

# **HALIFAX REGIONAL MUNICIPALITY**

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## **COMMITTEE OF THE WHOLE MINUTES JANUARY 10, 1996**

**PRESENT:**

- Mayor Walter Fitzgerald
- Councillor Bill Dooks
- Councillor Gordon Snow
- Councillor David Hendsbee
- Councillor Ron Cooper
- Councillor Harry McInroy
- Councillor Jack Greenough
- Councillor Condo Sarto
- Councillor Clint Schofield
- Councillor John Cunningham
- Councillor Jerry Blumenthal
- Councillor Graham L. Downey
- Councillor Larry Uteck
- Councillor Howard Epstein
- Councillor Russell Walker
- Councillor Bill Stone
- Councillor Ron Hanson
- Councillor Steve Adams
- Councillor Barry Barnet
- Councillor Bob Harvey
- Councillor Peter Kelly
- Councillor Reg Rankin
- Councillor Jack Mitchell

**REGRETS:**

- Councillor Bruce Hetherington  
(For Health Reasons)

**ALSO PRESENT:**

- K. R. Meech, Chief Administrative Officer
- Wayne Anstey, Solicitor
- L. Corrigan, Interim Municipal Clerk
- Julia Horncastle, Recording Secretary

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The meeting was called to order at approximately 6:15 p.m.

### **INTERIM COUNCIL SESSIONS**

#### **Council Meeting Schedule**

A report dated January 5, 1996 and entitled "Council Meeting Schedule (January - March 1996)" was submitted.

**It was moved by Councillor Cooper, seconded by Councillor Sarto that the next meeting of Halifax Regional Council be scheduled for Monday, January 15, 1996, and that staff be requested to revise the proposed schedule (as contained in their January 5 report) to allow for evening meetings wherever possible.**

**An amendment to the motion was moved by Councillor Blumenthal, seconded by Councillor Snow that Council establish a one-week recess in March 1996 to coincide with the March Break observed by the public school system. Amendment passed.**

**The original motion, as amended, was put and passed.**

#### **Procedure of Council Administrative Order**

A report dated January 5, 1996 and entitled "Procedure of Council Administrative Order" was submitted.

Councillor Kelly sought clarification on a number of matters addressed in the Administrative Order, with particular regard to the following:

- Section 3(3): Responding to a question from Councillor Kelly, the Solicitor indicated that he would respond (in the form of a written report) as to the particular rules of procedure being recommended for Council's use.
- Councillor Kelly made reference to the fact that the term "City" appears in a number of sections and asked that it be removed from the Administrative Order.
- Section 8(9): Councillor Kelly asked for clarification from the Solicitor as to the time frame within which members of Council must be notified of an "emergency special meeting."
- Councillor Kelly noted that the Order had been numbered improperly, omitting a Section 9.

- Responding to a question from Councillor Kelly with regard to Section 26(3), Mr. Anstey advised that the "agreement" referred to in this section was intended to mean "by the majority consent of Council."
- Councillor Kelly referred to Section 27(3), and asked for clarification as to the term "*impertinent*." Mr. Anstey advised that he would submit his comments on this matter at a later time.
- Councillor Kelly made reference to Section 56(6) and asked if a tabled motion should not be brought back to Council for final disposition before it is finally withdrawn. Mr. Anstey suggested that the Councillor responsible for bringing the motion forward in the first place could always introduce a motion to have it reintroduced. He added that, if Council so desired, it could also consider adopting a policy whereby the Clerk would be instructed to bring tabled matters back to the agenda after a **five month** period as a means of alerting Council to the time element referred to in Section 56(6).
- Councillor Kelly referred to Section 58(7) and asked for clarification as to the grounds on which Council can refuse to reconsider.
- With reference to 61(2) and the election of the Deputy Mayor, Mr. Anstey suggested that, should the motion proposed under Agenda Item 4.4 ("Election Date - Deputy Mayor") receive Council approval, steps would be taken to amend the Administrative Order accordingly.
- Responding to a question from Councillor Kelly with regard to Section 67(2), Mr. Anstey advised that the term "*rise without reporting*" was intended to refer to a meeting at which no recommendations had been formulated or decisions reached.
- Councillor Kelly made reference to Section 67(3), requesting that it be amended to read "*On an affirmative vote to rise **without** report, . . .*"
- With reference to Section 77(d), Councillor Kelly asked for written comments from the Solicitor as to a suggested time frame for the delivery of reports to members of Council and their subsequent release to members of the public.
- Councillor Kelly requested clarification as to the manner in which future meetings of Halifax Regional Council will be called to order, and suggested that the invocation ultimately chosen by Council be entrenched in Administrative Order Number One.

**It was moved by Councillor Epstein, seconded by Councillor Uteck that:**

- (a) **Council approve in principle Administrative Order Number One as attached to the January 5, 1996 staff report (subject to correction of typographical errors);**

- (b) **this matter be included as a standing item on future agendas so as to allow for further comments and suggestions; and that**
- (c) **the matter of the form of invocation to be used by Halifax Regional Council be deferred.**

Speaking in support of the motion, Councillor Greenough suggested that staff investigate the procedures currently being followed in the City of Halifax, the City of Dartmouth, the Town of Bedford and Halifax County with regard to invocations and bring forward a report at a future meeting for Council's consideration.

Responding to a question from Councillor Cooper with regard to Section 60(2), Mr. Anstey advised that if Council deemed it appropriate to receive further public input once second reading had been given to a proposed bylaw, the matter could be referred to Committee.

Councillor Cooper expressed concern that referral after second reading to a meeting of Committee had the potential for causing considerable delay in the decision-making process. Mr. Anstey suggested, however, that Council, meeting as Council, can make a decision to reconvene as Committee at any point, thereby substantially reducing the time frame. Councillor Cooper indicated that he would prefer Council to adopt this approach as a standard procedure.

Concluding the discussion, Mayor Fitzgerald pointed out that, technically speaking, Administrative Order Number One will not be officially approved until April 1, 1996. He therefore recommended that, in the interim, Councillors review its contents carefully, and bring forward suggestions as to how it might be improved.

**Motion carried with unanimous support.**

#### **Interim Appointment - Municipal Clerk**

A report dated January 5, 1996 and entitled "Interim Appointment - Municipal Clerk" was submitted.

**It was moved by Councillor Adams, seconded by Councillor Barnet that Mr. Lawrence T. Corrigan, Commissioner of Corporate Services, be appointed interim clerk until such time as a permanent appointment to this position can be made. Motion carried.**

### **Election - Deputy Mayor**

A report dated January 5, 1996 and entitled "Election - Deputy Mayor" was submitted.

**It was moved by Councillor Sarto, seconded by Councillor Greenough that the appropriate section of Administrative Order Number One be set aside to allow for the deferral of the election of a Deputy Mayor until Council's first regular meeting in April, 1996. Motion carried.**

### **COUNCIL FAMILIARIZATION SESSIONS**

#### **Tours of the Municipality**

A report dated January 10, 1996 and entitled "Tours of the Municipality" was submitted.

**It was moved by Councillor Dooks, seconded by Councillor Snow that familiarization tours of the municipality be arranged for late May/early June.**

Speaking in support of the motion, Mayor Fitzgerald noted that over the next several weeks staff will be developing an itinerary for this event in consultation with members of Council.

**Motion carried.**

#### **Workshops for Elected Officials**

A report dated January 10, 1996 and entitled "Workshop for Elected Officials" was submitted.

**It was moved by Councillor Stone, seconded by Councillor Mitchell that Council invite proposals to design and facilitate a strategic planning workshop for elected officials.**

Responding to a concern put forward by Councillor Kelly, Mr. Meech advised that staff's intention had been to identify a facility that could accommodate a two-day workshop. He emphasized, however, that members of Council will be canvassed as to their preferences in this regard.

**Motion carried.**

## BOARDS AND COMMITTEES

### Board of Police Commissioners

A report dated January 5, 1996 and entitled "Board of Police Commissioners" was submitted.

Following a brief discussion and clarification from the Solicitor, **it was moved by Councillor Sarto, seconded by Councillor Greenough that Council give approve in principle to the proposed Bylaw Respecting the Board of Police Commissioners for the Halifax Regional Municipality; and further, that membership of the Board be set at six, those being two members of Council and four members of the public. Motion carried.**

**NOTE:** Notice of Motion with regard to the formal adoption of this Bylaw was given at a later point in the meeting's agenda.

### Appointment of Audit Committee

A report dated January 3, 1996 and entitled "Audit Committee" was submitted.

In response to a request from Mayor Fitzgerald, the following members of Council indicated their interest in serving on the Audit Committee: Councillors Rankin, Walker, Greenough and Schofield.

Councillor Walker put forward the suggestion that the Audit Committee should be required to report to Council at least twice yearly. He also suggested that the auditor should be directed to review the municipal budget and to report to Council on a yearly basis as to whether monies had been well spent and fiscal objectives met.

Mr. Corrigan, the Commissioner of Corporate Services, suggested that Council refrain from assigning specific duties to the auditor until the matter can be further researched by the Audit Committee.

**It was moved by Councillor Snow, seconded by Councillor Hendsbee that Council immediately establish an Audit Committee by appointing at least three councillors for a term of one year. Motion carried.**

### Background Report - Councils and Committees

A report dated January 5, 1996 and entitled "Councils and Committees - Background Report" was submitted.

It was moved by Councillor Stone, seconded by Councillor Barnet that Council direct a full reporting, including alternatives and recommendations, on a structure(s) of advisory and management boards, council, committees, and commissions (the recommendations shall include full consideration of any presentation made to Council by existing groups). Motion carried.

## REPORTS

### Implementation Coordinator

Mr. William Hayward provided Council with a brief overview of the decisions he has made in his capacity as Implementation Coordinator since his appointment in December, 1994.

### Chief Administrative Officer

#### (1) Economic Development Initiatives

A report dated January 10, 1995 and entitled "Economic Development Initiatives" was submitted.

It was moved by Councillor Greenough, seconded by Councillor McInroy that Council express its interest in pursuing the concept of an economic development "partnership" with the private sector and request the CAO to negotiate a proposed arrangement with the interim board of the "Partnership," to be presented for Council deliberation in the near future.

Councillor Blumenthal emphasized that, in his view, the promotion of HRM as a tourist destination was extremely important, and expressed concern that the current organization chart does not include a provision for a tourism department.

Responding to the comments put forward by Councillor Blumenthal, Mr. Meech advised that until the scope of the proposed economic development agency has been finalized, no specific recommendations in terms of staffing can be brought forward. Mr. Meech went on to emphasize that the scope of service delivery depends on Council's preferences in the matter but that once that decision has been made, a budget and staff complements will be drawn up.

Councillor Kelly indicated his interest in serving on the proposed Partnership.

**Motion carried.**

**(2) Proposed Social Services Costs - April 1996**

This matter had been added to the agenda at the request of the Chief Administrative Officer, who distributed a memorandum dated January 8, 1996 and entitled "Proposed Social Services Costs - April 1996."

Mr. Meech provided Council with a brief overview of the current situation with regard to the proposed service exchange. In his remarks, Mr. Meech emphasized that the Province is now proposing that HRM pay a fixed amount annually (approximately \$22,024,000) in return for the Province agreeing to assume responsibility for administering the Municipal Social Services program effective April 1, 1996.

While concurring with the concept of a one-tier system, Mayor Fitzgerald indicated that, in his view, the proposal put forward by the Province of Nova Scotia in this regard is completely unacceptable. His Worship went on to point out that the original proposal had suggested that the Province would assume full fiscal responsibility for the delivery of social services. However, it would now appear that HRM will be forced to continue its contributions while at the same time having little or no control over the manner in which the service is administered.

**It was moved by Councillor Blumenthal, seconded by Councillor Snow that Halifax Regional Council instruct its Chief Administrative Officer to inform the Province that the proposed agreement with regard to the delivery of social services is unacceptable.**

Councillor Kelly asked for information from the Solicitor as to whether, in Mr. Anstey's view, the Province's stance on this matter could be challenged in a court of law. Mr. Anstey indicated that he would research the opinions previously obtained by certain of the municipal councils on this subject, and submit a report at a later date.

Councillor Greenough suggested that staff obtain copies of the various pieces of documentation exchanged over the last several months between the Province and its municipal councils in an attempt to ascertain whether, in fact, a firm commitment with regard to service exchange had been made. The Councillor went on to note that he would appreciate receiving staff's comments on this matter, adding that HRM will be facing significant tax increases unless the Provincial Government owns up to its commitments in this regard.

**Motion carried.**

**Commissioners**

**(1) Municipal Service Centres**

A report dated January 4, 1996 and entitled "Municipal Service Centres" was submitted.

**It was moved by Councillor Greenough, seconded by Councillor McInroy that Halifax Regional Council approve:**

- (1) maintaining the existing facilities relative to customer service centres until such time as further direction is given by Council;**
- (2) proceeding with rationalization and recommendation for the future location of municipal service centres.**

**Motion carried.**

**(2) Operating and Capital Budgets**

A document dated January 3, 1996 and entitled "Halifax Regional Municipality (HRM) 1996/97 Operating & Capital Budget" was submitted.

**It was moved by Councillor Greenough, seconded by Councillor Downey that a special meeting of Halifax Regional Council be scheduled at an appropriate time to address the matter of the 1996/97 Operating and Capital Budgets. Motion carried.**

**(3) Tax Structures and Rates**

A report dated January 5, 1996 and entitled "Request for Municipal Tax Structure Conference (January 26 & 27)" was submitted.

Councillor Blumenthal made reference to the fact that the dates set aside for this conference include the Jewish Sabbath, and asked that staff take this factor into consideration when scheduling future meetings.

Responding to a question from Councillor Hendsbee, Commissioner Corrigan advised that he would compile a list of those to whom invitations have already been extended so that Councillors might put forward requests for additions.

**Following a brief discussion, it was moved by Councillor Greenough, seconded by Councillor Hendsbee that a municipal tax structure conference be**

held at the World Trade and Convention Centre on Friday evening, January 26, and Saturday morning, January 27, 1996. Motion carried with Councillor Blumenthal in opposition.

#### **(4) Organization Structure and Hiring**

A report dated January 10, 1996 and entitled "Organization Structure and Hiring" was submitted.

In response to questions raised by Councillors Kelly and Hanson, Mr. Meech suggested (**and it was so agreed**) that a briefing session would be scheduled to provide members of Council with detailed information on HRM's organization structure and the hiring process.

### **TENDERS**

#### **Police Mobile Radio Communications System**

A report dated January 4 1996 and entitled "Mobile Radio Communications System" was submitted.

**It was moved by Councillor Stone, seconded by Councillor Mitchell that the contract with Motorola Canada to supply and install the Police Radio communications equipment required for the Halifax Regional Police Service at a total cost of \$991,329.60 plus GST be approved by the Halifax Regional Council.**

Chief Vincent J. MacDonald and Inspector Larry Clare responded to questions from various members of Council.

Councillor Cooper expressed concern that HRM by approving the staff recommendation is being "locked into" one manufacturer without the opportunity to tender.

Inspector Clare emphasized that the contract in question pertains to the upgrading of an existing system, adding that should Council wish to explore other products, they would have to tender for a completely new communications system.

Responding to a question from Councillor Snow, Inspector Clare advised that, in staff's view, there are no other products on the market that could be obtained at a lower price while at the same time providing features comparable to the Motorola system. He went on to emphasize that while there may be similar products, they do not provide the features essential for officer safety that are inherent in the Motorola system.

In response to a question from Councillor Kelly, Inspector Clare advised that staff had considered the possibility of leasing the necessary equipment; however, it had ultimately been determined that such an arrangement would not be as cost-efficient as would outright purchase.

Following a brief discussion, **it was moved by Councillor Kelly, seconded by Councillor Schofield that this matter be deferred to the next regular meeting of Council pending an analysis of the respective merits of "leasing" versus "purchase."** The motion to defer was put and defeated.

The original motion was put and passed.

## SOLID WASTE STRATEGY

### Background - Presentation

A report dated January 5, 1996 and entitled "Solid Waste Management Issue: Background to the Public/Private Partnering Proposal and Contract Summary" was submitted.

Mr. George McLellan, Commissioner of Regional Operations, provided members of Council with a brief overview of his January 5 report respecting the current solid waste management proposal.

### Contract Summary - Presentation

Mr. McLellan introduced Messrs. Joe and David Mann representing the firm of Cox, Downie, who provided Council with an overview of the proposed contract between HRM and Mirror Nova Scotia Limited.

On a recommendation from Mr. McLellan, **it was moved by Councillor Rankin, seconded by Councillor Mitchell that a special meeting of Committee of the Whole be scheduled for 7:00 p.m. on Wednesday, January 17, 1996 to receive a presentation from the Mirror Group regarding the proposed contract.**

Following a brief discussion, **the motion was put and passed.**

### ADDED ITEMS

#### **Transitional Reports (Councillor Kelly)**

This matter had been added to the agenda at the request of Councillor Kelly who asked (**and it was so agreed**) that it be deferred to the next regular meeting of Halifax Regional Council scheduled for Monday, January 15, 1996.

#### **Compensation for Outgoing Councillors and Aldermen (Councillor Schofield)**

This matter had been added to the agenda at the request of Councillor Schofield who suggested that the question of compensation for outgoing councillors and aldermen is causing considerable concern .

**It was therefore moved by Councillor Schofield, seconded by Councillor Harvey that Council ask the Stipends Committee (or an independent group appointed by Council) to consider this matter and to make recommendations as to how it might be resolved.**

An amendment to the motion was put forward by Councillor Kelly; namely, that the recommendation of the review committee be binding. **There was no seconder for the proposed amendment.**

**The original motion was put and passed.**

### INFORMATION ITEMS

**It was generally agreed that the following Information Reports would be tabled:**

- (a) report dated January 10, 1996 entitled "Policy Issues Research;"
- (b) report dated January 10, 1996 entitled "Harmonization;"
- (c) report dated January 10, 1996 entitled "Pension Plan Design Options;"
- (d) report dated January 3, 1996 entitled "Halifax Regional Municipality (HRM) Transition Budget;" and
- (e) report dated January 4, 1996 entitled "Grants to Non-Profit Organizations."

There being no further business to be discussed, **it was moved by Councillor Greenough, seconded by Councillor Sarto that the Committee rise and report to Council. The motion was put and passed.**

MAYOR WALTER FITZGERALD  
CHAIRMAN

SUBMITTED BY:  
LARRY CORRIGAN  
INTERIM MUNICIPAL CLERK