

# HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL  
COMMITTEE OF THE WHOLE  
MINUTES  
APRIL 15, 2004

PRESENT: Mayor Peter Kelly  
Deputy Mayor Steve Streach  
Councillors: Krista Snow  
David Hendsbee  
Ron Cooper  
Harry McInroy  
Brian Warshick  
Condo Sarto  
Bruce Hetherington (9:55 a.m.)  
Jim Smith (9:35 a.m.)  
John Cunningham  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Debbie Hum  
Linda Mosher (9:40 a.m.)  
Stephen Adams  
Robert Harvey  
Len Goucher  
Reg Rankin (10:10 a.m.)  
Gary Meade

ABSENT WITH  
REGRETS: Councillor Brad Johns

STAFF: Mr. George McLellan, Chief Administrative Officer  
Ms. Jan Gibson, Acting Municipal Clerk  
Ms. Sherryll Murphy, Legislative Assistant  
Ms. Sheilagh Edmonds, Legislative Assistant

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**1. CALL TO ORDER**

The meeting was called to order at 9:35 a.m.

**2. APPROVAL OF MINUTES - None**

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

**4. BUDGET DELIBERATIONS**

**4.1 Legal Services**

Mr. Barry Allen, Manager, Legal Services, addressed Council noting the following highlights of the 2004/05 Legal Services budget:

- < an increase has been included in the budget for external lawyers based on history
- < there will be a realignment of prosecution services in 2004/05 to put more emphasis on By-law work
- < continued work with other units relative to training around by-law enforcement
- < continue to ensure that laws are effective and enforceable

Mr. Allen then responded questions from members of Council.

Mayor Kelly thanked Mr. Allen for his presentation.

**4.2 Environmental Management Services**

Mr. Jim Bauld, Acting Director, Environmental Manager Services addressed Council giving a brief overview of the Environmental Management Services budget for 2004/05, and highlighting the changes as set out in the 'Implications of EMS Proposed Business Plan' sheet included with the 2004/05 Business Planning and Budget document.

Mr. Baud and staff of Environmental Management Services responded to questions from members of Council.

**MOVED by Councillor Warshick, seconded by Councillor Sloane that \$180,000 be included in the parking lot for weekly green cart collection in urban/suburban HRM (Halifax, Dartmouth, Bedford, Sackville, Cole Harbour, Beechville, Lakeside, Timberlea). MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Walker referred to problems experienced with "ice in the street" and requested that staff provide a list of locations to be considered this year relative to "ice in the street:

(run off of surface water).

Councillor Sarto noted that some \$200,000 in funding had been included in the Capital Budget for work in the Ellenvale Run area and asked the degree of work which was to be undertaken. Mr. Sheppard, Manager, Environmental Services, indicated that he did not have this information available today, however, he would respond to the Councillor at a later date.

Councillor Hetherington advised that he has received complaints that the garbage cans at Shubie Park are not maintained (emptied/cleaned). Councillor Hetherington referred the matter to staff for resolution.

Councillor Hetherington referred to the Morris Lake/Russell Lake development area and noted that although the lots are being restored, there is a need for ongoing clean out of the stormwater pipes in order to minimize the negative impacts to the Lakes. Councillor Hetherington referred the matter to staff for consideration.

Councillor Smith expressed concern regarding the lack of By-law Enforcement Officers and suggested that additional Officers were needed. He particularly noted that a By-law Officer is required to handle chronic cases and complaints received on the weekend.

**MOVED by Councillor Smith, seconded by Councillor Warshick that the cost of one By-law Officer to handle the work set out above be included in the Parking Lot. MOTION PUT AND DEFEATED.**

Councillor Warshick requested that staff provide a cost per unit for each household for green cart collection.

**MOVED by Councillor Hendsbee, seconded by Councillor Snow that an allocation be included in the parking lot to permit a bundle increase from 10 to 20 bundles and to provide for a brush pick up program. MOTION PUT AND DEFEATED.**

Following a further discussion and questioning of staff, Councillor Hendsbee requested that staff report as to the anticipated cost of a brush clean up program with funding being derived through an area rate.

Ms. MacLellan, Director, Financial Services expressed concern that such an area rate would not meet the criteria set out in the Municipal Government Act and HRM's Area Rate policy. She further noted that implementation of an area rate would involve a six week timeline.

Mayor Kelly thanked Mr. Bauld for his presentation.

#### **4.3 Library Services**

Ms. Judith Hare, Chief Executive Officer, Halifax Regional Library, presented an overview of the 2004/05 Operating and Capital budget for the Library. Ms. Hare then responded to questions from members of Council.

Ms. Hare expressed concern with regard to the declining purchasing power of the library in terms of the purchase of books to add to the collection.

At this time Mayor Kelly left the meeting and Deputy Mayor Streach assumed the Chair.

**MOVED by Councillor Warshick, seconded by Councillor Sarto that \$89,000 be included in the parking lot for the opening of the Alderney Gate branch on Monday. MOTION PUT AND PASSED.**

Referring to a new location for the Woodlawn Branch Library, Councillor Warshick noted that monies allocated for this purpose had been removed from the Capital Budget. He requested that staff report back regarding the process used in removing these monies from the budget.

Councillor Uteck requested an up date on the replacement of the Spring Garden Road library.

Following a further discussion and questioning of staff, the Deputy Mayor thanked Ms. Hare for her presentation.

The meeting recessed for lunch at 12:15 p.m.

The meeting reconvened at 2:20 p.m. with the following members present:

Mayor Peter Kelly, Deputy Mayor Steve Streach, and Councillors: Snow, Hendsbee (3:10 p.m.), Cooper, McInroy (2:35 p.m.), Warshick, Sarto, Hetherington, Smith (3:10 p.m.) Cunningham, Blumenthal, Sloane, Uteck, Fougere, Walker, Hum (3:00 p.m.), Mosher, Harvey, Goucher, Rankin, and Meade.

#### **4.4 Halifax Regional School Board**

- A document entitled, Halifax Regional School Board, Supplementary Funding - Funding Scenarios Report, dated April 13, 2004 was circulated.
  - An information sheet outlining the education rates for 2004-2005 was circulated.
- Ms. Carolyn McFarlane, Chair, Halifax Regional School Board, and Ms. Carole Olsen, Superintendent, addressed the Committee and presented the 2004-05 Supplementary Fund Business Plan and Budget. Referring to the submitted information, Ms. Olsen

advised that the Board has outlined three scenarios: 1. increase of three percent each in Halifax and Dartmouth, and a \$2 million increase in the County-Bedford area; 2. maintain funding for 2004-05 at the same amount as 2003-04; and, 3. a reduction in funding by 10 percent as permitted under the provisions of the Municipal Government Act. She outlined the three scenarios and the impact each would have on the budget. Ms. Olsen advised that the Board was requesting a three percent increase in the former cities of Halifax and Dartmouth and a \$2 million increase in the former Town of Bedford and County. Ms. McFarlane and Ms. Olsen responded to questions from the Committee.

Councillor Fougere spoke in support of supplementary funding advising that it is an area rate and as such is not subject to budget cuts in the same manner as the municipality's operating and capital budgets. She added that in the year 2000 a plebiscite was held and the support for the continuance of supplementary funding was positive, and overwhelmingly so in the areas where it has been traditional. Councillor Fougere advised that retaining the existing rate as opposed to the existing dollar value provides for a legitimate increase in the supplementary fund, pointing out that this is something that is paid for by the taxpayer not by HRM.

**MOVED by Councillor Fougere, seconded by Councillor Uteck that the supplementary funding rate in Halifax remain the same as in the 03/04 calendar year; and further, HRM and the School Board together, formerly approach the Province to cooperatively address funding issues which promote inequity not only within HRM but between municipalities.**

Councillor Blumenthal spoke against the motion, advising he supported the idea of giving the same dollar value this year as last year.

In response to a question by the Chair regarding the tax rate in the motion, Mr. Bruce Fisher addressed the Committee and, referring to the submitted information on Education Rates for 2004-2005, explained that the Halifax School Board proposal was for \$12,664,700 which works out to a rate of 10.40cents/\$100; and Councillor Fougere's motion is to hold the rate the same as last year's, which was 10.90 and this would work out to \$13,189,000. He indicated that by approving Councillor Fougere's motion, it would be approximately a \$900,000 increase by keeping the rate the same.

A discussion ensued with representatives from the School Board responding to questions.

Councillor Fougere advised that she had a prior commitment and had to retire from the meeting. She reiterated her earlier remarks in support of maintaining the same rate this year as last year, and the issue of ensuring equity across the board by HRM and the School Board jointly approaching the Province.

Mr. George McLellan, CAO, advised that should this motion pass, the usual process would

be for staff to come back to Council advising on how they intend to spend the extra funds. He suggested that Council should maintain this same process with the School Board, and have them come back before the area rate budget, to which Councillor Fougere concurred.

At 3:05 p.m. Councillor Fougere retired from the meeting.

Councillor Mosher spoke against the motion, and she requested from staff the 2000 election statistics and percentages pertaining to the plebiscite.

Councillor Cunningham indicated he supported what the Halifax Councillors wanted but that he didn't think he should be involved in the vote on a matter because it pertains to only Halifax.

Deputy Mayor Streach concurred with Councillor Cunningham's comment.

Councillor Sloane advised that she supported the motion, but would want to know where the funds will be allocated.

At 3:10 p.m. Mayor Kelly and George McLellan, CAO, retired from the meeting. Deputy Mayor Streach assumed the Chair, and Mr. Dan English, DCAO assumed the seat of the CAO.

Councillors Cooper, McInroy, and Hetherington advised they would not be supporting the motion.

Councillor Walker indicated he was prepared to move an amendment to the motion to change the rate to 10.4, advising that this was the rate the School Board had proposed.

**MOVED by Councillor Walker, seconded Councillor Sloane that the motion be amended to change the rate to 10.4 instead of 10.9.**

Councillor Sarto indicated he wanted to deal with the former City of Dartmouth with regard to supplementary funding rate and questioned if, procedurally, he would be permitted to move an amendment to Councillor Walker's amendment.

A brief discussion ensued and the Solicitor advised that the motions be split—one with maintaining the integrity of the original motion at the rate of 10.9; and then, if Council wanted to vote for the rate of 10.4, it make second motion to that affect.

The Chair then clarified that Council was back to dealing with the original motion moved by Councillor Fougere, and the **amendment was ruled out of order.**

Councillors Rankin and Warshick advised they were not supporting the motion.

**THE MAIN MOTION WAS PUT AND DEFEATED.**

**MOVED by Councillor Uteck, seconded by Councillor Sloane that the supplementary funding rate for Halifax be set at 10.40.**

Councillor Walker asked for clarification on whether this motion would be providing the same amount of money or if it would be a decrease.

In response, Ms. Dale MacLennan, Director of Finance advised that the residential rate of 10.9 is the rate used last year and it raised \$12,295,000; the \$12,664,700 which would be raised this year with a rate of 10.40 would be an increase in funds over last year. She pointed out that the assessment is up this year and with the assessment up, the rate would go down to raise the same amount of money as last year.

Following further discussion the **MOTION WAS PUT AND DEFEATED.**

**MOVED by Councillor Blumenthal, seconded by Councillor Rankin that the supplementary funding for the School Board be maintained at the same dollar value as last year, i.e. \$12,295,000 for Halifax, \$5,239,200 for Dartmouth, and \$3,312,000 for Former County/Bedford.**

Councillor Warshick spoke against the motion.

Councillor Harvey advised that he did not support the motion and that he would like to see the rate for the County remain the same this year as it was last year, thus giving a modest increase in funds.

Councillor Hendsbee spoke in support of the motion

Councillor Uteck spoke against the motion, and indicated that she would support Councillor Harvey in his request for maintaining the funding for the County at the same rate as last year.

A discussion ensued, and for clarification, the Chair advised that the motion on the floor is the staff recommendation and it pertains to the entire municipality.

**THE MOTION WAS PUT AND PASSED.**

Councillor Warshick advised that he would like to put forward a motion approving the HRSP proposal rate for Dartmouth.

The City Solicitor advised that this motion would be in conflict with the motion which was just passed, and therefore would be out of order.

In response to a question by Councillor Sarto with respect to whether the motion can be reconsidered, the Solicitor advised that reconsideration would have to be given at an open meeting of Council, therefore, when it comes back to Council there would be an opportunity for reconsideration.

Councillor Hetherington noted that budget items approved in the affirmative cannot be reconsidered.

Prior to adjourning, the Chair advised that budget review will carry on at 9:30 a.m. tomorrow morning.

The meeting adjourned at 4:10 p.m.

Jan Gibson  
Acting Municipal Clerk