

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
October 12, 2021
6:03 p.m.
Centre 200
Main Concourse
481 George Street, 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 Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren O'Quinn

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
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Chief Michael Seth, Director of Fire & Emergency Services
Sheila Kolanko, Property Manager
Karen Neville, Senior Planner
Kristen Knudskov, Planner
Sharon MacSween, Senior Administrative Assistant
Tanya Nicholson, Recording Secretary

Absent: Councillor Darren Bruckschwaiger (Leave of Absence)
Councillor Lorne Green (Regrets)

Summary of Decisions

Land Acknowledgement

O'Canada

Roll Call

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Council Meeting – August 24, 2021**

Carried.

Motion to approve minutes from:

- **Council Meeting – September 14, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the October 12, 2021 Council Agenda and Addendum as presented.

Carried.

3. PROCLAMATIONS & RESOLUTIONS:

3.1 Fire Prevention Week 2021 (for ratification):

Motion that CBRM Mayor and Council proclaim October 3rd to 9th, 2021, as Fire Prevention Week throughout the Cape Breton Regional Municipality, and to urge all the people of the CBRM to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2021, and to support the many public safety activities and efforts of the Cape Breton Regional Fire and Emergency Services and its members.

Carried.

3.2 National Disability Employment Awareness Month:

Motion that Mayor Amanda M. McDougall and Council of the Cape Breton Regional Municipality proclaim October, 2021 as National Disability Employment Awareness Month in the CBRM; support Light it Up! For NDEAM by lighting City Hall in purple on October 21st; and promote same through the Municipality's various social media platforms using hashtags #LightitUpforNDEAM, #LightitUp1021, #NDEAM and #EngageTeam.

Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.3 Pancreatic Cancer Awareness:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim November as National Pancreatic Cancer Awareness Month and November 18th, 2021, as World Pancreatic Cancer Day in the Cape Breton Regional Municipality. **Carried.**

4. PLANNING ISSUES:

4.1 FINAL APPROVAL: N/A

4.2 APPROVAL TO ADVERTISE:

- a) **Case 1084 - Request from Metro Rifle & Pistol Club to Permit an Outdoor Weapon Shooting Range at PID 15198393 (Upper Leitches Creek Road, Upper Leitches Creek, District 3) by Development Agreement:**

Motion for approval to advertise Notice of a Public Hearing to consider the application by Mike Kelley of the Metro Rifle & Pistol Club to permit an Outdoor Weapon Shooting Range at PID 15198393 (Upper Leitches Creek Road, Leitches Creek, District 3), Case 1084. **Carried.**

4.3 Request for Easement PID 15705718 – Esplanade – NSCC Pedway:

Motion that the Mayor and Clerk be authorized to execute an Easement Agreement in favour of Nova Scotia Community College for the installation of a pedway across CBRM property as outlined in Attachment A of the staff report dated September 28, 2021, and all costs and fees associated with the easement shall be the responsibility of the applicant. **Carried.**

5. BUSINESS ARISING:

5.1 Fire & Emergency Services Committee – September 15, 2021:

- a) **Sustainability of Fire Services in Cape Breton Regional Municipality – Phase 1:**

Motion to provide authority and approval to begin the process that includes the need for regulation for the fire services, revenue generation. **Carried.**

Continued...

**BUSINESS ARISING: Fire & Emergency Services Committee – September 15, 2021:
Sustainability of Fire Services in Cape Breton Regional Municipality – Phase 1 (Cont'd):**

Motion to provide authority and approval to begin the process that includes the identification of need to enhance fire prevention and training activities for the entire CBRM. **Carried.**

Motion to provide direction for all volunteer departments to work under the direction of the Chief/Director as it pertains to this initiative. Also, to provide opportunity for a consultation process to obtain all data necessary. The Director/Chief will provide regular reports to Council on progress of data collection and participation. **Carried.**

Motion that in the 2021/22 budget deliberations, consideration be given for the updating of comprehensive records management systems (RMS) and business intelligence software suite that all departments within CBRM must, as a requirement of their registration, ensure information is maintained, available for access by Fire Administration. **Carried.**

6. CORPORATE SERVICES:

6.1 Request to Deem Property Surplus: PID 15656143 Hwy #125, Edwardsville (District 3):

Motion to declare PID 15656143 **surplus** to the needs of the municipality and be sold at market value to the applicant; all costs will be the responsibility of the applicant and the sale subject to compliance with Land Use By-Law and other applicable legislation and government regulations. **Carried.**

6.2 Request to Deem Property Surplus: PID 15355969 Hills Road, Albert Bridge (District 8):

Motion to declare PID 15355969 **surplus** to the needs of the municipality and be sold at market value to the applicant, and all costs will be the responsibility of the applicant and subject to compliance with Land Use By-law and other applicable legislation and government regulations. **Carried.**

6.3 Request to Deem Property Surplus: Portion of PID 15418825 Shaft Street, Glace Bay (District 9):

Motion to declare the portion of PID 15418825 as outlined, **surplus** to the needs of the municipality and be sold at market value to the applicants, and all costs will be the responsibility of the proposed purchaser and the sale to lot consideration and compliance with Land Use By-law and other applicable legislation and government regulations. **Carried.**

Continued...

CORPORATE SERVICES (Cont'd):

6.4 Election/Selection of Deputy Mayor:

Councillor Earlene MacMullin was acclaimed Deputy Mayor for 2021-2022.

6.5 Future Development of CBRM Land on Sydney Waterfront:

Motion that staff be directed to put out a new Request for Proposals (RFP) for the Sydney Waterfront Development on CBRM land. **Carried.**

6.6 Committee Reports:

Motion to have a standing opportunity on each Council agenda for Committee Reports. **Carried.**

7. COUNCILLOR AGENDA REQUESTS:

7.1 Move Memorial Plaque from Jail Field Playground to Atlantic Street Playground:

Motion to direct staff to investigate the relocation of the memorial plaque from the Jail Field Playground to the Atlantic Street Playground and if feasible, complete the relocation. **Carried.**

7.2 Doubling of Municipal Capacity Grant (Equalization):

Motion that staff be requested to bring back an Issue Paper with recommendations on planning and investing the additional Municipal Capacity Grant this year for our community. **Carried.**

7.3 CBRM – Workplace Safety Protocol:

Motion to request staff to come back to Council with an alternate policy to the current protocol that includes mandatory vaccination. **Carried.**

8. FINANCIAL STATEMENTS:

8.1 CBRM to August 31, 2021:

For Information Only.

Continued...

FINANCIAL STATEMENTS (Cont'd):

8.2 Port of Sydney Development Corporation to August 31, 2021:

For Information Only.

9. Review of Action Items from the Meeting:

Mayor McDougall reviewed action items from this meeting.

ADJOURNMENT

Land Acknowledgement

O' Canada

Roll Call

1. APPROVAL OF MINUTES:

Motion:

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

- **Council Meeting – August 24, 2021**

Motion Carried.

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Tracey, approval of the Minutes from:

- **Council Meeting – September 14, 2021**

Motion Carried.

2. APPROVAL OF AGENDA:

The Mayor noted that the CAO has a Memo regarding a possible vaccination policy for CBRM that she would like to add to the agenda (as item 7.3). Council **agreed**.

Motion:

Moved by Councillor Edwards, seconded by Councillor Paruch, to approve the October 12, 2021 Council Meeting Agenda and Addendum as presented.

Motion Carried.

3. PROCLAMATIONS & RESOLUTIONS:

3.1 Fire Prevention Week 2021 (for ratification):

Motion:

Moved by Councillor Tracey, seconded by Councillor Parsons, that CBRM Mayor and Council proclaim October 3rd to 9th, 2021 as Fire Prevention Week throughout the Cape Breton Regional Municipality, and to urge all the people of the CBRM to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2021, and to support the many public safety activities and efforts of the Cape Breton Regional Fire and Emergency Services and its members.

Motion Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.2 National Disability Employment Awareness Month:

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Gillespie that Mayor Amanda M. McDougall and Council of the Cape Breton Regional Municipality proclaim October, 2021 as National Disability Employment Awareness Month in the CBRM; support Light it Up! For NDEAM by lighting City Hall in purple on October 21st; and promote same through the Municipality's various social media platforms using hashtags #LightitUpforNDEAM, #LightitUp1021, #NDEAM and #EngageTeam.

Motion Carried.

3.3 Pancreatic Cancer Awareness:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald that CBRM Mayor Amanda M. McDougall and Council proclaim November as National Pancreatic Cancer Awareness Month and November 18th, 2021, as World Pancreatic Cancer Day in the Cape Breton Regional Municipality.

Motion Carried.

4. PLANNING ISSUES:

4.1 FINAL APPROVAL: N/A

4.2 APPROVAL TO ADVERTISE:

- a) **Case 1084 - Request from Metro Rifle & Pistol Club to Permit an Outdoor Weapon Shooting Range at PID 15198393 (Upper Leitches Creek Road, Upper Leitches Creek, District 3) by Development Agreement):**

Kristen Knudskov, Planner, advised that Mike Kelley of the Metro Rifle & Pistol Club requested a permit for an outdoor weapon shooting range at PID 15198393. Ms. Knudskov noted the CBRM Municipal Planning Strategy (MPS) Part 5 Policy 15.b allows Council to consider proposals for outdoor shooting ranges by development agreement. The subject property contains 140 acres fronting onto Upper Leitches Creek Road. A copy of the proposed site plan and renderings were included in the Agenda package.

Continued...

APPROVAL TO ADVERTISE – Case 1084 - Request from Metro Rifle & Pistol Club to Permit an Outdoor Weapon Shooting Range at PID 15198393 (Upper Leitches Creek Road, Upper Leitches Creek, District 3) by Development Agreement) (Cont'd):

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Paruch, approval to advertise Notice of a Public Hearing to consider the application by Mike Kelley of the Metro Rifle & Pistol Club to permit an Outdoor Weapon Shooting Range at PID 15198393 (Upper Leitches Creek Road, Leitches Creek, District 3), Case 1084.

Motion Carried.

4.3 Request for Easement PID 15705718 – Esplanade – NSCC Pedway:

Karen Neville, Senior Planner, advised the Nova Scotia Community College is seeking approval to enter into an Easement Agreement to enable the construction of a pedway across the Esplanade (PID 15705718) to connect buildings in the new waterfront campus. Ms. Neville noted in accordance with the *Municipal Government Act*, Council approval is required for any encroachments or easements located upon, under, or over CBRM street right-of-way.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, that the Mayor and Clerk be authorized to execute an Easement Agreement in favour of Nova Scotia Community College for the installation of a pedway across CBRM property as outlined in Attachment A of the staff report dated September 28, 2021, and all costs and fees associated with the easement shall be the responsibility of the applicant.

Motion Carried.

5. BUSINESS ARISING:

5.1 Fire & Emergency Services Committee – September 15, 2021:

a) Sustainability of Fire Services in Cape Breton Regional Municipality – Phase 1:

Michael Seth, Fire Chief, Director of Fire & Emergency Services, provided background information on this issue.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Paruch, to provide authority and approval to begin the process that includes the need for regulation for the fire services, revenue generation.

Motion Carried.

Continued...

**BUSINESS ARISING – Fire & Emergency Services Committee – September 15, 2021:
Sustainability of Fire Services in Cape Breton Regional Municipality – Phase 1 (Cont'd):**

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Gillespie, to provide authority and approval to begin the process that includes the identification of need to enhance fire prevention and training activities for the entire CBRM.

Motion Carried.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Paruch, to provide direction for all volunteer departments to work under the direction of the Chief/Director as it pertains to this initiative. Also, to provide opportunity for a consultation process to obtain all data necessary. The Director/Chief will provide regular reports to Council on progress of data collection and participation.

Discussion:

- Multi-year process for evaluating the Volunteer and Career Fire Service
- Open communication between Fire Services, Council and the public during evaluation process
- Any requests for change will be first brought in an Issue Paper to Committee and then forwarded to Council for approval
- Volunteer Fire Departments and CBRM residents will have opportunity to provide input in the information collection process
- Possible effects on insurance rates if volunteer fire stations were to close
- Cost of career vs. volunteer fire service
- Recommendations will be considered in next Budget year

Motion Carried

Motion:

Moved by Councillor Paruch, seconded by Councillor Parsons, that in the 2021/22 budget deliberations, consideration be given for the updating of comprehensive records management systems (RMS) and business intelligence software suite that all departments within CBRM must, as a requirement of their registration, ensure information is maintained, available for access by Fire Administration.

Motion Carried.

6. CORPORATE SERVICES ISSUES:

6.1 Request to Deem Property Surplus: PID 15656143 Hwy #125, Edwardsville (District 3):

Sheila Kolanko, Property Manager, advised that CBRM received a letter of interest from the RDL Construction Limited asking CBRM to consider selling property adjacent to the applicant's existing property for the installation of a moderate solar farm to generate electricity for their structures located on the adjacent property. She further advised that following an internal review, staff recommended selling the property.

Motion:

Moved by Councillor Cyril MacDonald, seconded by Councillor Gillespie, to declare PID 15656143 **surplus** to the needs of the municipality and be sold at market value to the applicant; all costs will be the responsibility of the applicant and the sale subject to compliance with Land Use By-Law and other applicable legislation and government regulations.

Motion Carried.

6.2 Request to Deem Property Surplus: PID 15355969 Hills Road, Albert Bridge (District 8):

Sheila Kolanko, Property Manager, advised that CBRM received a letter of interest from Danielle Currie, registered owner of 176 Hills Road, Albert Bridge, asking CBRM to consider selling CBRM property lying adjacent to the applicant's existing property. Ms. Kolanko noted an internal staff review was carried out and it was determined the property was not required for the wellfield given the distance outside of the zone of contribution, thus recommended selling this property.

Motion:

Moved by Councillor Edwards, seconded by Councillor Paruch, to declare PID 15355969 **surplus** to the needs of the municipality and be sold at market value to the applicant, and all costs will be the responsibility of the applicant and subject to compliance with Land Use By-law and other applicable legislation and government regulations.

Discussion:

- Sydney-Middle Lake Watershed is an old piece of property associated with the previous City of Sydney Watershed and some of the land mass is beyond the limits of what is required
- Sydney-Middle Lake Wellfield has been part of CBRM's water system since the 1990's
- CBRM assess essential land requirements when new requests to purchase are received

Motion Carried.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

6.3 Request to Deem Property Surplus: Portion of PID 15418825 Shaft Street, Glace Bay (District 9):

Sheila Kolanko, Property Manager, advised that CBRM received a letter from Clarence and Kimberly Gibson asking the Municipality to consider selling a portion of CBRM property on Shaft Street in Glace Bay that is adjacent to their property and they are currently occupying and maintaining. Ms. Kolanko noted that following an internal review, staff recommended conveying the small section to the applicants to resolve the encroachment issue.

Motion:

Moved by Councillor Tracey, seconded by Councillor Edwards, to declare the portion of PID 15418825 as outlined, **surplus** to the needs of the municipality and be sold at market value to the applicants, and all costs will be the responsibility of the proposed purchaser and the sale to lot consideration and compliance with Land Use By-law and other applicable legislation and government regulations.

Discussion:

- Importance of following permit processes
- Fence and access to the driveway were on the property before CBRM acquired the title
- The Director of Planning & Development explained when dealing with the sale of surplus lands, the property is always subject to land use bylaw through the sales agreement
- Resolving encroachment issues
- Residents pay taxes on the property being occupied
- Properties that CBRM acquired from the Federal Government also have encroachment issues
- Under the *Municipal Government Act*, CBRM properties must be sold at Fair Market Value

Motion Carried.

6.4 Election/Selection of Deputy Mayor:

The Municipal Clerk explained the election/selection process as outlined in the Deputy Mayor Policy.

Mayor McDougall then called for nominations for the Office of Deputy Mayor.

Councillor Earlene MacMullin was nominated by Councillor Gordon MacDonald and Councillor MacMullin accepted the nomination.

Mayor McDougall called for any further nominations. Hearing none, Councillor Earlene MacMullin was declared Deputy Mayor by acclamation for her second consecutive term effective November 1st, 2021.

Continued...

CORPORATE SERVICES ISSUES (Cont'd):

6.5 Future Development of CBRM Land on Sydney Waterfront:

Marie Walsh, Chief Administrative Officer, advised that staff received a new proposal from Harbour Royale Development Limited (HRDL) that replaces the recently expired agreement which had included a waterfront library. Ms. Walsh noted HRDL spent considerable time and money on the original proposal and is asking Council to allow them the opportunity to put forward an alternate proposal that does not include a municipal library.

Motion:

Moved by Councillor Gordon MacDonald, seconded by Deputy Mayor MacMullin, that staff be directed to put out a new Request for Proposals (RFP) for the Sydney Waterfront Development on CBRM land, and HRDL can participate in that proposal if they wish.

Discussion on the Motion:

During Council discussion, some of the issues raised included:

- Is Council permitted to accept this new proposal under the MGA
- Clear direction from Council is required on how to move forward with the Sydney Waterfront Development
- HRDL was the only bidder for the last RFP
- Other businesses may have interest in developing the Waterfront property

At this point in the meeting, Mayor McDougall advised that HRDL representatives Martin Chernin and Dwight Rudderham were in attendance to answer any questions Council may have regarding the new proposal.

Discussion (cont'd):

- Council denied the request for an extension of the previous agreement with HRDL
- HRDL property is located in the middle of CBRM's property
- In previous Special Council (Library) meeting, Council discussed entertaining a new proposal from HRDL, but there was no formal motion
- HRDL was advised by staff that they believed Council would entertain a new proposal

At this point of discussion, Councillor Cyril MacDonald asked if Mr. Chernin and Mr. Rudderham could come forward to answer questions.

Continued...

CORPORATE SERVICES ISSUES – Future Development of CBRM Land on Sydney Waterfront (Cont'd):

Point of Order:

Deputy Mayor MacMullin raised a Point of Order, noting that Mr. Chernin was not listed on the agenda to present to Council.

Further, the Deputy Mayor asked for clarification on how the second proposal was initiated and questioned if it is in order for staff to negotiate a new contract without a motion of Council.

Mayor McDougall noted there was no motion of Council directing staff to pursue a new proposal, however any person in the CBRM has the ability to approach Council or staff to put forth an idea. This has happened on many different projects, therefore the Mayor stated that it is not out of order.

Point of Order:

Councillor Edwards raised a Point of Order and requested that Councillor Cyril MacDonald be permitted to present his questions Mr. Chernin and Mr. Rudderham.

Mayor McDougall advised she will respond to the first Point of Order and reset Councillor Cyril MacDonald's speaking time.

Ms. Marie Walsh, CAO, advised that in conversation with Mr. Chernin, he asked if Council would entertain a new proposal from HRDL. Mr. Chernin submitted a new proposal to staff, and staff then brought it to an In-Camera Council session, and the direction from that meeting was to take it to an open Council meeting. The CAO also advised that staff is obligated to bring any proposals to Council.

Point of Order:

Councillor Parsons raised a Point of Order and asked that before the vote is taken on the motion, did HRDL get the impression from staff to submit another proposal, and if so, would it not be prudent for Council to make a decision on that proposal first.

Mayor McDougall noted the three options listed in the CAO's Memo included in the agenda, and the motion reflects one of those options.

At this point in the meeting, Mayor McDougall asked if Council was in agreement to allow the representatives from HRDL to address Council in response to questions. Because there was no unanimous agreement, a vote was taken, with 7 in favour and 4 opposed. Messrs. Chernin and Rudderham then approached the podium.

Continued...

CORPORATE SERVICES ISSUES – Future Development of CBRM Land on Sydney Waterfront (Cont'd):

Q & A with HRDL Representatives:

Councillor Cyril MacDonald asked the representatives of HRDL if at the last Council meeting they attended, were they left with the impression that they could submit a new proposal that Council would accept.

Mr. Dwight Rudderham, Solicitor for HRDL, advised Council that it was HRDL's understanding that if the Library was removed from the proposal, that it would be considered by Council.

Councillor Cyril MacDonald then asked if HRDL thought they were exclusive in the proposal process and that they would not have to respond to another RFP.

Mr. Martin Chernin, HRDL President, advised Council that because they were involved with this project over the past three years with substantial time and money invested, he thought HRDL would be the only proponents involved in the Waterfront Development.

Mayor McDougall advised that Council she did not have any conversations with HRDL outside of the Council Chamber.

Councillor Edwards requested to put forth a question to HRDL representatives.

Point of Order:

Councillor Gordon MacDonald raised a Point of Order that Council should not be interviewing the developer on a proposal that has not been approved by Council or advertised as a request for proposals.

Mayor McDougall reminded Councillor Gordon MacDonald there was a Council vote to allow HRDL representatives to answer questions from Council.

Councillor Edwards asked HRDL representatives what they intended to build on the subject property.

Mr. Chernin explained that the HRDL proposal would be to build a commercial/residential structure (depending on the market) on their land and on CBRM land, and that they would purchase the CBRM land at market value.

Discussion on the Motion (Cont'd):

- RFP would be open for a 4-week period as per best practices, followed by evaluation of the responses and deliberation, thus the total process could be 4-8 weeks
- RFP would include the full scope of CBRM land

Continued...

CORPORATE SERVICES ISSUES – Future Development of CBRM Land on Sydney Waterfront (Cont'd):**Motion (cont'd)**

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

Motion Carried.

6.6 Committee Reports:

Mayor Amanda M. McDougall brought forward a suggestion to include a section for Committee Reports on the monthly Council meeting agendas so Council Members could report on the work that is being done on the committees to where they have been appointed. These reports do not have to be provided for every Council meeting but should be submitted one week in advance like regular agenda requests.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gillespie, to have a standing opportunity on each Council agenda for Committee Reports.

Motion Carried.

7. COUNCIL AGENDA REQUESTS:**7.1 Move Memorial Plaque from Jail Field Playground to Atlantic Street Playground:**

Councillor Glenn Paruch provided background information on this request. In the late 1990s a plaque was erected at the Jail Field Playground as a legacy for David by the Joseph Family. The Joseph family presently live closer to the Atlantic Street area and requested relocating the David's Playground Memorial Plaque to Atlantic Street Playground, to continue to acknowledge David's legacy.

Motion:

Moved by Councillor Paruch, seconded by Councillor Gillespie, to direct staff to investigate the relocation of the memorial plaque from the Jail Field Playground to the Atlantic Street Playground and if feasible, complete the relocation.

Discussion:

- No CBRM policy for naming municipal assets
- Request was made by the Joseph family to have David's Memorial Plaque moved closer to their home
- Status of property next to the Jail Field (i.e. proposed development of affordable housing project)
- The Joseph family maintained the playground since 1990, until about 2-3 years ago

Motion Carried.

Continued...

COUNCIL AGENDA REQUESTS (Cont'd):

7.2 Doubling of Municipal Capacity Grant (Equalization):

Mayor Amanda M. McDougall advised Council that a decision has to be made with regard to the doubling of the Municipal Capacity Grant (Equalization) for one year and the following motion was put forth.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Parsons, that staff be requested to bring back an Issue Paper with recommendations on planning and investing the additional Municipal Capacity Grant this year for our community.

Discussion:

- How CBRM can use the additional equalization funds to be received this year (staff recommendations to prioritize projects in the Municipality)
- CBRM reserve fund
- The intent of the Municipal Capacity Grant
- No decision has been made by Council to allocate funds to a new library
- Municipal Affairs will be reviewing the current formula for the Municipal Capacity Grants program

Motion Carried.

ADDENDUM:

7.3 CBRM – Workplace Safety Protocol

Marie Walsh, Chief Administrative Officer, advised the CBRM's current protocol requires all staff who are not doubly vaccinated to continue to wear masks and to be tested every three days as soon as Phase 5 is fully implemented. Ms. Walsh noted the Human Rights Commission has put out a fact sheet giving key information about vaccines and human rights which states "The employer would need to demonstrate the requirement for a vaccination is valid based on the characteristics of the workplace." The CAO offered three (3) options for consideration by Council:

1. Adopt the current protocol as a Council Policy
2. Request Staff to come back with an alternate policy that includes mandatory vaccination
3. Come back with a hybrid policy with mandatory vaccination on only certain sectors of CBRM that are working close with the general public or vulnerable populations

Continued...

COUNCILLOR AGENDA REQUESTS – CBRM Workplace Safety Protocol (Cont'd):

During Council discussion, some of the issues raised included:

- All Centre 200 staff is fully vaccinated
- Departmental statistics of the number of staff not vaccinated
- Creating a safe work environment
- Educate and encourage non-vaccinated employees
- Non-vaccinated employees could be medically exempt

Point of Order:

Councillor Steve Gillespie raised a Point of Order that it was not disclosed who has a medical reason for not being vaccinated.

Discussion (Cont'd):

- Accommodating non-vaccinated employees instead of being on leave without pay

The CAO advised that the Volunteer Fire Fighters were not included in the vaccination statistics.

Deputy Mayor MacMullin then brought forward the following motion.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Eldon MacDonald, to request staff to come back to Council with an alternate policy to the current protocol that includes mandatory vaccination.

Discussion:

- Council must take necessary steps to protect everyone in the community and lead by example
- Hybrid model would provide a policy for CBRM staff dealing with vulnerable populations (i.e. police, fire services, transit) and not office staff; therefore it is must option 2 or 3 – not both
- Deputy Chief Administrative Officer to provide survey results from the AMANS list serve regarding municipal vaccination policies
- Report to include suggestions put forth by Council, including exemptions, accommodation, non-compliance, effective date, etc.
- Special Council meeting to be scheduled when Issue Paper is completed

Motion Carried.

Mayor McDougall advised a Special Council meeting could be held once the draft policy is completed if required.

8. FINANCIAL STATEMENTS:

8.1 CBRM to August 31, 2021:

For information only.

8.2 Port of Sydney Development Corporation to August 31, 2021:

Mayor McDougall advised the Port of Sydney is working on a presentation for a future meeting of Council.

For information only.

9. Review of Action Items from the Meeting:

Mayor McDougall advised all action items from this meeting were recorded in motions and staff will be providing information on the vaccine policy once it is available.

Meeting adjourned at 8:54 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk
/tcn