

## **Cape Breton Regional Municipality**

Council Meeting Minutes

October 10, 2023

6:00 p.m. at City Hall Council Chambers

### **Council**

Deputy Mayor James Edwards

Councillor Gordon MacDonald

Councillor Earlene MacMullin

Councillor Cyril MacDonald

Councillor Steve Gillespie

Councillor Eldon MacDonald

Councillor Steve Parsons

Councillor Ken Tracey

Councillor Darren Bruckschwaiger

Councillor Darren O'Quinn

### **Staff**

Marie Walsh, Chief Administrative Officer

Christa Dicks, Municipal Clerk

Demetri Kachafanas, KC, Regional Solicitor

Jennifer Campbell, Chief Financial Officer

Wayne MacDonald, Director of Engineering and Public Works

Kirk Durning, Director of Recreation, Parks and Grounds, and Buildings and Facilities

Matt Viva, Manager of Wastewater Operations

Deanna Evely, Director of Human Resources

Paul MacDonald, Manager of Facilities

Sheila Kolanko, Property Manager

Sharon MacSween, Senior Administrative Assistant

Kelly McDonald, Recording Secretary

### **Absent**

Mayor Amanda M. McDougall-Merrill (Regrets)

Councillor Glenn Paruch (Regrets)

Councillor Lorne Green (Regrets)

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](http://www.cbrm.ns.ca).

The Council met in Camera on October 3, 2023, pursuant to Section 22 (2)(e) of the *Municipal Government Act*.

**Deputy Mayor James Edwards called the meeting to order.**

**Land Acknowledgement**

**Roll Call**

**O' Canada**

**1. Approval of Agenda**

**Motion**

Moved by Councillor Bruckschwaiger, seconded by Councillor Tracey, to approve the October 10, 2023, Council Agenda and Addendum as presented.

**Motion Carried**

**2. Proclamations**

**2.1 Green Sports Day**

**Motion**

Moved by Councillor Cyril MacDonald, seconded by Councillor Parsons, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim October 6<sup>th</sup>, 2023, as Green Sports Day in the Cape Breton Regional Municipality.

**Motion Carried**

## **2.2 Dyslexia Awareness Month**

### **Motion**

Moved by Councillor O’Quinn, seconded by Councillor Bruckschwaiger, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim October as Dyslexia Awareness Month in the Cape Breton Regional Municipality.

### **Motion Carried**

## **2.3 Kiwanis Club of Sydney 100<sup>th</sup> Anniversary**

This item has been postponed until the Council meeting being held on October 24, 2023.

## **2.4 International Intersex Awareness Day**

### **Motion**

Moved by Councillor Eldon MacDonald, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim Wednesday, October 26<sup>th</sup>, 2023, as International Intersex Awareness Day in the Cape Breton Regional Municipality.

### **Motion Carried**

## **2.5 Eradication of Poverty**

### **Motion**

Moved by Councillor Tracey, seconded by Councillor Gordon MacDonald, that CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim October 17, 2023, as International Day for the Eradication of Poverty in the Cape Breton Regional Municipality and urge all levels of government and community organizations to support the development of a National Livable Basic Income program, by sending letters on behalf of Council:

- Urging the Prime Minister, Premier, and relevant ministers to implement a National Livable Basic Income program; and
- Asking the Premier to form an all-party committee to study how best to implement such a program for Nova Scotia; and
- Call on the Nova Scotia Federation of Municipalities to ask all Nova Scotia municipalities to express their support for a Livable Basic Income.

### **Motion Carried**

## **3. Street Closings – Public Hearings**

### **3.1 Street Closure (PID 15646813) Undeveloped Road**

#### **Reserve off Waterview Dr., Sydney Mines (District 1)**

Sheila Kolanko, Property Manager, reviewed the Issue Paper and recommendation in the agenda package. The following motion was then put forward:

#### **Motion**

Moved by Councillor Gordon MacDonald, seconded by Councillor MacMullin, to approve the closure of the undeveloped road parcel (as outlined in red on the attached map – Attachment “A”, of the staff Issue Paper dated October 10<sup>th</sup>, 2023) pursuant to the *Municipal Government Act* and to authorize the Mayor and Clerk to execute a Quit Claim Deed on behalf of the municipality to the applicant for the subject parcel identified as PID 15646813.

### **Motion Carried**

### **3.2 Request for Street Closure (Portion of PID 15751126)**

#### **Portion of Undeveloped Section of Williams Avenue, New Waterford (District 11)**

Sheila Kolanko, Property Manager, reviewed the Issue Paper and recommendation in the agenda package. The following motion was then put forward:

**Motion**

Moved by Councillor O’Quinn, seconded by Councillor Bruckschwaiger, to approve the closure of the undeveloped road parcel (as outlined in red on the attached map – Attachment “A”, of the staff Issue Paper dated October 10<sup>th</sup>, 2023) pursuant to the *Municipal Government Act*, to deem that portion of the road parcel (as identified as the crosshatched area in red on the attached map – Attachment “A”, of the staff Issue Paper dated October 10<sup>th</sup>, 2023) surplus, and to sell the surplus property at market value.

**Motion Carried****4. Corporate Service Issues****4.1 Seaview Manor Board of Directors**

Demetri Kachafanas, KC, Regional Solicitor, clarified correction of Holly’s last name as Kelloway. Regional Solicitor Kachafanas reviewed the Issue Paper and recommendation in the agenda package. The following motion was then put forward:

**Motion**

Moved by Councillor Tracey, seconded by Councillor Bruckschwaiger, to appoint Holly Kelloway to the Seaview Manor Board of Directors in accordance with the *Municipal Housing Corporation Act*.

**Motion Carried****4.2 Facility Naming Rights and Sponsorship Policy**

Director Durning reviewed the Issue Paper and informed that a copy of the draft policy is attached in the agenda package. The director informed that staff will be recommending that this policy be adopted at the October 24<sup>th</sup>, 2023, meeting of Council.

For Information Only

**5. Public Service Issue**

**5.1 Capital Projects Funding Update – Sydney Harbour West Wastewater Collection and Treatment Project – Scope and Extension Request**

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

**Motion**

Moved by Councillor Eldon MacDonald, seconded by Councillor Cyril MacDonald, to approve Sydney Harbour West Wastewater Collection and Treatment Project Scope Change and Funding Extension request to include the construction of the New Victoria Wastewater Collection and Treatment System as outlined in the staff Issue Paper dated October 10<sup>th</sup>, 2023, in the agenda package.

**Motion Carried**

**6. Committee Reports – None**

**7. Financial Statements**

**7.1 CBRM to August 31, 2023**

For Information Only

**7.2 Port of Sydney Development Corporation to August 31, 2023**

For Information Only

## **8. Councillor Agenda Request**

### **8.1 Harassment Complaint and Investigation**

Councillor MacMullin reviewed the Councillor Agenda Request Form followed by discussion between Council and staff regarding a harassment complaint and investigation. Involved Councillors are under the impression that the investigation process was misleading; therefore, it is important for this complaint, investigation, and process to be reviewed.

A **Point of Order** was raised by Councillor MacMullin to bring focus back to the outcome sought stated in the Councillor Agenda Request Form. The following motion was put then forward:

#### **Motion**

Moved by Councillor MacMullin, seconded by Councillor Gordon MacDonald, to approve to have the complaint and investigation, in its entirety, be reviewed to determine if involved Councillors have been provided an opportunity for natural justice and due process. In addition, that the CBRM solicitor oversee the designation of an independent third party with the authority to perform this review; removing any involvement from the Mayor and Chief Administrative Officer as they were named and interviewed in the process, therefore having influence on its outcome.

#### **Motion Carried**

**Meeting adjourned at 8:44 p.m.**

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**James Edwards**  
**Deputy Mayor**  
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**Christa Dicks**  
**Municipal Clerk**