

**CAPE BRETON REGIONAL MUNICIPALITY**  
*Council Meeting – Minutes*

**Tuesday,  
April 26, 2022  
9:37 a.m.  
Council Chambers  
2<sup>nd</sup> Floor, City Hall  
320 Esplanade, Sydney, NS**

**Deputy Mayor Earlene MacMullin called the meeting to order.**

**Council:** Mayor Amanda M. McDougall (arrived at 9:44 a.m.)  
Councillor Gordon MacDonald  
Deputy Mayor Earlene MacMullin  
Councillor Cyril MacDonald  
Councillor Steve Gillespie  
Councillor Eldon MacDonald  
Councillor Glenn Paruch  
Councillor Steve Parsons  
Councillor James Edwards  
Councillor Ken Tracey  
Councillor Darren O’Quinn (arrived at 9:47 a.m.)  
Councillor Lorne Green

**Staff:** John MacKinnon, Deputy Chief Administration Officer  
Jennifer Campbell, Chief Financial Officer  
Deborah Campbell Ryan, Municipal Clerk  
Demetri Kachafanas, QC, Regional Solicitor  
Wayne MacDonald, Director of Engineering & Public Works  
Michael Ruus, Director of Planning & Development  
Kirk Durning, Manager of Recreation  
Karen Neville, Senior Planner  
Kristen Knudskov, Planner  
Tanya Johnson-MacVicar, L’nu Advisor  
Sharon MacSween, Senior Administrative Assistant  
Tanya Nicholson, Recording Secretary

**Absent:** Councillor Darren Bruckschwaiger (Regrets)

**Summary of Decisions**

**Land Acknowledgement**

**Roll Call**

**O' Canada**

**1. APPROVAL OF MINUTES:**

**Motion** to approve Minutes from:

- **Council – March 25, 2022**

**Carried.**

**2. APPROVAL OF AGENDA:**

**Motion** to approve the April 26, 2022, Council Agenda and Addendum as circulated, and postponement of 4.2 Highlands Art Theatre Lobby Expansion issue. **Carried.**

**3. PROCLAMATIONS & RESOLUTIONS:**

**3.1 Lyme Disease Awareness Month – May 2022:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim May 2022 as “Lyme Disease Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

**3.2 Melanoma and Skin Cancer Awareness Month:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim May 2022 as “Melanoma and Skin Cancer Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

**3.3 Day of Action Against Anti-Asian Racism:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim May 10<sup>th</sup>, 2022 to be the Day of Action Against Anti-Asian Racism in the Cape Breton Regional Municipality. **Carried.**

**Continued...**

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**Summary of Decisions (Cont'd)**

**PROCLAMATIONS & RESOLUTIONS (Cont'd):**

**3.4 Heart Failure Awareness Week:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim May 2<sup>nd</sup> – May 8<sup>th</sup>, 2022, as “Heart Failure Awareness Week” in the Cape Breton Regional Municipality. **Carried.**

**3.5 Jewish Heritage Month:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim that commencing May 2022 and every month of May thereafter be celebrated as Jewish Heritage Month in the CBRM; and recognize the contributions of the Jewish community to the success of Canada. **Carried.**

**3.6 Family Violence Prevention Week:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council proclaim the week of April 25<sup>th</sup> to April 29<sup>th</sup>, 2022, as Family Violence Prevention Week in the Cape Breton Regional Municipality. **Carried.**

**3.7 Mental Health Week:**

**Motion** that CBRM Mayor Amanda M. McDougall and Council hereby proclaim May 2<sup>nd</sup> to May 8<sup>th</sup>, 2022, as Mental Health Week in the Cape Breton Regional Municipality. **Carried.**

**4. DELEGATIONS:**

**4.1 Centennial Arena Acquisition:**

**Motion** that the request by Tomorrow’s Legends to acquire the Centennial Arena from the CBRM at no cost, and that the property not be subject to taxation, be referred to the Chief Administrative Officer for assignment to the appropriate staff for an Issue Paper and report back to Council at the May 24, 2022 meeting. **Carried.**

**4.2 Highlands Art Theatre Lobby Expansion:**

This issue has been postponed

Continued...

**Summary of Decisions (Cont'd)**

**5. PLANNING ISSUES:**

**5.1 Municipal Planning Strategy Amendment Request – Dwayne Fudge:**

**Motion** that Council proceed with the Public Participation Program (PPP) to consider the request by Dwayne Fudge to allow motorcycle inspections at 1526 Keltic Drive, Leitches Creek.

**Motion** to defer this motion to an upcoming Council meeting and request staff prepare additional information in relation to the requested policy amendment for Council's consideration prior to proceeding with a Public Participation Program. **Motion to Defer Carried.**

**6. BUSINESS ARISING:**

**6.1 Council – April 12, 2022:**

**a) Student Hiring:**

**Motion** to approve the recommended changes to the wording of the Student Employment Policy and that the amended policy be brought back to the May 10<sup>th</sup> meeting of Council for approval. **Carried.**

**7. CORPORATE SERVICES ISSUES:**

**7.1 Meeting Structure and Schedule:**

**Motion** to approve the meeting schedule as follows:

- Two Regional Council meetings a month to be held on the second and fourth Tuesdays of the month. The first Tuesday meeting to commence at 6:00 p.m. and fourth Tuesday to commence at 9:30 a.m.
- Themed and Special meetings to be scheduled as required and requested

**Carried.**

Continued...

**Summary of Decisions (Cont'd)**

**ADDENDUM:**

**7.2 Resolution for Pre-Approval of Debt Issuance CBRW – Balloon Payment Refinancing:**

**Motion** to approve the resolution for the pre-approval of debt issuance to refinance the balloon payment for existing loan 27-A-1 in the amount of \$4,572,500. **Carried.**

**8. COMMITTEE REPORTS: N/A**

**9. FINANCIAL STATEMENTS:**

**9.1 CBRM to February 28, 2022:**

**For Information Only.**

**9.2 Port of Sydney Development Corporation to February 28, 2022:**

**For Information Only.**

**10. Review of Action Items from this Meeting**

The Mayor advised Council of her meeting with U.S. Consul General Lyra Carried earlier this date.

**ADJOURNMENT**

Deputy Mayor MacMullin called the meeting to order, noting that the Mayor was delayed and would arrive shortly.

**Land Acknowledgement**

**Roll Call**

**O' Canada**

**1. APPROVAL OF MINUTES:**

**Motion:**

Moved by Councillor Green, seconded by Councillor Parsons, approval of the Minutes from:

- **Council Meeting – March 25, 2022**

**Motion Carried.**

**2. APPROVAL OF AGENDA:**

**Motion:**

Moved by Councillor Cyril MacDonald, seconded by Councillor Tracey, to approve the April 26, 2022, Council Agenda and Addendum as circulated, and postponement of 4.2 Highlands Art Theatre Lobby Expansion issue.

**Motion Carried.**

**3. PROCLAMATIONS & RESOLUTIONS:**

**3.1 Lyme Disease Awareness Month – May 2022:**

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Gillespie, that CBRM Mayor Amanda M. McDougall and Council proclaim May 2022 as “Lyme Disease Awareness Month” in the Cape Breton Regional Municipality.

**Motion Carried.**

**3.2 Melanoma and Skin Cancer Awareness Month:**

**Motion:**

Moved by Councillor Tracey, seconded by Councillor Paruch, that CBRM Mayor Amanda M. McDougall and Council proclaim May 2022 as “Melanoma and Skin Cancer Awareness Month” in the Cape Breton Regional Municipality.

**Motion Carried.**

Continued...

**PROCLAMATIONS & RESOLUTIONS (Cont'd):**

Mayor McDougall assumed the Chair.

**3.3 Day of Action Against Anti-Asian Racism:**

**Motion:**

Moved by Deputy Mayor MacMullin, seconded by Councillor Tracey, that CBRM Mayor Amanda M. McDougall and Council proclaim May 10<sup>th</sup>, 2022, to be the Day of Action Against Anti-Asian Racism in the Cape Breton Regional Municipality.

**Motion Carried.**

**3.4 Heart Failure Awareness Week:**

**Motion:**

Moved by Councillor Greene, seconded by Councillor Edwards, that CBRM Mayor Amanda M. McDougall and Council proclaim May 2<sup>nd</sup> – May 8<sup>th</sup>, 2022, as “Heart Failure Awareness Week” in the Cape Breton Regional Municipality.

**Motion Carried.**

**3.5 Jewish Heritage Month:**

**Motion:**

Moved by Councillor Gillespie, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall and Council proclaim that commencing May 2022 and every month of May thereafter be celebrated as Jewish Heritage Month in the CBRM; and recognize the contributions of the Jewish community to the success of Canada.

**Motion Carried.**

**3.6 Family Violence Prevention Week:**

**Motion:**

Moved by Councillor Cyril MacDonald, seconded by Deputy Mayor MacMullin, that CBRM Mayor Amanda M. McDougall and Council proclaim the week of April 25<sup>th</sup> to April 29<sup>th</sup>, 2022, as Family Violence Prevention Week in the Cape Breton Regional Municipality.

**Motion Carried.**

**3.7 Mental Health Week:**

**Motion:**

Moved by Councillor Parsons, seconded by Councillor Green, that CBRM Mayor Amanda M. McDougall and Council hereby proclaim May 2<sup>nd</sup> to May 8<sup>th</sup>, 2022 as Mental Health Week in the Cape Breton Regional Municipality.

**Motion Carried.**

**4. DELEGATIONS:**

**4.1 Centennial Arena Acquisition:**

Tomorrow's Legends founder, Bill Kachafanas, provided a presentation regarding a request by their organization to acquire the Centennial Arena to be used for indoor court activities. He asked Council to consider the following:

- That Council approve an acquisition of the Centennial Arena for repurposing as a multipurpose indoor sport, cultural and community centre.
- To acquire the facility at no cost to either party and the property not be subject to taxation either in the form of an exemption or through rebate or grants until such time where the sustainability objectives have been realized.

Following the presentation and Council discussion, the following motion was put forward:

**Motion:**

Moved by Councillor Paruch, seconded by Councillor Green, that the request by Tomorrow's Legends to acquire the Centennial Arena from the CBRM at no cost, and that the property not be subject to taxation, be referred to the Chief Administrative Officer for assignment to the appropriate staff for an Issue Paper and report back to Council at the May 24, 2022 meeting.

**Motion Carried.**

**4.2 Highlands Art Theatre Lobby Expansion:**

This issue has been postponed.

**5. PLANNING ISSUE:**

**5.1 Municipal Planning Strategy Amendment Request – Dwayne Fudge:**

Kristen Knudskov, Planner, advised that Dwayne Fudge of Seaview Cycle & Power Equipment Inc. has requested that CBRM Council consider amending the Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) to allow motorcycle inspections at 1526 Keltic Drive, Leitches Creek.

Two options were proposed by staff:

1. Uphold the Municipal Planning Strategy and Land Use Bylaw
2. Defer to the comprehensive review of the MPS and LUB, and direct Mr. Fudge to contact Dillon Consulting to discuss the proposed development.

Continued...

**PLANNING ISSUE – Municipal Planning Strategy Amendment Request – Dwayne Fudge (Cont'd):**

Given the CBRM Forward comprehensive review of the MPS and LUB which is currently underway, staff is recommending to defer consideration of this issue as part of the CBRM Forward comprehensive review.

During Council discussion, the Councillor for the area suggested a third option: that Council consider the requested amendment to the MPS and to proceed with the public participation program.

The following motion was put then put forward:

**Motion:**

Moved by Councillor Cyril MacDonald, seconded by Councillor Green, that Council proceed with the Public Participation Program (PPP) to consider the request by Dwayne Fudge to allow motorcycle inspections at 1526 Keltic Drive, Leitches Creek.

**Discussion:**

Some of the issues raised during discussion included:

- support for economic development in CBRM;
- amendment would affect similar rural zones throughout CBRM;
- suggestion to change the setback requirements and/or the definitions of motor vehicle/small engine, but Policy would still have to be amended;
- some Council members support Option 2 as recommended by staff;
- intent of the MPS is to protect residents within incompatible zones;
- Council could proceed with the PPP and staff would bring back options;
- Council has authority to change Policy.

**Motion to Defer:**

Moved by Councillor Cyril MacDonald, seconded by Councillor Parsons, to defer this motion to an upcoming Council meeting and request staff prepare additional information in relation to the requested policy amendment for Council's consideration prior to proceeding with a Public Participation Program.

Following Council discussion on the motion to defer, the Mayor called for the vote.

**Motion to Defer Carried.**

At this time in the meeting Council **agreed** to continue the meeting past 12:30 p.m.

6. **BUSINESS ARISING:**

6.1 **Council – April 12, 2022:**

a) **Student Hiring:**

Kirk Durning, Manager of Recreation, reviewed the Issue Paper included in the agenda package and recommended that Council consider the following options to amend the Student Employment Policy:

1. Allow for student recreation positions to become “Core Student” positions but continue to do the lottery for Parks and Grounds general summer students through an online application intake. Suggested option would be to amend section 3.1.1 as per below:

Current section reads:

3.1.1 The number of core students for the summer program will be determined by the Departmental Director ~~in consultation with the appropriate Committee of Council and in consultation with the appropriate Committee of Council~~ in accordance with budget allocation for summer programs.

Amend to read:

3.1.1 The number of recreation core students for the summer program will be determined by the Department Director or Manager in accordance with the budget allocation for summer programs.

2. Remove “or by council selection” from section 3.2.2 within the current policy.

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, to approve the recommended changes to the wording of the Student Employment Policy and that the amended policy be brought back to the May 10<sup>th</sup> meeting of Council for approval.

**Discussion:**

Following discussion, the Mayor called for the vote.

**Motion Carried.**

7. **CORPORATE SERVICES ISSUES:**

7.1 **Meeting Structure and Schedule:**

Mayor McDougall reviewed her Memo, noting that previous meetings have not aligned within the intended three-hour time limit and after highlighting the minutes from the Special Meeting of Council from March 30<sup>th</sup>, 2021, the following motion was put forward:

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Gillespie, to approve the meeting schedule as follows:

- Two Regional Council meetings a month to be held on the second and fourth Tuesdays of the month. The first Tuesday meeting to commence at 6:00 p.m. and fourth Tuesday to commence at 9:30 a.m.
- Themed and Special meetings to be scheduled as required and requested

**Discussion:**

During discussion, a **Point of Order** was raised by Councillor Parsons inquiring if Council had previously voted on both meetings to be held in the evening or both meetings in the day. Mayor McDougall advised there was never a vote on the time of day. Following discussion on this issue, the Mayor called for the vote.

**Motion Carried.**

**ADDENDUM:**

7.2 **Resolution for Pre-Approval of Debt Issuance CBRW – Balloon Payment Refinancing:**

Jennifer Campbell, Chief Financial Officer, advised that CBRM requires a pre-approval for Debenture Issuance for the MFC's 2022 Spring Debenture. The purpose of this debenture issuance is to refinance the balance of maturing loan #27-A-1 held by the CBRM Water Utility.

**Motion:**

Moved by Councillor Edwards, seconded by Councillor Parsons, to approve the resolution for the pre-approval of debt issuance to refinance the balloon payment for existing loan 27-A-1 in the amount of \$4,572,500.

**Motion Carried.**

8. **COMMITTEE REPORTS:** N/A

**9. FINANCIAL STATEMENTS:**

**9.1 CBRM to February 28, 2022:**

**For Information Only.**

**9.2 Port of Sydney Development Corporation to February 28, 2022:**

**For Information Only.**

**10. Review of Action Items from this Meeting:**

Mayor McDougall advised that earlier today she met with the U.S. Consul General Lyra Carr and would like to invite her to meet with Council to have conversations about the development of the port, health care and education.

**Meeting adjourned at 1:00 p.m.**

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**Mayor Amanda M. McDougall**

/tcn

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**Deborah Campbell Ryan**  
**Municipal Clerk**