

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES May 6, 2003

### PRESENT:

Deputy Mayor Harry McInroy  
Councillors: Steve Streach  
Gary Hines  
Ron Cooper  
Brian Warshick  
Condo Sarto  
Jim Smith  
Jerry S. Blumenthal  
Dawn M. Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Diana Whalen  
Linda Mosher  
Stephen D. Adams  
Brad Johns  
Robert P. Harvey  
Gary G. Meade  
Reg Rankin

### REGRETS:

Mayor Peter Kelly  
Councillors: Keith Colwell  
Bruce Hetherington  
John Cunningham  
Len Goucher

### STAFF:

Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Sherryll Murphy, Legislative Assistant

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1. **INVOCATION**

The meeting was called to order with Councillor Harvey leading the invocation.

2. **APPROVAL OF MINUTES - April 15, 2003**

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that the minutes of Regional Council meeting held on April 15, 2003 be approved, as distributed. MOTION PUT AND PASSED UNANIMOUSLY.**

3. **APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

**Additions**

- 12.1 Councillor Uteck - Fire Inspections, Schools and Universities
- 12.2 Nova Scotia Funding for Harbour Solutions
- 12.3 Gateway/Community Greeting Signs
- 12.4 District Boundaries Advisory Committee Report
- 12.5 Contractual Matter - Sackville Sports Stadium Operational Review
- 12.6 Legal Matter - Settlement of Claim
- 12.7 Unsightly Premises - Provincial Legislation - Councillor Smith
- 12.8 Information Item - Memorandum from Chair, Board of Police Commissioners re Halifax Regional Police Profile at the Black Cultural Centre
- 12.9 Enviro Depots - Councillor Adams

Council agreed that item 12.5 would be dealt with immediately following agenda item 7.1.

**Deletions**

- 9.3.1 Animal Control Contract - Ted Ryan, Stealth Security Inc.

The following Information Items were distributed to members of Council:

- 1. Proclamation - National Fair Trade Week - May 11-17, 2003
- 2. Proclamation - Hepatitis C Awareness Month - May 2003

The Clerk noted that Councillor Hetherington has advised that he will be withdrawing Item 5.1 - Motion of Reconsideration re Case 0045: Amendment to the Municipal Planning Strategy for Dartmouth

**MOVED** by Councillor Blumenthal, seconded by Councillor Sloane the agenda, as amended, be adopted. **MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT OF THE MINUTES - None**

**5. MOTIONS OF RECONSIDERATION**

**5.1 Councillor Hetherington - Case 00415: Amendment to the Municipal Planning Strategy for Dartmouth (Wrights Cove Area)**

- Councillor Hetherington gave Notice of Motion of Reconsideration at the April 22, 2003 meeting of Regional Council.
- An e-mail dated May 4, 2003 directed to Councillor Jim Smith was distributed to members of Council.

As noted by the Municipal Clerk, Councillor Hetherington has withdrawn his Motion of Reconsideration regarding this matter.

**6. MOTIONS OF RESCISSION - None**

**7. CONSIDERATION OF DEFERRED BUSINESS - April 22, 2003**

**7.1 Councillor Blumenthal - Letter of Support for Sanja Pecelj**

- Resolution No. 602 of the House of Assembly for Nova Scotia recognizing the efforts of Sanja Pecelj, St. Mark's Anglican Church, and other supporters to help assure Ms. Pecelj can stay in Canada, was distributed to members of Council.

Referring to the above resolution, it was **MOVED** by Councillor Blumenthal, seconded by Councillor Cooper that the Mayor write a letter on behalf of Sanja Pecelj to the Honourable Denis Coderre, Minister of Citizenship and Immigration with a request that he review Ms. Pecelj's situation.

A brief discussion ensued, and the **MOTION WAS PUT AND PASSED.**

**12.5 Contractual Matter - Sackville Sports Stadium Operational Review**

- This matter was considered at the In Camera session of Council held earlier today and was now before Council.

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 1. Council accept the Operational Review and approve, in principle, the direction of the recommendations contained in the Review Report, with specific recommendations requiring Council approval to be brought back by the Transition Team after further assessment.**
- 2. Council approve a Transition Team of two (2) HRM staff members to support and guide the recommendations.**
- 3. Council approve taking the necessary legal steps to move to a sole purpose Board for the Sackville Sports Stadium, specifically, giving the required three (3) months notice to terminate the existing management agreement.**
- 4. Council approve the Cash Management Plan as outlined in the Budget Implications portion of the staff report dated April 30, 2003.**
- 5. The staff report dated April 30, 2003 and the Executive Summary only of the Operational Review be released to the public.**

Councillor Harvey requested that each part of the motion be voted on separately, as follows:

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 1. Council accept the Operational Review and approve, in principle, the direction of the recommendations contained in the Review Report, with specific recommendations requiring Council approval to be brought back by the Transition Team after further assessment. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Warshick, Sarto, Smith, Sloane, Uteck, Fougere, Walker, Whalen, Mosher, Johns, Harvey, Rankin, Meade.

Councillor Adams voted **in opposition** to the motion.

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 2. Council approve a Transition Team of two (2) HRM staff members to support and guide the recommendations. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Warshick, Sarto, Smith, Sloane, Uteck, Fougere, Walker, Whalen, Mosher, Johns, Harvey, Rankin, Meade.

Councillor Adams voted **in opposition** to the motion.

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 3. Council approve taking the necessary legal steps to move to a sole purpose Board for the Sackville Sports Stadium, specifically, giving the required three (3) month notice to terminate the existing management agreement. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Warshick, Sarto, Smith, Sloane, Fougere, Whalen, Mosher, Rankin, Meade.

Those voting **against** the motion were Councillors Blumenthal, Uteck, Walker, Adams, Johns and Harvey. (Note: Councillor Johns advised at the end of the vote that he had voted in favour of the motion in error and requested that the record reflect that he was against the motion)

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 4. Council approve the Cash Management Plan as outlined in the Budget Implications portion of the staff report dated April 30, 2003. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Warshick, Sarto, Sloane, Uteck, Fougere, Whalen, Mosher, Rankin, Meade.

Those voting **against** the motion were Councillors Smith, Walker, Adams, Johns and Harvey.

**MOVED by Councillor Harvey, seconded by Councillor Warshick that:**

- 5. The staff report dated April 30, 2003 and the Executive Summary only of the Operational Review be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.**
- 8. PUBLIC HEARINGS - 6:00 p.m.**

**8.1 By-Law O-103, Respecting Open Air Burning**

- Council gave First Reading to By-law 103 Respecting Open Air Burning on April 8, 2003.
- A staff report dated April 29, 2003 prepared for George McLellan, Chief Administrative Office, was before Council for consideration.
- The following correspondence in favour of the proposed By-law was distributed to members of Council:
  - < Correspondence from Paul Lewis, 29 Beth Court, in opposition to open air burning.
  - < An e-mail from Kim MacGregor dated May 1, 2003, in opposition to wood burning appliances in the urban core
  - < An e-mail from Scott Weatherby in favour of By-law O-103
- The following correspondence in opposition to the proposed By-law was distributed to members of Council:
  - < Correspondence from Elizabeth and Martin Bushell, Hammonds Plains, in opposition to the proposed "no burn" restriction.
  - < An e-mail from Greg Taite, Kingswood, dated May 5, 2003 in opposition to By-law O-103
  - < An e-mail from Sherry Flannigan, Kingswood, dated May 5, 2003 in opposition to By-law O-103
  - < An e-mail from Heather Kelly, Hammonds Plains, dated May 5, 2003 in opposition to By-law O-103
  - < Correspondence from Patrica Patterson, Kingswood, in opposition to Hammonds Plains being in a no burn zone
  - < An e-mail from Linda MacEwan, Kingswood, dated May 6, 2003 in opposition to By-law O-103
  - < An e-mail from Wayne Bedard, Kingswood, dated May 6, 2003 in opposition to a burning ban in Kingswood
  - < An e-mail from Terry Magdy, Hammonds Plains, dated May 6, 2003 in opposition to By-law O-103
  - < An e-mail dated May 5, 2003 in opposition to the fire ban
  - < Correspondence from Henk Dwindt, Cow Bay, in opposition to By-law O-103
  - < Correspondence from Richard DeLong in opposition to Hammonds Plains being included in the No Burn zone

Chief Mike Eddy, Fire Services briefly addressed Council noting that the By-law before Council this evening addressed concerns raised by Council on a previous occasion. He went on to note that the proposed Administrative Order # 33 will be dealt with separately from the By-law and that the No Burn Zone boundaries are subject to Council input. Council may, if they wish, give input to these boundaries at this evening's meeting. Note was made that a Notice of Motion regarding the Administrative Order will be made later this evening.

Councillor Warshick referred to page 2 of the April 29, 2003 staff report and noted that the reference to Shubie Park in item 2 of the Discussion section should be Shubie Municipal Campground.

Mr. Eddy then responded to questions from members of Council.

The Deputy Mayor called for persons wishing to address Council with regard to the proposed By-law.

**Ms. Kimberly MacGregor, Dartmouth**

Ms. MacGregor addressed Council urging that they consider a ban on outdoor burning appliances. She went on to indicate that she was an asthmatic and that the smoke from these appliances triggers an attack. Ms. MacGregor indicated that she is not able to enjoy her backyard when fires are lit and must go inside. She noted that the Fire Chief is concerned about both the health and safety hazards and has told Council about these concerns. Given that the Fire Chief has these concerns and if Council considers him an expert, Ms. MacGregor noted that she is perplexed as to why Council is hesitant to ban outdoor burning appliances at least in the urban core. Ms. MacGregor, noting that the Smoke Free Places Bylaw was a step forward, suggested that allowing outdoor burning in the urban core is a step backward. No Burning By-laws were first enacted in the former cities of Dartmouth and Halifax in 1958, however, since amalgamation these By-laws have been lost.

Ms. MacGregor noted that Atlantic Canada, because of its geographic location, is susceptible to summer smog. She went on to note that she found it rather ironic that poor air quality advisories would be issued due to these smog conditions while open air burning is permitted. Ms. MacGregor went on to note that you can tell people about proper burning, but you cannot ensure they are burning properly. In conclusion, Ms. MacGregor urged Council to not permit open air burning in the core areas noting that it constituted a health hazard for some, a nuisance, and a safety hazard.

**Ms. Cheryl Scotland**

Ms. Scotland addressed Council in opposition to Section 4,5,and 6 of the proposed By-law. She went on to suggest that if Council supported the work, mission and vision of the Halifax Regional Municipality, than it was necessary for Council to monitor and support issues that make for a healthy and smart community. Ms. Scotland urged Council to reject these sections as not being in the best interests of the Municipality. Ms. Scotland pointed out that smoke of any kind is harmful to health. She went on to suggest that just as Council had listened to expert advise on smoking, Council should listen to the expert advice of its Fire Chief. The Fire Chief has indicated that open air burning should be banned in the core area. Ms. Scotland went on to express concern regarding the construction of the appliances, noting that the By-law as it exists allows for a wide range of commercial and homemade devices. Concluding her remarks, Ms. Scotland urged Council to reject Sections 4,5, and 6 of the proposed By-law.

The Deputy Mayor called three times for persons wishing to address Council regarding the proposed By-law. Hearing none, it was **MOVED by Councillor Uteck, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck , seconded by Councillor Streach that Council give Second Reading to and approve the adoption of By-law Number O-103 respecting Open Air Burning.**

In response to a question regarding the process for bringing forward changes to the No Burn Zone/Burn Zone boundaries, the Chair indicated that Council may give input to this matter following Second Reading on this particular By-law.

Referring to Section 4(e), Councillor Rankin suggested that the measure be a distance from the next dwelling rather than total size of the lot. He went on to suggest that the wording of the section should simply be 'shall conduct burning' rather than 'shall conduct burning on a property'. Councillor Rankin indicated that he believed this would be more precise language and would express better that the measure is from the site of the burning. He went on to suggest that 225 feet (68 meters) from the next dwelling be given consideration.

A discussion ensued, with Mr. Anstey, in response to Chief Eddy requesting advice on the impact of the proposed amendment, noting that it there doesn't appear to be any conflict with Sections 5, 6, 12 and 13.

After a further discussion it was **MOVED by Councillor Rankin, seconded by Councillor Johns that Section 4(e) be amended as follows:**

**Notwithstanding any other section of this By-law, but subject to sections 5,6,12, and 13 no person shall conduct burning no less than 225 feet from the nearest dwelling outside the Burn Zone.**

**THE MOTION TO AMEND PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Warshick, Sarto, Uteck, Fougere, Adams, Johns, Harvey, Rankin, Meade.

Those voting **against** the motion were Councillors Smith, Blumenthal, Sloane, Walker, Whalen, and Mosher.

**MOVED by Councillor Sarto, seconded by Councillor Smith that the proposed By-law be further amended to ban outdoor burning devices in the core area of the Halifax Regional Municipality.**

Following a discussion the **MOTION TO AMEND WAS PUT AND DEFEATED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Cooper, Warshick, Sarto, Smith, Walker, and Harvey.

Those voting **against** the motion were Councillors Streach, Hines, Blumenthal, Sloane, Uteck, Fougere, Whalen, Mosher, Adams, Johns, Rankin and Meade.

**The MAIN MOTION, AS AMENDED, WAS PUT AND PASSED.**

Those voting **in favour** of the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Sarto, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Harvey, Rankin, and Meade.

Those voting **against** the motion were Councillors Warshick, Smith, Blumenthal and Sloane.

A brief discussion regarding the areas of HRM covered by the No Burn Zone, as found in Administrative Order Number 33, ensued and the following requests were put forward:

- < Councillor Rankin, noting that Hammonds Plains was split between the Burn and No Burn Zone, requested that it all be included in the Burn Zone.
- < Councillor Cooper requested that the bottom portion of Ritcey Crescent be included in the No Burn Zone.

- < Councillor Streach, referring to the use of municipal electoral line for District 2 in the description, suggested that other landmarks be found to describe this boundary as the electoral boundaries may be changing in the near future.

## **8.2 By-Law T-210, Respecting Tax Exemptions for Non-Profit Organizations**

- < Council gave First Reading to By-law T-210, an Amendment to By-law T-202 respecting Tax Exemption for Non-Profit Organizations on April 8, 2003.
- < A report dated January 8, 2003 from Jim Hobin, Chair, HRM Grants Committee, was redistributed to Council for their consideration.

Ms. P. J. Temple, Regional Coordinator, HRM Grants Program, addressed Council briefly reviewing the report before Council and noting that staff was recommending an amendment to what was before Council in terms of two organizations which are listed under Section C, Recommended Revisions. Staff is recommending that the Ocean Glen Society and Three Villages Recreation Association be removed from this listing of recommended revisions. These organizations were recommended for removal due to the fact they had not met the reporting requirements. Since the writing of this report, staff has been in contact with the organizations and the reporting requirements have been met. Ms. Temple further noted that under Item 1 of Section B, Recommend Decline, reference to Section 75(2) should more appropriately be Section 57(2).

The Deputy Mayor called for persons wishing to speak in favour of or against the proposed By-law 210. Hearing none, it was **MOVED by Councillor Cooper, seconded by Councillor Sarto that the public hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Walker, seconded by Councillor Fougere that Regional Council:**

- 1. Give Second Reading to By-law T-210 respecting Tax Exemptions.**
- 2. Approve the addition of new organizations as recommended in Section A of the Discussion section of the January 8, 2003 report.**
- 3. Approve the decline of applications as recommended in Section B of the Discussion section of the January 8, 2003 report.**
- 4. Approve the revisions to Schedules 26 to 29 as recommended in Section C in the Discussion section of the January 8, 2003 report with the exception of**

Ocean Glen Society and Three Villages Recreation Association as recommended by staff.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions None**

**9.3 Presentation**

**9.3.1 Animal Control Contract - Mr. Ted Ryan, Stealth Security Inc.**

This matter was deleted from the agenda during the setting of the agenda.

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Weekly Summer Green Cart Pilot Project**

< A staff report dated April 29, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

Mr. Brian Smith, General Manager, Solid Waste Resources, gave a brief presentation regarding the proposed weekly summer Green Cart Pilot Project the parameters of which are:

- < 8 weeks, July 7 to August 29
- < Tuesday and Thursday collection areas in Halifax
- < Thursday collection area in Dartmouth
- < Control Area (regular bi-weekly collection) is Wednesday collection area in Halifax
- < A mix of residential neighbourhoods, areas with reports of cart nuisances (details of the pilot project areas must be firmed up by May 15, 2003)

The presentation addressed the following areas:

- < Measurements in Pilot, Control Area
- < Key Questions for Evaluation

< Budget, Alternatives

A copy of the presentation is on file.

Mr. Jim Bauld, Diversion Coordinator, provided a description of each of the pilot areas and the control area.

Mr. Smith and Mr. Bauld then responded to questions from members of Council.

**MOVED by Councillor Mosher, seconded by Councillor Adams that staff proceed with the implementation of a weekly summer green cart collection pilot project in the areas of the former cities of Halifax and Dartmouth at a cost of \$96,000.**

A further questioning of staff and short discussion ensued.

The meeting recessed at 8:10 p.m for a short break.

The meeting reconvened at 8:25 p.m. with all the same members of Council being present excepting Councillors Blumenthal and Johns.

Following comments by the Deputy Mayor regarding a difficulty with funding of the project set out in the motion, Mr. English, Acting Chief Administrative Office addressed the matter noting that staff had agreed that the only way to get beyond the discussion of weekly green cart collection in the summer months was to run a pilot project to determine if the problems being experienced would be mitigated. Thus, staff has proposed such a pilot project. This proposal meets the requirements for receiving funding through the Service Improvement Reserve Fund. Mr. English cautioned that the project set out in the motion was an extension to the present level of service and it would not be possible to receive funding through the Reserve Fund.

After a lengthy debate the **MOTION WAS PUT AND DEFEATED.**

Those voting **in favour** of the motion were Councillors Warshick, Sarto, Walker, Whalen, Mosher and Adams.

Those voting **against** the motion were Deputy Mayor McInroy and Councillors Streach, Hines, Cooper, Smith, Sloane, Uteck, Fougere, Harvey, Rankin and Meade.

**MOVED by Councillor Streach, seconded by Councillor Fougere that:**

1. **Staff proceed with the implementation of a weekly summer green cart collection pilot project in selected areas of the Halifax Regional Municipality**

(under the general terms provided in this report) and provide a complete evaluation of the project before the end of this calendar year.

2. Funds in the amount of \$80,000 be transferred from the Service Improvement Reserve to provide for this pilot project.

#### **MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were Councillors Streach, Hines, Cooper, Warshick, Sarto, Smith, Sloane, Uteck, Fougere, Walker, Whalen.

Those voting **against** the motion were Deputy Mayor McInroy and Councillors Mosher, Adams, Harvey, Rankin and Meade

#### **10.1.2 Theodore Tugboat Fund**

- < A staff report dated April 28, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Hines, seconded by Councillor Smith that this matter be deferred to the May 13, 2003 meeting of Regional Council as not all members of the Council sitting on the Theodore Tugboat Committee are present this evening. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.2 MEMBERS OF COUNCIL**

##### **10.2.1 Councillor Hines - Request for Amendment to Municipal Planning Strategy for Spider Lake Road and Spider Lake Estates**

Councillor Hines advised that he was bringing this amendment forward to address an issue of water service. He went on to note that Spider Lake Road, Marjorie Ann Drive and Andrea Lynn Drive in District 2 were not part of the water service area and that discussion around getting water service for this area has been ongoing since he was elected. The Councillor further advised that an as of right development which would be serviced by a water line off Spider Lake Road was proposed for the near future and the proponent of that development was agreeable to covering some of the cost in that regard. Councillor Hines submitted survey information prepared by area residents regarding water quality, quantity and interest in municipal water service for use by staff in preparing a report.

**MOVED by Councillor Hines, seconded Councillor Warshick that staff prepare a report regarding an amendment to the Municipal Planning Strategy to allow water**

service to Spider Lake Road, Marjorie Ann Drive and Andrea Lynn Drive in District 2, Waverley-Dutch Settlement.

After a discussion, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

**10.2.2 Councillor Adams - Request for report re: Speed Restrictions of Recreational Water Craft in the Sambro Harbour area.**

Councillor Adams advised that he had been approached by an area resident with regard to posting a speed limit in the waters near Sambro and Sambro Head. Councillor Adams noted that an application in this regard is being prepared for submission to Fisheries and Oceans. He went on to note that a resolution from Council in support of this application is one of the requirements of that application.

**MOVED by Councillor Adams, seconded by Councillor Mosher that the following resolution be referred to Legal for review and comment as to its appropriateness:**

**Be it resolved by Halifax Regional Council that it supports the application of boating restrictions in the Sambro/Sambro Head Harbour of Halifax Regional Municipality, as outlined in the application of the Community to Fisheries and Oceans Canada in that regard.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS**

**11.1 Councillor Adams - First Reading By-Law S-204, Amendment to Smoke Free Places By-Law S-203**

- Councillor Adams gave Notice of Motion at the April 22, 2003 meeting of Halifax Regional Council.
- A staff report dated May 2, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.
- An e-mail dated May 5, 2003 from Paula Veinot in opposition to an amendment to the Smoke Free Places By-law.

**MOVED by Councillor Adams, seconded by Councillor Mosher that consideration of this matter be deferred to the May 13, 2003 meeting of Regional Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**12. ADDED ITEMS**

**12.1 Councillor Uteck - Fire Inspections, Schools and Universities**

Councillor Uteck advised that as of May 1, 2003, the Fire Department of the Halifax Regional Municipality is no longer responsible to inspect public schools, private schools and universities under the Provincial Fire Act. Councillor Uteck expressed concern that the staff arranging for these inspections are not qualified to do the inspections. The Councillor further indicated that she would like to know the reasoning behind the decision given that the Municipality will be called upon to fight fires in these facilities.

**MOVED by Councillor Uteck, seconded by Councillor Sloane that the Mayor, on behalf of Regional Council, write a letter to the Honourable Ronald Russell, Minister of Nova Scotia Environment and Labour, in an effort to obtain the reasoning behind this decision, what training program will available for those doing the inspections and what communication protocol will be in place for Halifax Regional Municipality. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.2 Nova Scotia Funding for Harbour Solutions**

- A staff report dated May 2, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Walker, seconded by Councillor Cooper that Council approve the Memorandum of Agreement: Halifax Harbour Solutions Project Support as attached to the May 2, 2003 staff report.**

A brief discussion ensued with Councillor Uteck expressing concern that the Halifax Regional Municipality will not be able to obtain additional Provincial funding if this agreement is signed.

Mr. Anstey, seeking to provide some assurances, noted that the agreement did not state or infer that the Municipality would not be able to approach the Province for additional funding.

After a further short discussion, the **MOTION WAS PUT AND PASSED.**

**12.3 Gateway/Community Greeting Signage**

- This matter was dealt with at a Committee of the Whole Council held earlier today and was now before Council.

**MOVED** by Councillor Sarto, seconded by Councillor Sloane that Regional Council endorse the plan of the HRM Traffic Authority to install highway signs at the entry points to HRM and at community boundaries as described in the report dated April 29, 2003. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 District Boundaries Advisory Committee Report**

- This matter was dealt with at a Committee of the Whole Council held earlier today and was now before Council.

**MOVED** by Councillor Streach, seconded by Councillor Hines that given the lateness of the hour, this matter be deferred to the next regular meeting of Halifax Regional Council to be held on May 13, 2003. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5 Contractual Matter - Sackville Sports Stadium Operational Review**

This matter was dealt with earlier in the meeting.

**12.6 Legal Matter - Settlement of Claim**

**MOVED** by Councillor Smith, seconded by Councillor Adams that Halifax Regional Council contribute to a settlement of this claim brought by the Plaintiff in the amount of \$85,500.00 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on November 29, 1997. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.7 Unsightly Premises - Provincial Legislation - Councillor Smith**

Councillor Smith referred to a commercial property in his District which was extremely unsightly with garbage. He noted that efforts to have the situation corrected are underway, however, thirty days notice is required. Councillor Smith referred to legislation, Bill 9, presently before the Legislature which would remediate this situation and **MOVED, seconded by Councillor Sloane that the Mayor contact the Honourable Peter Christie, Minister for Service Nova Scotia and Municipal Services, urging that Bill 9 be approved prior to the close of this session of the Legislature. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.8 Information Item - Memorandum from Chair, Board of Police Commissioners re Halifax Regional Police Profile at the Black Cultural Centre**

Councillor Cooper referred to the Information item received by Council this evening regarding the Halifax Regional Police display at the Black Cultural Centre noting that this was a wonderful initiative.

**MOVED by Councillor Cooper, seconded by Councillor Adams that the Mayor forward a letter to Dr. Henry Bishop thanking him for his initiative in arranging for the display at the Black Cultural Centre recognizing black officers and to the Halifax Regional Police Service for their cooperation in this regard. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.9 Enviro Depots- Councillor Adams**

Councillor Adams referred to the decreased service being provided by Enviro Depots throughout HRM and noted that this was due to the very difficult financial situation in which the Depots find themselves. He went on to indicate that the share of the deposit being received by the operators of the Enviro Depots is not sufficient to cover the cost of operation. The Councillor noted that the present \$.0295 per unit received by the operators is much less than was recommended. He went on to suggest that a reasonable share of the deposit would go a long way to resolving the situation. Councillor Adams indicated that he would like to see the Mayor write a letter to the appropriate Minister requesting that he/she intervene and bring about a favourable resolution to this matter.

A discussion ensued with Mr. English noting that there would be an impact to the Municipality if the deposit share to the operators is increased. He suggested that the appropriate course of action at this time would be for the Councillor to request a staff report.

A discussion ensued with Councillor Walker requesting the report address the impact the reduced hours of operation of the Depots has on those persons supplementing their income with revenues from recyclables.

Councillor Rankin also requested that the report address the issue of the Halifax Regional Municipality requesting an increased share of the deposit given its role in processing recyclables.

**MOVED by Councillor Adams, seconded by Councillor Sloane that staff prepare a report for the next meeting of Regional Council relative to the difficult financial situation of the Enviro Depots including the impact of increasing the share of the deposit to these facilities would have, the possibility of the Halifax Regional**

Municipality requesting a greater share of the deposit given its role with the processing of recyclables and the impact that the reduced hours of the Depots have on those persons supplementing their income with revenues from recyclables.  
**MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICES OF MOTION**

**13.1 Notice of Motion: Councillor Cooper Adoption of Administrative Order #33 Respecting Open Air Burning**

Councillor Cooper gave Notice of Motion that at the next regular meeting of Halifax Regional Council, to be held on May 13, 2003, I propose to place before Council for adoption as a policy pursuant to the Municipal Government Act, Administrative Order No. 33 - Respecting Open Air Burning. This policy has been developed to implement the details of By-law O-103 - Respecting Open Air Burning.

**14. ADJOURNMENT**

There being no further business, the meeting adjourned at 9:55 p.m.

Vi Carmichael  
Municipal Clerk