

TOWN OF ANNAPOLIS ROYAL
REGULAR COUNCIL
April 19, 2004
7:00 p.m.

The monthly session of the Council was held on Monday, April 19, 2004 in the Council chambers. In attendance were Chair Mayor J. Kinsella, Deputy Mayor T. Fry, Councillors J. DeWolfe, W. Morgan and R. Microys, A. Boyer CAO¹, M. Robinson Director of Finance, Roger Sturtevant Director of Planning for the Annapolis District Planning Commission, Administrative Assistant M. Feener as recording secretary. Also present were Bob Schaffner, Bonnie Baker, Peter Kramers, Wendy Trimper, Anne Esslinger, Dorothy MacDonald, Kathy Zeigler, Ken Seigler, Carol Ward from the VON, and Bill Clark from the Spectator. Regrets from Councillor M. Tompkins.

CALL TO ORDER **7:00 P.M.**

J. Kinsella called the meeting to order at 7:00 p.m.

APPROVAL OF REGULAR MINUTES **15/03/04**

Motion # 1

It was moved by J. DeWolfe, seconded by T. Fry, that the minutes of Regular Council held March 15, 2004 be approved as circulated. MOTION CARRIED

ADDITIONS/DELETIONS TO AGENDA **19/04/04**

APPROVAL OF AGENDA **19/04/04**

Motion # 2

¹ Chief Administrative Officer

It was moved by T. Fry, seconded by R. Microys, that the Agenda for Regular Council of April 19, 2004 be approved as circulated. MOTION CARRIED

PUBLIC HEARINGS

Mayor Kinsella called the public hearing to order at 7:00 p.m.

- {a} Development Agreement, 260 Prince Albert Road (1)
- {b} Development Agreement, 150 St. George Street (2)
- {c} Development Agreement, 683 St. George Street (3) (11)
- {d} Development Agreement, PID² # 05002837 (4)
- {e} Accessory Building Heights LUB³ Text (10)
- {f} Land Use By-law Amendment, 29 Victoria Street, Rezoning

R. Sturtevant reviewed the background of the above proposed changes to the above development agreements, the Land Use Bylaw and the Municipal Planning Strategy (copies with the original minutes).

Mayor Kinsella asked if anyone would like to make comments on the proposed development agreements, Municipal Planning Strategy and Land Use Bylaw amendments.

Mayor Kinsella mentioned that new information had come in from CARP⁴ concerning the proposed siting of EMC⁵ (email with original minutes).

² Property Identification Number

³ Land Use Bylaw

⁴ Clean Annapolis River Foundation

⁵ Emergency Medical Care (ambulance service)

Mayor Kinsella closed the public hearings at 7:25 p.m.

Councillor Rion Microys declared a conflict of interest and left the meeting.

Motion #3

It was moved by T. Fry, seconded by J. DeWolfe, that the Planning Advisory Committee abbreviations be replaced with the full title. MOTION CARRIED

R. Sturtevant reminded Councillors about Section 27.7 dealing with the criteria for approval. He reviewed all of the criteria including intent of MPS/LUB⁶ and other Town bylaws, financial capability of the Town, adequacy of services, proximity of service, road networks, potential for contamination of water courses, etc.

Motion #4

It was moved by T. Fry, seconded by J. DeWolfe that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Section 27.7 of the Municipal Planning Strategy and all related policies, that the proposed Microys development agreement for 260 Prince Albert Road be approved. MOTION CARRIED

Councillor Rion Microys then returned to the meeting.

Motion #5

It was moved by J. DeWolfe, seconded by R. Microys, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Section 27.7 of the Municipal Planning Strategy and all related policies, that the proposed Ciaflone development agreement for 150 St. George Street be approved. MOTION CARRIED

Motion #6

It was moved by W. Morgan, seconded by T. Fry, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Section 27.7 of the Municipal Planning Strategy and all related policies, that subject to the required Municipal Planning Strategy amendment the proposed Kramers development agreement amendment (amendment) for 683 St. George Street be approved. MOTION CARRIED

Motion #7

It was moved by R. Microys, seconded by J. DeWolfe, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Part 6 of the Municipal Planning

⁶ Municipal Planning Strategy/Land Use Bylaw

Strategy and all related policies, that Part 6.13 of the Municipal Planning Strategy be amend by adding the text “In case of a Residential Light Density (R1) zoned lot used for bed and breakfast use not exceeding 3 dwelling units, a maximum of one of the dwelling units may be created in a second building by the same means and criteria and with additional emphasis on neighbourhood compatibility”. MOTION CARRIED

Motion #8

It was moved by R. Microys, seconded by J. DeWolfe, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Section 27.7 of the Municipal Planning Strategy and all related policies, that the proposed EMC Development Agreement - PID # 05002837 be approved. MOTION CARRIED

Motion #9

It was moved by J. DeWolfe, seconded by R. Microys, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of the Municipal Planning Strategy and all related policies, that Part 4.17.1 (c) of the Land Use Bylaw be amended by adding the text “or incase of main building of 2 storeys of more, exceed 2/3 the height of the main building or 9m (29.5 ft.) whichever is the lesser” . MOTION CARRIED

Motion #10

It was moved by W. Morgan, seconded by R. Microys, that subsequent to the report of the planner; on recommendation of the Planning Advisory Committee, after holding a public hearing thereon; and following full consideration by Council of Section 6.6 of the Municipal Planning Strategy and all related policies, that the Zeigler parcels at 29 Victoria Street by rezoned from Residential Light Density (R1) Zone to Commercial General (C1) zone. MOTION CARRIED

PRESENTATIONS

- {a} VON⁷ Volunteer Services (8:15 p.m.) - Carol Ward stated that she was here to inform Council of the LIVE program “Living independently through volunteer efforts”. She said that there are 5 main programs - PEP program in Kings county and LIVE in the Annapolis County. She said that volunteers are screened and trained. The volunteer is then given a job description and paired up with a person. Phone a friend is another program; this allows people with disabilities to volunteer without having to leave their homes. She stated that there is a frozen meal program at a cost of \$5.00 per meal; these are very popular with over 500 being sold this year. Another program they hold is a foot clinic which is held twice each month. Volunteers schedule these appointments which helps to make the program affordable.

Bridgetown Legion has donated space for senior day care; this facility provides a hot lunch and snack for individuals who require 24 hour supervision. The cost is \$15 a day for this service. This allows caregivers time to relax and do things they would not otherwise be able to do. There are also 6 “lunch bunches” which provide a hot lunch at a cost of \$6.00.

⁷ Victorian Order of Nurses

On April 03, 2004, a volunteer workshop was held in Annapolis Royal; over 40 people attended.

VON put in a proposal for a one night and two day retreat for caregivers. They have been asked to put in a proposal for a two night and three day workshop for caregivers for time away.

Mayor Kinsella stated that their request would be considered during the Town's budget process and thanked her for all the work the VON does in the community.

{b} Dorothy MacDonald - Library Location (7:00 p.m.) - D. MacDonald gave an oral presentation and thanked Council for its time. She said that the purpose of this presentation was to find out what, if anything was happening with the location of the library. She stated that she had visited the old post office with A. Boyer CAO and both decided that a lot of work would be required to make it suitable for use as a library. She said that they would like to have more space, but that the space they now have is well used. She said a group called "Friends of the Library", raised over \$40,000 and that they received a \$70,000 grant for capital projects to locate the library in its current location. She said the space is in an excellent location and that it is central for people.

W. Morgan said that he indicated when the library's former location may be a better location with more space. He said that it was just an idea, not a suggestion.

The Following items were discussed at this time

Under New Business Item {b} Bonnie Baker / Application for Lease of Sign on Market Grid (6) and

{c} Bonnie Baker, Application for Changes to Heritage Property at 45 Church Street (see New Business below for discussion)

BUSINESS ARISING FROM MINUTES

Item	Decision / Action	Responsibility	Target Date
{a} Spring debenture Funding	Discussion was held.		
{b} UNSM Municipal Issues for Consideration: 2004-2005 Provincial Budget	Information only.		
{c} Bylaw for Fire Alarms	Staff are currently working on the bylaw.	Staff	
{d} Explanation of variances -	W. Morgan stated that an increase of 11 percent was high.		

ADPC Budget (12)	<p>A. Boyer stated that ADPC plans includes a new automated work order system which will help staff to handle increasing workloads more efficiently and effectively.</p> <p>The total assessment for each Town is used as the basis for the cost sharing formula between the three towns which support the Annapolis District Planning Commission's budget.</p> <p><i>Motion #11</i> <i>It was moved by T. Fry, seconded by R. Microys, that approval be given to the Annapolis District Planning Commissions 2004 / 2005 budget. (One Nay W. Morgan) MOTION CARRIED</i></p>		
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MOTION(S) OF RECONSIDERATION: none

MOTION(S) OF RESCISSION: none

OTHER NOTICE(S) OF MOTION

NEW BUSINESS

Item	Decision / Action	Responsibility	Target Date
{a} Water Reports	A. Boyer that the water reports have come back with good results.		
{b} Bonnie Baker / Application for Lease of Sign on Market Grid (6)	<p><i>Motion # 12</i> <i>It was moved by T. Fry, Seconded by R. Microys that approval be given to Bonnie Baker's application for lease of sign on market grid at the Farmers Market. MOTION CARRIED</i></p> <p>W. Morgan stated that the posts holding the signs at the Farmers Market be looked at to make the structure more attractive.</p>		
{c} Bonnie Baker, Application for Changes to Heritage Property	<p><i>Motion #13</i> <i>It was moved by T. Fry, seconded by J. DeWolfe, that approval be given to Bonnie Baker's application for changes to heritage property at 45</i></p>		

at 45 Church Street (7)	Church Street subject to approval of the Planning Department. MOTION CARRIED		
{d} Line of Credit (5)	<p>A. Boyer explained that refinancing of the balance on the Town’s line of credit , the project would require the approval of the Municipal Finance Corporation. The auditors are investigating why the \$75,000 amount was not cleared in the 2001/2002 fiscal year. She stated that using debenture funding would allow the Town to pay down the amount and not make interest payments. The Spring debenture program closes on April 20, 2004.</p> <p>It was moved by T. Fry, seconded by J. DeWolfe, that the Town of Annapolis Royal finance the balance on the Town’s line of credit through the Spring Debenture Program, subject to reviewing the pay down of this debt from the Town’s reserves. (Motion was revoked)</p> <p>Motion #14 <i>It was moved by T. Fry, seconded by J. DeWolfe, approval of two borrowing resolutions with the Municipal Finance Corporation in the amount of \$18,000 for the upgrade of the joint water system and \$75,000 for the sewage lagoon project to clear the Town’s existing short term borrowings on the Town’s line of credit, provided that the Town review immediately our ability to pay down as much as possible from reserves, within 30 days. MOTION CARRIED</i></p>		
{e} Death of a Fire Fighter	An expression of condolences from the Town will be sent and a donation will be made to the Annapolis Royal Fire Society.		
{f} Other			

RECOMMENDATIONS FROM COMMITTEES, BOARDS, COMMISSIONS

Item	Decision / Action	Responsibility	Target Date

<p>(A) Recommendations from Committee of the Whole</p>	<p>Motion #15 <i>It was moved by T. Fry, seconded W. Morgan, that the Town of Annapolis Royal renew the existing line of credit with the ScotiaBank. MOTION CARRIED</i></p> <p>Motion #16 <i>It was moved by T. Fry, seconded by W. Morgan, approval of draft policy on Council and staff expenses with change to include staff expenses for special events. MOTION CARRIED</i></p> <p>Motion # 17 <i>It was moved by T. Fry, seconded by R. Microys, approval for Lions Club to operate mobile canteen on Natal Day weekend in their usual location. MOTION CARRIED</i></p> <p>Motion # 18 <i>It was moved by T. Fry, seconded by R. Microys, that the building located at 9 Grange Street be placed on the market for sale</i></p> <p>Motion #19 <i>It was moved by T. Fry, seconded by J. DeWolfe, approval of the Annapolis District Planning Commission restructuring plans and budget.</i></p> <p>Motion #20 <i>It was moved by J. DeWolfe, seconded by R. Microys, that Elizabeth Ross become a member of the Planning and Heritage Advisory Committee. MOTION CARRIED</i></p> <p>Motion #21 <i>It was moved by J. DeWolfe, seconded by T. Fry, that a letter be sent to the owner of property at 260 St. Anthony Street that the application for demolition be denied, and that they work with the Town for a solution for the property. MOTION CARRIED</i></p>		
	<p>Motion #22 <i>It was moved by J. DeWolfe, seconded by W. Morgan, that the request for deregistration of the municipal heritage property known at "The Gables" located at 789-791 St. George Street be denied. MOTION CARRIED</i></p>		

	<p>Motion # 23 <i>It was moved by R. Microys, seconded by T. Fry, that approval be given to Amanda Egle for changes to heritage property at 235-237 St. George Street, with the condition that traditional materials be used in both the front and rear of the property. MOTION CARRIED</i></p> <p>Motion #24 <i>It was moved by R. Microys, that Council reject the application for the directional sign for Action Jax. MOTION CARRIED</i></p> <p>Motion #25 <i>It was moved by R. Microys, seconded by T. Fry, to increase rental charge for public space to \$1.50 per square foot, from \$1.00 per foot, as per existing policy.</i></p> <p>Motion #26 <i>It was moved by W. Morgan, seconded by R. Microys, that an existing bank account in the amount of \$36.89 for the Waterfront Development Committee be closed effective effective March 29, 2004. MOTION CARRIED</i></p>		
(B) Board of Police Commissioners	<p>R. Microys reported that a discussion was held on the current police car at the Board of Police Commissioners and it was felt that a new police car should be purchased as this is the longest that the Town has ever kept a police car.</p> <p>Item referred to the Budget Committee.</p> <p>Motion # 27 <i>It was moved by J. DeWolfe, seconded by R. Microys, that the Town hire Jason Sehl for a minimum of four weeks on the recommendation of the Police Chief and the Board of Police Commissioners. MOTION CARRIED</i></p> <p>Jason Sehl is also a fire fighter and a qualified first responder.</p>		
(C) Port Royal 400 th	<p>W. Morgan reported that the President was not able to attend this month's meeting. The group has received a painting from Geoff Butler. He also reported that Greg Pyle has generated a number of merchandising ideas.</p>	Councillor Wayne Morgan	
(D) Focus 2005	<p>Awaiting funding from the Province.</p>	Deputy Mayor	

		Trish Fry	
(E) Mayor's Report	Mayor Kinsella gave an oral report.	Mayor Kinsella	
(F) Natal Day	Discussion was held. A. Boyer stated that an individual had come forward to Chair the Natal Day Committee but had to rescind the offer due to another more pressing commitments. A job fair will be held in the near future and a volunteer may come forward then.		
(G) Other			

CORRESPONDENCE

Item	Decision / Action	Responsibility	Target Date
{a} FCM Quality of Life Highlights Report Released letter dated April 15, 2004 (8)	Information only.		
{b} FCM Memo dted April 16, 2004 re Consent Form (9)	Information only.		
{c} Other - Sewage Plant Capacity and Water Assessment Report	Discussion was held on the sewage plant capacity and the water assessment report. A. Boyer reported that the Town is in the process of switching engineers due to the departure of Jim Wilcox from SGE Acres.	Staff to follow up	
{d} Other - Bridge Take Down	Discussion was held on the Bridge take down. A mail drop will be done on the status of the bridge takedown to inform the community of the process. AVR and CBC will also be making announcements.		

QUESTIONS

ADDED ITEMS

NEXT MEETING

May 17, 2004 at 7:00 p.m.

ADJOURNMENT

Motion # 28

It was moved by R. Microys, seconded by W. Morgan, that the meeting adjourn.

<i>Action:</i>	<i>Date</i>	<i>Signature</i>
Reviewed by Mayor John Kinsella		
Changes made by Administrative Assistant Marlene Feener		
Approved for website by Mayor or CAO		