

**PORT HAWKESBURY TOWN COUNCIL  
PUBLIC MEETING**

**Minutes of Meeting  
Tuesday, December 4, 2018**

**Present**

Mayor, Brenda Chisholm-Beaton  
Deputy Mayor, Mark MacIver  
Councilor, Trevor Boudreau  
Councilor, Hughie MacDougall  
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, December 4, 2018 and called to order by Mayor Brenda Chisholm-Beaton at 7:00 p.m.

**2. Additions to the agenda**

There were no additions to the agenda.

**3. Approval of the agenda**

**MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor T. Boudreau “to approve the agenda as distributed”. MOTION CARRIED.**

**4. Gallery Presentations**

There were no gallery presentations.

**5. Acknowledgements**

i. Mike Davenport

A moment of silence was observed for Mike Davenport. Mike will be remembered fondly and missed as a valued member of the Public Works Department

ii. École Polytechnique de Montreal

December 6, 2018 marks the 29<sup>th</sup> anniversary of the 13 Polytechnique Montréal students and one staff member who lost their lives on December 6, 1989, as well as the people who remain wounded by this tragedy.

iii. Cassidy Bernard Protest

The Mayor acknowledged the peaceful protest that closed the Canso Causeway for a short period of time on November 21 after the recent death of Cassidy Bernard, a young woman from the We’koqma’q community.

**6. Approval of Council Minutes**

Public Meeting – November 6, 2018

Councilor H. MacDougall inquired if there was another set of minutes in which the Town Solicitor addressed out of date by-laws. He stated that by-laws that are out of date should be repealed but recognized this could take place during a Council meeting. This discussion will be addressed in Agenda Item 7: Business Arising from the Minutes.

There were no errors or omissions.

## 7. Business Arising from the Minutes

### i. Approval of Council Minutes – November 6, 2018 – Out of date by-laws

Mayor B. Chisholm-Beaton inquired if reviewing out of date by-laws for repeal consideration should be explored by the By-laws and Policies Committee. Councilor MacDougall indicated 18 by-laws were repealed on December 6, 2011 and that further consideration of repealing appropriate by-laws would be productive. CAO, T. Doyle stated an extensive review and consolidation of the by-laws and policies has taken place and that their detailed review can take place in the New Year.

## 8. Council Committee Reports

### i. Report of Committee of the Whole – November 20, 2018

#### a) Christmas Holiday Schedule

**MOVED by Councilor T. Boudreau and SECONDED by Councilor H. MacDougall “to approve the 2018 Christmas Holiday Schedule as presented’.**

On the question Councilor H. MacDougall stated he did not want to see employees financially penalized should they have no vacation allowance remaining. CAO, T. Doyle stated no employee would be financially disadvantaged as a result of the closure. Further, the PHCC will remain open whereby some employees may choose to come in to work during this quiet period.

**MOTION CARRIED.**

#### b) Rotary Club – Request for Use of Bear Head Room

**MOVED by Deputy Mayor M. MacIver and SECONDED by Councilor H. MacDougall “to approve the Rotary Club request for use of the Bear Head Room and to waive its rental fee for the New Year’s Eve fundraiser event in aid of the Rotary Club and the James Daniel Poirier Memorial Basketball Tournament”. MOTION CARRIED.**

#### c) Aaron Johnson Recognition

CAO, T. Doyle stated that typically a matter of this nature is discussed at the Committee of the Whole. Council was in support of deferring this item for discussion at the December 18 Committee of the Whole.

#### d) Special Election Advertising

**MOVED by Councilor T. Boudreau and SECONDED by Deputy Mayor M. MacIver “to approve the methods of advertising for the Special Election as presented by CAO, T. Doyle”. MOTION CARRIED.**

#### d) Town Council Committee Assignments

CAO, T. Doyle suggested that this agenda item be deferred to the January 22, 2019 Committee of the Whole. The Swearing In Ceremony for the new Councilor will likely precede the Public Meeting on January 8, 2019. Deferring this item which will provide for better discussion on the Council committee assignments. Council was in support of this suggestion.

**MOVED by Councilor H. MacDougall and SECONDED by Councilor T. Boudreau “to defer discussion on Town Council Committee Assignments to the January 22, 2019 Committee of the Whole”.  
MOTION CARRIED.**

8.ii Approval of Minutes: Committee of the Whole – November 20, 2018

**MOVED by Councilor H. MacDougall and SECONDED by Deputy Mayor M. MacIver “to approve the November 20, 2018 minutes of the Committee of the Whole”. MOTION CARRIED.**

## 9. Correspondence

There was no correspondence.

## 10. Proclamations/Resolutions

There were no proclamations or resolutions.

## 11. Other Business

### i. Granville St Traffic Study and Property Consultation

CAO, T. Doyle stated a community consultation is scheduled in Shannon Studio December 5, 2018 at 6:00 p.m. The process will include drawing information from residents about safety issues experienced on Granville Street and/or the north Granville Street green space. Granville Street will be broken down into four areas. The attendees will be compiled into four groups with a facilitator at each group to discuss various issues including speed, accessibility, safety, bus stops, etc. This information will be compiled and provided to a traffic engineer to incorporate into a study, make recommendations and bring back to Council and the community.

CAO, T. Doyle stated an engineer would likely to be retained soon to consider winter and spring seasons in the study. The report is anticipated in spring. The Waterfront Development Committee will be invited to the consultation. Deputy Mayor M. MacIver would like more attention focused on the intersection at old Sydney Road where speed is an issue. CAO, T. Doyle added that parking concerns on Granville Street and sight lines on Pitt Street are also concerns to be addressed.

### ii. Council Remuneration

Councilor H. MacDougall recommended that in consideration of the Special Election, the issue of Council remuneration should be deferred to budget deliberations and that any decisions made will be retroactive to January 1, 2019. Council was in support of this recommendation.

**MOVED by Councilor H. MacDougall and SECONDED by Deputy Mayor M. MacIver “to defer the issue of Council remuneration to budget deliberations and that any decisions made will be retroactive to January 1, 2019”. MOTION CARRIED.**

### iii. Special Election – Contingency Planning in Event of Inclement Weather

CAO, T. Doyle stated considerable research has been conducted for contingency planning in the event of inclement weather for the upcoming Special Election. Advice was sought from a municipal elections officer, Municipal Affairs and our Town Solicitor as there is little precedent available in changing the date of an election. The advice received from the municipal elections officer was that the date shall not be changed. Town Solicitor P. Lamey added that a Special Election is conducted in accordance with the Nova Scotia Municipal Elections Act (NS MEA) which is distinguished from the provincial and federal elections acts. The NS MEA is silent on this subject. Provincial legislation would have to be considered and it is clear that there is no ability to postpone. In the case of an emergency, the Returning Officer can change the location

but does not have the ability to postpone. The Municipal Elections Officer advises moving forward and strongly suggests not postponing the date. Councilor T. Boudreau urged residents to vote in the Advance Polls.

iv. Swearing In Ceremony – Special Election

In determining the date for the Swearing In Ceremony, CAO, T. Doyle stated it cannot take place within ten days of the ordinary polling date (December 15).

**MOVED by Councilor H. MacDougall and SECONDED by Councilor T. Boudreau “to schedule the Swearing in Ceremony of the Special Election to precede the Public Meeting on January 8, 2019”. MOTION CARRIED.**

v. Expense Report – November 2018

CAO, T. Doyle reviewed the November Expense Report for the Mayor, Council and CAO. The total expenses for the month of November was \$2,156.19. Expense reports are posted on the Town website.

**12. Approved Additions**

There were no additions to the agenda.

**13. Future Meetings**

The future meetings of Town Council are scheduled as follows:

- Committee of the Whole            Tuesday, December 18, 2018
- Swearing In Ceremony            Tuesday, January 8, 2019
- Public Meeting                      Tuesday, January 8, 2019

**14. Public Question Period**

*Andre Bissonette*

Mr. Bissonette inquired about his concerns on the election advertising, the appearance of certain sitting Councilors promoting certain candidates, and if this could show bias and have an effect on the election.

Councilor T. Boudreau stated he was unaware of anything preventing a sitting Councilor from doing this and that he does not advocate for any of the candidates. He extended best wishes to all the candidates and looks forward to working with the successful candidate.

CAO, T. Doyle stated he is also unaware of anything that prevents a councilor from supporting a candidate. Many may have opinions but it is left to the electorate to decide. He will conduct research into this issue. Mr. Bissonette asked if Council could be polled. CAO, T. Doyle stated it was not appropriate to poll Council on this question. Members of the public have a right to express an opinion or address Council however all matters are conducted through the Chair and not a vote of Council. Mr. Bissonette was invited to meet with Mayor B. Chisholm-Beaton to discuss issues at any time.

**15. Adjournment**

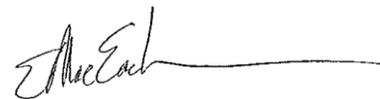
**MOVED by Councilor H. MacDougall and SECONDED by Councilor T. Boudreau “that the Town of Port Hawkesbury adjourns the December 4, 2018 Public Meeting at 7:45 p.m.”. MOTION CARRIED.**

January 9, 2019

Date



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



Recorded by:  
Erin MacEachen, Director of Finance