

Cape Breton Regional Municipality

Council Meeting Minutes

December 10, 2024

2:00 p.m. at City Hall Council Chambers

Council

Mayor Cecil P. Clarke
Councillor Gordon MacDonald
Councillor Earlene MacMullin
Councillor Esmond "Blue" Marshall
Councillor Steve Gillespie
Deputy Mayor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor Steven MacNeil
Councillor Dave MacKeigan
Councillor Paul Nickituk
Councillor Darren O'Quinn
Councillor Kim Sheppard-Campbell

Staff

Demetri Kachafanas, KC, Interim Chief Administrative Officer
Christa Dicks, Municipal Clerk
Robert Sampson, KC, Solicitor
Jennifer Campbell, Chief Financial Officer
Kirk Durning, Director of Director of Recreation, Parks and Grounds, and Buildings and Facilities
Wayne MacDonald, Director of Engineering and Public Works
Tyson Simms, Director of Planning and Development
Mark Bettens, Fire Chief and Director of Fire and Emergency Services
Sean Tobin, Chief of Staff
Raymond Boudreau, Director of Water and Wastewater
Bruce MacDonald, Manager of Emergency Management
Craig MacNeil, Deputy Fire Chief
Peter Vandermeulen, Planner
Travis Radtke, Housing Coordinator, Planning and Development
Jenna MacQueen, Communications Advisor
Spencer Merrill, Information Technology Technician
Yuecong Cao, Administrative Assistant, Clerk's Department
Kelly McDonald, Recording Secretary

The following does not represent a word for word record of the proceedings of this meeting. The agenda, reports, supporting documents, information items circulated, and video (if available) are online at www.cbrm.ns.ca.

Mayor Cecil P. Clarke called the meeting to order.

Land Acknowledgement

Roll Call

O' Canada

1. Approval of Agenda

Motion

Moved by Councillor Parsons, seconded by Councillor Gordon MacDonald, to approve the December 10, 2024, council agenda and addendum as presented.

Motion Carried

2. Approval of Minutes

Motion

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor MacMullin, to approve the CBRM minutes from:

- Special Council Minutes – April 4, 2023
- Special Council Minutes – April 5, 2023
- Special Council Minutes – April 6, 2023
- Special Council Minutes – May 30, 2023
- Special Council Minutes – June 27, 2023
- Special Council Minutes – March 6, 2024
- Council Minutes – August 20, 2024
- Council Minutes – October 2, 2024
- Special Council Minutes – October 30, 2024
- Council Minutes – November 12, 2024

Motion Carried

3. Proclamations and Resolutions

3.1 Lebanese Heritage Month

Motion

Moved by Councillor MacMullin, seconded by Councillor Marshall, that CBRM Mayor Cecil P. Clarke and Council proclaim the month of November 2024, as Lebanese Heritage Month in the Cape Breton Regional Municipality.

Motion Carried

3.2 Lung Cancer Awareness Month

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Paruch, that CBRM Mayor Cecil P. Clarke and Council proclaim the month November 2024, as Lung Cancer Awareness Month in the Cape Breton Regional Municipality and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

Motion Carried

3.3 Project Red Ribbon Launch

Motion

Moved by Councillor Gillespie, seconded by Councillor O’Quinn, that CBRM Mayor Cecil P. Clarke and Council proclaim the launch of MADD Cape Breton’s Project Red Ribbon in the Cape Breton Regional Municipality.

Motion Carried

3.4 YMCA Peace Week

Motion

Moved by Councillor MacKeigan, seconded by Councillor O’Quinn, that CBRM Mayor Cecil P. Clarke and Council proclaim the week of November 16th to 23rd, 2024, as YMCA Peace Week in the Cape Breton Regional Municipality.

Motion Carried

3.5 Restorative Justice Week

Motion

Moved by Councillor Nickituk, seconded by Councillor Gordon MacDonald, that CBRM Mayor Cecil P. Clarke and Council, recognize this year as the 25th Anniversary of the Restorative Justice Program in Nova Scotia and proclaim the week of November 17th to 23rd, 2024, as Restorative Justice Week in the Cape Breton Regional Municipality.

Motion Carried

3.6 Transgender Day of Remembrance

Motion

Moved by Councillor O’Quinn, seconded by Councillor Paruch, that CBRM Mayor Cecil P. Clarke and Council proclaim Wednesday, November 20th, Transgender Day of Remembrance in the Cape Breton Regional Municipality.

Motion Carried

3.7 Pancreatic Cancer Awareness Day

Motion

Moved by Councillor Paruch, seconded by Councillor Eldon MacDonald, that CBRM Mayor Cecil P. Clarke and Council proclaim November as National Pancreatic Cancer Awareness Month and November 21st, 2024, as Pancreatic Cancer Day in the Cape Breton Regional Municipality.

Motion Carried

3.8 Christian Heritage Month

Motion

Moved by Councillor MacNeil, seconded by Councillor Parsons, that CBRM Mayor Cecil P. Clarke and Council proclaim the month of December as Christian Heritage Month in the Cape Breton Regional Municipality.

Motion Carried

3.9 Giving Tuesday

Motion

Moved by Councillor Gillespie, seconded by Councillor Paruch, that CBRM Mayor Cecil P. Clarke and Council proclaim December 3rd, 2024, as Giving Tuesday in the Cape Breton Regional Municipality.

Motion Carried

3.10 International Day of Persons with Disabilities

Motion

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor Gillespie, that CBRM Mayor Cecil P. Clarke and Council proclaim December 3, 2024, as International Day of Persons with Disabilities in the Cape Breton Regional Municipality.

Motion Carried

3.11 James Delorey Day

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor MacKeigan, that CBRM Mayor Cecil P. Clarke and Council proclaim December 7th, 2024, as James Delorey Day in the Cape Breton Regional Municipality.

Motion Carried

4. Planning Issues

4.1 Case 1096: Development Agreement for 166 Lingan Road, Whitney Peir

Peter Vandermeulen, Planner, reviewed the report and recommendations included in the agenda package. Discussion took place regarding appeal and amendment processes for clarification. The following motion was then put forward:

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor Paruch to direct staff to schedule a public hearing to consider the proposed development agreement as set out in Attachment F, included in the agenda package; and to give first reading to consider proposed amendments to the CBRM Land Use By-law, as set out in Attachment G included in the agenda package, and schedule a public hearing.

Motion Carried

4.2 CMHC Housing Accelerator Fund – Update Regarding E-Permitting System

Director Simms reviewed the information report included in the agenda package. Discussion took place regarding the Housing Accelerator Fund Initiative List, the Preliminary Breakdown of Anticipated Costs, and system design options.

For Information Only

5. Protective Services Issues:

5.1 Appointment of By-law Enforcement Officer to Serve as Dog Control Officer:

Director Simms reviewed the report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Deputy Mayor Eldon MacDonald, seconded by Councillor MacMullin, to appoint Paul Hunter as a By-law Enforcement Officer, to serve as a Dog Control Officer, administering and enforcing the CBRM Dog By-law (D-400) for the CBRM.

Motion Carried

5.2 Appointment of By-law Enforcement Officers-By-law Services Division:

Director Simms reviewed the report and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor Parsons, to appoint Curtis Dauphney and Scott Parker as By-law Enforcement Officers for CBRM.

Motion Carried**6. Corporate Services Issues****6.1 Council Policies**

Christa Dicks, Municipal Clerk, reviewed the memo and recommendations included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gillespie, to direct staff to perform a review and provide recommendations on Council policies; and to direct staff to review and provide recommendations relating to committees including but not limited to committee composition, terms of reference, and meeting schedules; and to approve the return to the General Committee (Committee of the Whole) as outlined in Resolution RC4 – Committees with Committee meetings being held the first Tuesday of each month (unless otherwise scheduled) beginning at 10:00 a.m.; and to amend the Resolution RC3 – Meetings Policy that Meetings of Council occur on the second Tuesday of each month (unless otherwise scheduled) beginning at 2:00 p.m.; and to direct staff to review formatting and processes for staff submitted reports and council request forms.

Motion Carried

6.2 Vacancies on Various Committees and Committees Update

Christa Dicks, Municipal Clerk, reviewed the memo and recommendations included in the agenda package. Discussion took place regarding committee members and terms. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gillespie, to accept the recommendations included in the memo in the agenda package, regarding vacancies on internal and external committees.

Motion Carried

6.3 Municipal Code of Conduct

Demetri Kachafanas, KC, Interim Chief Administrative Officer, reviewed the memo and recommendation included in the agenda package. Discussion took place regarding potential to amend the Code of Conduct. The following motions were then put forward:

Motion

Moved by Councillor Parsons, seconded by Deputy Mayor Eldon MacDonald, to adopt the Model Code of Conduct for Municipalities prescribed by the Minister under Subsection 520(1) of Chapter 18 of the Acts of 1998, the Municipal Government Act as required under the Code of Conduct for Municipal Elected Officials Regulations made under Section 520 of the Municipal Government Act on or before December 19, 2024.

Motion Carried

Motion

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor Eldon MacDonald, to request to the Provincial Municipal Affairs and Housing to enter into a dialogue with the CBRM to consider an appeals process within the current Code of Conduct.

Motion Carried

6.4 Authorization to Pursue Infrastructure and Development Funding Opportunities

Mayor Clarke reviewed the memorandum and recommendation included in the agenda package.

Motion

Moved by Councillor MacMullin, seconded by Councillor Paruch, to authorize the Mayor to represent CBRM Council in discussions with federal and provincial governments to explore potential agreements and to pursue and apply for available infrastructure and development funding opportunities.

Motion Carried

6.5 Ann-Mor Properties Ltd./135 Commercial Street Lot, Glace Bay Library Lease Renewal

Demetri Kachafanas, KC, Interim Chief Administrative Officer, reviewed the issue paper and recommendation included in the agenda package.

Discussion took place regarding market rental costs. The following motion was then put forward:

Motion

Moved by Councillor MacKeigan, seconded by Deputy Mayor Eldon MacDonald, to authorize a new five-year lease for July 1st, 2024, to June 30th, 2029, with a rate calculated based on \$18 per square foot for an area of 6300 square feet, with a 2% cost of living adjustment for each year of the lease; and CBRM will take over the cleaning services for the leased premises; the monthly rent will be as follows for the term of a five-year lease:

- July 1, 2024 – June 30, 2025: \$9450.00
- July 1, 2025 – June 30, 2026: \$9639.00
- July 1, 2026 – June 30, 2027: \$9831.78
- July 1, 2027 – June 30, 2028: \$10028.42
- July 1, 2028 – June 30, 2029: \$10228.98

Motion Carried

6.6 Equity and Anti-Racism Plan

Demetri Kachafanas, KC, Interim Chief Administrative Officer, reviewed the memo and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Parsons, to approve the issuance of an Expression of Interest to identify qualified persons to develop the municipal Equity and Anti-Racism Plan.

Motion Carried

6.7 Growth and Renewal for Infrastructure Development- Project Application

Director MacDonald reviewed the issue paper and recommendation in the agenda package. Discussion took place regarding project timelines. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor Gillespie, to approve the application to the Growth and Renewal for Infrastructure and Development Program (GRID), for the projects identified in the agenda package.

Motion Carried

6.8 Canada Housing Infrastructure Fund (CHIF)- Project Application Tartan Downs

Director MacDonald reviewed the memo and recommendation in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Paruch, seconded by Councillor Gordon MacDonald, to direct Chief Administrative Officer (CAO) to direct staff to proceed with an application to the Direct Delivery Stream of the Canada Housing Infrastructure Fund (CHIF), as the lead in a partnership application with the Urban Neighbourhood Development Association (UNDA) for the proposed Tartan Downs Development as presented in the Issue Paper included in the agenda package.

Motion Carried**6.9 Canada Housing Infrastructure Fund (CHIF)- Water Utility Application**

Director Boudreau reviewed the issue paper and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor O' Quinn, to authorize the Water Utility to apply to the Canada Housing and Infrastructure Fund by the deadline of March 31, 2025.

Motion Carried**6.10 Funding Agreement- Nova Scotia Nature Agreement**

Director Boudreau reviewed the issue paper and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Deputy Mayor Eldon MacDonald, seconded by Councillor MacMullin, to approve the Water Utility to enter into the funding agreement for land acquisition in public watersheds; and to direct the Water Utility to return to Council with details about specific parcels and seek council approval prior to executing any Purchase and Sale Agreements.

Motion Carried

6.11 CBRFES SCBA Program

Chief Bettens and Deputy Chief MacNeil reviewed the memo and presentation included in the agenda package. Discussion took place regarding volunteer fire departments, program terms, costs, and equipment lifespan. The following motion was then put forward:

Motion

Moved by Councillor Parsons, seconded by Councillor Paruch, to approve the renewal of the contract to replace self-contained breathing apparatus.

Motion Carried

6.12 CBRM Designated Comfort Centres and Memorandum of Understanding

Bruce MacDonald, Manager of Emergency Management, reviewed the staff report and recommendation included in the agenda package. Discussion took place regarding preparedness, budget, and large-scale events. The following motion was then put forward:

Motion

Moved by Councillor Sheppard-Campbell, seconded by Councillor O’Quinn, to adopt in full the content of the staff report, included in the agenda package, regarding the operation of CBRM designated comfort centres and the associated Memorandum of Understanding, between the CBRM and partner organizations.

Motion Carried

6.13 Acquisition of Land

Demetri Kachafanas, KC, Interim Chief Administrative Officer, reviewed the memo and recommendation included in the agenda package. The following motion was then put forward:

Motion

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to authorize the Interim CAO to proceed with the purchase and acquisition of land adjacent to C200 as negotiated.

Motion Carried

7. Committee Reports – N/A

8. Financial Statements

8.1 CBRM to September 30, 2024

For Information Only

Meeting adjourned at 5:36 p.m.

Cecil P. Clarke

Mayor

Christa Dicks

Municipal Clerk

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