

PORT HAWKESBURY TOWN COUNCIL
COMMITTEE OF THE WHOLE
Shannon Studio
Minutes of Meeting
June 20, 2023

Present

Mayor, Brenda Chisholm-Beaton
Deputy Mayor, Hughie MacDougall
Councillor, Mark MacIver
Councillor, Blaine MacQuarrie
Councillor, Jason Aucoin
Chief Administrative Officer, Terry Doyle
Director of Finance, Erin MacEachen
Director of Marketing, Recreation, Tourism and Culture, Michelle Farrow (virtually)

Regrets

Manager, Facilities and Operations, Gordie Snook
Manager, Engineering and Public Works, Jason MacMillan

1. Call to Order

A meeting of the Committee of the Whole was held virtually and in the Shannon Studio, Tuesday, June 20, 2023, and called to order at 7:00 p.m. by Mayor, B. Chisholm-Beaton.

2. Additions to Agenda

There were no additions to the agenda.

3. Approval of Agenda

MOVED by Councillor, M. MacIver and **SECONDED** by Deputy Mayor, H. MacDougall “to approve the agenda as presented”. **MOTION CARRIED.**

4. Presentations

There were no presentations.

5. Council Reports on Assigned Committees

Deputy Mayor, H. MacDougall

Strait Area Transit – A meeting was held on and scheduled for June 22.

Festival of the Strait – Several meetings have been held over the last couple of weeks leading up to the festival coming up from July 2-9.

Waterfront Advisory Committee – A meeting was held June 19th.

Police Advisory – was unable to attend due to the closure of the Causeway.

Port Hawkesbury Development – A meeting is scheduled for June 27th.

Councillor B. MacQuarrie

Port Hawkesbury Development – A meeting is scheduled for June 27th.

Strait of Canso Offshore Wind Task Force – A meeting was held on June 13.

Strait Area Transit – A board meeting was held on May 17th.

Port Hawkesbury Development a meeting is scheduled for June 29th.

Eastern Counties Regional Library – Meetings were held on May 12th and 13th.

Festival of the Strait – Weekly meetings are being held.

Councillor M. MacIver

Police Advisory – Was unable to attend due to the Causeway closure.

Waterfront Advisory Committee – A meeting was held on June 19th.

Landrie Lake Board Meeting – A meeting is scheduled for June 22.

Councillor, J. Aucoin

Allan. J. MacEachen Regional Airport – a meeting was held on June 7th.

Mayor B. Chisholm-Beaton

Mayor, B. Chisholm-Beaton's report was included in the agenda package.

6. CAO REPORTS

CAO, T. Doyle notified Council that in the essence of time, the Manager presentations of their reports would be omitted for the evening. He noted that Council may reach out to managers directly if they have any questions.

Other Business

Councillor, J. Aucoin has declared a conflict and left the room at 7:06.p.m.

i. Taxi By-Law Review – CAO, T. Doyle

CAO, T. Doyle reviewed two letters that were received from Town of Port Hawkesbury Taxi Business Operators. One letter from Isabelle Hudson with Dave's Taxi indicating her concern with the amount of Taxi Operators within the Town of Port Hawkesbury. Another email was received from Jeremy White with Harper's Taxi. He reviewed the Town of Port Hawkesbury's Taxi Bylaw para 4 which states "The number of Taxi Business Licenses shall not be restricted.

New applications for Taxi Business Licenses shall be submitted to the Chief Administrative Office or designate and he/she will either approve or reject each such application.”

He notified Council that there are only three Taxi Business Licenses in the Town of Port Hawkesbury right now. CAO, T. Doyle would like to review by-laws across the province.

The consensus of Council was to review at September Committee of the Whole.

Councillor, J. Aucoin returned to the meeting at 7:10 P.M.

ii. Travel Expense Policy – Director, E. MacEachen

Director, E. MacEachen reviewed the policy and noted that the last update was in 2016. There was a review of the current mileage rate, which showed that it was significantly lower than other expense policies. She reviewed some of the proposed changes. The proposed mileage rate of 57.7cents is consistent with the provincial mileage rate which fluctuates on fuel prices and is reviewed yearly. Councillor, B. MacQuarrie asked a question around schedule A and the intent. Deputy Mayor, H. MacDougall had a question around meal allowances. Director, E. MacEachen mentioned that the Town of Port Hawkesbury allows for \$65/day which the Canada Revenue Agency allows \$69/day for meals.

The consensus of Council was to move this item to September Committee of the Whole meeting.

iii. Marketing Levy By-Law- CAO, T. Doyle

CAO, T. Doyle stated that this draft was created by Destination Cape Breton’s Lawyer and has been amended by multiple neighboring municipalities. The draft in the agenda package is the most recent version.

This Item will move forward to the Special Public Meeting following the Committee of the Whole.

iv. Interpretation of Section 19 & 21 of Municipal Government Act – Town Solicitor, P. Lamey

Solicitor, P. Lamey provided Council with a verbal interpretation and will be providing Council with a written report following the meeting. He stated that a Terms of Reference would need to be established for Council to make valid motions at Committee of the Whole meetings. He surveyed across the province and found that 5 municipalities addressed the scope of Committee of the Whole within their bylaws. No formal decisions are made when council is meeting with Committee of Whole. His conclusion is that the answer is no you cannot make valid motions at the Committee of the Whole meetings unless Council develops a Terms of Reference for Committee of the Whole Meetings.

He interpreted Section 24 sub 4 of the MGA – Council can pass motions to create policies that set the terms of reference that could subjugate the power of motions.

He mentioned that Roberts Rules of Order describes this setting as assembly and goes into detail as to what is assembly and committee. Solicitor, P. Lamey recommended that Council

meet at a future meeting to discuss the function of Committee of the Whole so a final recommendation can be made.

Councillor, M. MacIver stated that according to the MGA subsection 21 all questions arising from a question of Council are decided by majority of votes based on his understanding.

Solicitor, P. Lamey stated that the MGA does not prescribe a clear path as to what the Committee of the Whole is.

Councillor, B. MacQuarrie referenced the public meeting as a general assembly of council. MGA that isn't specific enough.

Councillor, H. MacDougall mentioned that past Councils used to vote at Committee of the Whole Meetings. He read a script of an old set of COW minutes. Councillor, H. MacDougall noted that he doesn't support the current way that Committee of the Whole meetings are held.

Councillor, M. MacIver thanked Town Solicitor, P. Lamey and he stated that he doesn't find that the Committee of the Whole meetings are productive right now.

Councillor, J. Aucoin recommended that Council gets a policy in place or have two public meetings.

Mayor, B. Chisholm-Beaton recommended that this item is brought forward to the next Public Meeting to figure out a process moving forward for Committee of the Whole Meetings.

v. Update on Bill 225 – Mayor, B. Chisholm-Beaton

A letter was circulated in the agenda package that requests for Council to send a letter of advocacy to the Province with regards to Bill 225. Mayor Chisholm-Beaton reviewed the request and asked council what the wishes were.

This Item will move forward to the Special Public Meeting following Committee of the Whole.

vi. Accessibility Advisory Committee Appointment – Mayor, B. Chisholm-Beaton

Mayor, B. Chisholm-Beaton reviewed the request that came in from town residents, Terry Matthews and Bethany Winchester to join the Accessibility Advisory Committee.

This item will move forward to the Special Public Meeting following Committee of the Whole.

vii. Mawio'mi PowWow Fundraiser Request – CAO, T. Doyle

Mayor, B. Chisholm-Beaton mentioned that the Wekoqmaq First Nation was a Music and Culture sponsorship for the Mawio'mi Friendship Gala.

Councillor, J. Aucoin recommended that Council purchase a bronze sponsorship for \$500 plus in-kind donations of services offered. Mayor, B. Chisholm-Beaton agreed to the recommendation \$500 plus in-kind donations.

This item will move forward to the Special Public Meeting Following Committee of the Whole.

viii. Strait Superport Board Nominations – Mayor, B. Chisholm-Beaton
Reviewed the letter that was received, as the current Town of Port Hawkesbury representative Bert Lewis is not eligible to be renominated for this term.

The consensus of Council is to advertise the position on social media outlets. CAO, T. Doyle will let them know that the Town of Port Hawkesbury will seek an appropriate applicant over the summer.

8. Approved Additions

There were no additions to the agenda.

9. Future Meetings

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| • Special Public Meeting of Council | Following Committee of the Whole |
| • Public Meeting of Council | September 5, 2023 |
| • Committee of the Whole | September 19, 2023 |

10. Adjournment

MOVED by Councillor, B. MacQuarrie and SECONDED by Councillor, M. MacIver to adjourn the June 20th, 2023, meeting of the Committee of the Whole at 8.28 p.m. MOTION CARRIED.

September 14/23
Date

T Doyle
Approved
Terry Doyle, P. Eng
Chief Administrative Officer

Melissa Warner
Recorded by:
Melissa Warner
Communications and
Administrative Officer