

**Region of Queens Municipality Regular Council
Tuesday, April 11, 2023 9:00 a.m.**

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor David Brown
Councillor Maddie Charlton
Councillor Ralph Gidney
Councillor Vicki Amirault
Councillor Kevin Muise
Councillor Carl Hawkes
Chris McNeill, CAO
Eric Levy, Municipal Clerk
Christine Watson, Admin. Assistant – Planning & Development

1.0 Call to Order

Mayor Norman called the meeting to order at 9:00 a.m.

2.0 Changes / Approval of Agenda

Deputy Mayor Fancy requested to Add Item 8.4 – Outdoor Stage and Item 8.5 Traffic Study Bristol/Mersey Avenue.

It was moved by Councillor Charlton and seconded by Councillor Brown that the Agenda be approved as amended

MOTION CARRIED unanimously.

3.0 Presentation

3.1 Queens Home for Special Care Society

Mayor Norman welcomed Andrew MacVicar and Christopher Clarke, Queens Home for Special Care Society, to Council.

Mr. Clarke stated the Society is very pleased with the design recently presented to Council. It is a joint project between the Region and Queens Home for Special Care Society, as it is replacing Hillview Acres and Queens Manor.

The site preparation will commence this summer.

There had been discussions on extending Queens Place Drive to the proposed library, and now that is no longer in the plans, the Society will have to move ahead with accessing the new facility and do not want to change the design. The building itself will face south west to maximize the light and sun. When dealing with seniors in homes, the orientation of the building is important, as they will be facing activity at Queens Place Emera Center as anything outside is a key interest to the residents.

A Cooperation Agreement was signed November 2021 to purchase 11 acres of Region land and the Purchase and Sale Agreement was signed. The boundaries are set by Queens Home for Special Care, and are looking to move them south and taking what had been considered the extension to Queens Place Drive. 67 meters is required to get from the end of Queens Place Drive through to where the actual entrance road to the new facility. The estimated cost is up to \$400,000 and would undertake the work themselves, and need to begin this summer.

Queens Home for Special Care is hoping the Region of Queens Municipality will participate in the cost. The sale of the land is \$1 Million and hope the Region will reinvest some of that money for the road extension including service extension.

Councillor Brown enquired how far 67 meters would cover. Mr. Clarke stated it would be east from the end of Queens Place Drive to the road that goes to the front of the new nursing home. Andrew MacVicar stated he had circulated a diagram which visually shows the extension would be adjacent to the end of the skate park.

Deputy Mayor Fancy inquired about budget years and Mr. Clarke stated a delay in budget would cause a delay in the project to 2027.

Councillor Muise asked about changing orientation of the facility. Mr. MacVicar stated that was considered but would cause traffic issues.

Mayor Norman thanked them for their presentation and Council will deliberate their request and get back to them.

4.0 Tabling of Petitions

There were no petitions to come before this meeting.

5.0 Public Question / Comment Session

Robin Anthony, 532 Brooklyn Shore Road, Brooklyn – Ms. Anthony stated in February she contacted her Councillor with concerns over the area rate that Brooklyn residents have not been able to vote on for over 20 years. She thanked Council for organizing the recent vote.

In researching the Brooklyn Area rates, two concerns were brought forward. One being a CSA playground standard that the Hank Snow playground does not meet. The Region has known of this deficiency for a number of years and has recently brought their Municipal playgrounds up to standard and trained staff to inspect them. She enquired who held liability for the Hank Snow playground and was informed the Region had no liability. She challenged that response and was told the rate payers of Queens would only be liable if a claim was so large that the Brooklyn Recreation insurance would not cover it. How could rate payers in all communities of Queens be exposed to liability because of the activities of one group of volunteers in one community?

She referred to the Halifax Regional Municipality's Administrative Order covering area rates, which can be found online. This document details specific terms under which area rates can be established and administered in HRM. Area rate funding in the HRM is only turned over to community groups that have met their various requirements and through formal contribution agreements. By researching, only 3 playgrounds are managed by community groups funded by area rates. They all meet CSA safety standards and are inspected every 8 weeks by municipal staff. If a community group wishes to add a structure, they can only do so with permission from the HRM and the playground equipment is procured by them. HRM takes responsibility of protecting their rate payers from liability associated with area rates.

HRM has a detailed legal policy backed up by procedures, inspections and approvals all designed to exercise due diligence and shield its taxpayers from liability. She stated she is concerned that the Region is not giving this situation the attention it deserves. She urged Council to read the HRM document and compare it to the Region's Policy 23 and consider how well

you could defend a court action based on the policies and procedures that are currently in place.

The second concern raised with her Councillor refers to the area rate for the Brooklyn Cemetery. She enquired why are the Brooklyn residents the only Canadians paying a tax to support a cemetery. She was told that the Municipality has a right to establish an area rate and the right to sell burial plots. She referred to the HRM's administrative policies on both area rates and grants. To be eligible for an area rate the community organization shall be a non-profit incorporated under the Society Act. Organizations receiving grants include a non-profit organization or a registered charitable organization. Cemeteries in Canada are registered charities.

Canadians have an individual right to support the charities of their choice and to get a tax receipt in doing so. They cannot be taxed individually to support registered charities. Governments who wish to contribute tax payers' money to charities do so through grants from general revenues.

Since 1996, the Region has been forcing Brooklyn rate payers to donate to the Brooklyn Cemetery through an area rate. That is clearly beyond the scope of the Region's tax authority. Rate payers in Brooklyn have a process to support the work of the Brooklyn Cemetery Committee; it's by making a donation and getting a tax receipt.

Council now owes Brooklyn residents an explanation and should discuss reimbursing Brooklyn Cemetery for any expenses it incurred during recent voting, as it was an opportunity to correct this before the vote occurred. Every citizen in Canada has the individual right to support the charities of their choice.

She stated challenging these concerns has resulted in hostility towards her online, during public meetings and within the community. All of this could have been avoided if the Region had taken these concerns seriously and investigated them earlier when raised privately.

Bob Gramigna, 61 Gardner Road, Brooklyn – Mr. Gramigna stated he is a member of the Brooklyn Cemetery Committee. He stated he was present to see how democracy was in action and is pleased with the results of the voting held by the Cemetery Committee in Brooklyn.

There was overwhelming support of both committees and speaking for the Cemetery Committee, is thrilled with the results and looks forward to the debate.

Clair Chandler, 62 Gardner Road, Brooklyn – Ms. Chandler stated she sits on the Board of Directors for the Brooklyn Recreation Committee, Brooklyn Cemetery Committee, and Queens Recreation Boating Association. The area rate information meeting, letter, and a date of voting where residents could ask questions was held.

The vote showed that the majority are still in favour of keeping our playground and green spaces as the results of the vote out of 156 there were 125 yeses. The Board has requested an area rate of 4 cents per \$100 of assessment, a drop in a half cent from last year. The aim is to work within the area rate funding and also look for grants and do fundraising.

At the upcoming meeting on April 18th, the Board will discuss the area rate with the residents to ensure compliance and insurance and to keep them up to date. Our future depends on the funding in order for the volunteer committee to continue to work as they have for the past 26 years. She urged Council to support the vote.

6.0 Approval of Minutes

6.1 Regular Council – March 28, 2023

It was moved by Councillor Brown and seconded by Councillor Muise:

THAT the minutes of the Regular Council meeting held March 28, 2023 be approved as circulated.

MOTION CARRIED unanimously.

6.2 Public Hearing – March 28, 2023

It was moved by Councillor Gidney and seconded by Councillor Charlton:

THAT the minutes of the Public Hearing held March 28, 2023 be approved as circulated.

MOTION CARRIED unanimously.

6.3 Emergency Council – March 17, 2023

It was moved by Councillor Brown and seconded by Councillor Hawkes:

THAT the minutes of the Emergency Council meeting held March 17, 2023 be approved as circulated.

MOTION CARRIED unanimously.

6.4 Special Council – April 4, 2023

It was moved by Councillor Amirault and seconded by Councillor Charlton:

THAT the minutes of the Special Council meeting held April 4, 2023 be approved as circulated.

MOTION CARRIED unanimously.

7.0 Recommendations

7.1 Community Investment Fund 2023-2024

It was moved by Councillor Charlton and seconded by Councillor Amirault:

THAT Council of the Region of Queens Municipality provide grant funding to Liverpool Tennis & Pickleball Club for eligible operating expenses in the amount of up to \$4,332.00 from the Community Investment Fund reserve.

Dana Henley, Community Development Coordinator, stated the operational budget has not yet been approved, but the reserve account currently has an available balance to cover the request from the Liverpool Tennis & Pickleball Club to support court maintenance and replacement of nets and posts.

The total eligible projected expenses is \$8,664.00. The recommendation for funding is less than requested as their cash assets are in excess of 50% of their projected operation budget for 2023.

MOTION CARRIED unanimously.

7.2 NSFM Conference Attendance

It was moved by Councillor Amirault and seconded by Councillor Fancy:

THAT Council of Region of Queens Municipality approve the attendance of Mayor Norman, Councillor Charlton, and Councillor Brown at the Nova Scotia Federation of Municipalities' Spring Conference in Digby, Nova Scotia from May 3, to May 5, 2023.

MOTION CARRIED unanimously.

7.3 Fire Department and Medical First Responder Annual Registration

It was moved by Deputy Mayor Fancy and seconded by Councillor Gidney:

THAT Council of Region of Queens Municipality approve the 2023-2024 fire department and medical first responder registrations effective April 1, 2023, for Greenfield and District Fire Department, Liverpool Fire Fighters Association, Mill Village and District Fire Department, Port Medway Fire Department, and West Queens Medical First Responder Society, according to the service levels for each department included on their 2023-2024 Application for Registration.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 Area Rate Requests – Brooklyn Cemetery Committee and Brooklyn Recreation Committee

Councillor Amirault thanked Brooklyn Cemetery and Brooklyn Recreation committees for all their hard work for the area rate request. Plenty of advertising was done, i.e. post office drops, social media through the Region, and the Brooklyn Recreation advertised on their Facebook page.

There was overwhelming support for both committees. The Brooklyn Cemetery Committee's request received 122 yes votes, 34 no votes, for a total of 156 votes. The Brooklyn Recreation Committee's request received 125 yes votes, 31 no votes, for a total of 156 votes. As Councillors, we did our due diligence.

There is a meeting on April 18th which will address the resident's questions brought forward at the AGM meeting.

Councillor Amirault stated she is in favour of both groups and in moving this to budget.

Deputy Mayor Fancy stated both groups are great and are bringing forth new ideas, and suggested working towards self-sufficiency as was done by the group in the Milton area.

It was moved by Councillor Amirault and seconded by Councillor Brown:

THAT this issue be referred to budget.

MOTION CARRIED unanimously.

8.2 Request for Memorial Picnic Table at Beach Meadows Beach

Mayor Norman stated with dealing with this request, as well as the next, we should think about developing a policy or procedure around the placement of memorial benches rather than dealing with the requests individually.

Historically we have never dealt with picnic tables, the reason being the wood structures may fall to the Region to fix or remove at some point.

Councillor Amirault stated she is in favour of this request and suggested that the table could be accessible. She suggested the people requesting it should replace it should the table become damaged or rots.

Councillor Charlton stated she understands the issues of having a wooden table and suggested offering a compromise by displaying a memorial plaque.

She further enquired how other municipalities deal with these kind of requests. Mr. Levy stated they are dealt with on a case by case basis as they are not frequently requested. What makes this case different is we have received two requests; the last request was made in 2021. We currently have policies that could be adjusted to fit these types of requests.

Councillor Brown indicated the staffing issues with the Public Works department and the increase in maintaining them and stated he was in favour of having a policy to look at location and materials. He suggested holding off on these requests until a policy is in place. Mayor Norman stated staff are involved with the location.

Chris McNeill, CAO, stated we are working under the accessibility rule which will be in place by 2030. The new playground will have synthetic tables as wooden tables do not meet accessibility standards. In the future we will be replacing the wooden tables. He cautioned Council to when considering this to plan long term.

Staff are requested to create a policy for memorial fixtures to be placed in our parks that follow accessibility rules, consider who is eligible, is there is connection to the area, and criteria for diversity/inclusion, etc. before moving ahead with these requests. Mr. Levy will advise the applicants.

8.3 Request for Memorial Bench at Liverpool Bridge

Covered under Item 8.2.

8.4 Outdoor Stage

Mayor Norman stated Wilson's gifted the Region with an outdoor stage that was used for Canada Day last year. Deputy Mayor Fancy enquired to the possibility of having the stage put up early this year and leave it up. It could be used informally and for more formal events through Steve Burns, Manage of Events, Promotions & Sponsorship.

Councillor Muise suggested the old Legion site and install the stage on the cement as the location as there is power hookups there and wouldn't require much maintenance.

Councillor Charlton agreed and suggested having discussions about holding summer concerts and other groups who are fundraising.

Councillor Brown stated many local bands would like visibility and this would be a great opportunity for them.

Councillor Amirault agreed and asked to have the picnic tables out sooner as well.

8.5 Traffic Study – Bristol/Mersey Avenue

Deputy Mayor Fancy stated we had previously discussed doing a traffic study on the proposed development in that area. Concerns have been raised recently on a proposed increase to the development.

He suggested having a traffic study done to help alleviate concerns raised by the residents in the area.

Mayor Norman stated in conversations held with Deputy Mayor Fancy, Council has not approved an expansion for the proposed development and if they were to do so, as many municipal units do include the onus on the developer to conduct a traffic study.

Councillor Charlton questioned whether the Region should be proactive and have a traffic study completed, as there is already a traffic concern from the proposed development. She questioned whether the approval for additional units would be contingent to the study.

Mr. McNeill stated a traffic study could not be completed until the details of the proposal are known. The traffic study addresses that specific proposal and looks at all the components. The developer provides the details and then the traffic engineers would do the study. It would not be prudent to do a study without the developer knowing their exact plans.

Councillor Amirault suggested including the development of the new nursing home into the study as well. Mr. McNeill stated although this is not part of this development but could be part of another study.

Councillor Charlton requested when the hearing on this issue comes before Council instead of a recommendation to have a discussion before moving forward. Council agreed.

9.0 In-Camera Items

It was moved by Councillor Brown and seconded by Councillor Amirault that the proceedings go In-Camera at 10:18 a.m. to discuss the following:

9.1 Contract Negotiations

MOTION CARRIED unanimously.

Mayor Norman announced a 5 minute break at 10:18 a.m.

It was moved by Councillor Gidney and seconded by Councillor Amirault that the proceedings exit In-Camera at 11:08 a.m.

MOTION CARRIED unanimously.

10.0 Adjournment

The meeting adjourned at 11:08 a.m.



Mayor Darlene Norman, Chair



Eric Levy, Municipal Clerk



Christine Watson, Administrative Assistant – Planning & Development

Date Approved: April 25, 2023