



**Motion # 2**

***It was moved by Doug Shaffner, seconded by John Kinsella, that the agenda for the Committee of the Whole meeting dated November 9, 2005 be approved . Motion carried***

**PRESENTATIONS:**

**{a} Melony Robinson, Director of Finance** - Time did not allow for this presentation, it will be carried over to the next Committee of the Whole, scheduled for December 7, 2005.

**{b} Wayne Currie - HMCS Reunion in 2006** - A reunion is planned for the long weekend in August 2006. Vice chairperson, Wayne Currie is in the process of doing several presentations in order to make the community and surrounding areas aware of the plans and to solicit assistance. He spoke of the history of the base, and stated that a committee has been established for this reunion. They are anticipating an attendance of 800 people with a registration fee of \$80.00 per person. Wayne is specifically looking for the following types of assistance with the reunion: assistance with promotion, products to distribute in a gift bag, possibly a mayor's reception and funding. The floor was opened for questions. Minor issues were addressed and Wayne was informed that Council would consider all aspects of requested assistance and would respond to specific funding requests when further information was available. Wayne also thanked the Town for placing the information on the Town's website.

**{c} King's Theatre - update.** Although an update was scheduled, no one was in attendance to offer the presentation. King's Theatre will be contacted and reminded of the date for the next Committee of the Whole so they may make their presentation at that time.

**BUSINESS ARISING**

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Item	Decision /Action	Responsibility	Target date
1. Discussion on Report of Performance Against 2004-2005 Objectives	Amery Boyer is now in the process of removing completed projects from the report. She is also updating and adding upcoming objectives. The final document will portray every project that she is aware of for the upcoming year. Amery also noted that the Youth Initiative should appear on the report and she will make changes to reflect that. Amery reminded Council that if there are things that Council considers important they should report this to her or office staff. Important items will be flagged and every attempt will be made to complete those tasks within 12 months or sooner. It was requested that Council review the report at their leisure and make Amery aware of any issues.	CAO	
2. Off Road Vehicle Bylaw	<p>Amery Boyer informed Council that the Solicitor for Service Nova Scotia and Municipal Relations reported no problems with the bylaw as written. However, the Town Solicitor suspects that a challenge to the bylaw could come from the Department of Natural Resources. The changes have been made, as advised by the Town Solicitor. John noted that if a letter of authority is received, this bylaw would not be required. However, at this time no letter has been received and there has been no response to indicate when a letter may be received. John will be making a presentation in regards to this matter at Province House on November 17, 2005. Amery reminded Council that the Town is prepared to post signage and construct barriers as soon as the bylaw is passed.</p> <p><b>Motion #3</b> <b>It was moved by John Kinsella, seconded by Sherman Hudson that a recommendation be made to Council to proceed with second reading of the Off Road Vehicle Bylaw.</b></p>		

**NEW BUSINESS**

<b>Item</b>	<b>Decision / Action</b>	<b>Responsibility</b>	<b>Target Date</b>
<p>1. Quotes for completion of main floor bathroom and basement stairwell.</p>	<p>Melony Robinson explained the work that is to be completed. The money remains in the operating budget for the work. The basement stairwell requires a new ceiling, wainscoting and floor sanding. The main floor washroom should have the floors restored to the original wood and a new sink installed. There were comments made that perhaps other quotes should be explored. Melony explained that it was not easy to find other contractors willing to work on the building, the main reason being the age of the building. She also noted that Annapolis Builders have been very accommendating and have done satisfactory work in the past. It was agreed that additional quotes were not necessary. The funds are available and accounted for in the operating budget. Approval was given to go forward with the repairs. No motion was required.</p>		

<p>2. Request for Donation from the Halifax Pride Committee.</p>	<p>Amery stated that the only outside Festival that the Town has supported is the Apple Blossom Festival. Jane Dewolfe noted that if funds were available for donation she would rather see the donations be made to local events and committees.</p>		
<p>3. Building Code Act Changes</p>	<p>Changes are proposed for the Building Code Act and a letter was received from the Warden of Inverness requesting support of the amendments. The changes would require that newly hired Building Inspectors to be fully trained on date of employment. Tim Leslie has been consulted and he is in agreement with the proposed changes.</p> <p><b>Motion # 4</b> <b>It was moved by John Kinsella, seconded by Sherman Hudson that a recommendation be made to Council to support the proposed changes to the Building Code Act.</b></p>		
<p>4. Invitation to attend forum on Pesticide Use Reduction</p>	<p>Some discussion was held and it was determined that neither the Mayor nor Council were available to attend.</p>		
<p>5. RDA - Consultation Plan</p>	<p>John attended a meeting of Mayors and Wardens to discuss the lack of a Regional Development Agency. He stated that the municipalities wish to proceed with a Regional Development Agency but the Provincial Government is not as supportive. The process will be moving forward however, Amery stated that consultations will be held in January and costs to the Town will be minimal.</p> <p><b>Motion #5</b> <b>It was moved by Doug Shaffner, seconded by Sherman Hudson to recommend to Council full participation in pursuing the establishment of a new Regional Development Agency.</b></p>		
<p>6. Town Website</p>	<p>Amery stated that the website needs refreshing. Troy Woodland has recommended some changes which include a more user friendly events schedule, better graphics and possibly a live web</p>		

	<p>cam. There is a plan to make the events schedule available to non-profit and other organizations so that they may post upcoming events. This may assist in solving the problem of event scheduling, particularly where two or more events are planned for the same evening. Melony and Amery both agreed that they believe \$5000.00 has been budgeted for this project, Melony will confirm.</p>		
<p>7. Annapolis County Community Events Guide</p>	<p>Focus 2005 was very pleased with the current Events Guide and they would like to take on the task for the year 2006, even though their responsibilities are winding down. John noted that he has seen the preliminary draft and it is similar to the present edition. John also noted that he has been informed that the proposed calendar for the upcoming year is well done. A financial contribution of \$2,000.00 is requested from the Town.</p> <p><b>Motion #6</b></p> <p><b><i>It was moved by John Kinsella , Seconded by Doug Shaffner to recommend to Council to support the proposed calendar and contribute the requested financial assistance.</i></b></p>		
<p>8. Policy for Records Management and Destruction</p>	<p>Amery stated that there is an old bylaw on the books that relates to records management and destruction and it should be updated. Concerns regarding destroying old documents were expressed. Amery assured members of Council that any documents that were considered to have historical value would be catalogued and stored. The updated bylaw will be presented at the next Committee of the Whole on December 7, 2005.</p>		
<p>9. Outstanding taxes</p>	<p><b><i>It was moved by John Kinsella, seconded by Doug Shaffner to write the tax accounts off for the following Town owned properties:</i></b></p> <p><b><i>assessment number 4641485 8 in the amount of \$1160.52</i></b>  <b><i>assessment number 4641442 0 in the amount of \$878.40</i></b>  <b><i>assessment number 92398 0 in the amount of \$602.25</i></b>  <b><i>assessment number 4997409 0 in the amount of \$6127.45</i></b></p>		

	<p><b>Motion carried.</b></p> <p>At this time Melony addressed an issue that was added to the agenda. She proposes to adopt an agreement for outstanding taxes, which is presently being effectively used by the Municipality of Digby. This agreement may assist the Town in collecting outstanding tax accounts that have been in arrears for a period of 2 years. The agreement offers the tax payer the opportunity to divide the arrears into 24 payments. Some discussion was held and it was agreed that the agreement should be reviewed by the Town Solicitor.</p> <p><b>Motion #7</b> <b>It was moved by Sherman Hudson, seconded by John Kinsella to recommend to Council to accept the tax agreement for outstanding taxes, pending review by the Town solicitor. Motion carried.</b></p>		
<p>10. Design statement for the Annapolis Royal Sewage Treatment Plant</p>	<p>A problem has been uncovered and increased capacity is required. An application for funding is before the Province. Spikes have occurred recently and it is assumed that they are the result of heavy rainfall. There does not appear to be any seepage but it has been proven that the proposed design is not sufficient. It was also noted that surface rain going into the lagoons is the result of storm drain run off and for this reason, storm drain work will remain high on the priority list. Amery said that this is the first report of a design problem and she will keep Council informed of any other problems that may arise.</p>		
<p>11. Vandalism at the Tennis Court</p>	<p>The letter from Susan Stopford was reviewed, as was the response letter. Amery said that Carl Cleveland was actually the first person to report the incident and it was agreed that he should also receive a copy of the letter from the Town. Public Works did an excellent job in responding to the complaint.</p>		
<p>12. Request for Decision - to contribute seed money to the naval</p>	<p>Amery stated that the Town has learned over previous years that it is beneficial to support these types of events. Businesses in the</p>		

<p>reunion in 2007</p>	<p>area would benefit from the people attracted by the reunion.</p> <p><b>Motion #8</b> <b>It was moved by John Kinsella, seconded by Sherman Hudson to recommend to Council to provide the requested seed money, if the funds are available. Motion carried.</b></p>		
<p>13. Framing Quotation</p>	<p>Amery stated that this was a discretionary project and no decision was needed today. There are important mementos in the building and Amery would like to see uniform framing to preserve the items. Doug Shaffner suggested that other quotes should be explored. Jane said that perhaps this should be dealt with but was not a high priority. Amery will seek other quotes and keep Council informed.</p>		
<p>14. Parking Lot Proposal</p>	<p>Amery informed Council that this proposal came from the Principal of AWEC who had already approached the Mayor, Dale Miller of the ARPD, and Public Works Superintendent Kevin McLean. Jane noted that this would represent considerable cost to the Town. Amery said that it could be incorporated into the pool project. The issue is apparently with non-students hanging out in the parking lot. Police have been asked to patrol the area. Other options are to fence off the entire lot. It was decided to await further reports before a decision is made.</p>		
<p>15. Outstanding Water</p>	<p><b>Motion #9</b> <b>It was moved by John Kinsella, seconded by Doug Shaffner that a recommendation be made to Council to write off the water account under bill card number 572 in the amount of \$83.39 the resulted from doubling billing. Motion carried.</b></p>		
<p>16. Revised copies of the Emergency measures Bylaw.</p>	<p>The bylaw had just been passed and when it was sent for ministerial approval it was discovered that there were errors. The necessary changes have been highlighted. They are substantive, so the bylaw must go to first reading.</p> <p><b>Motion #10</b> <b>It was moved by Sherman Hudson, seconded by John</b></p>		



	<p><b><i>Kinsella to refer a revised edition of the Emergency Measures Bylaw to Council for first reading. Motion carried.</i></b></p>		
<p>17. Natal Day Report</p>	<p>Amery said that a lot of time has been spent on Natal Day and its future must be decided. After some discussion it was decided that hiring a student to plan and coordinate events may be the best option. The details will be worked out and the criteria for the student would be developed. Town staff would provide any necessary support.</p> <p><b><i>Motion #11 It was moved by Doug Shaffner, seconded by Sherman Hudson to recommend to Council to move forward with the option to hire a student to handle Natal Day. Motion carried.</i></b></p>		

**PUBLIC PARTICIPATION**

10:00 a.m. - Application for development agreement for 499 St. George Street, B&B in the R-1 residential zone, Michael Susnick.

In attendance for the Public Participation were Ryan Scranton, Kerra St. John, Heather Stairs and Michael Susnick.

Roger Sturtavant began the presentation by describing the development agreement as a planning tool, a flexible tool to facilitate effective land use. It is not a process of refusal or approval but a process of working out the details.

In the past, three room B & B's have been permitted in residential areas, subject to a development agreement. Roger spoke of the bylaw and agreements that would apply to this application. The pros and cons of the application were discussed. Roger explained all the restrictions and limitations, and how the application could only be refused if it contained unreasonable requests.

The floor was then opened to questions and an opportunity was given for all those involved to express their questions and concerns. Michal Susnick stated all that another B & B could only boost tourism. He also mentioned that there would be increased tax revenue for the Town. Heather Stairs commented that three room B & B's do not pay commercial tax. Roger confirmed this statement and it was determined that this agreement would not generate additional tax revenue from this property.

Heather Stairs also stated that tourism is on the decline. In July of this year, her business (The Hillsdale House) was only 68% full. She said that another B & B will only hurt similar businesses that are presently operating in Town. Michael Susnick responded by saying that tourism numbers are down everywhere and that is unfair to restrict new businesses from opening when this should be considered a benefit.

Kerra St. John also voiced her concerns regarding events and noise. She stated that for events being held at the B & B's there should be some limitations or cut off time to control the noise which affects the residents living near the businesses. Roger stated that there are regulations regarding noise and it is the responsibility of the owner to control such issues.

There were also some concerns addressed regarding Michael Susnick's intentions for the property. He had stated at a previous meeting that he had no intentions of operating the business but was interested in obtaining the agreement for the benefit of prospective buyers. Michael Susnick is now saying that he will operate the business and has every intention of moving forward with construction, licenses, etc. as soon as the agreement is finalized.

***Motion #12***

***It was moved by John Kinsella, seconded by Doug Shaffner that a recommendation be made to Council to continue with the process of the Development Agreement application of Michael Susnick, and to move forward in that process. Motion carried.***

There was further discussion on the limitations of the agreements and other concerns. Roger stated that Council was able to place any reasonable restrictions on the application that they felt were necessary. A limit of days can be placed on the application, referring to when the property will be open for business. John recommended that when there is the opportunity to review the MPS/LUB, all aspects be reviewed and appropriate changes be made. It was also noted that perhaps there should be a moratorium in place to control the numbers of B & B's in Town.

Concerns of Kathy Fearon and John Kinsella were expressed over the intentions of Michael Susnick. It was stated that his intentions are not clear and there seems to be some confusion over the agreement. Michael Susnick responded by saying that he does not understand the objections.

***Motion #13***

***It was moved by John Kinsella to make an amendment to the previous motion and to add a 90 day time restriction for business opening if the agreement was approved.***

At this time, Michael Susnick stated that he came her to negotiate in good faith and that a 90 day time restriction was unreasonable especially in the winter season. He said it would be virtually impossible to complete construction and inspection in the 90 day period.

Jane DeWolfe reminded Council that there was a motion on the floor and that a seconder must accept the amendment.

***Motion #13 was defeated with nay votes from Sherman Hudson and Jane DeWolfe.***

***Motion #14***

***It was moved by Kathie Fearon, seconded by Sherman Hudson that a recommendation be made to Council to proceed with the Development Agreement. Motion carried.***

All public participants left the meeting and the discussion continued. Roger suggested that an amendment be made to the land use bylaw to restrict B & B's to the commercial zones. He said that an amendment would be legal and clear. It could be introduced at the next Council meeting scheduled for November 19, 2005. This will not affect the Susnick application, but it will prevent similar situations from arising in the future. A public hearing for the amendments to the land use bylaw would create a freeze for any new applications.

**Motion #15**

***It was moved by John Kinsella, seconded by Elizabeth Ross that amendments be made to the MPS / LUB regarding restrictions on B & B's in the R1 residential zone. Motion carried.***

**PLANNING AND HERITAGE ADVISORY COMMITTEE (1:00 p.m.)  
BUSINESS ARISING**

1. Other	No business arising.		
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**PLANNING HERITAGE ADVISORY COMMITTEE  
NEW BUSINESS**

1. Heritage Strategy for Nova Scotia	A discussion primer and a submission specific to the Town were distributed to all members. Elizabeth Ross mentioned that she noticed blacks seem to be left out of the discussion. John will be making a presentation at the meeting tonight and assured Elizabeth that he would make note of that, and address it in his presentation. Jane DeWolfe encouraged all to attend the Fire Hall at 7:00 p.m. for the Task Force Session.		
2. Intentions for 20 Chapel Street	Correspondence from the prospective buyers for 20 Chapel Street was introduced as well as a picture of their plans for the property. Roger spoke of the property lines and other issues and said he has been dealing with the new owners for a few weeks and they are aware of all the options available to them as far as building on the land is concerned. He will continue to advise Council of any new information regarding the proposed construction, presently scheduled for 2008.		
3. ADPC -	Comments were made regarding the increase in development value		

Development/Building Permit Report	which is currently over \$1 million to date.		
4. Heritage Deregistration	One applicant has applied because she believes that the property would have more value as a commercial property. The property is located at 36 St. Anthony Street. Deregistration is a process that the home owner pursues on their own. Ryan Scranton will be notified so that he may photograph and document the property.		

**GENERAL / CORRESPONDENCE**

1. E-mail from Tim Leslie - amendments to the building Code Act - for information only.
2. Schedule for Professional Development for Municipal Councilors - November 24 & 25, 2005 - Sherman Hudson, Ron Boulding and Jane Dewolfe will be attending.
3. Receipt from the Annapolis Valley Regional School Board - for funds from the Harrison Trust transferred to the Board - for information only.
4. Report on Heritage Incentives - for information only.
5. Women and Municipal Government in Nova Scotia - for information only
6. Algonquins of Pikwakanagan - note to the Mayor - for information only
7. Letter from David Morse Re: Barbara MacDonald - for information only
8. Town of Antigonish amalgamation - Amery asked if Council wished to support the stand of Bob Wrye, if so a letter of support would be drafted.

***Motion #16***

***It was moved by John Kinsella, seconded by Doug Shaffner to support the letter of Bob Wrye, and to draft a letter confirming that position. Motion carried.***

9. Canada Post closing offices and plants - Canada Post is asking for support. John Kinsella and Sherman Hudson both stated that they have reviewed the information and are not comfortable in supporting the Union's position.
10. Minutes from the Atlantic Mayors Conference - for information only.
11. Special Election Meet & Greet - There are 3 candidates for the Special Election in the Town of Annapolis Royal. All are invited to attend the Meet & Greet to be held on November 17, 2005 at 6:30 p.m. at the Town Hall.
12. Thank you from Alan & Durline Melanson - comments were made that this was a very nice note that appeared by e-mail the morning after the Volunteer Recognition event.
13. UNSM - Response to questions posed by the rural caucus - for information only.

**IN CAMERA**

*Motion #17*

*It was moved by Doug Shaffner, seconded by John Kinsella to move in-camera to discuss personnel issues and negotiations relating to the water utility.*

*It was moved by Doug Shaffner, seconded by John Kinsella to move out of camera.*

**OTHER**

**NEXT MEETING** December 7, 2005 at 9:00 a.m.

**ADJOURNMENT**

*Motion #18*

*It was moved by Doug Shaffner that the meeting adjourn at 2:45 p.m.*

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