenditure of \$1,000.00. **CARRIED.**

**xii. Valley Waste Resource Management Complaint**

Deputy Mayor Power noted the complaint regarding 304 St. George Street has been looked after. Councillor Paquette mentioned that there is a second apartment above Leo’s and they should be entitled to another bin. Councillor Mersereau suggested the same should be done for Charade and Fort Anne Café.

**xiii. Hydrant Flushing May 26-May 28, 2014 and Leaf Yard (May & Oct or by Appointment for Emergencies)**

Director of Finance Robinson noted that Superintendent McLean wanted to flush the hydrants May 26 to May 28, 2014, and as this was not published in the May Town Crier a separate mail drop will be used for this.

It was noted Superintendent McLean also wanted to advise residents that the Leaf & Yard area will only be open for the month of May and October or be appointment for emergencies only on the same mail out.

It was agreed that hydrant flushing could be held in June and advertised in the June Town Crier; and further the matter regarding the leaf yard is still under discussion.

**MOTION #CoW-2014-MAY-7-06**

It was moved by Councillor Paquette seconded by Councillor Sherman to extend the meeting half an hour until 9:30 pm. **CARRIED.**

**xiv. Meetings – Month of August 2014**

It was moved by Councillor Hudson, seconded by Councillor Paquette to recommend to Council that one Council meeting be held in August on the 18<sup>th</sup> at 6 pm, with a time limit of a maximum time of 2 hours, and the agenda will be restricted to specific emergency issues which could include the audited financial statements. **CARRIED.**

**xv. Motion 8 Valley Waste Resource Management Regular Council Meeting of September 16, 2013**

**MOTION #CoW-2014-MAY-7-07**

It was moved by Councillor Paquette, seconded by Councillor Hudson to recommend to Council to ratify an amendment to Motion 8, titled Valley Waste Resource Management of the Town of Annapolis Royal Regular Council Meeting held September 16, 2013 by changing the date from June 15 to April 15. **CARRIED.**

**xvi. March 31, 2014 Income Statements**

It was agreed to discuss this item later in the meeting, time permitting.

**xvii. Report for Information Outdoor Adult Gym Relocation**

Mayor Tompkins noted this topic is being discussed in Town and on Facebook and that the Active Living Coordinator was requested to provide more detail. Mayor Tompkins mentioned the initial conversation was to store the equipment until a purpose materializes regarding the Annapolis Royal Regional Academy. Councillor Mersereau noted the equipment was removed due to safety issues and if unsafe should not be anywhere. Discussion was held and it was agreed to revisit this matter.

**xviii. New Public Works Employee**

Jim Barteaux starts employment with the Town of Annapolis Royal on May 12, 2014 in the position of Assistant Superintendent.

**xix. Sheriff's Sale**

There is a Sheriff's Sale on Friday May 30<sup>th</sup> at 12:15 pm and one of the properties listed is 530 St. George.

**xx. Budget Items**

**i. 2013/14 Bell Aliant Price Increase**

There will be a price increase June, 2014.

The Town has received 4 notifications of appeals and is awaiting approximately 12 more; which will decrease the overall residential assessment.

**xxi. King's Theatre**

There have been a few fire alarms recently at King's Theatre and the Fire Department had to break the door and frame to gain entrance. Geoff Keymer from King's Theatre believes it is a short circuit in the alarm and wants to have an electrician look at it. It was noted the Town is responsible for the electrical. Councillor Mersereau suggested telling King's Theatre to hire an electrician to determine the problem and assess it, and pay for the diagnosis; and the once known can approach the Town.

**xxii. Gardener's**

**MOTION #CoW-2014-MAY-7-07**

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power to recommend that Council ratify the expenditure of \$100.00 for gardening services provided for work in the Town gardens to be completed prior to May 11, 2014. **CARRIED.**

**xxiii. Journal Entry**

Director of Finance Robinson explained the suggested journal entry and the amounts left to be booked. Councillor Mersereau reviewed the journal entries and is proposing this be attended in the 2013/2014 year, prior to the audit. Mayor Tompkins inquired why we are moving all of the \$190,000 if it results in a \$57,000 deficit. There was considerable discussion regarding the journal entry and the effects thereof. Director of Finance advised she will contact the Municipal Financial Advisors to determine the method for processing the entry as per the Province of Nova Scotia.

**xxiv. Pension Plan**

Director of Finance Robinson advised that last Thursday the paperwork was signed to transfer the former UNSM Pension Plan to a stand alone pension plan with Standard Life.

**MOTION #CoW-2014-MAY-7-08**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to extend the meeting another half an hour until 10:00pm. **CARRIED.**

**10. CORRESPONDENCE: (For Information)**

- i. Nova Scotia Economic and Rural Development and Tourism re: MacLean's Magazine**
- ii. Nova Scotia Canada re: Workshop "Doing Business in the European Union"**

Recording Secretary Bourke departed the meeting at 9:44 pm.

**MOTION #CoW-2014-MAY-7-09**

It was moved by Councillor, seconded by Councillor to move in camera at 9:45pm. **CARRIED.**



**11. IN-CAMERA:**

- i. Reason (c) Personnel Matter

**MOTION #CoW-2014-MAY-7-10**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to come out of in camera at 10:05 pm. **CARRIED.**

**MOTION #CoW-2014-MAY-7-11**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette to recommend to Council to give authority to the CAO to approve the request for tax exemption for property roll number 04572319 in the amount of \$300.00 as per the Town Policy on Low Income Tax Exemptions. **CARRIED.**

**12. ADJOURNMENT:**

**MOTION #CoW-2014-MAY-7-12**

It was moved by Councillor, seconded by Councilor to adjourn the meeting at 10:10 pm. **CARRIED.**

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Mayor Michael Tompkins

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Director of Finance Melony Robinson