

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

**Tuesday,  
March 28, 2023  
10:10 a.m.  
Council Chambers  
2<sup>nd</sup> Floor, City Hall  
320 Esplanade, Sydney, NS**

**Mayor Amanda M. McDougall-Merrill called the meeting to order.**

**Council:** Mayor Amanda M. McDougall-Merrill  
Councillor Gordon MacDonald  
Councillor Earlene MacMullin  
Councillor Cyril MacDonald (left at 10:30 a.m., returned 11:28 a.m.)  
Councillor Steve Gillespie  
Councillor Eldon MacDonald  
Councillor Steve Parsons  
Deputy Mayor James Edwards  
Councillor Ken Tracey  
Councillor Darren O’Quinn  
Councillor Lorne Green

**Staff:** Marie Walsh, Chief Administrative Officer  
John MacKinnon, Deputy Chief Administrative Officer  
Jennifer Campbell, Chief Financial Officer  
Demetri Kachafanas, KC, Regional Solicitor  
Wayne MacDonald, Director of Engineering & Public Works  
Michael Ruus, Director of Planning & Development  
Deanna Evely, Director of Human Resources  
Sharon MacSween, Recording Secretary

**Absent:** Councillor Glenn Paruch (Regrets)  
Councillor Darren Bruckschwaiger (Leave of Absence)

The Council met earlier this date in accordance with Section 22(2)(d) of the *Municipal Government Act*.

### Summary of Decisions

#### Land Acknowledgement

#### Roll Call

#### O' Canada

#### 1. APPROVAL OF AGENDA:

**Motion** to approve the March 28, 2023, Council Agenda as circulated. **Carried.**

#### 2. APPROVAL OF MINUTES:

**Motion** to approve minutes from:

- **Special Council Minutes – March 7, 2023**

**Carried.**

#### 3. PROCLAMATIONS & RESOLUTIONS:

##### 3.1 World Down Syndrome Day

**Motion** that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim March 21<sup>st</sup>, 2023 as **World Down Syndrome Day** in the Cape Breton Regional Municipality, and encourage all residents of the CBRM to join together and celebrate this day and proclaim the message, "*With Us Not For Us*." It's a call to all who work on behalf of people with Down Syndrome to do so in partnership with them, empowering them to make decisions and supporting them in having their voices heard. **Carried.**

##### 3.2 Transgender Day of Visibility

**Motion** that the CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim Friday March 31<sup>st</sup>, 2023 as Transgender Day of Visibility in the Cape Breton Regional Municipality. **Carried.**

**Continued...**

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

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

**3.3 Autism Acceptance Month**

**Motion** CBRM Mayor Amanda. M. McDougall-Merrill and Council proclaim April 2023 as Autism Acceptance Month throughout the municipality and encourage all our citizens to recognize the individuals/people with autism, family members, caregivers, educators, and other professionals who strive to make Nova Scotia an inclusive and accessible place for us all to call home. **Carried.**

**3.4 National Dental Hygienists Week**

**Motion** that CBRM Mayor Amanda. M. McDougall-Merrill and Council proclaim the week of April 4-10<sup>th</sup>, 2023 as National Dental Hygienists Week in the Cape Breton Regional Municipality. **Carried.**

**3.5 Cape Breton Eagles Day – April 4<sup>th</sup>**

**Motion** that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim April 4<sup>th</sup>, 2023, to be **Cape Breton Eagles Day** in the Cape Breton Regional Municipality and encourage all CBRM residents to show their Eagles Pride. At 7:00 pm on April 4th, the puck will drop for the first playoff game on home ice, and they need the support of the community to be their 7th skater on the ice April 4th, 5th and onward. **Carried.**

**3.6 Imperial Oil Petroleum Storage Facility**

**Motion** that CBRM Mayor Amanda M. McDougall-Merrill and Council direct that a letter be sent to Imperial Oil outlining concerns from the area residents included in Appendix “A” attached to the Resolution. **Carried.**

**4. REPORT:**

**4.1 CBRM Regional Enterprise Network Update:**

**Motion** that CBRM staff be directed to prepare an Issue Paper to consider the proposed agreement outlined in the CBRM Regional Enterprise Network Update. **Carried.**

**Continued...**

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

**5. BUSINESS ARISING:**

**5.1 Council – February 28, 2023:**

**a) Public Report: Citizen Appointments to Various Committees**

A public report on the successful candidates appointed to the various CBRM Committees and Boards by Council was provided to Council.

**For information only.**

**5.2 Emergency Council – March 10, 2023**

**a) RHI Update:**

The Chief Administrative Officer provided a Memo with an update on the RHI proposals that were submitted to CMHC.

**For information only.**

**5.3 Council – March 14, 2023**

**a) Mandatory Policy Update: Engagement Programs - Proposed Amendments to the Public Participation Programs Policy:**

**Motion** to adopt the Public Participation and Engagement Programs Policy as presented by staff. **Carried.**

**5.4 In Camera Council – March 28, 2023**

**a) CUPE Local 761 - Crossing Guard Negotiations:**

**Motion** to approve the tentative Collective Agreement for CUPE Local 761 which covers a five-year term ending June 30, 2027 with the following increases:

July 1, 2022 to June 30, 2023: 8% = \$14.99

July 1, 2023 to June 30, 2024: 3% = \$15.44

July 1, 2024 to June 30, 2025: 2% = \$15.75

July 1, 2025 to June 30, 2026: 2% = \$16.06

July 1, 2026 to June 30, 2027: 2.5% = \$16.47

**Carried.**

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

**6. COUNCILLOR AGENDA REQUEST:**

**6.1 CBRM “Grow Our Own Doctors”:**

**Motion** that staff be directed to prepare and Issue Paper exploring the feasibility of CBRM establishing a scholarship program to support one (1) local student per year to attend the Cape Breton University (CBU) Medical School. The Issue Paper should also set the parameters for eligibility. Further, as a condition of the scholarship, upon completion of their medical training the candidate will be required to work as a Medical Doctor in CBRM for at least five (5) years. **Carried.**

**7. COMMITTEE REPORTS:**

N/A

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

Mayor Amanda M. McDougall-Merrill reviewed her list of action items from the meeting.

**ADJOURNMENT**

The Council met earlier this date in accordance with Section 22(2)(d) of the *Municipal Government Act*.

**Land Acknowledgement**

**Roll Call**

**O' Canada**

**1. APPROVAL OF AGENDA:**

**Motion:**

Moved by Councillor Cyril MacDonald, seconded by Councillor Green, to approve the March 28, 2023 Council agenda as circulated.

**Motion Carried.**

**2. APPROVAL OF MINUTES: 1015**

**Motion:**

Moved by Councillor Parsons, seconded by Councillor O'Quinn, approval of the Minutes from:

- **Special Council Minutes – March 7, 2023**

**Motion Carried.**

**3. PROCLAMATIONS AND RESOLUTIONS:**

**3.1 World Down Syndrome Day**

**Motion:**

Moved by Mayor McDougall-Merrill, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim March 21<sup>st</sup>, 2023 as **World Down Syndrome Day** in the Cape Breton Regional Municipality, and encourage all residents of the CBRM to join together and celebrate this day and proclaim the message, "*With Us Not For Us.*" It's a call to all who work on behalf of people with Down Syndrome to do so in partnership with them, empowering them to make decisions and supporting them in having their voices heard.

**Carried.**

**Continued...**

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

**3.2 Transgender Day of Visibility**

**Motion:**

Moved by Councillor Cyril MacDonald, seconded by Councillor MacMullin, that the CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim Friday March 31<sup>st</sup>, 2023 as Transgender Day of Visibility in the Cape Breton Regional Municipality.

**Carried.**

**3.3 Autism Acceptance Month**

**Motion:**

Moved by Councillor Parsons, seconded by Councillor Eldon MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim April 2023 as Autism Acceptance Month throughout the municipality and encourage all our citizens to recognize the individuals/people with autism, family members, caregivers, educators, and other professionals who strive to make Nova Scotia an inclusive and accessible place for us all to call home.

**Carried.**

**3.4 National Dental Hygienists Week**

**Motion:**

Moved by Councillor Tracey, seconded by Deputy Mayor Edwards, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim the week of April 4-10<sup>th</sup>, 2023 as National Dental Hygienists Week in the Cape Breton Regional Municipality.

**Carried.**

**3.5 Cape Breton Eagles Day – April 4<sup>th</sup>**

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Tracey, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim April 4<sup>th</sup>, 2023, to be **Cape Breton Eagles Day** in the Cape Breton Regional Municipality and encourage all CBRM residents to show their Eagles Pride. At 7:00 pm on April 4th, the puck will drop for the first playoff game on home ice, and they need the support of the community to be their 7th skater on the ice April 4th, 5th and onward.

**Carried.**

**Continued...**

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

**3.6 Imperial Oil Petroleum Storage Facility**

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Gordon MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council direct that a letter be sent to Imperial Oil outlining concerns from the area residents included in Appendix "A" attached to the Resolution.

**Carried.**

Following the motion, Council also discussed:

- Whether there was an agreement in place with Imperial Oil to supply foam
- On site equipment to supply the foam
- Soil and water samples
- Tank life expectancy
- What was done with the petroleum that spilled from the tanks
- The potential magnitude of this type of an incident
- Industrial incidents of this type are addressed by the provincial and federal departments of environment. Fire Services are exploring the issue through EMO-NS
- Imperial Oil was not billed for incremental costs for resources for the incident, however CBRM was billed by the Airport for use of their foam truck which was forwarded to and paid by Imperial Oil
- Information was provided to the Fire and Emergency Services Committee, and it was suggested that a report on that information be provided at a future Council meeting

**4. REPORT:**

**4.1 CBRM Regional Enterprise Network Update:**

Mayor McDougall-Merrill welcomed Cape Breton Partnership representatives Tyler Mattheis, President & CEO; Denis Thibeault, Economic Development Officer; Lan Zheng, Economic Development Officer; and Kelly MacKinnon, Labour Market & Immigration Advisor. They provided a presentation on the activities of the CBRM Regional Enterprise Network. Their presentation highlighted:

- Overview of the Cape Breton Partnership
- CBRM Forward: Economic Development
- CBRM Regional Enterprise Network (REN) Staff, Board and LOC
- CBRM REN Leverage Investments
- Initiatives and Events

**Continued...**

**REPORT - CBRM Regional Enterprise Network Update (Cont'd):**

- Statistics
- Business Planning Services
- Department of Labour and Skills partnership
- Immigration and Labour activities
- Settlement and Retention in the CBRM
- New Logo for CBRM REN
- CBRM Forward: CBRM REN & Economic Development Strategy
- Proposed Agreement
- Request and Recommendation

After the presentation, discussion took place regarding the public sponsorship of beautification initiatives, community surveys and measuring success through outcomes. The following motion was then put forward:

**Motion:**

Moved by Councillor Parsons, seconded by Deputy Mayor Edwards, that CBRM staff be directed to prepare an Issue Paper to consider the proposed agreement outlined in the CBRM Regional Enterprise Network Update.

**Discussion:**

In response to a question, it was clarified by the Mayor it is that a 5-year agreement that would be considered as referenced in the presentation.

**Carried.**

Councillor Eldon MacDonald spoke regarding the Downtown Sydney Beautification Project and suggested anyone interested in providing sponsorship to contact Sydney Downtown Development Association. He also spoke regarding District Energy and the Charlotte Street Project.

Mayor McDougall-Merrill asked that additional detailed information be provided regarding analytics from the Partnership's website and thanked the Partnership representatives for their presentation and update.

**5. BUSINESS ARISING:**

**5.1 Council – February 28, 2023:**

**a) Public Report: Citizen Appointments to Various Committees**

John MacKinnon, Deputy Chief Administrative Officer, provided a public report, on behalf of the Clerk, on the successful candidates appointed to the various CBRM Committees and Boards, noting all have accepted the positions and the required background checks are complete and in order:

- **Board of Police Commissioners (2-year term):**
  - Dale Deering-Bert (Candidate #P-2)
  - Helen Luedee (Candidate #P-3)
  - Tom Vickers (Candidate #P-5)
- **Audit Committee (2-year term):**
  - Mark Galley (Candidate #A-1)
- **Heritage Advisory Committee (2-year term):**
  - Thomas Ashford (Candidate #H-1)
  - Kyron Coombes (Candidate #H-2)
  - Kaleb DeLeskie (Candidate #H-3)
  - Allie MacInnis (Candidate #H-4)
  - Saul MacNeil (Candidate #H-5)
  - Susan MacNeil-Singh (Candidate #H-6)
  - Spyro Trifos (Candidate #H-7)
- **Cape Breton Regional Library Board (2-year term):**
  - Kathy MacIntyre (Candidate #L-4)
  - Douglas MacLennan (Candidate #L-5)

Mayor McDougall-Merrill thanked all individuals who put their name forward to express their interest in contributing to our community.

**For information only.**

**BUSINESS ARISING (Cont'd):**

**5.2 Emergency Council – March 10, 2023**

**a) RHI Update:**

Marie Walsh, Chief Administrative Officer, advised that further to the Memo included in the agenda package, CMHC contacted her office on March 27<sup>th</sup> and they are prepared to meet with staff on March 30<sup>th</sup>, at which time CMHC will be providing comments to staff on the eligibility on all proponent submissions. A Council meeting will then be scheduled so that a final decision can be made on proponents for RHI projects.

In response to a question, the Chief Administrative Officer advised that the meeting date will depend on the availability of Council and it was noted that budget deliberations are scheduled for the upcoming week.

Councillor Parsons suggested that this matter be addressed quickly to move forward with housing projects and referenced the March 31 deadline.

Mayor McDougall-Merrill advised that it is also important that the proponents be engaged and provide them with information on what is to be expected.

**For information only.**

**5.3 Council – March 14, 2023**

**a) Mandatory Policy Update: Engagement Programs - Proposed Amendments to the Public Participation Programs Policy:**

Michael Ruus, Director of Planning and Development, advised that CBRM is required to update the Public Participation Programs Policy to bring it into alignment with the new minimum planning requirements.

Mr. Ruus advised that a draft Policy has been provided as directed direction at the last Council meeting which brings the content of policy in alignment with engagement programs. He further advised that he has reached out to Membertou and Eskasoni regarding feedback and has not yet had a conversation at this point in time and it would be reasonable for Council to move forward with the proposed policy with the understanding that this will be the beginning of future conversations which would also include those with neighbouring municipalities regarding changes to consider in the future.

**Continued...**

**BUSINESS ARISING: Council – March 14, 2023 (Cont'd)**

**Mandatory Policy Update: Engagement Programs - Proposed Amendments to the Public Participation Programs Policy (Cont'd):**

**Motion:**

Moved by Councillor Green, seconded by Councillor Tracey, to approve the Public Participation and Engagement Programs Policy as amended.

**Discussion:**

During discussion, it was clarified that the consultation process going forward would include Membertou, Eskasoni, Victoria and Richmond Counties. It was also noted that within 14 days of the initiation of any process to adopt or amend the municipal planning strategy, staff would send out formal notice for feedback and requesting input from those communities, which would be brought before Council prior with proceeding with the next step in the process.

**Carried.**

At this point in the meeting, Councillor Parsons mentioned the tri-council meetings that were held in the past where information was shared and discussion had on strategies going forward. He suggested that CBRM reach out to the Eskasoni and Membertou Chiefs to suggest resuming the tri-council meetings to help grow relationships.

**5.4 In Camera Council – March 28, 2023**

a) **CUPE Local 761 - Crossing Guard Negotiations:**

Deanna Evely, Director of Human Resources, introduced this issue and advised that the CUPE Local 761 contract expired June 30, 2022. A new tentative agreement has been reached by both parties. The duration for the collective agreement is for a 5-year period with a 17.5% wage increase and all remaining articles remain unchanged.

The following motion was then put forward:

**Motion:**

Moved by Councillor Gordon MacDonald, seconded by Councillor Tracey, to approve the tentative Collective Agreement for CUPE Local 761 which covers a five-year term ending June 30, 2027 with the following increases:

July 1, 2022 to June 30, 2023: 8% = \$14.99

July 1, 2023 to June 30, 2024: 3% = \$15.44

July 1, 2024 to June 30, 2025: 2% = \$15.75

July 1, 2025 to June 30, 2026: 2% = \$16.06

July 1, 2026 to June 30, 2027: 2.5% = \$16.47

**Carried.**

**6. COUNCILLOR AGENDA REQUEST:**

**6.1 CBRM “Grow Our Own Doctors”:**

Deputy Mayor James Edwards reviewed his Councillor Request Form included in the agenda package and recommended that staff explore a scholarship program to support a local student each year to attend the Cape Breton University Medical School

After the Council discussion, the following motion was put forward:

**Motion:**

Moved by Deputy Mayor Edwards, seconded by Councillor Parsons, that staff be directed to prepare an Issue Paper exploring the feasibility of CBRM establishing a scholarship program to support one (1) local student per year to attend the Cape Breton University (CBU) Medical School. The Issue Paper should also set the parameters for eligibility. Further, as a condition of the scholarship, upon completion of their medical training the candidate will be required to work as a Medical Doctor in CBRM for at least five (5) years.

**Discussion:**

Some of the Council discussion on this issue included: the authority of CBRM to provide scholarships; providing scholarships to individuals in the medical doctor profession versus other professional designations; and pressures regarding the timing of the request of an Issue Paper.

**Motion Carried.**

**7. COMMITTEE REPORTS:**

Mayor McDougall-Merrill reminded Council there is a standing item on Council agendas to allow Councillors to provide updates on their Committee work and share updates with Council and the wider public on what is happening.

Councillor Gordon MacDonald suggested that once a month, each committee provide a report on what is taking place.

The Mayor reminded Council that this opportunity has been on the agenda for some time and Councillor Gordon MacDonald advised that no one is reporting and it should be mandated.

Mayor McDougall-Merrill advised that she will be sending reminders to Council for Committee Reports.

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

Mayor Amanda M. McDougall-Merrill provided her list of action items from this meeting, as follows:

1. Have a conversation about resuming holding Tri-Council meetings
2. Bring all Island-wide communities, including First Nations, together for a meeting this spring
3. Follow up with Cape Breton Partnership deeper analytics of their website usage

At this time, Councillor Eldon MacDonald provided the contact phone number for the Sydney Downtown Development Association for anyone wanting to provide sponsorship for Downtown Beautification as discussed earlier in the meeting.

**Meeting adjourned at 11:51 a.m.**

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**Mayor Amanda M. McDougall-Merrill**

/slm

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**John MacKinnon**

**Deputy Chief Administrative Officer**