

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

**Tuesday,  
April 7, 2020  
1:36 p.m.**

**Mayor Cecil P. Clarke called the meeting to order and noted the following participants in the Video/Teleconferencing:**

**Council:** Mayor Cecil P. Clarke  
Councillor Clarence Prince  
Councillor Earlene MacMullin  
Councillor Esmond Marshall  
Councillor Steve Gillespie  
Councillor Eldon MacDonald  
Deputy Mayor Ivan Doncaster  
Councillor Amanda McDougall  
Councillor George MacDonald  
Councillor Darren Bruckschwaiger  
Councillor Jim MacLeod

<b>Staff:</b>	Marie Walsh	Matt Viva
	Jennifer Campbell	Greg Campbell
	John MacKinnon	Kirk MacNeil
	Deborah Campbell Ryan	Robert Nearing
	Demetri Kachafanas	Krista Knudskov
	Wayne MacDonald	Sean MacLellan
	Michal Ruus	Jennifer Collins
	Michael Seth	Dana Milley
	Gordie MacDougall	Kirk Durning
	Kathy Donovan	Sheilah MacDonald
	Ray Boudreau	Kurt Ferguson
	Robert Walsh	Sharon MacSween
	Bill Murphy	Tanya Nicholson
	Bruce Hardy	Angela Ross
	John Phalen	

**Absent:** Councillor Ray Paruch (Leave of Absence)  
Councillor Kendra Coombes (Resigned)

### **Summary of Decisions**

#### **Roll Call**

#### **1. APPROVAL OF MINUTES:**

**Motion** to approve minutes from:

- **Council Meeting – February 18, 2020**
- **Emergency Council Meeting – March 27, 2020**

**Carried.**

#### **2. APPROVAL OF AGENDA:**

**Motion** to approve the April 7, 2020 Council Agenda as circulated. **Carried.**

#### **3. EMERGENCY ISSUES:**

##### **3.1 EMO Coordinator:**

**Motion** to:

1. Recall retired John Dilny to come back on a short-term contract to provide administrative support, insight and assistance to the role. Given his background and provincial connections, John will help navigate through the Provincial EMO and other partners.
2. Although John will provide the effort behind the scenes, Chief Michael Seth will be appointed as the interim Emergency Management Coordinator reporting to the CAO. The Chief will provide updates to the community, Mayor and Council and for Directors. Additional assistance will be provided through DFC Chris March and Paul Muise from CBRM Police Services who is also well versed and trained in EMO.
3. DFC March will return to his volunteer coordinator role, manager of fleet and fire prevention/training.

**Carried.**

##### **3.2 EMO Alternate to the Mayor:**

**Motion** to appoint Councillor Earlene MacMullin as EMO Alternate to the Mayor for the period of pandemic response as determined by the Province of Nova Scotia. **Carried.**

##### **3.3 \$134,000 Homeless and Vulnerable Citizen Support Measures:**

**Motion** to support the \$134,000.00 funding request and approve a CBRM contribution up to \$67,000.00 towards the Homeless and Vulnerable Citizen Support Services projects as presented, based on matching funding from the Province of Nova Scotia. **Carried.**

**Continued...**

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

**4. CBRM Proposed Operating Budget 2020-2021:**

The Chief Financial Officer presented the CBRM Proposed Operating budget 2020-2021.

**For Information Only.**

**a) Resolution:**

**Motion** that the CBRM Mayor and Council approve essential operating expenditures necessary to maintain the Municipality's operating capacity and core service delivery, including necessary procurement or service agreements until such time that the Province of Nova Scotia has declared the pandemic to be over and CBRM officials are able to present a revised budget for the remainder of the 2020/21 fiscal year. The Chief Financial Officer shall provide monthly budget updates to Council. **Carried.**

**b) Transfer from Gas Reserves – Operating Budget:**

**Motion** as part of the "Path to Balance" in the operating budget for 2020-21, gas tax funding in the amount of \$500,000 be transferred to offset the capital leasing costs for the screening plant and conveyor system at the solid waste facility. **Carried.**

**c) Water Utility Operating Budget 2020/2021:**

**Motion** to approve the Cape Breton Regional Municipality – Water Utility Operating Budget for 2020/2021 as presented in the staff Memo dated April 6, 2020. **Carried.**

**d) Municipal Planning Strategy Update:**

**Motion** that the Planning & Development Department be authorized to release a Request for Proposals (RFP) for a comprehensive review and update of the Municipal Planning Strategies, Land Use Bylaws, and Subdivision Bylaw. **Carried.**

**e) Police Review:**

**Motion** to move ahead with the Police Review RFP in the 2020/21 budget year provided there are not factors around the Pandemic that would prevent a thorough review. **Carried.**

**Continued...**

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

**5. CBRM Capital Budget 2020-2021:**

**Motion** to approve

- Capital Budget for 2020/21 totaling \$57,838,656
- Associated required borrowing resolutions for \$9,143,980

**Carried.**

**6. PLANNING ISSUES:**

**6.1 Interim Measures - Public Hearings & Participation Programs:**

**Motion** to approve the following interim measures for conducting Public Hearings and Public Participation Programs:

**Public Hearings:**

- Advertise in newspaper for two consecutive weeks
- Advertise on social media
- Advertise on website
- Written submissions by email, or phone calls to voicemail will be considered

**Public Participation Programs**

- To be considered on a case-by-case basis with local councillor as per policy:
  - Online surveys
  - Written correspondence
  - Webinars

**Carried.**

**6.2 REPORT ON PUBLIC PARTICIPATION PROGRAM:**

- a) **Request from Island Folk Cider House to amend the Secondary Planning Strategy and Development Agreement to permit serving of alcoholic beverages produced off site at 52 Nepean St, Sydney (PID 15889330):**

Mr. Michael Ruus, Director of Planning & Development, provided background information on the issue, noting a report would be brought back to the next meeting of Council.

**For Information Only.**

**Continued...**

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

**6.3 APPROVAL TO ADVERTISE:**

- a) **Land Use Bylaw Amendment Application 1072 - by Back Beach Gardens (8 Commercial Street Extension, Louisbourg) to Permit Agriculture Business in the Wolfe Street Neighbourhood (WSN) Zone:**

**Motion** for approval to advertise notice of Public Hearing to consider the Zoning Amendment Application 1072 by Back Beach Gardens, 8 Commercial Street Extension, Louisbourg, to permit an Agriculture Business in the Wolfe Street Neighbourhood - WSN Zone, as outlined in the staff Issue Paper dated March 3, 2020. **Carried.**

**7. BUSINESS ARISING:**

**Motion** to approve the outstanding Business Arising issues from the March 3<sup>rd</sup>, 2020 Fire and Emergency Services and General Committee meetings listed below:

- Establishing CB Regional Fire Chaplaincy
- 2020 Municipal and CSAP Elections – Various Matters
- Land Expropriation Lot 2019-1, PID 15543051 – Wash Brook Flood Mitigation Project
- Request for Quit Claim Deed – Dominion Community Hawks Property Group – PID 15380884 – 28 Lower Mitchell Avenue, Dominion

**Carried.**

**8. CORPORATE SERVICES ISSUES:**

**8.1 Councillor Kendra Coombes – Letter of Resignation:**

**Motion** to accept the resignation of District 11 Councillor, Kendra Coombes. **Carried.**

**Adjournment**

## **Roll Call**

### **1. APPROVAL OF MINUTES:**

#### **Motion:**

Moved by Councillor MacMullin, seconded by Councillor Gillespie, approval of the Minutes from:

- **Council Meeting – February 18, 2020**
- **Emergency Council Meeting – March 27, 2020**

**Motion Carried.**

### **2. APPROVAL OF AGENDA:**

#### **Motion:**

Moved by Councillor MacLeod, seconded by Councillor Prince, to approve the April 7, 2020 Council Meeting Agenda as circulated.

**Motion Carried.**

### **3. EMERGENCY ISSUES**

#### **3.1 EMO Coordinator:**

The Chief Administrative Officer introduced and provided background information on the issue.

#### **Motion:**

Moved by Councillor MacLeod, seconded by Councillor Eldon MacDonald, to:

- 1.** Recall retired John Dilny to come back on a short-term contract to provide administrative support, insight and assistance to the role. Given his background and provincial connections, John will help navigate through the Provincial EMO and other partners.
- 2.** Although John will provide the effort behind the scenes, Chief Michael Seth will be appointed as the interim Emergency Management Coordinator reporting to the CAO. The Chief will provide updates to the community, Mayor and Council and for Directors. Additional assistance will be provided through DFC Chris March and Paul Muisse from CBRM Police Services who is also well versed and trained in EMO.
- 3.** DFC March will return to his volunteer coordinator role, manager of fleet and fire prevention/training.

#### **Discussion:**

There was discussion regarding the length of the contract and consultation with affected parties.

**Motion Carried.**

Continued...

**EMERGENCY ISSUES (Cont'd):**

**3.2 EMO Alternate to the Mayor;**

Mayor Clarke provided background information on the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor Prince, seconded by Councillor Gillespie, to appoint Councillor Earlene MacMullin as EMO Alternate to the Mayor for the period of pandemic response as determined by the Province of Nova Scotia.

**Motion Carried.**

**3.3 \$134,000 Homeless and Vulnerable Citizen Support Measures;**

Mayor Clarke provided background information on the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor Bruckschwaiger, seconded by Councillor Jim MacLeod, to support the \$134,000.00 funding request and approve a CBRM contribution up to \$67,000.00 towards the Homeless and Vulnerable Citizen Support Services projects as presented, based on matching funding from the Province of Nova Scotia.

**Discussion:**

The CFO noted that CBRM's contribution would be funded from the Municipal Grants (Sustainability) Program.

**Motion Carried.**

**4. CBRM Proposed Operating Budget 2020-2021:**

Ms. Jennifer Campbell, Chief Financial Officer, provided background information on the issue.

Some of the issues discussed included the following:

- Provincial mandated costs and equalization
- Postponing payment of Provincial mandated contributions until the Fall
- Possible deferral of Municipal Elections by the Province
- BID rates - Sydney Downtown Development Association

**It was noted that staff would follow-up on the list of upgrades for McConnell Library that are included in the Capital/Operating Budget for next year.**

**For Information Only.**

**Continued...**

**Operating Budget (Cont'd):****a) Resolution:**

Mayor Clarke introduced the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor MacLeod, seconded by Councillor Prince, that the CBRM Mayor and Council approve essential operating expenditures necessary to maintain the Municipality's operating capacity and core service delivery, including necessary procurement or service agreements until such time that the Province of Nova Scotia has declared the pandemic to be over and CBRM officials are able to present a revised budget for the remainder of the 2020/21 fiscal year. The Chief Financial Officer shall provide monthly budget updates to Council.

**Motion Carried.**

**b) Transfer from Gas Reserves – Operating Budget:**

Ms. Jennifer Campbell, Chief Financial Officer, provided background information on the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor Jim MacLeod, seconded by Councillor McDougall, as part of the "Path to Balance" in the operating budget for 2020-21, gas tax funding in the amount of \$500,000 be transferred to offset the capital leasing costs for the screening plant and conveyor system at the solid waste facility.

**Motion Carried.**

**c) Water Utility Budget:**

Mr. Wayne MacDonald, Director of Engineering & Public Works provided the Water Utility Budget for 2020/2021. Then the following motion was put forward:

**Motion:**

Moved by Councillor MacMullin, seconded by Councillor Prince, to approve the Cape Breton Regional Municipality – Water Utility Operating Budget for 2020/2021 as presented in the staff Memo dated April 6, 2020.

**Discussion:**

The CFO advised that a separate motion of Council is required because this Budget is outside of the last rates set by the NSURB. She noted that there is no increase in rates, however this does take the water utility out of the deficit position which was the goal of the last rate increase.

**Motion Carried.**

Continued...

**Operating Budget (Cont'd)**

**d) Municipal Planning Strategy Update:**

Mr. Michael Ruus, Director of Planning & Development, provided background information on the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor MacMullin, seconded by Councillor Eldon MacDonald, that the Planning & Development Department be authorized to release a Request for Proposals (RFP) for a comprehensive review and update of the Municipal Planning Strategies, Land Use Bylaws, and Subdivision Bylaw.

**Motion Carried.**

**e) Police Review:**

Ms. Marie Walsh, Chief Administrative Officer, provided background information on the issue. Then the following motion was put forward:

**Motion:**

Moved by Councillor MacLeod, seconded by Councillor Eldon MacDonald, to move ahead with the Police Review RFP in the 2020/21 budget year provided there are not factors around the Pandemic that would prevent a thorough review.

**Motion Carried.**

**5. CBRM Capital Budget 2020-2021:**

Mayor Clarke noted that if Council requires additional time for discussion on the Capital Budget, a meeting will be scheduled for Thursday, April 9<sup>th</sup> at 11:00 a.m. if required.

Mr. Wayne MacDonald, Director of Engineering & Public Works, presented the CBRM Capital Budget for 2020-2021.

Continued...

**CBRM Capital Budget 2020-2021 (Cont'd):**

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

**Motion:**

Moved by Councillor George MacDonald, seconded by Councillor Bruckschwaiger, to approve the:

- Capital Budget for 2020/21 totaling \$57,838,656
- Associated required borrowing resolutions for \$9,143,980

**Discussion:**

- Doubling of Gas tax funding
- Infrastructure project updates
- Gilholmes Lake update
- Re-use of former Glace Bay Police Station
- Updates to the Lyceum Building
- C200 upgrades and revitalization
- Transit
- J-class Roads

**Motion Carried.**

**6. PLANNING ISSUES:****6.1 Interim Measures - Public Hearings & Participation Programs:**

Mr. Michael Ruus, Director of Planning & Development, provided background information on the issue, noting that the staff recommendations meet the requirements under the MGA. Then the following motion was put forward:

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Jim MacLeod, to approve the following interim measures for conducting Public Hearings and Public Participation Programs:

**Public Hearings:**

- Advertise in newspaper for two consecutive weeks
- Advertise on social media
- Advertise on website
- Written submissions by email, or phone calls to voicemail will be considered

**Public Participation Programs**

- To be considered on a case-by-case basis with local councillor as per policy:
  - Online surveys
  - Written correspondence
  - Webinars

**Motion Carried.**

Continued...

**PLANNING ISSUES (Cont'd):**

**6.2 REPORT ON PUBLIC PARTICIPATION PROGRAM:**

- a) **Request from Island Folk Cider House to amend the Secondary Planning Strategy and Development Agreement to permit serving of alcoholic beverages produced off site at 52 Nepean St, Sydney (PID 15889330):**

Mr. Michael Ruus, Director of Planning & Development, provided background information on the issue, noting that they had to cancel the physical Open House due to the Pandemic. However the on-line survey continued and staff is wrapping up the results of same. He advised that staff will bring a report on this matter to a future meeting of Council.

**For Information Only.**

**6.3 APPROVAL TO ADVERTISE:**

- a) **Land Use Bylaw Amendment Application 1072 - by Back Beach Gardens (8 Commercial Street Extension, Louisbourg) to Permit Agriculture Business in the Wolfe Street Neighbourhood (WSN) Zone:**

Mr. Michael Ruus, Director of Planning & Development introduced the issue. The following motion was put forward.

**Motion:**

Moved by Councillor McDougall, seconded by Councillor MacLeod, approval to advertise notice of Public Hearing to consider the Zoning Amendment Application 1072 by Back Beach Gardens, 8 Commercial Street Extension, Louisbourg, to permit an Agriculture Business in the Wolfe Street Neighbourhood - WSN Zone, as outlined in the staff Issue Paper dated March 3, 2020.

Motion Carried.

Mayor Clarke discussed the scheduling of future meetings and advised that a meeting will be set up in May for regular business, and going forward will look to either having more frequent, yet shorter meetings, or meetings by topic/category/department. Meetings to deal with emergency issues will be scheduled for later in April.

The Mayor also noted that other technology will be considered for on-line meetings and resources.

**7. BUSINESS ARISING:**

Mayor Clarke noted that only one motion is required for the Business Arising matters brought forward from the Fire & Emergency Services and General Committee meetings both held on March 3<sup>rd</sup> 2020.

**Motion:**

Moved by Councillor Bruckschwaiger, seconded by Councillor McDougall, to approve the following outstanding Business Arising issues from the March 3<sup>rd</sup>, 2020 Fire and Emergency Services and General Committee meetings:

- Establishing CB Regional Fire Chaplaincy
- 2020 Municipal and CSAP Elections – Various Matters
- Land Expropriation Lot 2019-1, PID 15543051 – Wash Brook Flood Mitigation Project
- Request for Quit Claim Deed – Dominion Community Hawks Property Group – PID 15380884 – 28 Lower Mitchell Avenue, Dominion

**Motion Carried.**

**8. CORPORATE SERVICES ISSUES:****8.1 Councillor Kendra Coombes – Letter of Resignation:**

Mayor Clarke introduced the issue and congratulated Kendra Coombes on her recent election to the Provincial Legislature. He noted that Council will formally recognize their former colleague once the pandemic is over. The Mayor also advised a by-election is not required at this point in time.

The following motion was then put forward.

**Motion:**

Moved by Councillor MacMullin, seconded by Councillor Bruckschwaiger, to accept the resignation of District 11 Councillor, Kendra Coombes.

**Motion Carried.**

**Meeting adjourned at 5:01 p.m.**

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Mayor Cecil P. Clarke

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Deborah Campbell Ryan  
Municipal Clerk