

**Amherst Town Council  
Special Meeting  
Minutes**

**Date:** October 30, 2019  
**Time:** 4:00 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Mayor David Kogon  
 Councillor Jason Blanch  
 Councillor Vince Byrne  
 Councillor Darrell Jones  
 Councillor Terry Rhindress

**Members Absent** Deputy Mayor Sheila Christie  
 Councillor Wayne MacKenzie

**Staff Present** Greg Herrett, CAO  
 Dwayne Pike, Police Chief  
 Kim Jones, Municipal Clerk  
 Natalie LeBlanc, Deputy Clerk

*The following does not represent a verbatim record of the proceedings of this meeting.*

**1. CALL TO ORDER**

Mayor Kogon called the meeting to order at 4:00 P.M.

**2. APPEAL HEARING SUMMARY - GILROY TAXI DRIVER'S LICENSE**

**2.1 Staff Presentation**

Chief Pike provided an overview of his staff report, included in the agenda package, explaining how and why the decision was made to deny Mrs. Gilroy a taxi driver's license, particularly due to a charge of impaired operation of a motor vehicle in 2015, at which time her license had expired leading to another charge of operating a motor vehicle without a valid driver's license. Mrs. Gilroy also has a charge of operating at speeds that exceed posted speed limit from January 2010. He added that although four years have passed since the conviction for impaired driving, the Taxi Authority also took into consideration that in order to apply for a pardon for criminal convictions, a waiting period of five years after the conviction date is required for a summary conviction offense.

**2.2 Minutes - October 22, 2019**

**Moved By Councillor Byrne**

**Seconded By Councillor Jones**

**To approve the minutes of the October 22, 2019 special meeting of Council as circulated.**

**Motion Carried**

**2.3 Decision**

Councillor Blanch would like Council to review the Taxi Bylaw as he feels changes to it are required.

Councillor Byrne asked if Mrs. Gilroy is permitted to have a Class 4 driver's license issued by the Province of NS and is already doing deliveries in town and driving shuttle outside of town why is she being denied a taxi driver's license. The CAO replied that the issuance of a taxi driver's license is up to municipalities.

Mayor Kogon added that if the traffic authority did issue Ms. Gilroy a taxi driver's license knowing she had been convicted of driving under the influence then the Town could be liable if something were to happen.

Councillor Jones noted that Mrs. Gilroy took responsibility for her actions and sought help, he felt she was sincere in this. He also believes that since she has been able to obtain her shuttle license then she should be granted a taxi driver's license.

Mayor Kogon noted that at her appeal hearing, Mrs. Gilroy stated that she had not been drinking the day of her arrest but was over the limit from the night before. Due to the fact that it was 7:00 p.m. when she was tested, it is his contention that she lied about consuming alcohol on the day of the offence, and therefore believes that Council should uphold the decision of the traffic authority.

Councillor Rhindress expressed that he is not sure she lied, and that Council should give her a break.

Councillor Blanch added that he has enough doubt in his mind to uphold the decision.

**Moved By Councillor Byrne**  
**Seconded By Councillor Blanch**  
**To uphold the decision of the Traffic Authority to not issue Mrs. Gilroy a taxi driver's license at this time.**

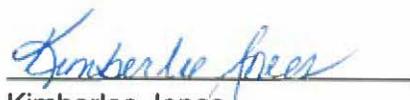
**Motion Carried 3-2**  
 Councillors Rhindress and Jones NAY votes

**Moved By Councillor Byrne**  
**Seconded By Councillor Jones**  
**To recommend the Taxi Bylaw be forwarded to a future Committee of the Whole meeting for a review.**

**Motion Carried**

3. **ADJOURNMENT**  
**Moved By Councillor Blanch**  
**Seconded By Councillor Jones**  
**To adjourn the meeting at 4:30 P.M.**

**Motion Carried**

  
 Kimberlee Jones  
 Municipal Clerk

  
 David Kogon, MD  
 Mayor