

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
February 23, 2021
6:03 p.m.
Via Videoconference**

Mayor Amanda M. McDougall called the meeting to order.

Council: Mayor Amanda M. McDougall
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 Bruckschwaiger
Councillor Darren O'Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Jennifer Campbell, Chief Financial Officer
John MacKinnon, Deputy Chief Administrative Officer
Deborah Campbell Ryan, Municipal Clerk
Demetri Kachafanas, QC, Regional Solicitor
Michael Ruus, Director of Planning and Development
Wayne MacDonald, Director of Engineering & Public Works
Michael Seth, Director of Fire & Emergency Services/Fire Chief
Gil Boone, Staff Sergeant
Sheila Kolanko, Senior Paralegal/Property Manager
Kristen Knudskov, Planner
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: N/A

Earlier this date, Council met In Camera pursuant to Section 22 (2) (c) of the *Municipal Government Act*

Summary of Decisions

Call to Order

Roll Call

Moment of Silent Reflection

- Councillor James Edwards - Recognition of the late Tommy Trainor

ADDENDUM

- Councillor James Edwards - Recognition of the late John MacDonald
- Councillor Eldon MacDonald – Recognition of the late Charlie Palmer

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council Meeting – January 26, 2021**

Carried.

Motion to approve minutes from:

- **Council Meeting – February 9, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the February 23rd, 2021 Council Agenda as circulated. **Carried.**

3. PROCLAMATION:

3.1 Kidney Month & World Kidney Day:

Motion that Mayor Amanda M. McDougall and the CBRM Council proclaim the month of March as “*Kidney Health Month*” and to also proclaim March 11, 2021 as “*Kidney Health Day*” in the CBRM to raise awareness about the risk factors for the disease and the importance of early detection. **Carried.**

Continued...

Summary of Decisions (Cont'd):

4. PLANNING ISSUE:

4.1 FINAL APPROVAL – PUBLIC HEARING:

- a) **Case 1076 – North End Sydney Secondary Planning Strategy and Land Use Bylaw Text Amendment Request from Kevin Colford to Amend Parking Requirements for 217 George Street, Sydney (PID 15058506; District 5):**

Motion for final approval of the amendments to the North End Sydney Secondary Planning Strategy and Land Use By-law found in Attachment F and G of the staff Issue Paper dated February 16, 2021 regarding Case 1076 - Request from Kevin Colford to Amend Parking Requirements for 217 George Street, Sydney (PID 15058506; District 5). **Carried.**

5. DELEGATION:

5.1 Nova Scotians for Equalization Fairness (NSEF):

NSEF members Mr. Charles W. Sampson, Fr. Albert Maroun, PhD, Mr. Russ Green provided an update to Council on the Nova Scotians for Equalization Fairness.

It was noted that Council will consider the questions from NSEF at the upcoming Strategic Planning session.

For Information Only.

6. REPORT:

6.1 Follow-up to Workshops on Committee Structure and Meetings:

Professor Tom Urbaniak, Ph.D., provided his final recommendations on Committee Structure and Meetings to Council.

It was noted that these recommendations will be discussed during the upcoming Strategic Planning Session.

For Information Only.

Summary of Decisions (Cont'd):

7. BUSINES ARISING:

7.1 Council – January 26, 2021:

a) Leaves of Absence for Councillors Seeking Higher Office:

Mr. Demetri Kachafanas, QC, Regional Solicitor, provided a staff Issue Paper that was requested on the issue.

For Information Only.

7.2 Nominating Committee – February 9, 2021:

a) Report on Call for Expressions of Interest – Citizen Representatives on Committees:

Motion to approve the following recommendations from the February 9, 2021 Nominating Committee meeting for the nomination of citizens to the following Committees and Boards:

- **CBRM Board of Police Commissioners:**
 - Candidate # P-1 - North Division
 - Candidate # P-6 - Central Division
 - Candidate # P-11 - East Division
- **Audit Committee:**
 - Candidate #A-1
- **Heritage Advisory Committee:**
 - Candidate # H-1
 - Candidate # H-2
 - Candidate # H-3
 - Candidate # H-4
 - Candidate # H-5
- **Cape Breton Regional Library Board:**
 - Candidate # L-2
 - Candidate # L-5
- **Port of Sydney Development Corporation**
 - *Individuals with Business and Commerce Expertise:*
 - Candidate # Port-2
 - Candidate # Port-4
 - *Licensed to Practice Law:*
 - Candidate # Port-9

Summary of Decisions (Cont'd):

BUSINES ARISING - Nominating Committee – February 9, 2021 - Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

- **Diversity Committee:**
 - *African Nova Scotia Community*
 - Candidate # D-1
 - *Disability Community*
 - Candidate # D-8
 - *Mental Health Community*
 - Candidate # D-2
 - *First Nations Community*
 - Candidate # D-4
 - *Newcomer Community*
 - Candidate # D-3
 - *Women's Group Community*
 - Candidate # D-5
 - *Community Member at Large:*
 - Candidate # D-6
 - Candidate # P-12
 - Candidate # P-14

and that the names of the successful candidates will be publicly released at a future Council meeting once the citizens have accepted the positions and any required background checks have been completed. **Carried.**

8. CORPORATE SERVICES ISSUE:

8.1 Request to Deem Property Surplus – Portion of PID 15013915, Logan Street, North Sydney:

Motion to declare a portion of PID 15013915, as shown crosshatched in red and blue on the map in the staff Issue Paper dated February 9, 2021, as **surplus** to the needs of the municipality. The area crosshatched in red shall be sold at market value to Edith Herridge and the area crosshatched in blue sold at market value to Michael and Megan Herridge. All costs will be the responsibilities of the purchasers. **Carried.**

Summary of Decisions (Cont'd):

9. BY-LAWS & MOTIONS:

9.1 By-laws:

a) **Second / Final Reading – Public Hearing:** N/A

b) **First Reading:**

i) **Tow Truck Licencing By-Law (Amendments):**

Motion to approve for first reading the proposed amendments to the CBRM Tow Truck Licencing By-Law as presented. **Carried.**

10. FINANCIAL STATEMENTS:

10.1 CBRM to December 31, 2020:

For Information Only.

10.2 Port of Sydney Development Corporation to December 31, 2020:

For Information Only.

Adjournment

Earlier this date, Council met In Camera pursuant to Section 22 (2) (c) of the *Municipal Government Act*

Call to Order

Roll Call

Mayor McDougall acknowledged the in-camera meeting that took place earlier this date, and advised that Council has agreed to work within Policy for the hiring process to take place internally for the position of Police Chief.

Moment of Silent Reflection

- Councillor James Edwards - Recognition of the late Tommy Trainor

Councillor Edwards recognized the passing of Tommy Trainor, a former police officer for 35 years and offered condolences to his family and friends.

ADDENDUM

- Councillor James Edwards - Recognition of the late John MacDonald

Councillor Edwards recognized the passing of John MacDonald and offered condolences to his family and friends.

- Councillor Eldon MacDonald – Recognition of the late Charlie Palmer

Councillor Eldon MacDonald recognized the passing of Charlie Palmer, a former Sydney Alderman and offered condolences to his family and friends.

1. APPROVAL OF MINUTES:

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, approval of the following Minutes as previously circulated:

- **Council Meeting – January 26, 2021**

Motion Carried.

Motion:

Moved by Councillor Parsons, seconded by Councillor Paruch, approval of the following Minutes as previously circulated:

- **Council Meeting – February 9, 2021**

Motion Carried.

2. **APPROVAL OF AGENDA:**

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Tracey, to approve the February 23rd, 2021 Council Agenda as circulated.

Motion Carried.

3. **PROCLAMATION:**

3.1 **Kidney Month & World Kidney Day:**

Motion:

Moved by Councillor Paruch, seconded by Deputy Mayor Earlene MacMullin, that Mayor Amanda M. McDougall and the CBRM Council proclaim the month of March as “*Kidney Health Month*” and to also proclaim March 11, 2021 as “*Kidney Health Day*” in the CBRM to raise awareness about the risk factors for the disease and the importance of early detection.

Motion Carried.

4. **PLANNING ISSUE:**

4.1 **FINAL APPROVAL – PUBLIC HEARING:**

- a) **Case 1076 – North End Sydney Secondary Planning Strategy and Land Use Bylaw Text Amendment Request from Kevin Colford to Amend Parking Requirements for 217 George Street, Sydney (PID 15058506; District 5):**

Ms. Kristen Knudskov, Planner, provided background information on the issue, noting that the request is to consider removing minimum off-street parking spaces requirements to accommodate the conversion of Sacred Heart Church into a business hall.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Green, final approval of the amendments to the North End Sydney Secondary Planning Strategy and Land Use By-law found in Attachment F and G of the staff Issue Paper dated February 16, 2021 regarding Case 1076 - Request from Kevin Colford to Amend Parking Requirements for 217 George Street, Sydney (PID 15058506; District 5).

Continued...

PLANNING ISSUE: FINAL APPROVAL – PUBLIC HEARING (Cont'd)

Case 1076 – North End Sydney Secondary Planning Strategy and Land Use Bylaw Text Amendment Request from Kevin Colford to Amend Parking Requirements for 217 George Street, Sydney (PID 15058506; District 5) (Cont'd):

Motion Cont'd:

Public Hearing:

Planner Knudskov reviewed the submissions received as part of the public hearing process which are found in Attachment H of the staff report, and within the two addendums. All formal submissions were in support of the proposed amendments.

Councillors expressed support for the amendments and discussed the parking issues in the area and next steps in terms of permits.

Motion Carried.

5. DELEGATION:

5.1 Nova Scotians for Equalization Fairness (NSEF):

Father Albert Maroun, NSEF member, provided background information on Equalization in CBRM.

Mr. Charles Sampson, NSEF member, provided a presentation and advised that there are many unanswered questions regarding the equalization payments from the Provincial and Federal governments as outlined in his presentation included in the agenda.

Mr. Russ Green answered questions from Council, and some of the items discussed were:

- Where the NSEF obtained its numbers
- Nova Scotia Power not paying taxes
- The percent of the transfer being sent is due to municipal deficiency
- Similar issues in other provinces
- CBRM below Canadian standards
- The Provincial Program has not increased for more than a decade (capped at \$31 million)
- Provincial government parties refuse to talk about Equalization
- Cape Breton and rural Nova Scotia generates the equalization transfer the Province receives from the Federal government.

Continued...

DELEGATION - Nova Scotians for Equalization Fairness (NSEF) (Cont'd):

Deputy Mayor Earlene MacMullin assumed the Chair.

Mayor McDougall noted that, in her opinion, Council has to do things differently and have a plan with a list of projects and goals needed in order for CBRM to achieve a higher level of service rather than simply asking for funding.

Mayor McDougall resumed the Chair.

Mayor McDougall thanked Father Albert Maroun, Mr. Charles Sampson, and Mr. Russ Green for their presentation and advised that Council will consider the NSEF questions at the upcoming Strategic Planning session.

For Information Only.

6. REPORT:

6.1 Follow-up to Workshops on Committee Structure and Meetings:

Dr. Tom Urbaniak, Professor of Political Science, provided his final recommendations on Committee Structure and meetings to Council.

Mayor McDougall advised that the recommendations reviewed at the Strategic Planning session and they will follow up with Dr. Urbaniak.

Mayor McDougall thanked Dr. Urbaniak for his continued support.

For Information Only.

7. BUSINESS ARISING:

7.1 Council – January 26, 2021:

a) Leaves of Absence for Councillors Seeking Higher Office:

Mr. Demetri Kachafanas, QC, Regional Solicitor, provided an Issue Paper as requested regarding leaves of absences for Councillors when seeking higher office.

In response to a question, the Solicitor explained that it is not within the municipal purview to enact rules in this regard. It would require changes to the legislation.

For Information Only.

BUSINESS ARISING (Cont'd):

7.2 Nominating Committee – February 9, 2021:

a) Report on Call for Expressions of Interest – Citizen Representatives on Committees:

Ms. Deborah Campbell Ryan, Municipal Clerk, provided background information on the issue and reviewed her Memo dated February 17, 2021. She advised that once the citizens have accepted the positions and any required background checks have been completed, the names of the successful candidates will be publicly released at a future council meeting.

Ms. Campbell Ryan advised that staff did not receive an application from the Gay, Lesbian & Transgendered Community; Cape Breton University; or from the Cape Breton-Victoria Regional School Board and noted that these vacancies will be re-advertised for individuals to fill those positions.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Glenn Paruch, to approve the following recommendations from the February 9, 2021 Nominating Committee meeting for the nomination of citizens to the following Committees:

- **CBRM Board of Police Commissioners:**
 - Candidate # P-1 - North Division
 - Candidate # P-6 - Central Division
 - Candidate # P-11 - East Division
- **Audit Committee:**
 - Candidate #A-1
- **Heritage Advisory Committee:**
 - Candidate # H-1
 - Candidate # H-2
 - Candidate # H-3
 - Candidate # H-4
 - Candidate # H-5
- **Cape Breton Regional Library Board:**
 - Candidate # L-2
 - Candidate # L-5
- **Port of Sydney Development Corporation**
 - *Individuals with Business and Commerce Expertise:*
 - Candidate # Port-2
 - Candidate # Port-4
 - *Licensed to Practice Law:*

- Candidate # Port-9

Continued...

BUSINESS ARISING Nominating Committee – February 9, 2021 - Report on Call for Expressions of Interest – Citizen Representatives on Committees:

• **Diversity Committee:**

- *African Nova Scotia Community*
 - Candidate # D-1
- *Disability Community*
 - Candidate # D-8
- *Mental Health Community*
 - Candidate # D-2
- *First Nations Community*
 - Candidate # D-4
- *Newcomer Community*
 - Candidate # D-3
- *Women's Group Community*
 - Candidate # D-5
- *Community Member at Large:*
 - Candidate # D-6
 - Candidate # P-12
 - Candidate # P-14

and that the names of the successful candidates will be publicly released at a future Council meeting once the citizens have accepted the positions and any required background checks have been completed.

Discussion:

The number of returning members to Committees was discussed. The Clerk noted that the confidential matrix which was sent to Council references candidates presently serving, as well as those serving another term.

Mayor McDougall advised that the number of terms served is taken into consideration.

Motion Carried.

8. CORPORATE SERVICES ISSUE:

8.1 Request to Deem Property Surplus – Portion of PID 15013915, Logan Street, North Sydney:

Ms. Sheila Kolanko, Property Manager, provided background information on the issue and advised that a letter of interest was received asking CBRM to consider selling a portion of

CBRM property located in North Sydney identified as PID 15013915 and outlined in green on the map in the staff Issue Paper dated February 9, 2021.

Continued...

CORPORATE SERVICES ISSUE - Request to Deem Property Surplus – Portion of PID 15013915, Logan Street, North Sydney (Cont'd):

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Cyril MacDonald, to declare a portion of PID 15013915, as shown crosshatched in red and blue on the map in the staff Issue Paper dated February 9, 2021, as **surplus** to the needs of the municipality. The area crosshatched in red shall be sold at market value to Edith Herridge and the area crosshatched in blue sold at market value to Michael and Megan Herridge. All costs will be the responsibilities of the purchasers.

Motion Carried.

9. BY-LAWS & MOTIONS:

9.1 By-laws:

a) **Second / Final Reading – Public Hearing:** N/A

b) **First Reading:**

i) **Tow Truck Licencing By-Law (Amendments):**

Staff Sergeant Gil Boone provided background on the issue.

Motion:

Moved by Councillor Parsons, seconded by Councillor Bruckschwaiger, to approve for first reading the proposed amendments to the CBRM Tow Truck Licencing By-Law as presented.

Discussion:

In response to questions, it was clarified by the Staff Sergeant Boone that there would be opportunity for input regarding the bylaw prior to the second reading. He also discussed the current towing contract and the process followed prior to the by-law being initiated.

Motion Carried.

10. FINANCIAL STATEMENTS:

10.1 CBRM to December 31, 2020:

For Information Only.

10.2 Port of Sydney Development Corporation to December 31, 2020:

For Information Only.

Meeting adjourned at 8:26 p.m.

Mayor Amanda M. McDougall

**Deborah Campbell Ryan
Municipal Clerk**