

**TOWN OF ANNAPOLIS ROYAL**  
**COMMITTEE OF THE WHOLE**  
**Draft Minutes**  
**October 4, 2006**

The monthly session of the Committee of the Whole was held on Wednesday, October 4, 2006 in the Council Chambers at Town Hall. In attendance were Chair Mayor John Kinsella, Councillors Ron Boulding, Phil Roberts and Sherman Hudson, CAO Amery Boyer and Administrative Assistant Jackie Longmire as recording secretary.

Regrets: Deputy Mayor Jane DeWolfe, Director of Finance Melony Robinson and Councillor Doug Shaffner

**CALL TO ORDER**

Mayor Kinsella called the meeting to order at 9:00 a.m.

**APPROVAL OF COMMITTEE OF THE WHOLE MINUTES**

September 6, 2006

**Motion # 1**

***It was moved by Councillor Roberts, seconded by Councillor Hudson, that the minutes dated September 6, 2006 be approved. Motion carried.***

**ADDITIONS TO AGENDA**

Under Presentations add:

1. Annapolis District Board of Trade - Executive Member Beth Halliday

**APPROVAL OF AGENDA**

October 4, 2006

**Motion # 2**

***It was moved by Councillor Boulding, seconded by Councillor Roberts, that the agenda for the Committee of the Whole meeting dated October 4, 2006 be approved as amended. Motion carried***

## **PRESENTATIONS:**

1. Annapolis District Board of Trade - Beth Halliday attended the meeting at the suggestion of Councillor Boulding who represents Council on the Board of Trade. Ms. Halliday said that communications between the Board and the Town were declining and have been doing so for the past 12 - 15 months. She said that communications have declined to the point of being unpleasant and unproductive. Ms. Halliday requested that the Board and the Town have more informal information sessions or meetings rather than “presentations” being made to Council. Mayor Kinsella explained that Councillor Boulding has been appointed by Council to represent the Town at the Board of Trade meetings. Mayor Kinsella was under the assumption that Councillor Boulding’s representation was sufficient as is Council representation on other boards and committees. Ms. Halliday said that is difficult for a Councillor to sit on a board without there being conflict of interest issues. She said there must be some other mechanism of communication and it is not appropriate that some issues are learned of “through the grape vine.”

Ms. Halliday said there are two points that she would like to make today. The first point being that the Chair of the Board of Directors Kevin Burnell has been persuaded by the board to continue in his position. Mr Burnell had resigned earlier this week saying there were stresses outside of the job that forced him to resign. Ms. Halliday’s second point was that she was here on behalf of the Executive to extend an invitation to Mayor and Council to attend an informal meeting to discuss the communication problems as well as other issues.

Mayor Kinsella asked if there was a crisis within the Board of Trade. Ms. Halliday said there was no crisis. Mayor Kinsella said it is unclear why they are requesting such an unusual meeting. Ms. Halliday said that the Town representation on the board is obviously not working based on the communication issues and the board feels that the issues need to be addressed.

Councillor Roberts and Councillor Hudson both said that they were not aware of the issues and were confused by the discussion. Ms. Halliday said that she had copies of e-mail communications and would review them with Council. CAO Boyer said she would forward all the communications to the Councillors to bring them up to date. Councillor Roberts said he would not be opposed to the informal meeting that was requested. Mayor Kinsella said a list of available dates and times would be forwarded to the Board of Trade and a meeting could be arranged.

Ms. Halliday was thanked for her comments.

Mayor Kinsella later explained that he had received an e-mail from Mr. Burnell that was inappropriate and insulting. He replied to the e-mail asking why he was being addressed in such a manner. Apparently the e-mail contained emotional content and it was this correspondence combined with other issues that sparked the original resignation of Mr. Burnell. Mayor Kinsella suggested that the Board of Trade be involved in the Strategic Planning meetings that are being planned for November. Mayor Kinsella asked Councillor Boulding if he felt that the board required special attention from Council. Councillor Boulding said no.

CAO Boyer said that there had been a good working relationship with the board in the past. She said that the decline in communications appears to have begun after the Tourism Destination Area Committee was formed. The Town and the County are supportive of the TDA, however ADBOT is

not.

All correspondence will be reviewed by Council and CAO Boyer will make a recommendation at the next meeting of Council on October 16, 2006.

2. Michael Susnick attended the meeting to speak to Council about the Town's policy that calls for removal of trees infected with Dutch Elm Disease. He read a portion of a letter that was recently sent to him by the Town regarding removal of trees from his property. He said the paragraph was unrealistic and he wanted to give Council background on his elm tree experiences in the Town.

Mr. Susnick explained that he first met Arborist David Lee in 2005 when a tree on his property was identified as having Dutch Elm Disease. The tree was girdled and removed at his expense. He said he has since learned more about the disease and believes that the trees could be enjoyed and remain standing for a few years after they are identified as having the disease. Mr. Susnick said that there seems to be a selective process in effect and some trees are removed before others. He questioned why the Town did not take care of three particular trees that were Town owned and had displayed signs of extensive disease. Mr. Susnick said that he now has 6 trees that have been marked for removal in 2006 - 2007. He has had the trees tested at his own expense and should have the results later this month.

Mr. Susnick asked Council to consider an alternative for the trees that have been affected. He said inoculations may extend the trees' life and he would be willing to do that even though it is costly. He said that trees at the Historic Gardens have been inoculated. He asked that the bylaw be applied fairly, consistently and completely or that the trees be left until they die a natural death. Mr. Susnick went on to say that the Town's bylaws in general seem to be ignored. He made specific reference to the Unsightly Premise and Historic Preservation Bylaws.

CAO Boyer said the Tree Task Force dissolved when arborist David Lee was hired by the Town. She said that perhaps a committee should be formed again to address the issues. The Town does have a committee that evaluates trees for heritage designation and this committee could align with the old task force from Historic Gardens. CAO Boyer said she has sent a request to the Historic Gardens Manager Trish Fry to inquire about the re-establishment of the task force.

Councillor Roberts asked why the trees could not stand until they absolutely had to be removed. CAO Boyer said that David Lee feels that the infected trees are unsightly as well as a safety hazard. If the trees are not removed and cause damage to property or person the Town is liable. Mayor Kinsella said the cost of removal is not a concern to the Town. The Town's primary responsibility is health and safety.

Mayor Kinsella thanked Mr. Susnick for his comments and said his words would be considered. It was agreed to invite David Lee to a future meeting of Council to answer questions and address the concerns. CAO Boyer said that the Town now has access to a specialized individual whose knowledge would be beneficial to a Tree Committee.

## BUSINESS ARISING

Item	Decision /Action	Responsibility	Target date
1. Human Resources Manual	The review of the draft manual has been completed. All comments, questions and concerns will be addressed; a final copy will be submitted for approval.		
2. Managing e-mail	Due to time restrictions, this matter was tabled to a future meeting of Council.		
3. Request for support re: Employment Insurance	<p>The e-mail message offered more information as requested by Council. The Municipality of Queens is asking other Towns and Municipalities to offer a letter of support in attempting to have the number of employment insurance qualifying hours reduced.</p> <p><b><i>Motion #3</i></b>  <b><i>It was moved by Councillor Boulding, seconded by Councillor Hudson to recommend to Council to draft a letter of support regarding the lowering of employment insurance qualifying hours in Southwestern Nova Scotia.</i></b></p>		
4. Heritage Tree Designation	<p>The evaluation has been completed by the Heritage Tree Designation Committee.</p> <p><b><i>Motion #4</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Councillor Boulding to recommend to Council designation of the elm tree located at 616 St. George Street.</i></b></p>		
5. Building Bylaw	CAO Boyer said that the Annapolis District Planning Commission has made some changes to the rates and these changes are not reflected in the bylaw. The rates will be an attachment to the bylaw.		

	<b><i>Motion #5</i></b> <b><i>It was moved by Councillor Boulding, seconded by Councillor Roberts first reading of the Town of Annapolis Royal's Building Bylaw.</i></b>		
6. Plowing the lot of the Baptist Church	CAO Boyer spoke to Mr. Pettit of the Baptist Church and learned that the Town plowed the lot when the Champlain Elementary School was in operation and the space was needed to park the school buses. Mr. Pettit confirmed that the lot is not used for that purpose anymore. CAO Boyer conducted an e-mail poll and the majority of the Councillors agreed that a letter should be sent to the Church confirming that the Town will not be plowing the parking lot anymore.		

## NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
1. Water Tests	Water tests have been reviewed by the CAO and found to be within the required parameters.	CAO	
2. Capital Investment Plan Resolution for Council's consideration	CAO Boyer recommends that the Town adopt a resolution for developing and piloting a capital investment plan. The report was reviewed by Mayor and Councillors before the meeting.  <b><i>Motion #5</i></b> <b><i>It was moved by Councillor Hudson, seconded by Councillor Roberts to recommend to Council that the Town adopt a resolution for developing and piloting a capital investment plan that will be coordinated by the CAO and that will follow the workplan suggested by Service Nova Scotia and Municipal Affairs and Municipal Finance Corporation.</i></b>		
	The letter from the school was reviewed. The school is having		

3. Letter from AWEC	problems with non-students hanging around the parking lot. The principal has asked for regular police checks in the parking lot. It was noted that this correspondence will be reviewed at the next Board of Police Commissioners meeting. Council has requested a report on the issue from Chief Campbell.		
4. Historic Gardens Assessment	The assessment for the parking lot at the Historic Gardens has been changed from residential to commercial and the Director of Finance is recommending that this be added to their list of property tax reductions. Council has requested more information and the recommendation has been tabled until the next meeting of Council on October 16, 2006.		
5. Municipal Vacation Policy Survey	The information was gathered by Recreation Director Grant Potter. It is in the context of the Human Resources Manual. Questions or comments will be addressed at a later date.		
6. Workshops for Council	For information only.		
7. Agreement with the Town, Ducks Unlimited and Trans Canada Trails	The Town Solicitor has reviewed the agreement and there is no new or additional information. The Town is responsible for maintenance of the trail.		
8. LEED Buildings	CAO Boyer has been communicating with White Rock, BC. They have a LEED building and CAO Boyer has been exploring the possibility of LEED buildings in Annapolis Royal. The Director of Municipal Operations for White Rock recommends energy efficient building. CAO Boyer has also talked to the CAO from the County of Annapolis and he is interested in obtaining more information on a new energy efficient Public Works building. CAO Boyer said that there is a fee to get involved but she believes that it would be worth it to gain access to the informational experience of others.		
9. FCM's Canadian Brown-fields 2006 Conference	For information only.		

10. Invitation to Destination Southwest Nova Scotia meeting	Council thought it was important for a representative to attend the meeting. Councillor Boulding will attend. The information will be forwarded to Councillor Shaffner and Deputy Mayor DeWolfe for their consideration.		
11. Report on recent meeting between members of Council and the Pool committee.	<p>CAO Boyer said that all members of Council present had attended the pool meeting last week. The Pool Committee made a recommendation to Council to proceed with the build.</p> <p><b><i>Motion #6</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Councillor Boulding to recommend to Council to proceed with the pool build under the new plan to construct the pool and mechanical room only. The building and other structures will be completed at a later date.</i></b></p>		
12. Update and discussion re: Regional Development Authority	CAO Boyer explained that the development of the RDA has encountered some problems at the provincial level. She said that there are decisions to be made. She said after a meeting with CAO Keith Robicheau from Annapolis County they have come up with the following options: not to proceed with the development and forego the 2/3 funding from the Province and the federal government, join an RDA in another area such as Yarmouth and Queens County, or cover the costs of the search for Executive Director with municipal funds only. CAO Boyer said she will discuss the options with the six other municipalities involved in the process. Mayor Kinsella said that the CAOs have worked hard to bring forward the documents and the Province is not cooperating. He said that Warden Peter Newton is talking to senior bureaucrats and he will call for a meeting with the Minister if this is unsuccessful. He stressed that it was important for the RDA to get established as soon as possible.		
13. Request for Town share for new 30 foot bus.	The County of Annapolis wants to put a new bus on the Bridgetown/Annapolis Royal/Cornwallis run. The bus will cost approximately \$303,561.00 plus taxes; the Town's share would be about \$30,000.00. CAO Boyer said this would be a budget		

	commitment for the next fiscal year. Everyone agreed that ridership may increase if a new bus is purchased. The bus that is currently doing the run was bought second hand and is in poor condition. Council was asked to review the specifications of the bus and make a decision at the next meeting of Council on October 16, 2006.		
14. Communities in Bloom recognition	Members of Council agreed to send a letter on behalf of Council to all committee members and others who deserve special recognition. An open letter will go to businesses and residents thanking them for their efforts during the Communities in Bloom competition.		

**PLANNING AND HERITAGE ADVISORY COMMITTEE 10:00 a.m.**

In attendance for the Planning and Heritage Advisory Committee meeting and presentations were: Ian Lawrence, Elizabeth Ross and Kathie Fearon.

**BUSINESS ARISING**

Item	Decision/Action	Responsibility	Target Date
1. Heritage Day	CAO Boyer said that Heritage Day takes place on February 19, 2007 and this would be a perfect opportunity for an event weekend. The Building Awards Program will be launched on this day and other ideas such as a conference hosted by Annapolis Heritage Society were discussed. PHAC will work through the ideas for a Heritage Day Weekend. There is also an opportunity for a Fall Charter Day event or weekend.		

**NEW BUSINESS**

Item	Decision/Action	Responsibility	Action



1. Application for changes to Heritage Property	<p>The Scotiabank application had been previously approved by Council. There were concerns raised about the signage on the property. The illuminated plastic sign that is attached to the building was never approved by PHAC. A letter was sent to the representative of Scotiabank addressing the concerns with the sign. The representative has since requested information on proper signage and has indicated that they will remove the current sign and erect one that is more appropriate. A letter will be sent to Scotiabank thanking them for their efforts and consideration.</p> <p><b><i>Motion #7</i></b> <b><i>It was moved by Councillor Boulding, seconded by Ian Lawrence to recommend to Council approval of the application for changes to Heritage Property located at 219 St. George Street. .</i></b></p>		
2. Application for changes to Heritage Property	<p>The application is for a side vent to be inserted on the side of 241 St. George Street. The owners are installing a new furnace and the side vent is the non-obtrusive option.</p> <p><b><i>Motion #8</i></b> <b><i>It was moved by Councillor Hudson, seconded by Elizabeth Ross to recommend to Council approval of the application for changes to Heritage Property located at 241 St. George Street.</i></b></p>		
3. Application for changes to Heritage Property	<p>This application was to install a barber's pole on the front of the building. The Committee and Council did not have an issue with the pole but the application indicated that the stripes on the pole would be pink rather than the traditional red.</p> <p><b><i>Motion #9</i></b> <b><i>It was moved by Councillor Hudson, seconded by Councillor Boulding to recommend to Council approval of the application for changes to Heritage Property located at 6 Drury Lane with the condition that the colours of the pole be the traditional red and white.</i></b></p>		

4. Development/Building Permit Report	For information only.		
5. Development Permit - 30 St. James Street	<p>Mayor Kinsella asked Councillor Boulding to Chair the meeting to discuss this issue. The development application is for Mayor Kinsella's property located at 30 St. James Street. He wishes to construct a garden shed in the back corner of his property which is next to a heritage property.</p> <p><b><i>Motion #10</i></b>  <b><i>It was moved by Kathie Fearon, seconded by Elizabeth Ross to recommend to Council approval of the development application for 30 St. James Street.</i></b></p>		
6. Application for changes to Heritage Property	<p>Tina's Blossom boutique has new owners and they have applied for permission to erect new signs. A picture of the proposed sign was reviewed.</p> <p><b><i>Motion #11</i></b>  <b><i>It was moved by Councillor Roberts, seconded by Ian Lawrence to recommend to Council approval of the application for new signage located at 253 St. George Street, with the condition that the proposed sign does not exceed the size restrictions established by the Annapolis District Planning Commission.</i></b></p> <p>Councillor Boulding voted nay to the above motion.</p>		
7. Application for changes to Heritage Property	<p>The application is for new shingles on the Carriage House of the O'Dell Museum. The wooden shingles are in poor condition and they will be replaced with asphalt shingles that have the look of wood. Ian Lawrence explained that the building has been moved onto a foundation and will be transformed into a storage area. He said that the plan is to get the building tight on the outside and then apply for other alterations.</p> <p><b><i>Motion #12</i></b></p>		

	<i>It was moved by Kathie Fearon, seconded by Elizabeth Ross to recommend to Council approval of the application for changes to Heritage Property located at 146 St. George Street.</i>		
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#### GENERAL / CORRESPONDENCE

1. Thank you letter from Lifeplex - for information only.
2. Thank you letter from the Annapolis District Board of Trade - for information only
3. Letter from the City of Charlemagne regarding its 100<sup>th</sup> anniversary celebration - for information only.
4. Letter from the Municipality of the District of West Hants - for information only.

#### GENERAL DISCUSSION

5. Elizabeth Ross offered some information on the Building Awards Program. A Task Team of PHAC reviewed all the information and correspondence from the previous awards and have recommended some changes. The recommendations will be distributed to Council for consideration. Ms. Ross also talked about Charter Day and how the presentation of the awards could be made during celebrations centred around that day. All recommendations will be reviewed and discussed at the next Committee of the Whole meeting scheduled for November 8, 2006.

**NEXT MEETING** November 8, 2006 at 9:00 a.m.

#### ADJOURNMENT

*It was moved by Councillor Roberts 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		