

**Town of Annapolis Royal
 UNAPPROVED MINUTES Council Meeting
 January 18, 2023, at 6:00 p.m.**

1. CALL TO ORDER	Mayor Boyer called the meeting to order at 6:00 pm acknowledging that the meeting was taking place in the ancestral territory of the Mi'kmaq People
2. PRESENT	Mayor Boyer, Deputy Mayor Pat Power, Councillor Paula Hafting, Councillor Sanford, Councillor Michael Tompkins, CAO Millett-Campbell, Chief Mark Kane, Recording Secretary Krista Gear Members of the Public (who signed in) Danny McClair, Francis Boutin, Samuel C, Matt Smith, Ann Thompson, David Thompson, Theresa Porter, Thomas Dory, Sandra H, Jim McGinis, Seanna Pyne, Grace Ellis, Lesley Wright, Kevin Wright, Scott Kerr, Maggie Cotreau, Chris F, and Deb Ryan.
3. REGRETS	
4. ADDITIONS TO AGENDA	New Business 10.i. Request for Decision: Waxing of Gym Floor New Business 10.ii. Town Hall Roof Leaks In Camera Business iii. Legal Advice New Business iii. Letter of Concern/petition re Emergency Care
5. APPROVAL OF AGENDA	MOTION #C2023-01-18-01 It was regularly moved and seconded to approve the agenda with additions. Motion carried.
EDITS TO THE MINUTES	
6. APPROVAL OF MINUTES	MOTION #C2023-01-18-02 It was regularly moved and seconded to approve the minutes of Special Council Meeting Minutes of November 30, 2022 as amended. Motion carried. MOTION #C2023-01-18-03 It was regularly moved and seconded to approve the minutes of December 21, 2022. Motion carried.

7. PRESENTATIONS

PUBLIC HEARING for the Orderly and Peaceful Conduct By-law commenced at 6:03 pm. Mayor Boyer reviewed the rules stating that those who have signed in and wish to speak, will have 3 minutes to provide a statement, there will be no questions and answers at this time. Several members of the public opted to make statements. The following is a summary of these statements.

- Concerns regarding the potential negative effect on businesses who regularly offer live music
- Concerns that this by-law is seemingly directed at businesses
- Concerns regarding the need for clearer communication and input from the public on by-law matters
- Concerns that the 85-decibel limit is too low

- Concerns that this by-law will impact the vibrancy of the community
- Concerns that this by-law will negatively affect tourism
- Concerns that the Town exempts itself from the by-law, but requires others to seek permits and applications for exemptions
- Concerns that the loitering section of the by-law is anti-youth
- Frequently noted that people enjoy the nightlife, festivities, and activities in Town, and concern that this by-law could somehow prevent this from happening
- Concerns that this by-law could prevent backyard festivities
- Concern that the by-law targets begging

CAO Millett-Campbell explained the purpose of the public hearing and its process. That it is a legislative process that the Town is following as outlined by the Municipal Government Act (MGA) requiring 14 days notice prior to the second reading of a by-law. Mayor Boyer noted that there may be a problem with the MGA requirement of notice in newspapers, limited access, and distribution. Mayor Boyer also noted that four (4) written statements had been received. CAO Millett-Campbell noted that the notice was also posted on the homepage of the Town's website as well as the Town Crier Newsletter.

The Public Hearing closed at 6:30pm

8. PUBLIC INPUT: None

9. BUSINESS ARISING:

- i. Second reading of Orderly and Peaceful Conduct By-law

MOTION #C2023-01-18-04

It was regularly moved and seconded that Council approve second and final reading of the Orderly and Peaceful Conduct By-law. **Motion defeated.**

Discussion on the motion:

- Councillor Tompkins noted that clarification may be required under the exemptions to include commercial activities.
- Mayor Boyer noted that heat pumps and generators are mentioned twice
- Councillor Hafting noted that exemptions would be for length of time, not decibel level, and that applications for exemption are for a length of time, not for increased decibel levels.
- CAO Millett-Campbell noted that Town by-laws are enforced based on complaints only and that updates generally result from complaints received, noting that the current by-law was insufficient to effectively address the complaints received,
- Deputy Mayor Power noted that the Police Department has a decibel meter which it can use to measure noise level at point of reception, but that the existing by-law also leaves most of the enforcement up to the discretion of the responding officer
- Councillor Sanford noted that the only major change was the addition of the decibel levels, and the Town always had a bylaw which does allow businesses to

operate as normal and that is not going to stop. This is where the confusion seems to lie.

- Councillor Hafting noted that the Chief of Police provided some scenarios based on proposed by-law changes and read some of them.
- Mayor Boyer noted concern with the number of complaints, feedback received, and decibel levels and believes that the by-law should be re-examined.
- CAO Millet-Campbell requested direction for staff, e.g. current by-law remains in effect, remove decibel limits from the new by-law, include business exemptions, review loitering section.
- Mayor Boyer noted that historically there was a task team for the vending by-law, and that this also may be an option for this by-law. Majority of Council is in favour of having Staff prepare a new draft for consideration.

10. NEW BUSINESS:

- i. Request for Decision: Waxing of Gym Floor
CAO Millett-Campbell noted that ALC Scanlon sent in a request yesterday afternoon, based on community input regarding the floor being slippery, for waxing the gym floor. A quote was received for \$2005 + HST.

MOTION#C2023-01-18-05

It was regularly moved and seconded that Council approve the expenditure to wax the gym floor due to the safety concerns brought forward by the Active Living Coordinator, for the cost of \$2005 +HST, in the 2022-23 budget. **Motion carried.**

It was noted that there will be annual costs to be considered during budget deliberations as waxing needs to take place annually.

- ii. Town Hall Roof Leaks
CAO Millett-Campbell noted that over the weekend, the roof was leaking into the old Council chambers and from there into the new Police Department. It appears to be coming from one of the dormers on the pitched roof. One estimate was received today, and one will be coming tomorrow. It appears that the roof has been leaking for a while. There will likely be a significant financial impact for this repair.
- iii. Healthcare Petition
Councillor Hafting inquired about the possibility of a petition/letter of concern regarding the development of a comprehensive, targeted plan to reopen and extend the hours of the acute? care centre. There is one in Middleton that is gaining traction. Mayor Boyer noted that MLA Carman Kerr may be able to help and suggested a meeting with him to discuss options.

11. RECOMMENDATIONS FROM COMMITTEES, BOARDS AND COMMISSIONS:

Committee of the Whole

MOTION #C2023-01-18-06

It was regularly moved and seconded that Council approve the draft Annapolis REMO Comfort Centres & Emergency Shelter Policy # 2023-02. **Motion carried.**

MOTION #C2023-01-18-07

It was regularly moved and seconded that Council approve the draft Annapolis REMO Facility Comfort Centre Agreement template. **Motion carried.**

Deputy Mayor Power noted that it's REMO's decision if a Comfort Centre agreement is required.

MOTION #C2023-01-18-08

It was regularly moved and seconded that Council appoint Anne Crossman to the Marketing Economic and Development Committee for a one-year term ending December 2023. **Motion carried.**

MOTION #C2023-01-18-09

It was regularly moved and seconded that Council approve the updated Environment Advisory Committee Policy # 2023-01. **Motion carried.**

MOTION #C2023-01-18-10

It was regularly moved and seconded that Council give first reading of the Streets and Sidewalks By-law dated January 2023. **Motion carried.**

MOTION #C2023-01-18-11

It was regularly moved and seconded that Council set the Public Hearing for the Streets and Sidewalks By-law dated January 2023 as February 15, 2023, at 6:00 pm. **Motion carried.**

CAO Millett-Campbell noted that the changes include a contents page, additional definitions for clarity, added undertaking, cost responsibility, addition of an extension time for work not completed in 30 days, and addition of forms. This better reflects the process that is already in place.

MOTION #C2023-01-18-12

It was regularly moved and seconded that Council agree to the term for the gardening contract to be from April to October 2023, as per attached draft Request for Interest dated January 2023. **Motion carried.**

Councillor Tompkins noted his concerns regarding the Fortier Mills garden on the list stating that it is basically a tree garden and not sure why that is included. Councillor Sanford noted that Council previously discussed asking the gardeners to investigate less intensive gardening options in various locations.

Planning & Heritage Advisory Committee

MOTION #C2023-01-18-13

It was regularly moved and seconded that Council grant the applicant at 499 St. George Street heritage approval to add an accessory structure (gazebo) as detailed in application 23-01-HER, providing the requirements of the Land Use By-law are met. **Motion carried.**

It was noted that the picture of the property provided is lovely and similar in appeal to the Historic Gardens.

MOTION #C2023-01-18-14

It was regularly moved and seconded that Council grant the applicant at 164 St. George Street heritage approval for structural window changes at the rear and side of the property (only) which also change the material to vinyl but keep the same pattern as the windows in front, as detailed in application 23-02-HER, providing the requirements of the Land Use By-law are met. **Motion carried.**

It was noted that the front windows will remain wood and are not part of the application. The property will become a single family dwelling and will make a nice family home.

12. REPORTS FROM COMMITTEES, BOARDS AND COMMISSIONS:

- i. Mayor's Report
Mayor Boyer noted that her report was posted in the last edition of the Town Crier.
- ii. Chief Administrative Officer's Report
CAO Millett-Campbell highlighted a few items from her report including applying for new grants and finalizing previous grants, negotiating the sewer agreement with the County, as well as a second water source update; the engineer should have a report completed by the end of January.
- iii. Planning Services Report
For Council review
- iv. Water Report
For Council Review
- v. Marketing and Economic Development Committee
Attached as Appendix 1
- vi. Board of Police Report
Attached as Appendix 2
- vii. Twinning Committee
Mayor Boyer noted that, with the assistance of Executive Assistant Gear, the Committee is sending out invitations to the Dugua film on February 22.

- viii. Library Report
Deputy Mayor Power noted that there was no meeting of the regional board and that the Friends are meeting next week.
- ix. Traffic Flow Advisory Committee
Councillor Tompkins noted that the Committee is working on more parking at the skateboard park and just had some numbers from Public Works come in today. This will be presented to Council next month.
- x. IMSA Interim Board
Mayor Boyer noted that the meetings are coming in under two hours which is great considering the large budgets, \$6 million for Valley Waste, and over \$1 million for Kings Transit. The Interim Board continues to operate at a very high level and has agreed to hire a Finance Director to oversee both operations. The contractors overseeing operations are working out well and are very responsive to requests and inquiries.
- xi. Environment Advisory Committee
Councillor Hafting noted that the next meeting is January 25
- xii. Academy Condo Board
Councillor Hafting noted that she attended her first meeting last night with CAO Millett-Campbell. She further noted that repairs have been completed, designated parking spots being used by non residents is being investigated and that a motion was passed to give a rebate to the Town for fees associated with the Condo facilities not used by the Town but included in the fees charged to the Town.
- xiii. Friends of the Annapolis Pool Society
Attached as Appendix 3. Councillor Hafting read the announcement from the report.
- xiv. Accessibility Committee
Mayor Boyer noted that there is a meeting coming up and that she and CAO Millett-Campbell met with Peter Davies regarding the placement of benches throughout the Town. This will be referred to the Committee.

13. CORRESPONDENCE:

- iv. Community Generator Program
It was noted that the Town was successful in a grant application for \$41,000 for one large generator to support the Community Hub as a comfort centre.
- v. Tourism Digital Assistance Program
It was noted that the Town was successful in a grant application for \$15,000 to update the Town website, videos, and pictures specifically.

MOTION #C2023-01-18-15

It was regularly moved and seconded to move in camera at 7:35 pm to address previous in-camera minutes and matters of personnel, legal advice, and contract negotiations. **Motion carried.**

MOTION#C2023-01-18-17

It was regularly moved and seconded to move out of camera at 7:57 pm. **Motion carried.**

14. ADJOURNMENT

The meeting adjourned at 7:57 pm.

Amery Boyer, Mayor

Krista Gear, Recording Secretary

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Appendix 1

Marketing and Economic Development Report as Submitted by Councillor Sanford

Met Jan. 10th, 2023

- Elections of officers tabled until we have all members present (or most members)
- Anne Crossman put her name forward to sit on the committee. Next council meeting there will be a motion to accept Anne Crossman as a new member of the committee.
- Build NS Grant update: will meet Jan 24, 2023
- Tourism signage samples. Had several to review and have made a few adjustments and will be bringing updated samples to our next meeting.
- Date & time of meeting may change to help accommodate our members
- Discussion regarding members of the committee to participate on a virtual platform.
- Information about SCANS (Seniors College Association of Nova Scotia) was sent through correspondence. Sending a letter to the organization to find out more details.
- GENIE Grants for Encouraging New and Interesting Events. Council will determine whether the program will be funded during budget discussions for the fiscal year. Applicants can apply for grants and will be awarded funding based on a point system. The staff will be monitoring and collecting the applications.

Appendix 2

Board of Police Commissioners Report as Submitted by Councillor Sanford

Met Jan. 11th, 2023

- Election of chair and vice chair remain Don Droy and Mike Bernard.
- Chief Cane updated on an electronic ticketing system. Cost for program approx. \$2700.00 one time fee & \$250 annually. Further discussions during budget process.
- Chief Cane updated on record management system. New digital system would eliminate paper records. Cost approx. \$1500.00 for setup and \$1000.00 annual fee. Further discussions during budget process.
- No changes as of yet from DOJ

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Appendix 3

Friends of the Annapolis Pool Society Report as Submitted by Councillor Hafting

Pool Report - 18th January, 2023

- **Big Announcement: Introducing Aimee Daigle to the team.**

Since 2007, the Annapolis Pool has been run year-round by dedicated volunteers. Thank you to those volunteers, past and present, for bringing the pool to where it is today. As the pool board celebrates their recent growth, they see that they are ready to begin a new chapter and create a new position on their team - Executive Director/Certified Pool Operator. This role will bring professionalism and continuity into the pool operation from year-to-year, as well as bring stability, visionary planning, and support to the charitable organization that operates the pool. Aimee is already a leader in the community, having been employed as Centre Manager for the YMCA of Southwest Nova Scotia. She has a history of exceptional customer service, building successful teams, collaborating with local groups and providing excellent recreation programming in the local region. Welcome Aimee to the team and to this new position!

- The year-end report is complete.
- Planning for summer 2023 early season opening and late season closing is underway, pending guard availability.
- Grants are being applied for, deadlines being met.
- Some local youth have recently completed lifeguard courses. Staff succession planning ongoing.
- Thank you to all the community folks who contributed to the Holiday Donation Drive. Your generosity is much appreciated.
- Planning for a large fundraiser is underway. Stay tuned!