

CAPE BRETON REGIONAL MUNICIPALITY
Special Council Meeting – Minutes

**Tuesday,
October 26, 2021
9:30 a.m.
Council Chambers
2nd Floor, City Hall
320 Esplanade Sydney, NS**

Mayor Amanda M. McDougall called the meeting to order.

Council: Mayor Amanda M. McDougall
Deputy Mayor Earlene MacMullin
Councillor Steve Gillespie
Councillor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor James Edwards
Councillor Ken Tracey
Councillor Darren O’Quinn

Staff: Marie Walsh, Chief Administrative Officer
John MacKinnon, Deputy Chief Administrative Officer
Deborah Campbell Ryan, Municipal Clerk
Jennifer Campbell, Chief Financial Officer
Demetri Kachafanas, QC, Regional Solicitor
Wayne MacDonald, Director of Engineering and Public Works
Bill Murphy, Director of Recreation, Parks Grounds & Buildings
Michael Ruus, Director of Planning & Development
Chief Michael Seth, Director of Fire & Emergency Services
Matt Viva, Manager of Wastewater
Francis Campbell, Manager of Solid Waste
Greg Campbell, Manager of Technical Support Services – Utilities, Water Utility
Ken LeBlanc, Community Development Coordinator
Roschell Clarke, Regional Educations Coordinator
Mike Targett, Community Consultation Coordinator
Sharon MacSween, Senior Administrative Assistant
Angela Ross, Recording Secretary

Absent: Councillor Gordon MacDonald (Regrets)
Councillor Cyril MacDonald (Regrets)
Councillor Darren Bruckschwaiger (Leave of Absence)
Councillor Lorne Green (Regrets)

Summary of Decisions

Land Acknowledgement

Roll Call

1. APPROVAL OF AGENDA:

Motion to approve the October 26th, 2021 Special Council Agenda as circulated.
Carried.

2. Overview of Meeting Process and Expectations:

An overview of the process and expectations of the meeting was provided.

3. CBRM Energy Management Progress Review:

- Resolution to Join the FCM-ICLEI Partners for Climate Protection Program

Motion that the Cape Breton Regional Municipality Council appoint the following:

Corporate staff person: Bill Murphy
Director of Recreation, Parks, Grounds & Buildings
(902) 563-0846
btmurphy@cbrm.ns.ca

Elected Official: Amanda M. McDougall
Mayor
(902)-563-5000
mayor@cbrm.ns.ca

to oversee implementation of the PCP milestones and be the points of contact for the PCP program within the Cape Breton Regional Municipality. **Carried.**

- Proposed New Global Committed Letter from the Mayor

Motion to authorize Mayor Amanda M. McDougall, on behalf of Council, to sign the Letter of Commitment to the Global Covenant of Mayors for Climate & Energy (GCoM) and engage in the GCoM and associated Regional or National Covenants, as established, and comply with the requirements and established timeframes. **Carried.**

Continued...

Summary of Decisions (Cont'd):

4. End-of-life Fishing Gear Management Program:

Motion to provide an Issue Paper on CBRM's financial capacity to support funding the Feasibility Study regarding the End-of-life Fishing Gear Management Program, as requested by the Fishing Gear Coalition. **Carried.**

5. CBRM Staff Presentations:

5.1 Solid Waste Department Environmental Initiatives – Fall 2021:

Motion that staff be directed to write a letter to the Provincial Government, with a copy to CBRM MLAs, in support of the Private Member's Bill regarding Extended Producer Responsibility (EPR). **Carried.**

5.2 CBRM Wastewater Operations:

A presentation was provided on CBRM Wastewater Operations.

For Information Only.

5.3 Working Towards Environmental Sustainability Through Effective Utility Management in CBRM:

A presentation was provided on *Working Towards Environmental Sustainability through Effective Utility Management in CBRM.*

For Information Only.

5.4 Downtown Sydney District Energy

6. ACAP Cape Breton: Eco-Partnership with CBRM

Mayor McDougall advised that due to time considerations, the Downtown Sydney District Energy and ACAP Cape Breton presentation would be brought to the next Council meeting scheduled for November.

Continued...

7. Clean Foundation – Clean Energy Financing:

A presentation was provided on the Clean Foundation and Clean Energy Financing.

For Information Only.

8. Port Morien Wildlife Association – What We Do!:

Motion that staff be directed to provide an Issue Paper with a comparison of non-regulatory options versus a Bylaw in regard to the feeding of wildlife, and that a staff recommendation be provided for Council consideration. **Carried.**

10. Review of Action Items from the Meeting:

Mayor McDougall reviewed the action items from this meeting.

ADJOURNMENT

Land Acknowledgement

Roll Call

1. Approval of Agenda

Motion:

Moved by Councillor Parsons, seconded by Councillor Paruch, to approve the October 26th, 2021 Special Council Agenda as circulated.

Motion Carried.

2. Overview of Meeting Process and Expectations:

Mayor McDougall provided an overview of the meeting process and expectations. She advised that themed meetings are held to focus on actions Council can take now and to plan for the future.

Council **agreed** to relax the speaking time limit rules for the meeting.

3. CBRM Energy Management Progress Review:

Khaled Ibrahim, Ph.D., P.Eng., PMP - CBRM Energy Manager, provided a presentation on the CBRM Energy Management Progress review and highlighted the following:

- UN Sustainable Development Goals – Paris Agreement
- Energy Management Achievement 2015-2020
- Energy Management Goals 2021-2026
- Energy Projects Budget Summary
- Energy Projects Fund Applications
- Energy Projects Progress
- Strategic Energy Management Program (SEM)
- The Green Choice Program
 - alterBiota Pilot Project
 - Municipal Energy + Emission Online Tools – MEED
- FCM – ICLEI Partner for Climate Protection Program – PCP
- Global Covenant of Mayors for Climate & Energy (GCoM)

Continued...

CBRM Energy Management Progress Review (Cont'd):

After the presentation, some of the Council discussion included:

- Savings vs. Emissions
- Reduction projections
- Saving Incentives for new construction
- Green Choice program
- Savings for the electricity producer
- Using renewable energy
- FCM-ICLEI Partner for Climate Protection Program - how the resolution will affect the Municipality.

Resolution to Join the FCM-ICLEI Partners for Climate Protection Program

Motion:

Moved by Councillor Paruch, seconded by Councillor Parsons, that the Cape Breton Regional Municipality Council appoint the following:

Corporate staff person: Bill Murphy
Director of Recreation, Parks, Grounds & Buildings
(902) 563-0846
btmurphy@cbrm.ns.ca

Elected Official: Amanda M. McDougall
Mayor
(902)-563-5000
mayor@cbrm.ns.ca

to oversee implementation of the PCP milestones and be the points of contact for the PCP program within the Cape Breton Regional Municipality.

Motion Carried.

Proposed New Global Committed Letter from the Mayor

Motion:

Moved by Deputy Mayor MacMullin, seconded by Councillor Gillespie, to authorize Mayor Amanda M. McDougall, on behalf of Council, to sign the Letter of Commitment to the Global Covenant of Mayors for Climate & Energy (GCoM) and engage in the GCoM and associated Regional or National Covenants, as established, and comply with the requirements and established timeframes.

Motion Carried.

Continued...

CBRM Energy Management Progress Review (Cont'd):

In response to a question, the Director of Engineering and Public Works indicated he would check to see if there are currently any municipalities that offer financial support for residential efficiency upgrades.

The Chief Financial Officer advised that the current legislation in Nova Scotia allows municipalities to adopt bylaws to enable the municipality to act as a lending institution to finance those energy efficiency upgrades to homes and install sewer and septic. She indicated that there was a motion of Council requesting an Issue Paper on the issue and that she is planning to provide that to Council at a future meeting.

4. End-of-life Fishing Gear Management Program:

Sonia Smith, Program Manager, Fishing Gear Coalition, provided a presentation on the End-of-Life Fishing Gear Management Program which included the following:

- Coalition History
- Mission
- End-of-Life Fishing Gear Management
- Basic Principle of Program
- Proposed Study: Lobster Wire Trap Recycling
- Funding Opportunities
- Fee Collection Options: Estimated Cost for NS

After the presentation, some of Council's discussion included the following:

- Consultation with the fishing industry
- Types of programs available
- How wire traps are being disposed of currently
- Feasibility Study
- Users and producers responsibility
- Amount needed from each municipality to proceed
- Reach out to FCM re: municipal contribution
- Clarity on the funding ask of CBRM and other organizations
- DFO regulations and restrictions

Continued...

End-of-life Fishing Gear Management Program (Cont'd):

Motion:

Moved by Councillor Edwards, seconded by Councillor Paruch, that staff be directed to provide an Issue Paper on CBRM's financial capacity to support funding the Feasibility Study regarding the End-of-life Fishing Gear Management Program, as requested by the Fishing Gear Coalition.

Motion Carried.

5. CBRM Staff Presentations:

5.1 Solid Waste Department Environmental Initiatives – Fall 2021:

Francis Campbell, Manager of Solid Waste, provided a presentation on the Solid Waste Environmental Initiatives and highlighted the following:

- Extended Producer Responsibility Paper & Packaging Products
- Extended Producer Responsibility (EPR)
 - Why Nova Scotia needs EPR
 - What this means
- CBRM's Trashformers Program
- CBRM's Illegal Dumping Program

After the presentation, some of Council's discussion included the following:

- Number of charges laid for illegal dumping
- Education in schools regarding littering and illegal dumping
- Community clean-ups
- Repeat offenders and illegal dumping sites
- Trashformers
- Recycling depot not accepting certain products
- Personal responsibility in regard to littering
- Fines for illegal dumping: is the amount high enough?
- Fines vs warnings

Mayor McDougall discussed the benefits of considering additional administrative and clerical support to assist with the policing of illegal dumping, as well as checking with other provinces in regard to fines and what they are seeing.

Continued...

CBRM Staff Presentations - Solid Waste Department Environmental Initiatives – Fall 2021 (Cont'd):

Motion:

Moved by Councillor Gillespie, seconded by Councillor Paruch, that staff be directed to write a letter to the Provincial Government, with a copy to MLAs within CBRM, in support of the Private Member's Bill regarding Extended Producer Responsibility (EPR).

Motion Carried.

5.2 CBRM Wastewater Operations:

Matt Viva, Manager of Wastewater, provided a presentation on the Wastewater Operations and highlighted the following:

- Municipal Wastewater Treatment
- ERA & Preliminary Design Project 2017-2020
- Battery Point WWTP UV System Upgrade
- Lagoon Upgrades – UV Systems
- Sydney Harbour West WW Collection and Treatment Project
- Port Morien WW Collection & Treatment Project
- Glace Bay WW Collection & Treatment Project
- Remaining WW Systems – The next phase

Following his presentation, the Manager of Wastewater responded to questions and discussed the costs to operate the wastewater facilities, situations in other municipalities, biosolids, and working in partnerships.

Mayor McDougall noted that Dr. Beth Mason from the Verschuren Center is working on biosolid technology that may be beneficial to CBRM.

For Information Only.

Continued...

CBRM Staff Presentations (Cont'd):**5.3 Working Towards Environmental Sustainability Through Effective Utility Management in CBRM:**

Greg Campbell, Manager of Technical Support Services – Utilities, Water Utility, provided a presentation on *Working Towards Environmental Sustainability through Effective Utility Management in CBRM* and highlighted the following:

- Environmental Sustainability
- Why Practice Environmental Sustainability in the Water Utility
- Overview
- Water Loss Program – Getting Some Attention
- Water Loss Reduction Program Theory
- Environmental Considerations
- Water Loss Feasibility Study Process
- Standard Water Balance
- Excessive Leak Run Time
- Four Strategies to Manage Real Losses
- Water Loss Reduction Program – Implementation Sequencing
- Leakage Power and Chemicals Cost Assessment
- Current Best Performance by System
- Further Opportunities for Environmental Stewardship
- Four Strategies to Manage
- Conclusions

After the presentation, in response to a question, Mr. Campbell discussed the energy cost analysis on renewable resources.

Mayor McDougall thanked Greg Campbell for his presentation.

For Information Only.**5.4 Downtown Sydney District Energy****6. ACAP Cape Breton: Eco-Partnership with CBRM**

Mayor McDougall advised that due to time considerations, the Downtown Sydney District Energy and ACAP Cape Breton presentation would be brought to the next Council meeting scheduled for November.

7. Clean Foundation – Clean Energy Financing:

Rob Harris, Senior Manager; and Katie Giles, Manager, Energy Programs, Clean Foundation, provided a presentation on the Clean Energy Financing (CEF) highlighting:

- About Clean Foundation
- Clean Energy
- What we do
- Our experts
- Program Overview
- Challenges for homeowners wanting to do home energy efficiency upgrades
- Property Assessed Clean Energy Financing (PACE)
- Who Does Clean Energy Financing Benefit?
- Clean Energy Financing Steps
- Why Clean Energy Financing?
- Potential Upgrades
- CEF Program
- Municipal Process
- Onboarding Package
- Customization
- Contact Information

After the presentation, some of Council's discussion included the following:

- Municipalities working together on a PACE program
- PACE Program to be included in the staff Issue Paper
- Effects of COVID-19 on the program
- Incentive Programs, and rebates
- Partner with Clean Energy Foundation and FCM

Mayor thanked Rob Harris and Katie Giles for their presentation.

For Information Only.

8. Port Morien Wildlife Association – What We Do!

Jeff McNeil, President of the Port Morien Wildlife Association (PMWA), provided a report on the activities of the Port Morien Wildlife Association, highlighting the following:

- Port Morien Wildlife Association -What we do!
- What we Advocate
- Since Acquiring the building at Sand Lake
- Incubation Sites
- Margaree Hatchery
- Morrison Lake
- Big Glace Bay Beach
- Sportsman Memorial park – River Ryan Revitalization Project
- John Bernard Croak Memorial Park
- Accessibility Aids and Devices for Fishing with Challenged Abilities
- Lead Ammo and Tackle Exchange
- Eagle Project
- Litter and Illegal Dumping
- Environmental Issues
- Fish Friends Program
- Learn 2 Fish Programs for Schools
- PMWA Stocking Projects
- Free Kids Fishing Derby
- Habitat Conservation Fund Projects
- Monitor Bat Nesting Houses
- Wood Duck Nesting Boxes
- Monitor Floating Loon Nesting: Platforms
- Grants
- Partnership

Jeff McNeil provided background information on the association's bylaw request on feeding wildlife and discussed health and safety concerns including the following:

- Issues with feeding wildlife
- Diseases carried by birds
- How pest birds harbor and spread disease
- Food and Water contamination
- Education route failed
- No medical cure for fungi infections
- Mitigate the risks
- Eagle Eye deterrents installed and funded by sustainability grant

Continued...

Port Morien Wildlife Association – What We Do! Cont'd):

Following the presentation, some of the Council discussion included the following:

- Social education alone is not working
- Support from Ducks Unlimited
- People will disregard the signs
- Waterfowl in municipal parks
- CBRM parks and public places
- Work with Parks and Grounds to get the garbage bins
- Cameras on the waterfront and boardwalk
- Fines as a deterrent

In response to a request for an update on developing a bylaw, Michael Ruus, Director of Planning and Development, advised that an Issue paper was provided at a previous meeting where Council asked staff to work with the group on non-regulatory options. The Director explained that if Council wants to proceed with the bylaw, it is important to understand the staffing capacity and to prioritize the needs so that the bylaw can be enforced.

Motion:

Moved by Councillor Parsons, seconded by Councillor Edwards, that staff be directed to provide an Issue Paper with a comparison of non-regulatory options versus a Bylaw in regard to the feeding of wildlife, and that a staff recommendation be provided for Council consideration.

Motion Carried.

Following the motion, the Regional Solicitor discussed the legalities around video surveillance on the waterfront.

Mayor McDougall thanked the Port Morien Wildlife Association for their hard work.

10. Review of Action Items from the Meeting:

- 1) > Resolution to Join the FCM-ICLEI Partners for Climate Protection Program
> Proposed New Global Committed Letter from the Mayor
- 2) Staff Issue Paper on financial capacity for the request from the Fishing Gear Coalition regarding the FCM study on lobster traps / marine waste and reach out to other municipalities in Nova Scotia regarding their participation.
- 3) Write a letter to support the Private Members Bill on Extended Producer Responsibility (EPR).

Continued...

Review of Action Items from the Meeting (Cont'd):

- 4) Research for clerical support for Illegal Dumping Police Officer (i.e., job creation partnerships funding or post-secondary partnership)
- 5) Review of illegal dumping and litter fines at the Municipal and Provincial level and have a conversation on the amount of the fine to be more impactful.
- 6) Presentations by ACAP Cape Breton and Downtown Sydney District Energy will be deferred to the next Council meeting.
- 7) PACE Program:
 - a) Review CBRM's capacity regarding the \$25,000 amount that is available through Energy and Mines towards the PACE Program.
 - b) Staff Issue Paper on CBRM's capacity to implement a PACE Program
 - c) Reach out to NSFM to see what other Municipalities are doing regarding partnerships with this type of program.

Mayor McDougall thanked and CBRM staff for their presentations and for all the work they do.

Meeting adjourned at 1:25 p.m.

Mayor Amanda M. McDougall

Deborah Campbell Ryan
Municipal Clerk
/acr