

**PORT HAWKESBURY TOWN COUNCIL  
SPECIAL PUBLIC MEETING**

**Minutes of Meeting  
Thursday, August 17, 2017**

**Present**

Mayor, Brenda Chisholm-Beaton  
Deputy Mayor, Trevor Boudreau  
Councilor, Hughie MacDougall  
Councilor, Mark MacIver  
Councilor, Jeremy White  
Chief Administrative Officer, Terry Doyle  
Director Marketing, Recreation, Tourism & Culture, Paula Davis  
Town Solicitor, Larry Evans

**Regrets**

Director of Finance, Erin MacEachen

**1. Call to Order**

A Special Public Meeting of the Port Hawkesbury Town Council was held in Shannon Studio, PHCC, Thursday, August 17, 2017 and called to order by Mayor B. Chisholm-Beaton at 6:00 p.m. The Mayor introduced Jason MacMillan, Project Manager, Pitt St. and Napean St. Reconstruction Project and the Tamarac Booster Station Project, and, Eirinn Fraser, Project Coordinator, Destination Reeves Street.

**2. Additions to Agenda**

- i. Canadian Blood Services Clinic – Mayor B. Chisholm-Beaton

*Deputy Mayor T. Boudreau stated he would excuse himself from the meeting at 6:45 p.m.*

**3. Approval of Agenda**

**MOVED by Councilor J. White and SECONDED by Deputy Mayor T. Boudreau “to approve the agenda with one addition”. MOTION CARRIED.**

**4. Staff Presentation – Embree Island Property Yard Sales**

CAO, T. Doyle’s presentation addressed the complaints and safety concerns raised by residents who oppose the operation of yard sales on the Embree Island Property owned by Irving Oil Ltd. Photographs were shown indicating blocked off access to J.D. MacLean Crescent; obstructed site lines exiting the subdivision; vehicles parked on the highway; and, a private property sign stating unauthorized vehicles will be towed. He reviewed sections of the Vending By-Law pertaining to Yard Sales and discussed results of a July 27 meeting with representatives from Irving Oil Ltd., the RCMP, NSTIR, EDPC, EMO, the Town Solicitor, Mayor, Council and Staff. Irving Oil Ltd. have posted signs and are concerned with safety and liability issues due to unauthorized operation of yard sales and want to work with the Town for solutions. The RCMP discussed violations to the Motor Vehicle Act.

Call for Public Presentations

The following residents stated their safety concerns when accessing/exiting their homes during the operation of yard sales:

*Maurina Lewis – Resident, Embree Island*

Ms. Lewis stated vehicles are usually double-parked obstructing site lines and sometimes park on the opposite side of the highway under the Town sign.

*Shirley Morgan – Resident, J.D. Crescent*

Ms. Morgan's visibility is hindered because of parked cars made worse by the excess speed of traffic, especially large trucks, following close behind her on Reeves St.

*Danny MacIntosh, Resident, Napean St.*

Mr. MacIntosh suggested installing designated parking lanes for yard sale customers.

*Eleanor Robichaud – Resident, J.D. Crescent*

Ms. Robichaud stated parked cars obstruct and impede her access and exit combined with pulp trucks increasing their speed to make the Reeves St. hill.

*Dianne Johnson-Snook – Resident, Embree Island*

Ms. Johnson-Snook has been met by inattentive motorists who "shop and drive" and do not signal during yard sales. As a taxpayer, she wanted resolution to this matter this week.

*Mike Forbriger – Resident, Embree Island*

Mr. Forbriger wanted the Town to instruct the RCMP to enforce the Vending By-law and halt operation of yard sales immediately.

Mayor B. Chisholm-Beaton called for a show of hands opposing yard sales and in favor of yard sales at Embree Island. It was recorded:

- In favor of Yard Sales at Embree Island Property – no show of hands from the gallery
- Opposed to Yard Sales at Embree Island Property – 14 members of the gallery raised their hands

Comments from Council

*Deputy Mayor T. Boudreau*

Recognized the dangerous layout and safety issues at Embree Island before yard sales operated on this site. He would like to have discussion with vendors about alternate yard sale locations.

*Councilor H. MacDougall*

Recognized the safety issues but noted he did not have any other issues with yard sales at Embree Island. He was in support of finding an alternate location. He suggested that the Town inquire about purchasing this piece of land from Irving Oil Ltd.

*Councilor M. MacIver*

Recognized safety issues at yard sales but believes traffic infractions will still occur. He encouraged residents to contact the RCMP if they witness motorist/vehicle violations, and to request a letter from Irving Oil Ltd. granting authority to the Town to uphold the Vending By-Law and the RCMP to act on violations to the Motor Vehicle Act regarding unauthorized use of their property. He supported alternate locations for the yard sales.

*Councilor J. White*

Recognized the safety issues and was concerned with the upcoming Labour Day weekend. He recommended a letter be sent to Irving Oil Ltd. requesting vendors cease and desist the unauthorized use of yard sales on Embree Island.

#### Consensus of Council

The first priority of Council is safety. Council was in support of yard sales but in an alternate location in adherence to the Vending By-Law. While there are no traffic infractions for those parked within the white line during yard sales, Council recognized hindered visibility for residents accessing and exiting J.D. Crescent and safety issues for pedestrians, motorists and the Embree Island/J.D. Crescent residents due to inattentive motorists, motorists who do not signal when entering yard sales, and motorists in excess of the speed limit on Reeves St.

Mayor B. Chisholm-Beaton supports entrepreneurship but recognized the urgency from the gallery to find alternate locations for yard sales and suggested the Prince St. Park or the Granville St. look off area.

CAO, T. Doyle addressed the contraventions of the Vending By-Law and of the Motor Vehicle Act. Irving Oil Ltd. will be contacted to provide a letter to the RCMP authorizing them to enforce the violations of the Motor Vehicle Act.

**MOVED by Councilor J. White and SECONDED by Councilor M. MacIver “to request a letter from Irving Oil Ltd. for vendors to cease and desist the unauthorized use of yard sales on Embree Island due to the safety of pedestrians and motorists, and to grant the RCMP authorization to enforce violations under Section 149 of the Motor Vehicle Act”. MOTION CARRIED.**

**MOTION TO AMEND by Councilor H. MacDougall and SECONDED by Councilor J. White “to request a letter from Irving Oil Ltd for vendors to cease and desist the unauthorized use of yard sales on Embree Island due to the safety of pedestrians and motorists, to grant authorization to the Town to enforce the Vending By-Law, and the RCMP to enforce violations under Section 149 of the Motor Vehicle Act”. MOTION CARRIED.**

**MOTION AS AMENDED carried.**

#### 5. Request for Charitable Donations

##### i. ROC Foundation – Walker Fund

Town Solicitor L. Evans noted the Walker Fund was renamed the Port Hawkesbury Charitable Foundation. The Board of Directors will meet to discuss a \$20,000 funding request from the ROC Foundation to expand their services and program space.

**MOVED by Councilor M. MacIver, and SECONDED by Councilor H. MacDougall “that the Port Hawkesbury Charitable Foundation will meet to discuss the ROC Foundation request for \$20,000”. MOTION CARRIED.**

##### ii. Forget Me Not Animal Rescue

**MOVED by Councilor H. MacDougall, and SECONDED by Councilor J. White “to waive the rental fee of \$525 to be budgeted from the donation account for the use of the Bear Head Room for the Forget Me Not Animal Rescue fundraising event on November 3, 2017”. MOTION CARRIED.**

##### iii. Port Hawkesbury Highland Dance Association

**MOVED by Councilor J. White and SECONDED by Councilor M. MacIver “to approve funding of \$500 to assist with financial support for the Port Hawkesbury Highland Dance Association’s trip to Scotland to compete in several dance competitions”. MOTION CARRIED.**

## 6. Credential Building

CAO, T. Doyle stated the Port Hawkesbury Literacy Council will be relocating to the Credential Building, 305 Granville Street, as a result of lost space due to Strait Regional School Board (SRSB) renovations. The SRSB will carry out all renovations and provide limited janitorial services at no cost to the Town.

**MOVED by Councilor M. MacIver and SECONDED by Councilor H. MacDougall “to approve the designated space at the Credential Building, 305 Granville St. for the operation of the Port Hawkesbury Literacy Council”. MOTION CARRIED.**

## 7. Destination Reeves Street Update

CAO, T. Doyle stated a meeting was held with Paul LaFleche, Deputy Minister of Transportation and Infrastructure Renewal to discuss the project to date including the design phase, streetscape and façade, access management, and safety issues on Reeves Street. A tentative date of September 6 has been set for a public consultation facilitated by the NS TIR. A tentative date of September 7 has been set for a public consultation facilitated by the Town to discuss all aspects of the project.

## 8. Approved Additions

### i. Canadian Blood Services Clinic – Mayor B. Chisholm-Beaton

Mayor Chisholm-Beaton asked assistance from Council and the gallery to donate and to promote the Blood Donor Clinic on August 30-31 at the PHCC. More information can be obtained on line at 1 888 2 DONATE (1-888-236-6283).

## 9. In Camera Session

**MOVED by Councilor J. White and SECONDED by Councilor M. MacIver “to recess In Camera at 7:30 p.m. to discuss: 1) a contractual issue; 2) a personnel issue; and, 3) a property issue”. MOTION CARRIED.**

The Special Public Meeting reconvened at 8:50 p.m. with one motion resulting from Item 9.i) Contractual Issue.

**MOVED by Councilor M. MacIver and SECONDED by Councilor J. White “to award tender of the Pitt St. and Napean St. Reconstruction Project to Allsteel Coatings Ltd. in accordance with In Camera discussions”. MOTION CARRIED.**

## 10. Adjournment

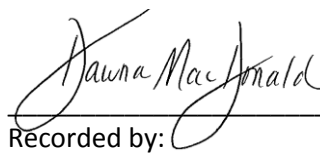
**MOVED by Councilor J. White and SECONDED by Councilor H. MacDougall “to adjourn the Special Public Meeting at 8:52 p.m. MOTION CARRIED.**

September 6, 2017

Date



Approved by:  
CAO, Terry Doyle, P.Eng.



Recorded by:  
Dawna MacDonald  
Communications & Administrative Officer