

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES January 19, 1999

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Larry Uteck
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Graham L. Downey
Sheila Fougere
Russell Walker
Bill Stone
Stephen D. Adams
Barry Barnet
Bob Harvey
Peter Kelly
Reg Rankin

ABSENT WITH REGRETS:

Councillors Harry McInroy
Jerry Blumenthal
Ron Hanson
Jack Mitchell

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

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1. **INVOCATION**

The meeting was called to order at approximately 6:00 p.m. Deputy Mayor Uteck, at the Mayor's request, led his colleagues in the recitation of the Invocation.

2. **PROCLAMATIONS**

2.1 **Victorian Order of Nurses Week - January 17-23, 1999**

Mayor Fitzgerald proclaimed January 17-23, 1999 as Victorian Order of Nurses Week.

3. **APPROVAL OF MINUTES - January 5, 1999**

MOVED by Councillors Cunningham and Greenough that the minutes of January 5, 1999 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following item was requested to be added to the agenda:

- 12.1 Councillor Blumenthal - Reinstatement of Bus Route #8
Councillor Walker - Bus Route #5

Mayor Fitzgerald suggested Item 9.1.2 Street Name Change - Donald R. Allen, CD, and Item 10.3.2 Tax Agreement - Halifax International Airport Authority, be moved up on the agenda to follow Approval of the Order of Business.

MOVED by Councillors Hetherington and Greenough that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

ACKNOWLEDGEMENTS

Mayor Fitzgerald welcomed members of the Halifax/Mexico Community Alliance, and invited Mr. Peter MacLellan, Chair, to introduce the members of the delegation from Campeche, Mexico. Mr. MacLellan noted the members from Campeche are in the Municipality to meet with the Planning Committee established to facilitate a business trade mission that will be visiting the city and state of Campeche from February 6 - 12, 1999.

After providing a brief overview of the Alliance, Mr. MacLellan introduced the following members: Carlos Manuel Sanchez, Alejandro Casilla Trevino, Rosendo Sanchez, Joanne Ward, and Dr. John Kirk. Also in attendance was Stephen Dempsey, Greater Halifax

Partnership. Mr. MacLellan noted there was one other member, Rafael Tatua Sanchez, who could not be present this evening due to illness.

Through a translator, Mr. Carlos Sanchez, addressed Council, expressing gratitude to the Municipality for its warm welcome, stating Campeche looks forward to receiving the trade mission in February.

In closing, on behalf of the Municipality, Mayor Fitzgerald presented each of the members from Campeche with a small gift.

At a later point in the meeting, Councillor Hendsbee acknowledged the presence of Mr. Peter Stoffer, MP, Sackville - Eastern Shore.

9.1.2 Street Name Change - Donald R. Allen, CD

- Correspondence from Mr. Donald Allen requesting the renaming of one section of Jubilee Road, beginning at Summer Street, to Robie Street, to be renamed Veterans Avenue, was before Council for consideration.
- Correspondence from Mr. Robert Smith, President and CEO, QEII Health Sciences Centre, supporting the street renaming request, was circulated to Council.

Mr. Donald Allen made a presentation to Council requesting the renaming of one section of Jubilee Road, beginning at Summer Street, to Robie Street, to be renamed Veterans Avenue, in honour of the veterans of the Municipality. Mr. Allen referenced the letter from the QEII Health Sciences Centre, noting it is not opposed to the proposal. He also noted that HRM staff has indicated the name change, if approved by Council, would not be a problem.

MOVED by Councillors Downey and Hetherington that Council approve the request to rename one section of Jubilee Road, beginning at Summer Street, to Robie Street, to be renamed Veterans Avenue, in honour of the veterans of the Municipality.

Councillor Sarto expressed concern with the name "Veterans Avenue" noting there is already a street of this name in Dartmouth, and questioned if this name duplication would create problems with the 911 emergency system. Mr. Allen replied there are other duplicate street names within the Municipality, and the 911 emergency system ensures incoming calls are clearly identified as to whether they are located in Dartmouth or Halifax.

Mr. Angus Shaffenburg, Planner, stated staff would like the opportunity to ensure there is no confusion with the street name if Council approves of it. He noted there will be some costs involved with the street renaming, such as signage, and there are procedures to be

followed to ensure all respective agencies are informed. Mr. Shaffenburg suggested Council request a staff report on this matter.

Councillors Hendsbee and Stone spoke in support of the initiative. Councillor Hendsbee suggested the word "Lane" be used instead of "Avenue" to avoid confusion with the street in Dartmouth. Mr. Allen suggested the street could be named "Veterans Memorial Avenue." Councillor Hendsbee also noted the two buildings on this section of the street may also incur costs in amending letterhead, business cards, etc.

MOVED by Councillors Greenough and Sarto that this matter be referred to staff for a report in two weeks.

Councillor Fougere suggested the staff report include information from Mr. Dan Norris, Heritage Coordinator, regarding the heritage significance of Jubilee Road. As an alternative street to be renamed, if it is not possible to rename the portion of Jubilee Road as requested, the Councillor suggested Shore Road in Point Pleasant Park, due to its military aspects. Mr. Allen stated he would prefer the Jubilee Road section due to its proximity to Camp Hill Veterans Hospital, noting the name change would only be for a portion of Jubilee Road and not the entire street.

Councillor Snow spoke in support of the request, noting it is a small price to pay in comparison to that of the vets.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Tax Agreement - Halifax International Airport Authority

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

Mr. Reg Ridgley, Acting Director of Finance, presented the staff report, recommending a five year tax agreement between HRM and the Halifax International Airport Authority, with an option for an extension.

Responding to questions of Councillor Kelly, Mr. Ridgley clarified points of the agreement such as the extension, payments, and the rationale for the agreement. In response to a further question of the Councillor Mr. Neil Raynor, Executive Director, Halifax International Airport Authority, stated the Authority is requesting to maintain the tax level at the same level the Federal Government would pay. With respect to Councillor Kelly's suggestion of a departure tax, Mr. Raynor stated if this was implemented it would place an unfair burden on the residents of the Municipality, as only one-quarter of the total traffic is actually departing from the airport. Mr. Raynor noted the businesses operating out of the airport will continue to pay the full level of tax in the normal manner.

Councillor Snow inquired how this agreement will affect the firefighting rate, to which Mr. Ridgley responded this rate is frozen, however, with increased businesses moving into the facility, the funding will increase due to the increase in total assessment.

Responding to a question of Councillor Stone regarding improvements to the airport, Mr. Raynor stated \$8 million has already been spent on the facility, as well as over \$18 million being spent on the check-in area and the departure level. The next project will be both the international and domestic arrival areas. Also, any surplus generated will be invested back into the facility.

MOVED by Councillors Stone and Greenough that Council:

- 1. Authorize staff to request that the Province of Nova Scotia amend the HRM Act to allow the HRM to enter into a tax agreement with the Halifax International Airport Authority.**
- 2. Pursuant to recommendation (1), enter into a tax agreement with the Halifax Regional Airport Authority (HIAA) for a period of five years as follows:

For each of the taxation years commencing 1999, 2000, 2001, 2002 and 2003, taxes shall be fixed at \$528,898.**
- 3. Within six months of the expiration of this tax agreement, the HIAA may request that Halifax Regional Council consider an extension of the tax agreement.**
- 4. This tax agreement shall apply only to those lands and properties assessed on January 1, 1999. Any property acquired after this date shall be taxed according to the assessment for the property so classified at the prevailing tax rate(s).**
- 5. That a loan be granted in the amount of \$338,000, amortized over 5 years, payable monthly, commencing April 1, 1999, and at 0% rate of interest, such loan to be granted upon payment of Deed Transfer Taxes payable on transfer.**
- 6. That at any time during the term of this agreement should Halifax Regional Council determine that an Airport Improvement Fee is appropriate, the Regional Council may request the HIAA to report to the Halifax Regional Council its position on the Airport Improvement Fee and should Regional Council not be in concurrence with the HIAA position on the fees, this agreement shall immediately cease to be in effect.**

Councillors Cunningham, Greenough and Harvey spoke in support of the motion. Responding to a question of Mayor Fitzgerald, Mr. Raynor stated the HIAA has the benchmark agreement with the Federal Government in Canada. Councillor Harvey stated he hopes the economic development and activity at the airport will have a spin off value to the Aerotech Park next door.

MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Council Decision on Second Reading of By-Law S-600 - Solid Waste Resource Collection and Disposal (Public Hearing portion closed Jan. 5/99) (supp report)

- A supplementary staff report prepared for Mr. Ken Meech, Chief Administrative Officer, regarding the above, was before Council for consideration.
- Correspondence from Wayne Bennett and Guy Joudry, regarding the above, was before Council for consideration.

Mr. Mark Bernard, Manager, Waste Resources, presented the supplementary report. Mr. Peter James, By-Law Enforcement Officer, reviewed the enforcement issues contained in the report.

Responding to a question of Councillor Schofield, Mr. Bernard stated the \$15,000 allocated to handle improperly placed solid waste will be proposed in the Operating Budget for next year.

With respect to solid waste storage containers located in the front of the building, Councillor Schofield suggested there should be a requirement that they be located at least twenty feet from the property line. Mr. Bernard stated this could be added to the By-Law. Council agreed to the amendment.

(Deputy Mayor Uteck assumed the Chair at 7:05 p.m.)

Councillor Walker suggested there should be three By-Law Enforcement Officers, one for each of the Central, Western and Eastern regions. With respect to Item 15 of the staff report, Councillor Walker stated it was his intent to amend the time collectible waste can be placed out the day before collection day to 7:00 p.m. Mr. Bernard replied that this change could be made to the By-Law. Council agreed to the amendment.

Councillor Walker expressed concern with the requirement for residents to put the composting carts out every two weeks for collection, stating he would prefer it if this was only a recommendation and not included in the By-Law. Mr. Bernard stated staff would prefer that the organic waste be collected every two weeks, as longer periods of time would create odour problems.

Responding to a question of Councillor Kelly regarding enforcement, Mr. James stated the \$15,000 is based on five calls per week. If more than the projected number of calls are received, the funding amount will need to be addressed at that time. Deputy Mayor Uteck noted if the Province approves a change in the legislation, there will be an opportunity for some cost recovery.

Councillor Kelly expressed concern with illegal dumping. Mr. James responded it is often very difficult to identify who is doing the illegal dumping, but staff will follow up on this whenever possible.

MOVED by Councillors Hetherington and Greenough that By-Law S-600 - Solid Waste Resource Collection and Disposal, as amended in the supplementary report dated January 15, 1999, and with the following two additional amendments, be given Second Reading:

- (1) Solid waste storage containers, if located in the front of a building, must be located twenty feet from the property line.**
- (2) No person shall place collectible waste out for collection before 7 p.m. the evening of the day prior to the collection day applicable in that area of the Municipality.**

Councillor Hetherington expressed concern with the exclusion of plastic grocery bags as an acceptable container for regular waste. Mr. Bernard replied the collection of these bags is not part of the collection contract, and there is a strong possibility they will not be picked up if left at the curbside.

Councillor Rankin spoke in support of the motion, stating he believes staff now has an enforcement regime in place, which is the key element of this By-law. The Councillor stated if there is blatant disregard of the by-law, there will be little tolerance for infractions such as illegal dumping.

In response to a concern raised by Councillor Cunningham with respect to the use of plastic grocery bags, Mr. Bernard clarified it is permissible to use them if they are placed inside a larger green garbage bag. The Councillor inquired if there is any room within the By-Law for leniency on a case by case basis, citing an example of a resident with environmental illness wishing to dispose of a large amount of carpet. Mr. Bernard replied, unfortunately, the contract with the collectors does not require them to make exceptions. However, an individual case could be discussed with them. The other option would be for the resident to arrange for a private collector to dispose of the material.

Councillor Stone stressed the importance of on-going education and communication, and suggested a pamphlet could be prepared for the general public responding to the questions raised by Council.

(Mayor Fitzgerald returned to the meeting and assumed the Chair at 7:25 p.m.)

Responding to an inquiry of Councillor Stone regarding the stickers placed on rejected bags, Mr. Bernard stated the sticker contains some general information as to the reason why the bag was rejected, along with a phone number to call if the resident has further questions. In response to a further question of the Councillor, Mr. Bernard stated the contract requires the collection of recyclables from condominiums, however, some may not have the program in place yet. The contract does not include apartment buildings. Councillor Stone spoke in support of the motion, noting amendments can be made in the future to address any problems that may arise.

Due to the geographical size of District 1, Councillor Dooks suggested the current By-Law Enforcement Officer for the area should be permitted to enforce the Solid Waste By-Law in addition to his other duties, particularly with respect to illegal dumping. Councillor Hendsbee agreed, stating the By-Law Enforcement Officers should have the ability to enforce all issues in the rural areas. Mr. James stated this will be allowed, time permitting.

With respect to university moving days, Councillor Hendsbee suggested consideration should be given to providing a special collection service during this period. The Councillor also suggested the decision of how often the composting cart should be put out for collection should be left to the judgement of the resident. Regarding the use of plastic grocery bags, Councillors Hendsbee and Snow stated they should be permitted.

MOVED by Councillors Hendsbee and Walker that the By-Law be amended to permit the use of plastic garbage bags for curbside regular waste pick up.

Mr. Bernard stated the contract can be examined to see if this can be permitted without increasing the cost. However, he expressed concern with including this in the By-Law as staff does not want to encourage this practice. Mr. Bernard noted these bags are currently

permitted for collection of recyclable newspaper, and this would cause differentiation problems.

MOTION DEFEATED.

Councillor Fougere inquired if money received from fines related to this By-Law can be put towards increased funding for enforcement. Mr. Wayne Anstey, Municipal Solicitor, stated it will be up to Council at budget time to decide where the fines will go and to what use.

Councillor Greenough suggested the proper use of plastic grocery bags should be included if there is a pamphlet prepared for the general public. Mr. Bernard replied the next newsletter will be out in April and issues raised at this meeting can be included.

The vote was then taken on the motion for Second Reading which read as follows:

MOVED by Councillors Hetherington and Greenough that By-Law S-600 - Solid Waste Resource Collection and Disposal, as amended in the supplementary report dated January 15, 1999 and with the following two additional amendments, be given Second Reading:

- (1) Solid waste storage containers, if located in the front of a building, must be located twenty feet from the property line.**
- (2) No person shall place collectible waste out for collection before 7 p.m. the evening of the day prior to the collection day applicable in that area of the Municipality.**

MOTION PUT AND PASSED.

MOVED by Councillors Rankin and Schofield that By-Law S-600 - Solid Waste Resource Collection and Disposal, as amended, be given Third Reading. MOTION PUT AND PASSED.

Councillor Hendsbee requested that Item 10.3.3 - Terms of Reference for Community and Race Relations Committee and Item 10.3.4 - Human Rights Agreement be moved up on the agenda to be dealt with next. Council agreed with the request.

10.3.3 Terms of Reference for Community and Race Relations Committee

- A supplementary staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Hendsbee and Walker that the Terms of Reference of the Community and Race Relations Committee be approved, subject to the amendments

and additions presented in the Recommendations section of the supplementary staff report dated January 13, 1999. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.4 Human Rights Agreement

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Sarto and Stone that Council approve the Memorandum of Understanding between the Halifax Regional Municipality and the Nova Scotia Human Rights Commission, as attached to the staff report dated January 11, 1999, and direct the Mayor and Municipal Clerk to sign same. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Presentations

9.1.1 Phase 1, First Lake Retirement Village Society - R. Jack Brill, Chair

- Correspondence from Mr. R. Jack Brill, Chairman, First Lake Retirement Village, regarding the above, was before Council for consideration.
- Correspondence from Robert J. Smith, President and CEO, Queen Elizabeth II Health Sciences Centre, regarding the above, was before Council for consideration.

Mr. Jack Brill, Chairman, First Lake Retirement Village Society, made a presentation to Council concerning Phase I of the First Lake Retirement Village Society "a 55 bed Community Continuing Care Centre" which will be operated as a Private-Not for Profit facility with a community board to serve the Cobequid Heath Region. Mr. Brill noted the volunteer group has been working towards this project for six years as of March 1999.

Mr. Brill reviewed the chronology of events that have taken place with respect to Provincial Department of Health's position regarding this project, and illustrated the need for additional long term care beds in the Central Health Region.

In closing, Mr. Brill stated the members of the First Lake Retirement Village Society would greatly appreciate Council's support by sending a letter to the Minister of Health requesting 55 long term care beds for all levels of long term care be allocated to the Cobequid Health Region, allowing those requiring the beds to live closer to their families and communities.

Councillor Schofield spoke in support of the proposal stressing the need for such a project.

Councillor Stone expressed concern with Council's involvement in this issue, noting it is a Provincial matter. The Councillor cautioned Council that if it agrees to send this letter, there could be numerous requests from other nursing homes seeking the same consideration.

Mr. Brill stated there are 72,000 people currently living in the Cobequid Health Region and there have been no beds added since 1950.

Councillor Hendsbee spoke in support of the proposal, noting the Marine Drive, Valley and Canal Community Council will be providing a letter of support. The Councillor stated Council has the obligation to lobby the Provincial and Federal governments on behalf of the residents.

Councillor Harvey stated there is widespread support for the issue of senior housing in the greater Sackville area, noting in December the North West Community Council endorsed the letter of the Cobequid Health Board. With respect to the site specific issue, the Councillor noted the staff report of three years ago is currently under review and an updated report will be coming forward in light of developments that have taken place since 1996, such as the Sackville Servicing Study and the on-going Integrated Servicing Strategy. Councillor Harvey stated a site specific proposal would require a public hearing to rezone the land.

Councillor Dooks spoke in support of the proposal, stating this facility will help each Councillor in HRM by allowing residents requiring special care to remain in their community.

Speaking in support of the proposal, Councillor Hetherington stated there are no empty beds in any nursing homes in Metro and all have a waiting list.

MOVED by Councillors Hetherington and Schofield that a letter of support be sent to the Minister of Health requesting 55 long term care beds for all levels of long term care be allocated to the Cobequid Health Region.

With respect to taxation, Councillor Hendsbee noted this facility will be treated the same as other nursing homes and taxed at the full residential rate.

MOTION PUT AND PASSED.

9.1.2 Street Name Change - Donald Allen, CD

This item was addressed earlier in the meeting (see Page 5).

9.1.3 User Fees - Marie March

- Correspondence from Ms. Marie March requesting the opportunity to address Council regarding user fees, was before Council for consideration.

As Ms. March had to leave the meeting, Ms. Judy Phillips, Volunteer President, Halifax/Dunbrack Soccer Club, read a letter on her behalf opposing user fees for sportfields and ball diamonds. In her presentation, Ms. Phillips made the following comments:

- She expressed concern with the communication process respecting the public meetings held regarding user fees.
- The proposed user fee will create a 16% increase cost for mini-soccer and mini-baseball players.
- No additional services will be received in return for the extra fee being charged.
- It is unfair to impose this tax on the young people of HRM who want to play sports.
- Youth involved in sports are less likely to become involved in undesirable activities.
- All organized sporting bodies are essentially run by volunteers, and this tax is, in reality, a tax on these volunteers.

Mayor Fitzgerald thanked Ms. Phillips for her presentation.

9.2 Petitions - None

10. REPORTS

10.1 MEMBER OF COUNCIL

10.1.1 Councillor Schofield - Pesticides - A New By-Law

Councillor Schofield stated he is aware staff is currently working on this matter, noting over fifty municipalities in Canada are considering pesticide by-laws. The Councillor suggested a committee be formed to work on this issue so the Municipality will be prepared to put such a by-law forward when the new Municipal Government Act comes forward. Councillor Schofield noted the by-law will have to address many issues such as landscaping, environmental sensitivities and the agricultural industry.

MOVED by Councillors Schofield and Dooks that this matter be referred to staff to consider forming a Committee, comprised of citizens, staff, Councillors and stakeholders, to make recommendations to Council as to how a pesticide by-law can be put forward.

Councillor Dooks stressed the importance of understanding and taking into consideration the needs of the rural area with respect to this issue before the by-law is drafted.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 PROGRAM AND SERVICE REVIEW COMMITTEE

10.2.1 Parking Fees in HRM-Owned Parking Lots

- A staff report prepared for Councillor Jack Greenough, Chair, Program and Service Review Committee, recommending that Council adopt a policy standardizing parking rates for the public and for staff in HRM-owned parking lots, was before Council for consideration.

In response to a question of Councillor Kelly, Ms. Margo Murphy, Executive Assistant, stated there are four HRM parking lots, where both staff and public park, that have parking fees. Mr. Meech clarified the issue being examined in this particular report is staff parking.

Councillor Kelly stated there is an opportunity to review the rates for both staff and the public with respect to these lots, and suggested the matter could be deferred pending further information from staff with respect to this issue. Mr. Wayne Anstey, Municipal Solicitor, stated staff recognizes that there may be an issue of public fees, however, this matter arose due to the pending increased parking fees in Scotia Square. The policy is an attempt to provide some equity with respect to staff parking fees in the various lots.

Councillor Kelly suggested further information should be provided, such as how many staff are required to bring their vehicles to work, how many parking spaces are available to meet this need, and whether or not there are HRM owned properties that can accommodate this need. The Councillor suggested if an employee voluntarily brings their vehicle to work, they should be charged the same fee as a member of the public.

Councillor Greenough noted this report was not meant to be all inclusive, and was to only address inequities in staff parking fees.

MOVED by Councillor Greenough and Deputy Mayor Uteck that Council adopt a policy standardizing parking rates for the public and for staff in HRM-owned parking lots as outlined in the staff report dated January 13, 1999.

With respect to the proposed policy, Councillor Fougere stated she could not see any incentives for using the buses and ferries, as there is no cost advantage to do so.

Responding to questions from Councillor Stone, Ms. Murphy stated there are other HRM parking lots where neither HRM staff nor the public are required to pay parking fees.

Councillor Stone spoke in support of the motion, noting there are other issues to be dealt with, but this can be done at a later time.

Councillor Rankin suggested there needs to be a wider examination of the inequities between the public and employee rates, and agreed with Councillor Kelly's suggestion of deferral.

Councillors Hendsbee and Sarto spoke in support of the recommendation. Councillor Hendsbee noted further examination of all HRM parking facilities needs to be done in the future.

MOVED by Councillors Kelly and Rankin that this matter be referred back to staff for further review.

Mr. Meech advised there are approximately thirty staff who require their cars for employment purposes who currently park in the Scotia Square parking lot. It is the intention to have these people park in alternate HRM owned lots, such as the Centennial Pool parking lot.

MOTION PUT AND PASSED.

RECESS

A ten minute recess was taken at 8:50 p.m. The meeting reconvened at 9:00 p.m.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 User Fees for Sportfields and Ball Diamonds

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Correspondence from the following people regarding this matter was circulated to Council: Geoff Howell, President, Dartmouth United Soccer Club; Peter Zwicker, President, Cole Harbour Minor Ball (2 letters); Stephen F. Allt, President, Halifax District Youth Soccer Association; and, Janet Lee, Concerned Resident.

Mr. Peter Bigelow, General Manager, Recreation Facilities, presented an overview of the staff report.

Responding to a question of Councillor Kelly, Mr. Bigelow confirmed that those groups currently involved in the sweat equity option will have the opportunity to expand this activity. Mr. Bigelow noted staff is looking to implement the sweat equity option in the area

of enhancements to the fields, such as lining, additional mowing, etc. Mr. Stephen King, Manager, Parks and Natural Services, stated there are about thirty partnerships in place now, and are expected to continue this year.

Councillor Kelly questioned if it would be worthwhile to defer this matter to allow those who have not had an opportunity to respond to the proposal the opportunity to do so.

Councillor Dooks suggested the user fee should not be applicable to ball fields in District 1; and, therefore, the District would be responsible for the maintenance of its own fields. The Councillor suggested this would save money for the Municipality. Mr. Bigelow replied staff is trying to encourage community based maintenance programs. However, he expressed concern with providing special dispensation to one District over another with regards to user fees.

Councillor Hetherington suggested this matter should be referred to a Committee of the Whole meeting for discussion.

MOVED by Councillors Hetherington and Kelly that this matter be deferred to a Committee of the Whole meeting.

With respect to Councillor Dooks' suggestion, Mr. Meech stated it may be possible to implement this if there are no cost implications; however, the matter needs to be examined by staff.

Responding to a question of Councillor Adams, Mr. Meech stated this proposal is part and parcel of the whole deficit reduction program. Councillor Adams expressed concern with active recreation being treated differently than passive recreation. Mr. Bigelow stated over 80 percent of the population uses the passive recreation facilities on a regular basis, and, therefore, it is suitable to fund these facilities through the general tax rate. Councillor Adams spoke against the motion to defer, stating the public waited three and a half hours for this matter to be dealt with this evening.

Councillor Walker inquired what was the overall feeling of the public at the meetings that were held regarding this issue. Mr. Bigelow responded that no one wants to see the fees increase. However, a slight difference was noticed in the geographical areas. The Western area was concerned with issues such as when the fee would be put in place and how it would be administered. The Sackville and Bedford area residents inquired about the sweat equity option. The Cole Harbour/Dartmouth area expressed a great deal of opposition to user fees.

Councillor Walker noted an error in the list of fields in the report, stating G. K. Butler (Bridgeview) is in District 16 not District 15.

Councillor Stone inquired what changes were made as a result of the public meetings. Mr. Jim Naugler, Regional Coordinator, Outside Recreation Facilities, replied the adult fees were increased by approximately \$1 per hour, the surcharge for minors was reduced to \$6.90 and special events diamond fees were reduced. Mr. Naugler noted a typographical error in the report with respect to special events fees, noting the charge for "diamond per day" should read "diamond per weekend."

Councillor Stone spoke against deferring the matter, stating the organizations involved need an answer immediately. Mr. Naugler also stressed the importance of providing these groups with a decision as soon as possible.

MOTION DEFEATED.

MOVED by Deputy Mayor Uteck and Councillor Rankin that Council approve the implementation of the user fee schedule for sportfields and diamonds for 1999 as attached as Appendix A of the staff report dated January 13, 1999.

Responding to questions of Councillor Cooper, Mr. King defined a basic level of service as probably being a D level facility. Councillor Cooper suggested the fees should be staggered as the level of the field increases. Mr. Bigelow stated the older users, who tend to use the larger fields, will pay the higher rate, while the younger users, who generally use the less enhanced facilities, will pay a lower rate. Mr. King further defined a D level field as a basic green open space available for anyone to use.

Councillor Cooper stated there needs to be a defined level of service provided for the fields, as it currently is not the same across the Municipality. The Councillor suggested there are many more factors to be considered with respect to this issue. If not, the effects will be cumulative and those that can least afford to pay will be forced to drop out.

MOVED by Councillors Cooper and Hetherington that this matter be deferred to a Committee of the Whole meeting (Tuesday, January 26, 1999, 2:00 p.m.) MOTION DEFEATED.

The main motion, which read as follows, was now back on the floor:

MOVED by Deputy Mayor Uteck and Councillor Rankin that Council approve the implementation of the user fee schedule for sportfields and diamonds for 1999 as attached as Appendix A of the staff report dated January 13, 1999.

Responding to a question of Councillor Barnet, Mr. Bigelow stated, during school hours, the school fields are there for the use of the schools. With respect to inter-school play, it is staff's intent to levy a user fee as is currently the case, noting there is a meeting scheduled with the School Board to discuss this issue.

Councillor Adams spoke against user fees, stating the policy is unfair as it discriminates between active and passive recreation. The Councillor requested a Recorded Vote when the vote on the motion is taken.

MOVED by Deputy Mayor Uteck and Councillor Walker that the meeting extend beyond 10:00 p.m. MOTION PUT AND PASSED.

Councillor Hendsbee suggested the proposed fee structure be simplified to the following: D Field - \$6, C Field - \$7, B Field - \$8, A Field - \$9, AA Field - \$10, Special Events application fee - \$10, Diamonds/Sportfields - \$90 (adult) \$30 (minor), and all prices to include HST.

Councillor Fougere spoke in support of user fees, noting no one questions the cost of other recreational activities such as movies, plays, swimming, skating, etc. The Councillor noted the option of sweat equity is available to deal with the affordability issue, as well as a Provincial program that funds registration for financially disadvantaged children to promote their participation in sports.

Councillor Cunningham noted the sportfields and ball diamonds are only used by 9 percent of the population and the user fees will recoup \$150,000 for the Municipality. The Councillor stated he did not believe most residents would want a tax increase to cover this cost.

Responding to a question of Councillor Greenough, Mr. Bigelow stated many municipalities of a similar size, and facing a similar financial situation, have implemented user fees in order to keep the programs in place. Councillor Greenough noted the fee systems, schedule of fees, corresponding maintenance standards and practices will be reviewed on an annual basis by a committee of staff and users.

MOVED by Councillors Hendsbee and Schofield that the fee structure be amended to the following: D Field/Diamond - \$6, C Field/Diamond - \$7, B Field/Diamond - \$8, A Field/Diamond - \$9, AA Field/Diamond - \$10, Minor Team Fee per player - \$7, Ages 15-18 - \$12, Special Events application fee - \$10, Diamonds/Fields - \$90 (adult) \$30 (minor), and all prices to include HST. MOTION DEFEATED.

A Recorded Vote was taken on the Main Motion which read as follows:

MOVED by Deputy Mayor Uteck and Councillor Rankin that Council approve the implementation of the user fee schedule for sportfields and diamonds for 1999 as attached as Appendix A of the staff report dated January 13, 1999. (10 in favour, 10 against) MOTION DEFEATED.

Members of Council voting **in favour** of the motion: Mayor Fitzgerald, Deputy Mayor Uteck, Councillors Greenough, Cunningham, Downey, Fougere, Stone, Barnet, Harvey, Rankin

Members of Council voting **against** the motion: Councillors Dooks, Snow, Hendsbee, Cooper, Sarto, Hetherington, Schofield, Walker, Adams, Kelly

10.3.2 Tax Agreement - Halifax International Airport

This item was addressed earlier in the meeting (see Page 6).

10.3.3 Terms of Reference for Community and Race Relations Committee

This item was addressed earlier in the meeting (see Page 11).

10.3.4 Human Rights Agreement

This item was addressed earlier in the meeting (see Page 12).

10.3.5 District 3 - Transfer of Local District Capital Area Funds

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Hendsbee and Dooks that Local District Capital Area Funds be transferred from the Lake Echo Recreation Centre to the following projects:

1. **\$20,000 be transferred to the Nelson Whynder School. This would allow for upgrades to the locker rooms and the Hallway Class Computer Lab to make them accessible for community use;**
2. **\$10,000 be transferred to the Lawrencetown Community Centre for renovations at this facility. MOTION PUT AND PASSED UNANIMOUSLY.**

11. MOTIONS - None

12. ADDED ITEMS

**12.1 Councillor Blumenthal - Reinstatement of Bus Route #8
Councillor Walker - Bus Route #5**

On behalf of Councillor Blumenthal, Councillor Fougere requested a staff report to consider the reinstatement of Bus Route #8, noting there is no other public transportation

available to the residents of this area. Or, in lieu of this cancellation of service, that consideration be given to extending service on Route #82 to make up for the loss of Route #8. Councillor Fougere requested that a response be received before the February 1 cancellation of Route #8.

MOVED by Councillors Fougere and Hetherington that this matter be referred to staff for a response prior to February 1, 1999. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Walker stated he will address the issue of Route #5 when the staff report comes back to Council.

13. NOTICES OF MOTION

13.1 Councillor Rankin

TAKE NOTICE that at the next regular meeting of Halifax Regional Council on January 26, 1999, I intend to introduce a motion that a different fee schedule be considered with respect to user fees for sportfields and ball diamonds.

14. ADJOURNMENT

MOVED by Councillors Hetherington and Greenough that the meeting adjourn at 10:20 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk