

**PORT HAWKESBURY TOWN COUNCIL
PUBLIC MEETING**

**Minutes of Meeting
Tuesday, October 1, 2019**

Present

Mayor, Brenda Chisholm-Beaton
Deputy Mayor, Mark MacIver
Councillor, Trevor Boudreau
Councillor, Hughie MacDougall
Councillor, Blaine MacQuarrie
Chief Administrative Officer, Terry Doyle
Director of Finance, Erin MacEachen
Director Marketing, Recreation, Tourism & Culture, Paula Davis
Town Solicitor, Patrick Lamey

1. Call to order

A Public Meeting of the Port Hawkesbury Town Council was held in Shannon Studio, PHCC, Tuesday, October 1, 2019 and called to order by Mayor Brenda Chisholm-Beaton at 7:00 p.m.

2. Additions to the agenda

- i. Request to raise European Flag re Oktoberfest Celebration flag – Mayor B. Chisholm-Beaton (to be included in Correspondence)
- ii. Waterfront Advisory Committee – Amendment to Terms of Reference – CAO, T. Doyle
- iii. Waterfront Advisory Committee – Membership – CAO, T. Doyle
- iv. Reeves Street Signal Lights – Councillor B. MacQuarrie
- v. PHCC Racquetball Court – Councillor T. Boudreau

3. Approval of the agenda

MOVED by Councillor B. MacQuarrie and SECONDED by Councillor T. Boudreau “that the Town of Port Hawkesbury approves the agenda with amendments.” MOTION CARRIED.

4. Gallery Presentations

There was no gallery presentation.

5. Acknowledgements

- i. Treaty Day – October 1, 2019 – Mayor B. Chisholm-Beaton
- ii. Mi’kmaq History Month – October 2019 – Mayor B. Chisholm-Beaton

Mayor B. Chisholm-Beaton asked Council to consider a motion regarding an appropriate date to raise the Mi’kmaq flag during the month of October.

**MOVED by Councillor B. MacQuarrie and SECONDED by Councillor H. MacDougall “that the Town of Port Hawkesbury approves the raising of the Mi’kmaq Flag during the month of October”.
MOTION CARRIED.**

Council will be polled on the date and their availability.

6. Approval of Council Minutes

Public Meeting	September 10, 2019	No Errors or Omissions
Special Public Meeting	September 17, 2019	No Errors or Omissions
Special Public Meeting	September 26, 2019	No Errors or Omissions

7. Business Arising from the Minutes

Councilor H. MacDougall inquired about By-Laws and Policies. This issue will be discussed in the September 17, 2019 Committee Reports.

8. Council Committee Reports

i. Report from the Committee of the Whole – September 17, 2019

a. November Public Meeting Date

MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor H. MacDougall “that the Town of Port Hawkesbury approves rescheduling the November Public Meeting date to Monday, November 4, 2019”. MOTION CARRIED.

b. By-Laws and Policies Review

Low Income Tax Exemption Policy – Section 2.3 – Principal Residence

After further review, Councilor H. MacDougall indicated his opinion was that *Section 2.3 Principal Residence* clause should remain in the policy. Deputy Mayor M. MacIver and Councilors Boudreau and MacQuarrie were in agreement.

Low Income Tax Exemption Policy Application Form – Removal of Condition #6

CAO T. Doyle stated in accordance with Section 48 (1) of the MGA, a notice of seven days to Council is required before a policy is passed, amended, or repealed. As Condition #6 (*Applicant must not be eligible for any other rebate program*) was discussed at the September 17, 2019 meeting of the Committee of the Whole, the time requirement has been met. Council agreed to remove this condition from the Low Income Tax Exemption Policy Application Form. (The remaining conditions will resume numerical order).

MOVED by Councilor T. Boudreau and SECONDED by Councilor H. MacDougall “that the Town of Port Hawkesbury approves the removal of Condition #6: *Applicant must not be eligible for any other rebate program*, from the Low Income Tax Exemption Policy Application Form”. MOTION CARRIED.

Dangerous and Unsightly Premises Policy (discussed at September 17, 2019 Committee of the Whole)

CAO, T. Doyle received clarification from Planning Staff that two neighboring municipalities and members of the EDPC with similar policies contain the following paragraph (4):

In the instance where a complaint of allegations of dangerous or unsightly premises contrary to the Municipal Government Act is submitted by a municipal Councillor, the Councillor shall declare a conflict of interest and remove themselves from all discussion and/or Council decisions relative to the complaint.

The amendment to the Town’s policy would only include the addition of Paragraph 4.

MOVED by Deputy M. MacIver and SECONDED by Councilor H. MacDougall “that the Town of Port Hawkesbury approves the addition of Paragraph 4 to the Dangerous and Unsightly Premises Policy”. MOTION CARRIED.

ii. Motions Arising from In Camera Session – There was no In Camera Session on September 17, 2019

iii. Approval of Minutes: Committee of the Whole – September 17, 2019

MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury approves the September 17, 2019 minutes of the Committee of the Whole”. MOTION CARRIED.

9. Motions from In Camera Session – October 1, 2019

Killam Properties – Outstanding Water Bills

MOVED by Councilor H. MacDougall and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury approves the recommendation from staff to negotiate payment of 50% or more of outstanding inactive water accounts with Killam Properties and write-off the balances as of October 1, 2019”. MOTION CARRIED.

10. Correspondence

Request to Raise European Flag re Oktoberfest Celebration Flag

On behalf of Trina Hall-Samson, YREACH Settlement officer, the Mayor circulated correspondence to Council regarding a request to fly the European Flag for one day in recognition of the Oktoberfest Celebration.

MOVED by Councilor H. MacDougall and SECONDED by Deputy Mayor M. MacIver “that the Town of Port Hawkesbury approves the request to fly the European Flag for one day in recognition of the Oktoberfest Celebration”. MOTION CARRIED.

11. Proclamations / Resolutions

Proclamation: Rotary International Proclamation – World Polio Day – October 24, 2019

MOVED by Councilor H. MacDougall and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury, proclaims October 24, 2019 as World Polio Day in the Town of Port Hawkesbury”. MOTION CARRIED.

12. Other Business

i. First Reading – Rezoning of Lands

a) PIDs #50156322 and #50317395

MOVED by Councilor T. Boudreau and SECONDED by Councilor B. MacQuarrie “that the Town of Port Hawkesbury, approves First Reading of the proposed amendment to the Port Hawkesbury Municipal Planning Strategy and Land Use By-law to re-designate the properties located at PIDs 50156322 and 50317395 from the Residential to the Commercial Designation and that Council approve the rezoning of the same properties from R-4/R-5/R-2 to Mixed Use (M-1) zone”. MOTION CARRIED.

b) PID #50273309

MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury approves First Reading of the proposed amendment to the Port Hawkesbury Land Use By-Law to change the Commercial Restricted (C-4) Zone to include medical and recreational cannabis production, extraction and processing as a permitted use. MOTION CARRIED.

c) Public Hearing Date – RE Changes to the Municipal Planning Strategy and Land Use By-Law

MOVED by Councilor B. MacQuarrie and SECONDED by T. Boudreau “that the Town of Port Hawkesbury, approves Thursday, October 24, 2019 as the date for a Public Hearing”. MOTION CARRIED.

ii. Funding Requests

- a) Port Hawkesbury Literacy Council – 2019 FEIS Event

MOVED by Councilor B. MacQuarrie and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury approves the purchase of a table consisting of 8 tickets at \$40 each and the use of the Bear Head Room for the annual FEIS fundraiser event on November 8, 2019”. MOTION CARRIED.

- b) Port Hawkesbury Seasonal Services Project

MOVED by Councilor H. MacDougall and SECONDED by Deputy Mayor M. MacIver “that the Town of Port Hawkesbury approves the request to provide funds necessary to cover any shortfall incurred with the 2019 Port Hawkesbury Seasonal Services Project that are not funded by donations”. MOTION CARRIED.

iii. By-Laws and Policies Review

Low Income Tax Exemption Policy and Dangerous and Unsightly Premises By-Law
As presented in the report from the Committee of the Whole.

Council agreed to defer discussion to the October meeting of the Committee of the Whole on the Destruction of Documents By-Law, the Garbage Collection By-Law and the Subdivision By-Law three by-laws determined by staff to be repealed because of their replacement by policies. Staff will remove by-laws that that have been repealed from the website.

iv. Expense Report – September 2019

CAO, T. Doyle reviewed the September Expense Report for the Mayor, Council and CAO. The total of expenses for the month of September was \$1,825.39. Expense reports are posted on the Town website.

13. Approved Additions

- i. Waterfront Advisory Committee – Amendment to Terms of Reference

MOVED by Councilor B. MacQuarrie and SECONDED by Deputy Mayor M. MacIver “that the Town of Port Hawkesbury approves the Section 4.1 amendment to the Waterfront Advisory Committee Terms of Reference as presented”. MOTION CARRIED.

- ii. Waterfront Advisory Committee – Membership Appointments and Resignations

MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor H. MacDougall Mac “that the Town of Port Hawkesbury approves the following persons to be appointed to the Waterfront Advisory Committee: Tim Glenham and Emmanuel Mann; and “that the Town of Port Hawkesbury approves the resignation of the following persons from the Waterfront Advisory Committee: Cathy MacAskill and Les MacIntyre”. MOTION CARRIED.

- iii. Reeves Street Signal Lights

MOVED by Councilor B. MacQuarrie and SECONDED by Councilor H. MacDougall “that the Town of Port Hawkesbury approves the forwarding of the September 17, 2019 letter to Minister Lloyd Hines regarding the Reeves Street Signal Lights to Premier McNeil”. MOTION CARRIED.

- iv. Racquetball Court

MOVED by Councilor T. Boudreau and SECONDED by Councilor H. MacDougall “that the Town of Port Hawkesbury approves staff’s research into the potential to transform one Racquetball Court into a Squash Court”. MOTION CARRIED.

Director P. Davis will conduct research to include costs to bring back to Council.

14. Future Meetings

Council agreed to reschedule the October meeting of the Committee of the Whole to Tuesday, October 22, 2019 due to CAO, T. Doyle's attendance at the AMANS Fall Conference, October 15-18, 2019 in Digby.

- Committee of the Whole Tuesday, October 22 , 2019
- Special Public Hearing Thursday, October 24, 2019
- Public Meeting Monday, November 4, 2019
- Committee of the Whole Tuesday, November 19, 2019

15. Public Question Period

There were no questions received from the gallery.

16. Adjournment

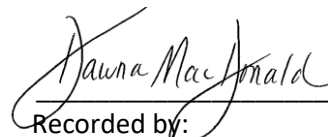
MOVED by Councilor B. MacQuarrie and SECONDED by Councilor H. MacDougall "that the Town of Port Hawkesbury adjourns the October 1, 2019 Public Meeting at 7:40 p.m." MOTION CARRIED.

November 5, 2019

Date



Approved by:
Terry Doyle, P.Eng.
Chief Administrative Officer



Recorded by:
Dawna MacDonald