

**Town of Annapolis Royal  
Regular Council Meeting  
Approved Minutes  
December 16, 2013, 6:00 pm**

**1. PRESENT:** Mayor Michael Tompkins, Deputy Mayor Pat Power, Councillor Sherman Hudson, Councillor Byron Mersereau, Councillor Paul Paquette, CAO Carol St-Amour, Recording Secretary Sandi Millett-Campbell and Adrian Nette (Waterfront Development).

**2. REGRETS:** None

**3. CALL TO ORDER:** Mayor Tompkins called the meeting to order at 6:04 pm.

**4. APPROVAL OF COUNCIL MINUTES:**

**MOTION 1**

It was moved by Councillor Hudson, seconded by Councillor Paquette to approve the minutes of the Town Council meeting held November 18, 2013 with the following amendments, Page 3 and Page 4 delete "David Fisher" and insert "David Floyd" and Page 7, Motion 20, delete "seconded by Councillor Mersereau" and insert "seconded by Councillor Paquette". **CARRIED.**

**5. ADDITIONS TO AGENDA:**

11. New Business x. FCM Conference

**6. APPROVAL OF AGENDA:**

**MOTION 2**

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

**7. PUBLIC INPUT:** None

**8. PRESENTATIONS:**

CAO St- Amour advised she received a telephone call from Matt Willett, Leading Superintendent, Hydro and Wind and due to road conditions, Matt and Vice President Mark Sidebottom, and Sr. Director of Government Relations and Legal Counsel Gerald Weseen are not coming to tonight's Council meeting. They have tentatively booked to attend the Wednesday, January 8th, 2014 Committee of the Whole meeting.

- i. Matt Willett & Leading Superintendent, Hydro & Wind Nova Scotia Power re: Safety and Incidents
- ii. Malcolm Francis and Rob Lawry or Duane Barteaux re: Water Rescue Experiences in Annapolis Basin-River/Causeway Area

**9. PUBLIC HEARING:** None

## **10. BUSINESS ARISING:**

### **i. Applications AR13-021-HER 324 St. George Street**

CAO St-Amour advised an e-mail was received from the applicant withdrawing the application and requesting a return of the paid permit fee.

### **MOTION 3**

It was moved by Councillor Paquette, seconded by Deputy Mayor Power to refund 50% of the permit fee for Application AR13-021-HER, as per the Schedule of Fees. **2 Nay Votes, CARRIED.**

Councillor Mersereau suggested that all the fees be refunded as this was an unusual occurrence and there may have been confusion as there was discussion regarding a building permit, discussion regarding the PHAC approval and he received reasonable reception at both of those levels and the encroachment is where the concerns arose with snow clearing and pedestrian access; this was a 3 step process. Councillor Mersereau stated he could not support the motion. Mayor Tompkins noted the Town has a Fee Schedule and 50% of the fee is refundable upon abandonment or withdrawal of an application and the motion supports this.

### **ii. Christmas Extravaganza Shuttle**

Councillor Paquette advised the people who used the shuttle were very pleased with the availability of the shuttle, used by approximately 30 riders. It took 20 minutes to do a full circuit with the spacious 14 passenger bus, the bus driver was really good and the bus was wheelchair accessible. Suggestions for next year are to advertise with signs and advertise both the shuttle and parking at the Farmers Market in the Spectator and Courier newspapers, include a pickup at the Senior's Home.

### **iii. Annapolis Partnership Steering Committee & Protocol Document – Revised**

### **MOTION 4**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to a) rescind Motion 22 from the Regular Council meeting dated September 16, 2013 where at Council approved execution of the Protocol Document in the form of the September 13, 2013 Draft and that b) Council approve execution by Mayor Tompkins on behalf of the Town of the Regional Protocol Document in the form of the December 5, 2013 Draft. **CARRIED.**

It was noted that the Town of Bridgetown has adopted the revised document.

## **11. NEW BUSINESS:**

### **i. Financials April 1- November 30, 2013**

- a) Town Operating Income Statement
- b) Town Operating Balance Sheet
- c) Water Utility Income Statement
- d) Water Utility Balance Sheet
- e) Water Capital Balance Sheet
- f) General Capital Balance Sheet
- g) Reserve Capital Balance Sheet

Councillor Mersereau noted unpaid taxes are 29% higher than last year according to the presented information and he looks forward to reviewing the arrears list in January; also after reviewing the November 30, 2013 compared to the November 30, 2012 and in relation to same period last year the revenues are down 24 thousand and the expenditures are down 18 thousand a bottom line of \$6,000 less. Councillor Mersereau requested the income and expense reports to include last year's figures for comparison if not too much work as this would be helpful information. Mayor Tompkins inquired if the line item for the deed transfer revenue included most recent sales the answer being no; and public works back hoe labour line item 0123134C and line item 0123230Z streets asphalt, requested an update from Superintendent of Public Works McLean.

ii. **Council Committees and Representation**

CAO St-Amour advised that Adrian Nette and Sefton Squires would put their names forward for reappointment to PHAC as of December 2013, and with regards to the Board of Police Commissioners Jerri Costa would like to vacate her position, with respect to MEDC there are two citizen members Adele MacDonald and Bill Monk who would like to be reappointed, Jim McGinis does not want to be reappointed but would sit on a sub-committee of MEDC, Paul Sanford wishes to vacate his appointment to MEDC due to other commitments. The Twinning Committee does not have a Council representative. Mayor Tompkins noted there is twinning with Royan France and Annapolis Maryland. Councillor Mersereau advised two items are being discussed, financing twinning activities and Town representation on the Twinning Committee.

**MOTION 5**

It was moved by Councillor Paquette, seconded by Councillor Hudson to include the Twinning Committee as a sub-committee of the Marketing and Economic Development Committee of the Town of Annapolis Royal. **CARRIED.**

**MOTION 6**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette, that a) it was agreed to reappoint Councillor Hudson and Councillor Paquette to the Planning and Heritage Advisory Committee; and it was agreed to reappoint Deputy Mayor Power as Chair and Councillor Mersereau as Secretary to the Board of Police Commissioners; and it was agreed to extend the appointment of Adrian Nette and Sefton Squires to the Planning and Heritage Advisory Committee until December 2015 (noting Ern Dick and Ian Lawrence PHAC term expires December 2014); and to reappoint Councillor Mersereau and Councillor Paquette to the Marketing and Economic Development Committee and to reappoint Adele MacDonald and Bill Monk to MEDC for one term; and to reappoint Councillor Paquette and to appoint Councillor Hudson to the Traffic Flow Advisory Committee; and to reappoint Councillor Hudson and Councillor Paquette to the Annapolis Pool Committee; and to reappoint Deputy Mayor Power and Councillor Paquette to the Human Resource Committee; and to reappoint Mayor Tompkins and Councillor Hudson and Deputy Mayor Power (as alternate) to the Regional Emergency Management Office; and to reappoint Mayor Tompkins, Deputy Mayor Power and Councillor Hudson (as alternate) to the Annapolis Partnership Steering Committee; and to reappoint Mayor Tompkins to the Annapolis County Mayors and Wardens; and to reappoint Councillor Hudson to the Granville Ferry Source Water Protection Advisory Committee; and to reappoint Councillor Hudson to the Valley Waste Resource Management Committee; and to reappoint Peter Davies as Town Crier and Valerie Davies as Consort; and b) to advertise for a citizen representative to the Board of Police Commissioners; and to advertise for two representatives to the Marketing and Economic Development Committee. **CARRIED.**

## **MOTION 7**

It was moved by Deputy Mayor Power, seconded by Councillor Hudson to provide Adrian Nette the opportunity to give a short update regarding the waterfront development. **CARRIED.**

Adrian Nette advised Town Council that ACOA funding has been applied for and hoped for installation of guest moorings this season but received a letter from ACOA stating that if the project was started prior to approval of the funding the application may be denied, the ACOA application announcement was held August 23, 2013 and the season had passed; missed some good low tides in the middle of July; did get dredging done December 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>, good deep water channel of the basin to the floating dock area, dock with steel sheeting on it will go up and down with tides including an articulating gangway with handrails, 3 of four moorings are in right now and permits applied for; Land Improvements ineligible expense aspect of dredging not included, deposited 65 loads of dredge material at the public works yard, reinstated culvert, did due diligence. By the spring will be installing or creating a good ground foundation for a paved ramp way for boat launch and fire department use for zodiac placement into water for rescue missions. Road will be paved in spring, over winter will get fourth guest mooring in place and at that time could be placed on Town website including rate per day for guest moorings fees. Adrian Nette noted there should be a kickoff for the grand opening of the wharf ahead of the upcoming tourist season. With regards to the area above the causeway the plans call for the development of the field between the tidal power plant and where the causeway goes to shore again at Granville Ferry, have applied for a long term low cost lease of the land for parking areas, grass areas and floating dock area. Nova Scotia Transportation and Infrastructure Renewal Department extended the guardrail around the corner to where the second driveway will be located; there will be two driveway entries to the area.

Deputy Mayor Power noted in the past a member of Council sat on the Committee and inquired if it would be beneficial to have a member of Council sit on the Waterfront Development Committee. Adrian Nette suggested that at the end of the project ACOA requires an impact report and the Town can offer input then.

Adrian Nette departed the meeting at 7:25 pm.

### **iii. Vending By-law 2014 – First Reading**

## **MOTION 8**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to approve 1<sup>st</sup> reading of the Vending By-law 2014. **CARRIED.**

### **iv. Policy re: Fees Schedule**

## **MOTION 9**

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to receive the Fee Schedule for information. **CARRIED.**

Administration will provide a more updated Fees Schedule at a future meeting.

### **v. Valley Region Solid Waste-Resource Management By-law 2014 – First Reading**

## **MOTION 10**

It was moved by Councillor Mersereau, seconded by Councillor Hudson to approve 1<sup>st</sup> reading of the Valley Region Solid Waste Resource Management By-law 2014. **CARRIED.**

**vi. School Review Process Discussion Paper & Consultation**

Councillor Mersereau suggested reserving discussion until the in-camera item ii.

**vii. Policy re: Service Awards**

Councillor Mersereau advised that he has concerns considering parts of a policy in isolation of an overall compensation policy.

It was agreed to have the Human Resources Committee and Administration draft a whole compensation package and provide a report back to Council for their consideration.

**viii. Daurene Lewis Memorial**

Deputy Mayor Power advised it is coming up to the one year anniversary of the passing of Daurene Lewis and suggested a memorial by way of renaming Chapel Street to Daurene Lewis Lane in honour of the significant contribution that Daurene Lewis made to the Town as a Mayor and as a resident. Councillor Mersereau suggested that there may be significant historical significance to the naming of Chapel Street. Mayor Tompkins suggested the trail between St. Anthony and Prince Albert could be named after Daurene Lewis.

Discussion was held regarding erecting a sign recognizing Daurene Lewis on the trail portion between St. Anthony and Prince Albert. Administration will investigate the historical significance of Chapel Street, other possible options to recognize Daurene Lewis and bring a recommendation to the Committee of the Whole.

**ix. Donations Policy**

Councillor Mersereau suggested proper definition between a donation and a grant; exclude in memorial donations, suggested Council have authority to provide a donation if a request is received after March 15<sup>th</sup> as an exception.

It was agreed to have Administration bring a recommendation forward to the January meeting of the Committee of the Whole.

**x. FCM Conference**

It was noted the FCM Conference is scheduled to be held in Charlottetown, PEI in February, 2014.

**12. RECOMMENDATIONS FROM COMMITTEE, BOARDS AND COMMISSIONS:**

**i. Planning & Heritage Advisory Committee from meeting of December 2, 2013**

**MOTION 11**

It was moved by Councillor Paquette, seconded by Councillor Hudson to hold a Special Council meeting for the purpose of a public hearing to be held in the Council Chambers of the Annapolis Royal Town Hall at 6:30 pm, January 14, 2014. The purpose of this Public Hearing is to invite comment from the public on the application to amend the Development Agreement with FM Developments Limited. **CARRIED.**

**MOTION 12**

It was moved by Councillor Hudson, seconded by Councillor Mersereau to approve the creation of a policy for heat pumps whereby administration can approve heat pumps that are placed on the side or rear of buildings unless placement thereof is an issue. **CARRIED.**

**AR13-039-HER – 396 St George St - Request for Changes to Heritage Building  
MOTION 13**

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that the applicant at 396 St. George Street be given heritage approval to add the five skylights, change a window to a door at the rear of the building, and add two heat pumps - one the side facing Prince Albert Road, and one at the rear of the building, as detailed in application AR13-039-HER, providing all conditions of the Land Use By-law are met. **CARRIED.**

**AR13-040-HER – 540 St George St – Request for Changes to Heritage Building  
Stairs from Church  
MOTION 14**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that the applicant at 540 St. George Street be given heritage approval to replace the stairs, as detailed in application AR13-040-HER, providing all conditions of the Land Use By-law are met. **CARRIED.**

**AR13-041-HER – 44 Prince Albert Rd – Request for Changes to Heritage Building  
MOTION 15**

It was moved by Councillor Paquette, seconded by Councillor Hudson that the applicant at 44 Prince Albert Road be given heritage approval to enlarge the dormer on the rear of the house to match the style, design and shape of the dormer in the front of the house, as detailed in application AR13-041-HER, providing all conditions of the Land Use By-law are met. **CARRIED.**

**AR13-042-HER – 210 St Anthony St – Request for Changes to Heritage Building  
MOTION 16**

It was moved by Councillor Hudson, seconded by Councillor Mersereau that the applicant at 210 St Anthony Street be given heritage approval to build a storage shed, as detailed in application AR13-042-HER, providing all conditions of the Land Use By-law are met. **CARRIED.**

ii. **Committee of the Whole meeting of December 4, 2013  
MOTION 17**

It was moved by Councillor Mersereau, seconded by Councillor Paquette that Council approve the Protocol for Regional Cooperation as amended. **CARRIED.**

iii. **Traffic Flow Advisory Committee (TFAC) of meeting held December 9, 2013  
MOTION 18**

It was moved by Deputy Mayor Power, seconded by Councillor Paquette that the CAO send a letter in response to the Annapolis Valley Regional School Board letter advising a student drop off on Champlain Street is agreed to in principle as long as the School Board includes a pull-in in front of Annapolis West Education Centre to fit a minimum of three (3) vehicles and that the student drop off be for the use of cars not busses.

Further, that the School Board can rebuild the stairs at their cost, a new sidewalk should continue to

the new student parking area and provide pedestrian access to the Town recreational facilities including the tennis courts and swimming pool without the public having to walk through a parking lot, that the student parking area should provide access for town residents to park during the summer months, that maintenance of all paved areas are the School Board's responsibility; and that all of the costs associated with this work would be the responsibility of the School Board.

**CARRIED.**

**MOTION 19**

It was moved by Councillor Paquette, seconded by Councillor Hudson that the CAO send a second letter to the Annapolis Valley Regional School Board advising there are drainage issues due to a natural spring and the School Board's plans should include a drainage system or French drain to alleviate the matter and that the Annapolis Valley Regional School Board can contact Local Traffic Authority McLean for information about the location of the spring. **CARRIED.**

**iv. Marketing and Economic Development Committee meeting of December 10, 2013**

**MOTION 20**

It was moved by Councillor Hudson, seconded by Councillor Mersereau that Council request Administration to pursue grant opportunities for installing an electrical vehicle charging station, and that the information be brought forward to Council's 2014/2015 Budget discussions. **CARRIED.**

**MOTION 21**

It was moved by Councillor Mersereau, seconded by Deputy Mayor Power that the Town of Annapolis Royal host a general recognition of Town Volunteers on its own instead of taking part with the County-wide Volunteer Recognition Night. All voted against. **MOTION DEFEATED.**

Discussion was held regarding volunteers, Town volunteers and people who live outside of Town limits and volunteer within the Town; cooperating with the County on a regional basis for volunteer recognition; and the Town nominating a volunteer for recognition.

**v. Board of Police Commissioners meeting of December 11, 2013**

**MOTION 22**

It was moved by Councillor Paquette, seconded by Councillor Hudson that overtime records be reviewed and updated and the lieu bank be brought up-to-date accordingly. **CARRIED.**

**13. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:**

**1. Mayor's Report** – Mayor Tompkins was part of a phone in meeting with REMO, attended a Steering Committee of the County/Towns and villages noting the push now is to get the protocol document signed, also attended tree lighting and parade of lights and the O'Dell Museum Victorian Christmas. Mayor's Open Office Hours were quiet, the Legacy meeting 2017 Celebration did a presentation at MEDC. Deputy Mayor Power suggested a letter of thanks be sent to the Board of Trade for their successful activities carried out throughout the year, including the Christmas Tree Lighting.

**2. Marketing and Economic Development Committee** – Councillor Paquette advised the Legacy Project 2017 presentation was made to MEDC, an opportune time for the Legacy Project, in terms of last winter's

brain storming session 3 sub-committees were developed, re-organize and prepare a marketing tool in terms of one event leading into the next event. The Committee viewed the entire video by Chris Cooper which will be released in the spring of 2014, in March 2014 the McLean's article about the top 10 Towns is coming out which includes Annapolis Royal. Councillor Mersereau mentioned the importance of the Town retaining the master copy of the entire video and the agreement thereof.

**3. ARRA** – Councillor Mersereau held a meeting December 9<sup>th</sup> and updated the information document and items on the list to be followed up, had communication with Councillor Heming of the County of Annapolis as he will be looking into the possibility of a climate change institute and the political will to make it happen and he is making progress with that.

**4. Planning Services** – Copies of the August, September, October, and November 2013 Planning Services Reports were distributed with the agenda.

**5. REMO** – Councillor Hudson advised there was a telephone conference held mainly for information purposes.

**6. Planning and Heritage Advisory Committee** – Discussed under item 12.

**7. Traffic Flow Advisory Committee** – Discussed under item 12.

**8. Police Chief Report** – November 2013

**9. CAO's Report** – CAO St-Amour provided a verbal update as follows: the 2014 Canada Day Grant application has been received, the Holiday Greeting on behalf of the Town has been written and will be in the Spectator, Sandi Millett-Campbell attended the New years Day Levee meeting held today, the Levee will be held from noon to 3 pm with agenda commencing at 12:15pm, Town Crier will attend, Mayor will provide a toast to Canada, Padre will say grace followed by luncheon, a poster will be placed on Town website and in January Town Crier advertising the New Years Levee, attended Human Resource meetings, attended Valley Waste Resource Management meetings, the window upstairs has been temporarily repaired and updated information regarding the Active Living Coordinator activities.

**10. Water Report** – Water test results have been viewed and are within the required parameters.

#### **14. OTHER BUSINESS:**

##### **MOTION 23**

It was moved by Deputy Mayor Power, seconded by Councillor Mersereau to extend the Council meeting by half an hour. **CARRIED.**

#### **15. CORRESPONDENCE:**

- i. Nova Scotia Economic and Rural Development and Tourism re: Regional Enterprise Networks
  - ii. Nova Scotia Economic and Rural Development and Tourism re: Regional Enterprise Networks
- Correspondence was received for information.

##### **MOTION 24**

It was moved by Councillor Paquette, seconded by Councillor Mersereau to move in-camera at 9:15 pm.  
**CARRIED.**

**16. IN CAMERA:**

- i. Reason (c) Personnel Matter
- ii. Reason (a) Acquisition, sale, lease and security of municipal property

**MOTION 25**

It was moved by Councillor Paquette, seconded by Councillor Mersereau to come out of in-camera at 9:50 pm. **CARRIED.**

**17. ADJOURNMENT**

**MOTION 26**

It was moved by Councillor Paquette, seconded by Councillor Mersereau to adjourn the meeting at 9:52 pm.  
**CARRIED.**

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Mayor Michael Tompkins

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CAO Carol St-Amour