

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
May 10, 2022
6:00 p.m.
Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS**

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 Glenn Paruch
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren Bruckschwaiger
Councillor Darren O’Quinn
Councillor Lorne Green

Staff: Marie Walsh, Chief Administrative Officer
Demetri Kachafanas, QC, Regional Solicitor
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Kirk Durning, Manager of Recreation
Sheila Kolanko, Property Manager
Jonathan Penney, Recreation Program Coordinator
Laura Goode, Recreation Program Coordinator
Joe Costello, Recreation Program Coordinator
Cindy Hynes, Recreation Program Coordinator
William Roy, Recreation Program Coordinator
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: Councillor Eldon MacDonald (Regrets)
Councillor Steve Parsons (Regrets)

Summary of Decisions

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

Land Acknowledgement

Roll Call

O' Canada

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council – January 25, 2022**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the May 10, 2022, Council Agenda as circulated. **Carried.**

3. VOLUNTEER WEEK:

3.1 Presentation of Volunteer Awards:

- a) **Gary McDonald Memorial Award**
Awarded in recognition of an outstanding community project.

i) Recipient for 2020/21 Glace Bay High School Changemakers – Burr Project
Committee

Presented By: Councillor Ken Tracey

ii) Recipient for 2022 Westmount Canada Day Committee

Presented By: Councillor Steve Gillespie

Continued...

VOLUNTEER WEEK Presentation of Volunteer Awards (Cont'd):

j) Anne Holland Memorial Award
Awarded in recognition of an outstanding community volunteer.

i) Recipient for 2020/21 Austin Smith
Presented By: Councillor Ken Tracey

ii) Recipient for 2022 Lorne Burke
Presented By: Councillor Lorne Green

k) Youth Volunteer Award
Awarded in recognition of an outstanding youth volunteer.

i) Recipient for 2020/21 Vessa MacNeil
Presented By: Councillor Darren O'Quinn

ii) Recipient for 2022 Emily Odo
Presented By: Councillor Darren O'Quinn

4. PROCLAMATIONS:

4.1 Gaelic Nova Scotia Month 2022:

Motion that Mayor Amanda M. McDougall and CBRM Council proclaim the month of May 2022 as Gaelic Nova Scotia Month to help celebrate Gaelic's presence in the Cape Breton Regional Municipality and to recognize the identity, pride, and inspiration for all residents to see the value of the Gaelic language and culture and its significant contribution to our Island and our Province. **Carried.**

4.2 Victorian Order of Nurses (VON) Week 2022:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim May 22-28, 2022 as VON week in the Cape Breton Regional Municipality recognizing the contributions made by the VON through their work in making our Province a better place in which to live. **Carried.**

4.3 Filipino Heritage Month 2022:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim the month of June as "*Filipino Heritage Month*" in the Cape Breton Regional Municipality. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS & RESOLUTIONS (Cont'd):

4.4 International Day Against Homophobia, Transphobia and Biphobia:

Motion that the CBRM Mayor Amanda M. McDougall and Council proclaim Tuesday May 17th, 2022 as International Day Against Homophobia, Transphobia and Biphobia in the CBRM. **Carried.**

4.5 National Deafblind Awareness Month 2022:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim June 2022 in the Cape Breton Regional Municipality as National Deafblind Awareness Month. **Carried.**

4.6 Fibromyalgia Awareness Day:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim May 12, 2022 as “Fibromyalgia Awareness Day” in the Cape Breton Regional Municipality and call this observance to the attention of all our residents. **Carried.**

5. PUBLIC HEARING – STREET CLOSINGS:

5.1 Portion of Undeveloped Road, Ainsley Street, Sydney (District 6):

Motion to approve the closure of that portion of the undeveloped road reserve as identified in the Staff Issue Paper dated May 10th, 2022 pursuant to MGA; to deem that portion of the road reserve as identified in the Staff Issue Paper dated May 10th, 2022 surplus, and to convey the said parcel to the applicant for \$1.00 pursuant to MGA and subject to subdivision/ lot consolidation and compliance of Land Use By-Law. All costs would be the responsibility of the applicant. **Carried.**

5.2 Portion of PID 15711948 Portion of Undeveloped Road, MacAulay’s Lane, Sydney (District 6):

Motion to approve the closure of that portion of the undeveloped street as identified in the Staff Issue Paper dated May 10th, 2022 pursuant to MGA; to deem that portion of the undeveloped street as identified in the Staff Issue Paper dated May 10th, 2022 surplus, and to sell the said parcel to the applicant, Phu Quy Dao, at market value subject to subdivision/ lot consolidation and compliance of Land Use By-Law. All costs would be the responsibility of the applicant. **Carried.**

Continued...

Summary of Decisions (Cont'd):

6. DELEGATION:

6.1 Acquiring Mount Carmel School Property by Maple Hill Manor:

Motion to support, in principle, the initiative by Maple Hill Manor to acquire the Mount Carmel School property at Market Value. **Carried.**

7. REPORT:

7.1 CBRM REN Economic Development Update – Spring 2022:

A presentation and update was provided on the CBRM REN Economic Development.

For Information Only.

8. CORPORATE SERVICES ISSUES:

8.1 Request To Deem Property Surplus: Portion of PID 15012461 – District 2 Campbell Street, North Sydney:

Motion to declare a portion of PID 15012461, as shown crosshatched in red on the map included with the staff Issue Paper dated May 10th, 2022 in the agenda package, **surplus** to the needs of the municipality and be sold at market value to the applicants, Robert and Judy Hardy. All costs will be the responsibility of the purchaser and subject to survey approved by staff, lot consolidation and compliance with Land Use Bylaw and issuance of building development permit. **Carried.**

8.2 Communication – Legislative Directives:

Mayor Amanda M. McDougall reviewed her Memo in the agenda package regarding recent legislative directives/communication affecting fiscal capacity of municipalities.

For Information Only

8.3 Land Acquisition - 275 West Avenue, Glace Bay, NS:

Motion to approve the staff recommendation to purchase proposed lot 1G of PID 15441827 from Christy Li, and to request an easement from Christy Li over proposed lot 1F for future CBRM infrastructure maintenance. **Carried.**

Continued...

Summary of Decisions (Cont'd)

CORPORATE SERVICES ISSUES (Can't):

8.4 Police Headquarters Generator:

Motion for approval to use the remaining police surplus, which is currently in an operating reserve, to fund the additional cost towards the generator for the Myles F. Burke Police Headquarters. This would remain in reserve until delivery which is not anticipated until 2023. **Carried.**

9. BUSINESS ARISING:

9.1 Council – April 26, 2022

a) Amendments to Student Employment Policy:

Motion to approve the amended Summer Student Employment Policy regarding the student selection process as recommended by staff. **Carried.**

10. COMMITTEE REPORTS:

N/A

11. Review of Action Items from this Meeting:

Mayor Amanda M. McDougall reviewed action items from the meeting.

ADJOURNMENT

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

Land Acknowledgement

Roll Call

O' Canada

Mayor McDougall congratulated the Cape Breton Blizzard Female Hockey Association and the Cape Breton Capers women's hockey team who won the Kraft Hockeyville national contest and will receive \$250,000 to revitalize the Canada Games Complex at Cape Breton University.

1. APPROVAL OF MINUTES:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor O'Quinn, approval of the Minutes from:

- **Special Council Meeting – January 25, 2022**

Motion Carried.

2. APPROVAL OF AGENDA:

Motion:

Moved by Councillor Paruch, seconded by Councillor Cyril MacDonald, to approve the May 10, 2022, Council Agenda as circulated.

Motion Carried.

3. VOLUNTEER WEEK:

3.1 Presentation of Volunteer Awards:

- a) **Gary McDonald Memorial Award**
Awarded in recognition of an outstanding community project.

Joe Costello, Recreation Program Coordinator, provided background information and criteria for the Gary McDonald Memorial Award.

District 9 Councillor Ken Tracey provided background information on the Glace Bay High School Changemakers – Burr Project Committee.

- i) **Recipient for 2020/21** High School Changemakers – Burr Project Committee
Presented By: Councillor Ken Tracey

Continued...

VOLUNTEER WEEK Presentation of Volunteer Awards:

District 4 Councillor Steve Gillespie provided background information on the Westmount Canada Day Committee.

ii) Recipient for 2022 Westmount Canada Day Committee
Presented By: Councillor Steve Gillespie

b) Anne Holland Memorial Award
Awarded in recognition of an outstanding community volunteer.

Jonathan Penny, Recreation Program Coordinator, provided background information and criteria for the Anne Holland Memorial Award.

District 9 Councillor Ken Tracey provided a biography on Austin Smith.

i) Recipient for 2020/21 Austin Smith
Presented By: Councillor Kenny Tracey

The District 12 Councillor Lorne Green provided a biography on Lorne Burke.

ii) Recipient for 2022 Lorne Burke
Presented By: Councillor Lorne Green

c) Youth Volunteer Award
Awarded in recognition of an outstanding youth volunteer.

Laura Goode, Recreation Program Coordinator, provided background information and criteria for the Youth Volunteer Award.

District 11 Councillor Darren O'Quinn provided a biography on Vessa MacNeil.

i) Recipient for 2020/21 Vessa MacNeil
Presented By: Councillor Darren O'Quinn

District 11 Councillor provided a biography on Emily Odo.

ii) Recipient for 2022 Emily Odo
Presented By: Councillor Darren O'Quinn

Mayor McDougall congratulated and thanked all the volunteers and the Recreation Department for their hard work and efforts for the Volunteer Awards.

4. PROCLAMATIONS:

4.1 Gaelic Nova Scotia Month 2022:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Green, that Mayor Amanda M. McDougall and CBRM Council proclaim the month of May 2022 as Gaelic Nova Scotia Month to help celebrate Gaelic's presence in the Cape Breton Regional Municipality and to recognize the identity, pride, and inspiration for all residents to see the value of the Gaelic language and culture and its significant contribution to our Island and our Province.

Motion Carried.

4.2 Victorian Order of Nurses (VON) Week 2022:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Edwards, that CBRM Mayor Amanda M. McDougall and Council proclaim May 22-28, 2022 as VON week in the Cape Breton Regional Municipality recognizing the contributions made by the VON through their work in making our Province a better place in which to live.

Motion Carried.

4.3 Filipino Heritage Month 2022:

Motion:

Moved by Councillor Tracey, seconded by Councillor Bruckschwaiger, that CBRM Mayor Amanda M. McDougall and Council proclaim the month of June as "*Filipino Heritage Month*" in the Cape Breton Regional Municipality.

Motion Carried.

4.4 International Day Against Homophobia, Transphobia and Biphobia:

Motion:

Moved by Councillor Green, seconded by Councillor Gordon MacDonald, that the CBRM Mayor Amanda M. McDougall and Council proclaim Tuesday, May 17th, 2022 as International Day Against Homophobia, Transphobia and Biphobia in the CBRM.

Motion Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

4.5 National Deafblind Awareness Month 2022:

Motion:

Moved by Councillor Edwards, seconded by Councillor Tracey, that CBRM Mayor Amanda M. McDougall and Council proclaim June 2022 in the Cape Breton Regional Municipality as National Deafblind Awareness Month.

Motion Carried.

4.6 Fibromyalgia Awareness Day:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Paruch, that CBRM Mayor Amanda M. McDougall and Council proclaim May 12, 2022 as “Fibromyalgia Awareness Day” in the Cape Breton Regional Municipality and call this observance to the attention of all our residents.

Motion Carried.

5. PUBLIC HEARING – STREET CLOSINGS:

5.1 Portion of Undeveloped Road, Ainsley Street, Sydney (District 6):

Sheila Kolanko, Property Manager, reviewed the updated Issue Paper included in the agenda package and recommended Council approve the closure of that portion of undeveloped road off Ainsley Street, Sydney.

Motion:

Moved by Councillor Paruch, seconded by Councillor Green,
- to approve the closure of that portion of the undeveloped road reserve as identified in the Staff Issue Paper dated May 10th, 2022 pursuant to MGA;
- to deem that portion of the road reserve as identified in the Staff Issue Paper dated May 10th, 2022 surplus, and
- to convey the said parcel to the applicant for \$1.00 pursuant to MGA and subject to subdivision/ lot consolidation and compliance of Land Use By-Law. All costs would be the responsibility of the applicant.

Public Hearing:

The Mayor asked if there was anyone present to speak for or against the Street Closure, seeing that there was no one, the Mayor then called for the vote.

Motion Carried.

Continued...

PUBLIC HEARING – STREET CLOSINGS (Cont'd):

5.2 Portion of PID 15711948 - Portion of Undeveloped Road, MacAulay's Lane, Sydney (District 6):

Sheila Kolanko, Property Manager, reviewed the updated Issue Paper included in the agenda package and recommended Council approve the closure of that portion of undeveloped road on MacAulay's Lane, Sydney.

Following discussion, the following motion was put forward:

Motion:

Moved by Councillor Paruch, seconded by Councillor Green,
- to approve the closure of that portion of the undeveloped street as identified in the Staff Issue Paper dated May 10th, 2022 pursuant to MGA;
- to deem that portion of the undeveloped street as identified in the Staff Issue Paper dated May 10th, 2022 surplus, and
- to sell the said parcel to the applicant, Phu Quy Dao, at market value subject to subdivision/ lot consolidation and compliance of Land Use By-Law. All costs would be the responsibility of the applicant.

Public Hearing:

The Mayor asked if there was anyone present to speak for or against the Street Closure, seeing that there was no one, the Mayor then called for the vote.

Motion Carried.

6. DELEGATION:

6.1 Acquiring Mount Carmel School Property by Maple Hill Manor:

Kendra Baldwin, Administrator/CAO of Maple Hill Manor, provided a presentation regarding the Maple Hill Manor funding announcement and plans for expansion. They are asking Council for approval to acquire the Mount Carmel School property.

In response to a question, the Chief Administrative Officer advised that the land is jointly owned by CBRM and the Catholic Diocese. CBRM would have to purchase the land from the Diocese and after consolidation, sell the property to Maple Hill Manor at market value.

Continued...

DELEGATION Acquiring Mount Carmel School Property by Maple Hill Manor (Cont'd):

Following discussion, the following motion was put forward:

Motion:

Moved by Councillor O'Quinn, seconded by Councillor Green, to support, in principle, the initiative by Maple Hill Manor to acquire the Mount Carmel School property at Market Value.

Discussion:

During discussion, the Chief Administrative Officer clarified the process involved with the conveyance of the land.

Motion Carried.

7. REPORT:

7.1 CBRM REN Economic Development Update – Spring 2022:

Tyler Mattheis, President & CEO of the Cape Breton Partnership, provided an update on the CBRM REN Economic Development.

After the presentation, Mayor McDougall thanked Tyler Mattheis for his presentation.

For Information Only.

8. CORPORATE SERVICES ISSUES:

8.1 Request To Deem Property Surplus: Portion of PID 15012461 – District 2 Campbell Street, North Sydney:

Sheila Kolanko, Property Manager, reviewed the Issue Paper included in the agenda package and recommended Council pass a motion to deem the property surplus to the needs of the municipality and be sold at market value to the applicants.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, to declare a portion of PID 15012461, as shown crosshatched in red on the map included with the staff Issue Paper dated May 10th, 2022 in the agenda package, **surplus** to the needs of the municipality and be sold at market value to the applicants, Robert and Judy Hardy. All costs will be the responsibility of the purchaser and subject to survey approved by staff, lot consolidation and compliance with Land Use Bylaw and issuance of building development permit.

Motion Carried.

Continued...

8.2 Communication – Legislative Directives:

Mayor Amanda M. McDougall reviewed the Memo in the agenda package regarding recent legislative directives/communication affecting fiscal capacity of municipalities. The Mayor advised of her concerns with the lack of consultation by the provincial government. She is looking for support from Council to ensure that it becomes standard practice that any legislation and decision making from higher levels of governments having a direct impact on municipal government require consultation with municipalities and their input before moving ahead.

She noted that included in the agenda package was correspondence received at her office and to the NSFM. She discussed having conversations with Municipal Affairs and also the need for Council to sit down with the MLAs as they will be very involved in the MOU discussions.

Councillors discussed the issue.

For Information Only.

8.3 Land Acquisition - 275 West Avenue, Glace Bay, NS:

Wayne MacDonald, Director of Engineering and Public Works, reviewed the Issue Paper in the agenda package and recommended the purchase of proposed lot 1G of PID 15441827 for CBRM infrastructure and the required easement.

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Tracey, to approve the staff recommendation to purchase proposed lot 1G of PID 15441827 from Christy Li, and to request an easement from Christy Li over proposed lot 1F for future CBRM infrastructure maintenance.

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

8.4 Police Headquarters Generator:

Wayne MacDonald, Director of Engineering and Public Works, reviewed the Memo in the agenda package and recommended using the remaining police surplus to fund the additional cost of the new generator for the Myles F. Burke Police Headquarters.

In response to a question, the Chief Administrative Officer indicated that the list of balances transferred and currently in the General Operating Reserve would be provided to Council following the Audit.

Following Council discussion, the following motion was put forward:

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, approval to use the remaining police surplus, which is currently in an operating reserve, to fund the additional cost towards the generator for the Myles F. Burke Police Headquarters. This would remain in reserve until delivery which is not anticipated until 2023.

Motion Carried.

9. BUSINESS ARISING:

9.1 Council – April 26, 2022

a) Amendments to Student Employment Policy:

Kirk Durning, Manager of Recreation, reviewed his Issue Paper in the agenda package and recommended Council approve the recommended amendments to the Summer Student Employment Policy as presented.

Following discussion, the following motions was put forward:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Gillespie, to approve the amended Summer Student Employment Policy regarding the student selection process as recommended by staff.

Discussion:

Following discussion on the issue, the Mayor called for the vote.

Motion Carried.

10. COMMITTEE REPORTS:

N/A

11. Review of Action Items from this Meeting:

At the conclusion of the May 10th Council meeting, Mayor McDougall noted the following items would be addressed:

1. Reach out to CBRM REN to discuss the business plan for the Partnership.
2. Invite MLAs to discuss Municipal representation and consultation going forward affecting municipal fiscal capacity.
3. Follow up with the Premier's Office and request a meeting to discuss the MOU.
4. Surplus details from Operating Reserves by way of Audit Committee will be provided to Council.

Meeting adjourned at 8:41 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk
/acr