

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES May 14, 2002

PRESENT: Deputy Mayor Robert P. Harvey
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen D. Adams
Brad Johns
Len Goucher
Reg Rankin
Gary Meade

REGRETS: Mayor Peter J. Kelly

STAFF MEMBERS: Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

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The following agenda items were deferred to May 21, 2002:

- 8.12 Councillor Mosher - High School Volunteer Community Service
- 8.13 Councillor Whalen Processes regarding Park Land Acquisition and Park Facilities
- 8.14 Motion - Councillor Adams
"To establish a body to protect the interests of all Volunteer Firefighters in HRM. This body will have input and representation in its formation and structure from volunteer firefighters throughout HRM."
- 8.15 Councillor Uteck - School Closure Policy
- 11.1.2 Hotel Marketing Levy
- 11.1.3 Swimming Pool By-Law
- 11.2.1 Councillor Colwell - Commercial Logging Along the Trail System
- 13.1 Preliminary Tax Structure Recommendations
- 13.2 Property Matter - 94 Queen Street, Dartmouth
- 13.3 Property Matter - Proposed Acquisition - Nine Mile River
- 13.4 Property Matter - Proposed Acquisition - Kiley Property, Prospect Bay Road
- 13.6 Councillor Warshick - Meeting in Dartmouth re: C & D Proposal Site

1. INVOCATION

Deputy Mayor Harvey called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Goucher.

2. PROCLAMATIONS

2.1 National Public Works Week - May 19-25, 2002

The week of May 19 - 25, 2002 was proclaimed to be National Public Works Week.

SPECIAL PRESENTATION - STUDENT CITIZENSHIP AWARDS

Deputy Mayor Harvey, with the assistance of members of Council, presented the annual student citizenship awards.

Acknowledgements

Deputy Mayor Harvey noted that Mayor Peter Kelly was in Germany leading a delegation of public and private agency representatives who assisted passengers and crew on Lufthansa Airline flights diverted to Halifax on September 11th. The German national airline is naming the new Airbus A340 for the people of HRM and Gander, Newfoundland, who provided assistance to those travelling on Lufthansa trans-Atlantic flights diverted to those communities as a result of the terrorist attacks in New York and Washington last September 11th. The new Airbus A-340 aircraft will permanently display the names and official coats-of-arms of the two Atlantic municipalities.

Councillor Blumenthal requested that the Mayor send a letter of congratulations to the Halifax Exports for winning the Canadian Junior A hockey title this past weekend at the Halifax Forum.

Deputy Mayor Harvey acknowledged the presence in the gallery of Mr. Randy Ball, former Mayor of Halifax County Municipality.

Councillor Hetherington acknowledged the presence in the gallery of Ms. Jean Beeler, former Alderman of the City of Dartmouth.

3. APPROVAL OF MINUTES - NONE

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The following item was deleted from the agenda:

- 11.1.1 Cultural Spaces Cost Sharing-Alderney Landing, Heritage Cultural Reserve Q312 Withdrawal

The following items were added to the agenda:

- 13.1 Preliminary Tax Structure Recommendations
- 13.2 Property Matter - 94 Queen Street, Dartmouth
- 13.3 Property Matter - Proposed Acquisition - Nine Mile River
- 13.4 Property Matter - Proposed Acquisition - Kiley Property, Prospect Bay Road
- 13.5 Legal Matter - Settlement of Claim
- 13.6 Councillor Warshick - Meeting in Dartmouth re: C & D Proposal Site

Councillor Colwell requested that Item 11.2.1 Councillor Colwell - Commercial Logging Along the Trail System be deferred to May 21st.

Council agreed to deal with the Public Hearings following Item 6 - Motions of Reconsideration. Council also agreed to deal with Item 10.3.1 Presentation - By-Law S-100 - Wastewater Landscaping Charges - Doug Conrad, President, Landscape N.S., following Item 7 - Motions of Rescission.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Order of Business and Additions and Deletions be approved. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES

6. MOTIONS OF RECONSIDERATION

6.1 Councillor Walker - Halifax Harbour Solutions

C The following motion was adopted by Council on May 7, 2002:

MOVED by Councillor Mosher, seconded by Councillor Hetherington, that:

WHEREAS it is proposed that the Halifax Regional Municipality ("HRM") enter into seven (7) agreements with the Halifax Regional Environmental partnership et al with respect to the Halifax Harbour Solutions Project, namely a Development Agreement, Halifax Operating and Maintenance Agreement, Halifax License, Dartmouth Operating and Maintenance Agreement, Dartmouth License, Herring Cove Operating and Maintenance Agreement and Herring Cove License (collectively, the "Project Agreements");

AND WHEREAS Council has reviewed drafts dated April 10, 2002 of the Development Agreement, the Halifax Operating Agreement and the Halifax License;

AND WHEREAS HRM has made a request to the Government of Canada and to the Province of Nova Scotia for funding assistance in order to implement the Halifax Harbour Solutions Project.

NOW THEREFORE BE IT RESOLVED as a Resolution of Council that:

1. HRM agree in principle to enter into the Project Agreements with Halifax Regional Environmental Partnership, Suez, Onedo North America Inc., United Water Resources Inc. and United Water Services Canada LP substantially in the form of the draft Project Agreements presented to and reviewed by Council, which Projects Agreements shall be subject to the following conditions precedent:
 - (a) advice from the Federal Government and the Province of Nova Scotia that its request for funding has been approved; and
 - (b) the receipt of a decision from the Responsible Authorities that the environmental effects of the project are acceptable under the Canadian Environmental Assessment Act.
2. Before they are executed on behalf of HRM, the final form of the Project Agreements (including all Schedules) be presented to Council together with a summary of all material changes made from the April 10, 2002 drafts, which changes shall be generally consistent with the RFP and with HREP's Proposal.

C At the May 7, 2002 meeting, Councillor Walker served a Notice of Motion of Reconsideration, seconded by Councillor Sloane.

MOVED by Councillor Walker, Seconded by Councillor Sloane, that Council reconsider the motion adopted on May 7, 2002 regarding Halifax Harbour Solutions.

In support of the motion, Councillor Walker stated Council did not spend enough time debating the issue and Councillors were not given enough opportunity to ask questions. Therefore, the Councillor stated Council should reconsider the motion and refer the matter back to In Camera for further debate and discussion. A **recorded vote** was requested.

Members of Council voting **in favour** of the motion: Councillors: Cooper, McInroy, Warshick, Smith, Sloane, Walker, Whalen and Meade.

Members of Council voting **against** the motion: Deputy Mayor Harvey, Councillors: Streach, Hines, Colwell, Sarto, Hetherington, Cunningham, Blumenthal, Uteck, Fougere, Mosher, Adams, Johns, Goucher and Rankin.

MOTION DEFEATED. (8 in favour, 15 against. Mayor Kelly was absent.)

Therefore, the original motion adopted on May 7, 2002 stands.

9. PUBLIC HEARINGS - 6:00 p.m.

9.1 Sale of Property -116 Lakeview Road , Halifax Regional Search & Rescue

C A report from the HRM Grant Committee, dated April 9, 2002, regarding the above, was previously circulated to Council.
Ms. Peta-Jane Temple, Coordinator, Grant Program, presented the report to Council.

Deputy Mayor Harvey called three times for members of the public wishing to speak either in favour of or against the sale of property. Hearing none, the following motion was put on the floor:

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Hines, seconded by Councillor Streach, that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 116 Lakeview Road, Lakeview, be conveyed to Halifax Regional Search and Rescue for the sum of \$1 plus costs of sale expenses estimated to be \$2,500, subject to the terms and conditions as set out in the Discussion Section of the Grant Committee report dated April 9, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 Second Reading - By-Law S-411, Respecting Charges for Street Improvements

C By-Law S-411, Respecting Charges for Street Improvements, passed First Reading on April 23, 2002, and was now before Council for Second Reading.

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, dated April 8, 2002, regarding the above, was circulated to Council.

Mr. Rick Paynter, Acting Director, Public Works and Transportation Services, presented the staff report to Council.

Deputy Mayor Harvey called three times for members of the public wishing to speak either in favour of or against the by-law. Hearing none, the following motion was put on the floor:

MOVED by Councillor Blumenthal, seconded by Councillor Warshick, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Sarto, seconded by Councillor Goucher, that Council give Second Reading to By-Law S-411, Respecting Charges for Street Improvements.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal that By-Law S-411 be amended such that the charges for replacement of existing asphalt curb and gutter with new concrete curb and gutter on both sides of the street and the replacement of existing asphalt curb and gutter with concrete curb and gutter on one side of the street remain at the 2001 prices instead of raising them. MOTION PUT AND PASSED.

The vote was then taken on the Main Motion, as amended.

MOTION PUT AND PASSED UNANIMOUSLY.

7. MOTIONS OF RESCISSION - NONE

As agreed to during Approval of the Order of Business, Council dealt with Item 10.3 Presentation next on the agenda.

10.3 Presentation

10.3.1 By-Law S-100 - Wastewater Landscaping Charges - Doug Conrad, President, Landscape N.S.

Mr. Doug Conrad, President, Landscape Nova Scotia, made a presentation to Council regarding By-Law S-100, questioning why landscaping companies are required to pay the wastewater charge when most of the water they use does not go into the sewer. Mr. Conrad urged Council to grant an exemption for the landscaping industry for any water use that can be directly attributed to horticulture.

Deputy Mayor Harvey thanked Mr. Conrad for his presentation.

8. CONSIDERATION OF DEFERRED BUSINESS - May 7, 2002

8.1 Plowing of Sidewalks on Major Arterial Roads

C A staff report prepared for Rick Paynter, Acting Director, Public Works and Transportation Services, dated April 29, 2002, regarding the above, was before Council for its consideration.

Mr. Phill Cochrane, Manager, Streets and Roads, responded to questions of Council regarding the plowing of sidewalks on major arterial roads.

Councillor Adams requested information regarding the number of liability claims, with respect to this issue, made in the last two or three years.

Councillor Mosher stated she would like HRM to take over the 1.5 kms of sidewalks in the Western Region referred to in the staff report, which can be added to existing routes without greatly impacting on the costs and service levels due to their close proximity to sidewalks currently being serviced through the program.

Councillor Blumenthal stated he would like the matter referred back to staff to examine the possibility of plowing all sidewalks in the Western Region. Councillor Cooper stated he would like to see the report include a survey of all major arterial roads in HRM to be included in any snow clearing.

Mr. Paynter noted if all sidewalks were to be included in the snow removal program, the cost implications would be significant.

Councillor Whalen suggested it could be argued that Halifax subsidizes sidewalk snow removal for other areas as there are costs to the program that are not captured in the area rate. The Councillor suggested an option to consider would be that HRM plow sidewalks on all arterial roads. In response, Mr. George McLellan, Chief Administrative Officer, stated Council would have to agree from where the funding for this would come. He suggested it may be better to consider this at budget time so the costs can be programmed into the budget.

Councillor Meade referenced a report done by HRM in 1998 regarding activity-based costing which examined sidewalk snow clearing in Dartmouth. The Councillor stated that in 1998 Dartmouth residents were paying a \$.01 area rate for this service. Therefore, a \$100,000 home on a 60' lot paid \$10, yet the true cost was \$100, which meant \$90 of the \$100 was taken from the general tax rate. Councillor Meade noted that since that time the area rate has increased to \$.02.

Councillor Sarto suggested this matter be referred to the Tax Structure Review Committee for examination of the cost to include sidewalk plowing in the general rate.

MOVED by Councillor Mosher, seconded by Councillor Adams, that HRM take over the 1.5 kms of sidewalks in the Western Region referred to in the staff report dated April 29, 2002, which can be added to existing routes without greatly impacting on the costs and service levels due to their close proximity to sidewalks currently being serviced through the program.

Mr. Paynter stated it would be his preference that staff examine the entire issue of sidewalk plowing before Council makes any decisions.

**MOVED by Councillor Hetherington, seconded by Councillor Warshick, that the entire issue of sidewalk plowing on major arterial roads be referred back to staff.
MOTION PUT AND PASSED.**

8.2 Harbour Solutions Project - staff presentation (oral)

Mr. Mike Labrecque, Project Manager, Harbour Solutions, made a presentation to Council regarding the Harbour Solutions Project. Copies of the presentation were provided to Council.

Deputy Mayor Harvey thanked Mr. Labrecque for his presentation.

In response to a request of Councillor Sloane for a staff report regarding the usage of sludge and mad cow disease, Deputy Mayor Harvey reminded Council that all of the harbour solutions project is subject to federal environment approvals. Councillor Sloane stated she would still like to have a report on this as well as medical evidence. Mr. McLellan stated there is an issue in terms of staff preparing this report in that there is no one on staff that would exceed the judgements rendered by the other levels of government who are mandated for environmental protection. He noted all staff could do is provide the information those other levels of government would make available. Mr. McLellan questioned what value this would add as the Councillor has indicated that she already has that information. Councillor Sloane responded that supplying this information to all of Council would be beneficial.

In response to a question of Councillor Adams regarding the order of the sewage treatment sites, Mr. McLellan stated if Council was to decide upon a different order, it would have to be revisited with the selected proponent.

Both Councillors Sloane and Adams requested that information be brought forward regarding the status of the other sites at the next In Camera meeting, if possible.

In response to concerns expressed by Councillor Johns regarding the lack of enforcement of By-Law W-101, Mr. McLellan stated a staff report was previously sent to Council regarding the status of HRM's source control measures which provides all the potential trespass conditions that have been recognized to date in HRM, the number of discussions held regarding violations in HRM, and details of the targeted education program that is underway. Mr. McLellan agreed to provide this information to Councillor Johns.

Councillor Johns expressed concern with the lack of enforcement of By-Law W-101 and suggested that this needs to be addressed.

Councillor Rankin acknowledged the efforts of former members of Council and staff who have been involved in the Harbour Solutions Project: Mr. Walter Fitzgerald, Mr. Kulvinder Dhillon, Mr. Ken Meech, Mr. Larry Uteck and Mr. Maurice Lloyd.

Responding to a question of Councillor Warshick, Mr. Labrecque stated it is reasonable to expect environmental approval by the end of June. In response to a further question of the Councillor, Mr. McLellan stated HRM is looking to have the federal and provincial

government give advice as to what their level of participation will be and it does not preclude any decision of Council.

Deputy Mayor Harvey thanked staff for their presentation.

RECESS

A recess was taken at 8:10 p.m. The meeting reconvened at 8:20 p.m.

8.3 Waste Water Charges for Landscaping

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Halifax Regional Council not amend By-Law S-100 Respecting Sewer Charges and continue to process all requests for rebates according to the provisions in the existing by-law.
- C Correspondence from Terra Nova Landscaping Inc., dated May 8, 2002, regarding the above, was circulated to Council.

CONFLICT OF INTEREST

As they were involved, or had family members involved, in the agricultural/landscaping business, Councillors Mosher and Streach declared a **Conflict of Interest** on this matter and withdrew themselves from the discussion.

Councillor Rankin referenced the correspondence received from Terra Nova Landscaping Inc., noting approximately 90 percent of the water they use does not go into the waste water system. The Councillor suggested landscaping and agricultural uses are not in the same category as residential and commercial and should be provided a 2/3 discount on the pollution control charges.

MOVED by Councillor Rankin, seconded by Councillor Adams, that Council direct staff to commence the process to amend By-Law S-100 Respecting Sewer Charges to increase the rebate to 2/3 of the pollution control charge for landscaping and agricultural uses.

Mr. Rick Paynter, Acting Director, Public Works and Transportation Services, stated the current rebate provision in the By-Law is applicable to any industry that meets the defined criteria. He noted if this motion passes there will be other applications for similar businesses resulting in a further decrease in revenue. Mr. Paynter stated it is staff's belief that the current by-law is reasonable and, therefore, are recommending that it not be amended at this time.

Councillors Goucher and Hetherington spoke in support of the motion. Responding to a question of Councillor Hetherington, Mr. John Sibbald, Pollution Prevention Coordinator, Environmental & Right of Way Services, stated that, in 2001, the only industry to receive the current rebate was Nova Scotia Power - Tuft's Cove. He noted there were applications the previous year from landscaping businesses.

Councillor Blumenthal inquired what effect this would have on other businesses such as golf courses, milk processors, breweries, etc. The Councillor stated if a further discount is to be granted to one industry, Council will have to give the same consideration to others. Therefore, he stated he could not support the motion at this time.

Responding to a question of Councillor Sarto, Mr. Paynter stated if \$50,000 of revenue was lost from the wastewater charge, it would result in a .2 percent increase for all others who pay it.

Councillor McInroy stated he would like to have more information regarding bulk water purchases. Councillor Cooper stated there are a number of areas that he believed needed to be discussed further and put forth the following motion:

MOVED by Councillor Cooper, seconded by Councillor Blumenthal, that this matter be referred back to staff for a report to take into consideration and make suggestions with regard to the separation of the systems, the bulk water, and a way to clearly identify, in a list, which industries are going to be eligible.

Councillor Rankin expressed concern with respect to timing of the deferral. The Councillor stated he could support it if the staff report was provided to Committee of the Whole in three weeks.

In discussing the motion to refer, the following requests were made for inclusion in the staff report:

- C A response to the following: If landscaping and agricultural industries are not currently claiming the 1/3 rebate, why are they not doing so? (eg. Is it because the criteria is too stringent that it is not cost-effective for them to monitor? Is it because more than 1/2 of the water is being discharged?)
- C A table of different discount scenarios for Council to consider.
- C Are golf courses included under agricultural uses?
- C More information regarding water discharge from Nova Scotia Power.
- C Why are breweries, milk processors, etc., paying the sewer charges?
- C Who has applied for the exemption in the last five years, and what is the application process? Of those that have applied, how many were successful?

MOTION DEFEATED.

MOVED by Councillor Cooper, seconded by Councillor Blumenthal, that the motion be amended so as the discount only applies to the environmental portion of the pollution control charge. MOTION DEFEATED.

The vote was then taken on the main motion.

MOTION PUT AND PASSED.

8.4 Capital Project CW100272, Otter Lake Equipment Replacement

C A staff report prepared for Brian T. Smith, Director, Solid Waste Resources, dated April 30, 2002, regarding the above, was before Council for its consideration.

MOVED by Councillor Uteck, seconded by Councillor Goucher, that Halifax Regional Council adjust the Capital Account CWI00272, Otter Lake Equipment Replacement for 2002-03 from \$318,000 to an upset amount of \$332,000 with funding as a withdrawal from the Waste Resources Reserve, Q123, as per the Budget Implications Section of the staff report dated April 30, 2002.

Councillor Warshick expressed concern with HRM providing MIRROR with new equipment to replace used equipment in their possession at the time of the agreement. Mr. Brian Smith, Director, Solid Waste Resources, stated it is his understanding there was a collection of new and used equipment at the time, which was evaluated and valued, and a capital replacement schedule was worked out as part of the contract. Councillor Meade inquired who will own the equipment, to which Mr. Smith replied the equipment on site is owned by HRM, but the contract provides for MIRROR to do the tendering.

MOTION PUT AND PASSED .

8.5 Lot Grading By-Law Amendments

C A staff report prepared for Paul Dunphy, Director, Planning and Development Services, dated April 23, 2002, was before Council for its consideration.

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Halifax Regional Council approve, in principle, the amendments to By-Law 70, the Lot Grading and Drainage By-Law (attached to the April 23, 2002 staff report) and also give Notice of Motion to begin the formal adoption process.

Mr. Paul Dunphy, Director, Planning and Development Services, and Mr. Dave Hubley, Planning and Development Services, responded to questions of Council regarding the By-Law amendment.

Councillor Goucher expressed concern with not collecting the security deposit at the time of the building permit application, and stated it should be done at the beginning of the process rather than at the end.

Councillor Smith inquired about a recent lot grading problem he experienced in an on-going development with respect to a drainage problem caused by a developer. Mr. Dunphy agreed to have staff look into the requirements of the development agreement and report back to the Councillor.

In response to a question of Councillor Cooper regarding a time frame for a report to come back to Council regarding the inclusion of all development, Mr. Dunphy stated a time estimate could be provided to Council at the public hearing.

MOTION PUT AND PASSED UNANIMOUSLY.

At this time Councillor Whalen gave the following Notice of Motion:

14.1 Councillor Whalen - First Reading of By-Law L-301

TAKE NOTICE that at the next regular Regional Council meeting to be held on Tuesday, May 21, 2002, I propose to move First Reading of By-Law L-301 the purpose of which is to amend By-Law 70, the Lot Grading and Drainage By-Law to extend to Dartmouth and Halifax.

As it appeared at this time that Council would not complete the agenda, the following motion was put on the floor:

MOVED by Councillor Johns, seconded by Councillor Adams, that the meeting extend to 11:00 p.m. MOTION DEFEATED.

8.6 Recreation Area Rate Policy

C A staff report prepared for George McLellan, Chief Administrative Officer, dated April 25, 2002, regarding the above, was before Council for its consideration.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that until the review of the tax structure and area rate policy is complete, all existing as well as any new recreation area rates be subject to the Interim Area Rate Guidelines by April 1, 2003, and, that Council adopt the policy and procedures as outlined in Attachment 1 of the staff report dated April 25, 2002, for the use of Recreation Area Rate Funds.

Ms. Dale MacLennan, Director, Financial Services, and Ms. Pam Caswill, Manager, Accounting, responded to questions of Council.

MOTION PUT AND PASSED UNANIMOUSLY.

8.7 First Reading - By-Law T-209, Respecting Tax Exemptions for Non-Profit Organizations

C A supplementary staff report prepared for Dale MacLennan, Director, Financial Services, dated May 3, 2002, regarding the above, was before Council for its consideration.

MOVED by Councillor Walker, seconded by Councillor Fougere, that Council give First Reading to By-Law T-209, Respecting Tax Exemptions for Non-Profit Organizations. MOTION PUT AND PASSED UNANIMOUSLY.

It was noted that Second Reading will be held on June 11, 2002.

8.8 First Reading - By-Law L-104, Respecting Local Improvement Charges - Cow Bay Sewer & Water

C A staff report prepared for George McLellan, Chief Administrative Officer, dated April 15, 2002, regarding the above, was before Council for its consideration.

MOVED by Councillor McInroy, seconded by Councillor Hetherington, that Council give First Reading to By-Law L-104, Respecting Local Improvement Charges - Cow Bay Sewer and Water. MOTION PUT AND PASSED UNANIMOUSLY.

It was noted that Second Reading will be held on June 11, 2002.

8.9 First Reading - By-Law L-108, Respecting Local Improvement Charges - Beaver Bank Sewer & Water

C A supplementary staff report prepared for Dan English, Deputy Chief Administrative Officer, dated April 17, 2002, regarding the above, was before Council for its consideration.

MOVED by Councillor Johns, seconded by Councillor Walker, that Council give First Reading to By-Law L-108, Respecting Local Improvement Charges - Beaver Bank Sewer & Water. MOTION PUT AND PASSED UNANIMOUSLY.

It was noted that Second Reading will be held on June 11, 2002.

8.10 Councillor Cunningham - Shopping Carts & By-Law Enforcement

Councillor Cunningham expressed concern with the illegal removal of shopping carts from commercial establishments throughout HRM, and the litter that is being caused by them, and put forth the following motion:

MOVED by Councillor Cunningham, seconded by Councillor Blumenthal, that this matter be referred to By-Law Enforcement staff to undertake to meet with the appropriate representatives of major department stores and grocers to find an immediate solution to the problem of littering of shopping carts and to report back to Council.

Councillor Hines suggested staff consider the idea of installing monitoring devices on the shopping carts similar to those on the green carts.

Councillor Adams requested that the report also consider an automatic fine of \$200 as the carts are stolen property.

MOTION PUT AND PASSED UNANIMOUSLY.

8.11 Councillor Johns - Litter Clean Up

Councillor Johns reported that he received a call from a constituent requesting that the litter left in the general area around the local Superstore after the snow melted be cleaned up. The Councillor stated that in addressing this request he learned that it would involve three different HRM departments. Councillor Johns expressed concern with this process and asked that this be referred to staff for a report as to how the process of having litter cleaned up can be made more efficient. In response, Mr. McLellan stated, in fairness to staff, they are not necessarily mandated to pick up litter. He acknowledged that litter is a problem and it needs to be addressed, and there are some initiatives currently underway to deal with this issue. However, Mr. McLellan stated that the first level of response at this time of any of those three departments mentioned by the Councillor is not litter pick up.

Councillor Sarto requested that the Chief Administrative Officer write a letter to the Province requesting that the roadside area of Highway 111 be cleaned up. Mr. McLellan agreed to address this issue and provide a copy to the Councillor.

Councillor McInroy requested that staff look into budgeting more money annually for litter clean up. Councillor Sloane suggested that more education regarding the issue of littering needs to be provided to the public.

MOVED by Councillor Johns, seconded by Councillor McInroy, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

As there were only a few minutes remaining in the meeting Council dealt with the following two items next on the agenda:

8.16 Legal Matter Settlement of Claim

C This matter was discussed during an In Camera Session held on May 7, 2002, and was now before Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Fougere, that Halifax Regional Council settle this claim, as set out in the April 22, 2002 Private and Confidential staff report, brought by the Plaintiff in the amount of \$20,000 as settlement in full upon retaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on March 24, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Legal Matter - Settlement of Claim

C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Sloane, that Halifax Regional Council settle this claim brought by the Plaintiff in the total amount of \$31,000.00 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on December 20, 1999. MOTION PUT AND PASSED UNANIMOUSLY.

As it was now 10:00 p.m., the following motion was put on the floor:

MOVED by Councillor Adams, seconded by Councillor Johns, that the meeting extend to 10:30 p.m. MOTION DEFEATED.

The meeting was adjourned and the following agenda items were deferred to May 21st:

- 8.12 Councillor Mosher - High School Volunteer Community Service
- 8.13 Councillor Whalen Processes regarding Park Land Acquisition and Park Facilities
- 8.14 Motion - Councillor Adams
"To establish a body to protect the interests of all Volunteer Firefighters in HRM. This body will have input and representation in its formation and structure from volunteer firefighters throughout HRM."
- 8.15 Councillor Uteck - School Closure Policy

- 11.1.1 Cultural Spaces Cost Sharing-Alderney Landing, Heritage Cultural Reserve Q312 Withdrawal
- 11.1.2 Hotel Marketing Levy
- 11.1.3 Swimming Pool By-Law
- 11.2.1 Councillor Colwell - Commercial Logging Along the Trail System
- 13.1 Preliminary Tax Structure Recommendations
- 13.2 Property Matter - 94 Queen Street, Dartmouth
- 13.3 Property Matter - Proposed Acquisition - Nine Mile River
- 13.4 Property Matter - Proposed Acquisition - Kiley Property, Prospect Bay Road
- 13.6 Councillor Warshick - Meeting in Dartmouth re: C & D Proposal Site

The meeting adjourned at 10:00 p.m.

Vi Carmichael
Municipal Clerk