

CAPE BRETON REGIONAL MUNICIPALITY
Council Meeting – Minutes

**Tuesday,
September 14, 2021
6:00 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
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
Wayne MacDonald, Director of Engineering & Public Works
Michael Ruus, Director of Planning & Development
Kirk Durning, Manager of Recreation
Sheila Kolanko, Property Manager
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: Councillor Darren Bruckschwaiger (Leave of Absence)

Summary of Decisions

Land Acknowledgement

Roll Call

O' Canada

Moment of Silent Reflection

Councillor Gillespie acknowledged the passing of former Police Chief David Wilson and offered sincere condolences to his family.

1. APPROVAL OF MINUTES:

Motion to approve minutes from:

- **Special Council (Police Review) – June 30, 2021**

Carried.

Motion to approve minutes from:

- **Special Council (Strategic Plan) – June 30, 2021**

Carried.

2. APPROVAL OF AGENDA:

Motion to approve the September 14, 2021, Council Agenda and Addendum as circulated.

Carried.

3. PROCLAMATIONS & RESOLUTIONS:

3.1 Paul's Food Factory - Pizza Burger:

Motion that CBRM Mayor Amanda M. McDougall and Council declare Paul's Food Factory Pizza Burger as CBRM's Official food, and ask all residents of the CBRM to congratulate Paul's Food Factory on a very deserving 40th year in Business and wish them many more years of success with CBRM's Official Pizza Burger. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.2 Dystonia Awareness Month:

Motion that CBRM Mayor Amanda M. McDougall and Council join the call for better education, understanding and research about dystonia and proclaim the month of September 2021, to be “Dystonia Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

3.3 Right to Know Week:

Motion that Mayor Amanda M. McDougall and Council of the Cape Breton Regional Municipality proclaim September 27th to October 3rd, 2021, to be “Right to Know Week” in the CBRM. **Carried.**

3.4 Medic Monday 2021:

Motion that Mayor Amanda McDougall and Council of the Cape Breton Regional Municipality proclaim Monday, September 27, 2021, as MEDIC MONDAY in the CBRM in appreciation for everything our paramedics do. **Carried.**

3.5 Cape Breton Classic Cruisers Fall Classic Show & Shine Weekend:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim September 17th – September 19th, 2021, as the “Cape Breton Classic Cruisers Fall Classic Show & Shine Weekend” in the Cape Breton Regional Municipality. **Carried.**

3.6 Childhood Cancer Awareness Month:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim September 2021 as “Childhood Cancer Awareness Month” in the Cape Breton Regional Municipality. **Carried.**

3.7 British Home Child Day:

Motion that CBRM Mayor Amanda M. McDougall and Council proclaim September 28th, 2021, as “British Home Child Day” in the CBRM and recognize that this year’s illumination is honoring Judy Neville, of Ontario. Judy, along with being an educator and strong advocate so that British Home Children would never be forgotten, lobbied successfully in Parliament, to bring about BHC Day. Judy passed away last month. **Carried.**

Continued...

Summary of Decisions (Cont'd)

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.8 CMHC 2020 Data Average Market Rental Data:

Motion that Mayor Amanda M. McDougall and Council request staff write a letter to the Minister and Deputy Minister of Social Development Canada, copied to both Cape Breton MPs, urging the CMHC to assess the reliability of its data; and, through greater contact and connection with our staff, local affordable housing researchers and community organizations, verify that the data collection methods are appropriate and that the data collected reflects the experience of the residents in our municipality. **Carried.**

4. DELEGATION:

4.1 Poverty Reduction Strategy & Transportation:

Motion that staff be directed to provide an Issue Paper on where the CBRM Transit System was when that budget was reduced, where Transit is today, and how to move Transit forward. **Carried.**

It was **agreed** that the November Special Council themed meeting would be on transportation.

5. PLANNING ISSUES:

5.1 FINAL APPROVAL – PUBLIC HEARING: N/A

5.2 APPROVAL TO ADVERTISE: N/A

6. BUSINESS ARISING:

6.1 Council Meeting – July 6, 2021:

a) Repeal of Provision of Tax Information Policy:

Motion to approve the repeal of the Provision of Tax Information Policy. **Carried.**

Continued...

Summary of Decisions (Cont'd):

BUSINESS ARISING Cont'd):

6.2 Council Meeting – August 24, 2021:

a) Public Report: Citizen Appointments to Various Committees:

The Municipal Clerk provided a public report on the Citizen Appointments to various Committees.

For Information Only.

7. CORPORATE SERVICES ISSUES:

7.1 Request to Deem Property Surplus, Portion of PID 15061054 York Street, Glace Bay (District 9):

Motion to approve the staff recommendation declaring only the subject property (portion of PID 15061054, as outlined in red on Attachment “B” of the staff Issue Paper dated September 14, 2021), surplus to the needs of the municipality and to be sold at market value to the applicant (heirs and assigns) subject to the following conditions:

1. An Access Easement/Right-of-way across the property for the benefit of the CBRM for the purpose of future maintenance of existing waterline infrastructure; and
2. Lot consolidation with the applicants existing property (PID 15403454) and compliance with Land Use By-law and other applicable legislation and government regulations; and
3. All costs will be the responsibility of the applicant.

Carried.

ADDENDUM

7.2 REQUEST FOR NSP/BELL ALIANT EASEMENT - Hillier Avenue, North Sydney (District 2) PID 15895915/15895923/15895931/15895949:

Motion to authorize the Mayor and Clerk to execute an Easement Agreement for the installation of power poles and/or lines on CBRM property identified as PID 15895915; 15895923; 15895931 and 15895949. All costs and fees associated with the said Easement shall be the responsibility of the applicant. **Carried.**

Continued...

Summary of Decisions (Cont'd):

8. COUNCILLOR AGENDA REQUESTS:

8.1 Provincial / Municipal Service Agreement, as it pertains to roads:

Motion that staff be directed to prepare an Issue Paper on the Provincial / Municipal Service Agreement, as it pertains to roads, with a recommendation to Council on how to proceed. **Carried.**

8.2 Stakeholders meeting of CBRM field users:

Motion that staff be directed to complete the following prior to calendar year-end:

- Obtain an up-to-date list of stakeholders
- Hold a workshop with Council and staff on the Recreation Master Plan
- Organize conversations with stakeholders on our move forward
- Prepare an Issue paper on how to move forward with a Parks and Open Space Plan

Carried.

9. BY-LAWS & MOTIONS:

9.1 By-laws:

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

b) **First Reading:** N/A

10. Extended Absence of Councillor:

Motion that an extended leave of absence be granted to Councillor Darren Bruckschwaiger consistent with Section 17(4) of the *Municipal Government Act* and the CBRM Council Remuneration Policy. **Carried.**

Continued...

Summary of Decisions (Cont'd):

11. FINANCIAL STATEMENTS:

11.1 CBRM to July 31, 2021:

For Information Only.

11.2 Port of Sydney Development Corporation to July 31, 2021:

For Information Only.

12. Review of Action Items from the Meeting:

Mayor Amanda M. McDougall reviewed her Action Items from the meeting.

ADJOURNMENT

Land Acknowledgement

Roll Call

O' Canada

Moment of Silent Reflection

Councillor Gillespie acknowledged the passing of former Police Chief David Wilson and offered sincere condolences to his family.

1. APPROVAL OF MINUTES:

Motion:

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

- **Special Council Meeting (Police Review) – June 30, 2021**

Motion Carried.

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Cyril MacDonald, approval of the Minutes from:

- **Special Council Meeting (Strategic Plan) – June 30, 2021**

Motion Carried.

2. APPROVAL OF AGENDA:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, to approve the September 14, 2021, Council Meeting Agenda and Addendum as circulated.

Motion Carried.

3. PROCLAMATIONS & RESOLUTIONS:

3.1 Paul's Food Factory - Pizza Burger:

Motion:

Moved by Councillor Green, seconded by Councillor O'Quinn, that CBRM Mayor Amanda M. McDougall and Council declare Paul's Food Factory Pizza Burger as CBRM's Official food, and ask all residents of the CBRM to congratulate Paul's Food Factory on a very deserving 40th year in Business and wish them many more years of success with CBRM's Official Pizza Burger.

Motion Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.2 Dystonia Awareness Month:

Motion:

Moved by Councillor Gillespie, seconded by Councillor Green, that CBRM Mayor Amanda M. McDougall and Council join the call for better education, understanding and research about dystonia and proclaim the month of September 2021, to be “**Dystonia Awareness Month**” in the Cape Breton Regional Municipality.

Motion Carried.

3.3 Right to Know Week:

Motion:

Moved by Councillor Tracey, seconded by Councillor Parsons, that Mayor Amanda M. McDougall and Council of the Cape Breton Regional Municipality proclaim September 27th to October 3rd, 2021, to be “Right to Know Week” in the CBRM.

Motion Carried.

3.4 Medic Monday 2021:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Paruch, that Mayor Amanda McDougall and Council of the Cape Breton Regional Municipality proclaim Monday, September 27, 2021, as MEDIC MONDAY in the CBRM in appreciation for everything our paramedics do.

Motion Carried.

3.5 Cape Breton Classic Cruisers Fall Classic Show & Shine Weekend:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Cyril MacDonald, that CBRM Mayor Amanda M. McDougall and Council proclaim September 17th – September 19th, 2021, as the “Cape Breton Classic Cruisers Fall Classic Show & Shine Weekend” in the Cape Breton Regional Municipality.

Motion Carried.

Continued...

PROCLAMATIONS & RESOLUTIONS (Cont'd):

3.6 Childhood Cancer Awareness Month:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, that CBRM Mayor Amanda M. McDougall and Council proclaim September 2021 as “Childhood Cancer Awareness Month” in the Cape Breton Regional Municipality.

Motion Carried.

3.7 British Home Child Day:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gordon MacDonald, that CBRM Mayor Amanda M. McDougall and Council proclaim September 28th, 2021, as “British Home Child Day” in the CBRM and recognize that this year’s illumination is honoring Judy Neville, of Ontario. Judy, along with being an educator and strong advocate so that British Home Children would never be forgotten, lobbied successfully in Parliament, to bring about BHC Day. Judy passed away last month.

Motion Carried.

3.8 CMHC 2020 Data Average Market Rental Data:

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Tracey, that CBRM Mayor Amanda M. McDougall and Council request staff write a letter to the Minister and Deputy Minister of Social Development Canada, copied to both Cape Breton MPs, urging the CMHC to assess the reliability of its data; and, through greater contact and connection with our staff, local affordable housing researchers and community organizations, verify that the data collection methods are appropriate and that the data collected reflects the experience of the residents in our municipality.

Motion Carried.

Continued...

4. DELEGATION:

4.1 Poverty Reduction Strategy & Transportation:

Lynne McCarron, Executive Director – United Way Cape Breton, provided a presentation on Poverty Reduction Strategy & Transportation highlighting the following:

- Employment & Financial Security
- Food Security
- Housing Stability
- Collaboration and Collective Impacts
 - Phase 3 of the Pilot
- Building Stronger Communities
 - Housing
 - Food Security
 - Employment & Financial Security
- Employment
- Pilot Data
- Linked Transport Summary Data
- Projected Outcomes for Phase 4
- Vision
- Support

Following the presentation, Ms. McCarron requested that a Committee of Council and staff (community members and persons with lived experience) be created before next budget to make a plan for our transit system moving forward.

Some of the issues discussed by Council included:

- Access to Transit
- Possibility of a Transportation Workshop
- Serious conversations needed on funding for Transit
- Handi-Trans
- Transit Tax

Mayor McDougall thanked Lynne McCarron for the presentation.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, that staff be directed to provide an Issue Paper on where the CBRM Transit System was when that budget was reduced, where Transit is today, and how to move Transit forward.

Motion Carried.

It was **agreed** that the Special Council themed meeting for November would be on Transportation.

5. PLANNING ISSUES:

5.1 FINAL APPROVAL – PUBLIC HEARING: N/A

5.2 APPROVAL TO ADVERTISE: N/A

Mayor McDougall noted that there were no Planning Issues on the agenda and acknowledged the hard work done by the Planning and Recreation Departments for their involvement with CBRM Forward and Active Transportation consultations. She expressed enthusiasm regarding the outcome of the processes.

6. BUSINESS ARISING:

6.1 Council Meeting – July 6, 2021:

a) Repeal of Provision of Tax Information Policy:

Jennifer Campbell, Chief Financial Officer, advised that the final reading of the T-300 Provision of Tax Information Bylaw was approved by Council on August 24th and will be officially effective on September 15th. She stated that the final step is to repeal the now redundant Provision of Tax Information Policy.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, to approve the repeal of the Provision of Tax Information Policy.

Motion Carried.

6.2 Council Meeting – August 24, 2021:

a) Public Report: Citizen Appointments to Various Committees:

Deborah Campbell, Municipal Clerk, provided Council with a public report on the successful candidates for the Port Board, Diversity Committee and Housing Authority Board, as follows:

• Port of Sydney Development Corporation Board of Directors (2-year term):

- *Individual with a Professional Engineering Designation:*
 - > David Deane

Continued...

**BUSINESS ARISING - BUSINESS ARISING - Council Meeting – August 24, 2021 -
Public Report: Citizen Appointments to Various Committees (Cont'd):**

- **CBRM Diversity Committee (2-year term):**
 - *Representative from Cape Breton-Victoria Centre for Education*
 - Marilyn Jones McNeil
 - *Representative from Cape Breton University*
 - Cara Jones
- **Cape Breton Island Housing Authority Board (3-year term commencing July 6, 2021):**
 - Ryan Brown
 - Robert Harris
 - Cheryl MacKinnon

For information only.

7. **CORPORATE SERVICES ISSUES:**

7.1 **Request to Deem Property Surplus, Portion of PID 15061054 York Street, Glace Bay (District 9):**

Sheila Kolanko, Property Manager, reviewed her Issue Paper and advised that CBRM received a letter of interest from the applicant and registered owner of 458 York Street, Glace Bay asking CBRM to consider selling a portion of CBRM property lying adjacent to the applicant's existing property as outlined in the September 14, 2021 Issue Paper.

Continued...

CORPORATE SERVICES ISSUES - Request to Deem Property Surplus, Portion of PID 15061054 York Street, Glace Bay (District 9) (Cont'd):

Motion:

Moved by Councillor Tracey, seconded by Councillor Edwards, to approve the staff recommendation declaring only the subject property (portion of PID 15061054, as outlined in red on Attachment "B" of the staff Issue Paper dated September 14, 2021), **surplus** to the needs of the municipality and to be sold at market value to the applicant (heirs and assigns) subject to the following conditions:

1. An Access Easement/Right-of-way across the property for the benefit of the CBRM for the purpose of future maintenance of existing waterline infrastructure; and
2. Lot consolidation with the applicants existing property (PID 15403454) and compliance with Land Use By-law and other applicable legislation and government regulations; and
3. All costs will be the responsibility of the applicant.

Discussion:

Council and staff discussed possible encroachments on former DEVCO properties in the area, and it was noted by the Director of Engineering and Public Works that they would be addressed individually as issues arise. He also noted that infrastructure is not affected by encroachments.

Motion Carried.

ADDENDUM

7.2 REQUEST FOR NSP/BELL ALIANT EASEMENT - Hillier Avenue, North Sydney (District 2) PID 15895915/15895923/15895931/15895949:

Sheila Kolanko, Property Manager, reviewed her Issue Paper dated September 14, 2021 in the Agenda Addendum and advised that a request was received from Wade Gouthro seeking an easement from CBRM for the benefit of Nova Scotia Power Incorporated (NSP) and Bell Aliant for installation of power poles and lines across property currently owned by CBRM, identified as PIDs 15895915, 15895923, 158985931 and 15895949.

Property Manager Kolanko advised that the final plan showing the exact location and coordinates of the power poles will be provided to CBRM for final approval. Further, an internal review determined staff supports the request and foresees no issue with providing the required easement.

Continued...

ADDENDUM CORPORATE SERVICES ISSUES (Cont'd) - REQUEST FOR NSP/BELL ALIANT EASEMENT - Hillier Avenue, North Sydney (District 2) PID 15895915/15895923/15895931/15895949:

Motion:

Moved by Deputy Mayor McMullin, seconded by Councillor Gordon MacDonald, to authorize the Mayor and Clerk to execute an Easement Agreement for the installation of power poles and/or lines on CBRM property identified as PID 15895915; 15895923; 15895931 and 15895949. All costs and fees associated with the said Easement shall be the responsibility of the applicant.

Discussion:

Deputy Mayor MacMullin provided background information regarding the application and advised that if the issue was held back pending a final plan, the developer/business owner would be without power for at least another month.

Motion Carried.

8. COUNCILLOR AGENDA REQUESTS:

8.1 Provincial / Municipal Service Agreement, as it pertains to roads:

Councillor Steve Gillespie spoke to his request included in the agenda on the Provincial-Municipal Service Exchange of 1994. He advised that the Province of Nova Scotia merged the City of Sydney, former towns and the old County of Cape Breton into CBRM and because the former County of Cape Breton was included by the province to be part of the new CBRM, the Service Exchange/Agreement was used for services such as education, corrections, social services, housing and specifically to this request road maintenance.

He advised that many Council districts have changed in size and population since this agreement over 25 years ago, but according to former Councillors, MLAs and DOTIR employees, the funding from the province for residential road maintenance has not changed, has been reduced or is not considered a priority.

Councillor Gillespie explained that in meetings with the local DOTIR office, he was told they are unable to do the work needed because of budgets and priorities dictated by the province and that it leaves residential roads in terrible shape and not properly maintained in all seasons. He indicated that other municipal units in Nova Scotia are treated differently when it comes to snow removal contracts and road work.

Continued...

COUNCILLOR AGENDA REQUESTS - Provincial / Municipal Service Agreement, as it pertains to roads

Motion:

Moved by Councillor Gillespie, seconded by Councillor Parsons, that staff be directed to prepare an Issue Paper on the Provincial / Municipal Service Agreement, as it pertains to roads, with a recommendation to Council on how to proceed.

Discussion:

During discussion, Councillors shared their concerns and support on the issue.

Motion Carried.

Mayor McDougall echoed comments of Councillor Gillespie and noted the importance of having these conversations in order to move the community forward.

8.2 Stakeholders meeting of CBRM field users:

Councillor Steve Gillespie reviewed his Memo and provided background information on the issue. He indicated that over the past year he has heard from many parents, organizers, coaches, volunteers, fellow Councillors, and users of CBRM maintained outdoor recreation facilities such as baseball and soccer fields, tennis courts, skateboard parks and walking tracks. He shared his opinion that CBRM should engage users and give them the opportunity to express their concerns and ideas and for CBRM staff and management to explain their plan for the future use of these facilities.

Councillor Gillespie advised that it is his understanding that some CBRM outdoor facilities operate under a partnership with users while others do not, and maybe there is an opportunity to use a Benchmarking Model for those partnerships and use it for other facilities. Some outdoor facilities in CBRM have been either decommissioned or not maintained, and maybe there is an opportunity to have stakeholders more involved in these locations.

Kirk Durning, Manager of Recreation, advised that he agrees in terms of engaging stakeholders, but believes that a Parks and Open Space and Sport Field Plan that works in unison with the information that was identified in the Recreation Master Plan be considered. The Master Plan provided an inventory that identified facilities that would be essential non-essential or decommissioned in the future.

Mr. Durning advised that over the last number of months there have been requests for new parks and renamings and presently there is no decision criteria or a renaming policy in the municipal plan.

Continued...

COUNCILLOR AGENDA REQUESTS Stakeholders meeting of CBRM field users (Cont'd):

After discussion on the issue, the following motion was put forward.

Motion:

Moved by Councillor Gillespie, seconded by Deputy Mayor MacMullin, that staff be directed to complete the following prior to calendar year-end:

- Obtain an up-to-date list of stakeholders
- Hold a workshop with Council and staff on the Recreation Master Plan
- Organize conversations with stakeholders on our move forward
- Prepare an Issue paper on how to move forward with a Parks and Open Space Plan

Motion Carried.

9. BY-LAWS & MOTIONS:

9.1 By-laws:

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

11. Extended Absence of Councillor:

Demetri Kachafanas, QC, Regional Solicitor, advised that Councillor Darren Bruckschwaiger is currently absent due to medical issues and will be required to miss a number of Council meetings. Per Policy, Council will be required to pass a motion to allow the extended leave.

Motion:

Moved by Councillor Green, seconded by Councillor Gillespie, that an extended absence be granted to Councillor Darren Bruckschwaiger consistent with Section 17(4) of the *Municipal Government Act* and the Council Remuneration Policy.

Motion Carried.

11. FINANCIAL STATEMENTS: Jennifer Campbell, Chief Financial Officer

11.1 CBRM to July 31, 2021:

Discussion took place on the commitment of Provincial Government now that Nova Scotia has a new Premier and the promise to double equalization transfers to the Municipality.

Mayor McDougall advised that there is a tentative meeting scheduled on Tuesday to have the conversation regarding the issue.

For Information Only.

11.2 Port of Sydney Development Corporation to July 31, 2021:

For Information Only.

Councillor Gillespie raised a Point of Order and advised that he had purchased Tim Horton's "Smile Cookies" for those in attendance and advised that all money raised from the sales will be donated this year to Feed Nova Scotia.

12. Review of Action Items from the Meeting:

Mayor Amanda M. McDougall provided the action items below:

1. Transit/transportation to be reviewed at a themed meeting of Council in November.
2. Recreation Master Plan Workshop and potential Parks and Open Space Policy and Usage Plan and community consultation.
3. Update on the Brier Bid as updates are made available.

The Chief Administrative Officer commented on the delay of the Phase 5 opening and advised of the COVID protocols.

Meeting adjourned at 7:43 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk
/acr