

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COMMITTEE OF THE WHOLE MINUTES

September 25, 2007

PRESENT: Mayor Peter Kelly
Deputy Mayor Sue Uteck
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Andrew Younger
Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Dawn M. Sloane
Russell Walker
Debbie Hum
Linda Mosher
Stephen D. Adams
Brad Johns
Robert P. Harvey
Reg Rankin
Gary G. Meade

REGRETS: Councillors: Gloria McCluskey
Patrick Murphy
Sheila Fougere
Gary Martin

STAFF: Ms. Geri Kaiser, Acting Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

Mayor Kelly called the meeting to order at 1:36 p.m.

2. APPROVAL OF THE MINUTES

MOVED by Councillor Adams, seconded by Councillor Karsten that the minutes of September 11, 2007 be approved. MOTION PUT AND PASSED.

3. BMX DIRT JUMPING PARKS AND FREE RIDE AREAS

- An extract of the July 31, 2007 minutes was before the Committee of the Whole.
- A copy of the PowerPoint presentation was before the Committee of the Whole.
- A staff report dated May 21, 2007 was before the Committee of the Whole.

The following motion, from the July 31, 2007 Committee of the Whole session, was before the Committee for consideration at this time.

MOVED BY Councillor Karsten, seconded by Councillor Snow, that the Committee of the Whole recommend that:

- 1. No further dirt jumping parks be built on Municipal lands until a full program is put into place to reasonably protect users and the Municipality.**
- 2. HRM request provincial changes to the Occupiers Liability Act making dirt jumping parks and skateboard parks a named exemption under the Occupiers Liability Act owing to the nature of the sport.**

The following amendment, from the July 31, 2007 Committee of the Whole session, was also before the Committee for consideration at this time: **MOVED BY Councillor Hendsbee, seconded by Councillor Snow, that all motorized vehicles be included in the provincial exemption.**

Councillor Hendsbee explained that motorized off-highway vehicles may be required to disengage from a track or trail in order to reach a designated rally point. He requested that they also be included in the provincial exemption.

Councillor Smith entered the meeting at 1:39 p.m.

Councillor Younger commented that the provincial government collects fees on ATV registrations for the purpose of constructing trails. The request to include motorized vehicles (ATV's) in the exemption should be left to the provincial authority as inclusion in this motion

may cloud the issue.

Councillor Sloane advised that motorized vehicles should not be on designated BMX tracks; it is a safety issue.

Councillor Johns entered the meeting at 1:41 p.m.

Mr. Peter Bigelow, Manager, Real Property Planning, responded to Councillor Wile that there are motorized tracks in HRM but they are not owned by HRM. He added that the province sees motorized and non-motorized parks as two separate issues.

AMENDMENT PUT AND PASSED.

The motion now reads as follows: **MOVED BY Councillor Karsten, seconded by Councillor Snow, that the Committee of the Whole recommend that:**

- 1. No further dirt jumping parks be built on Municipal lands until a full program is put into place to reasonably protect users and the Municipality.**
- 2. HRM request provincial changes to the Occupiers Liability Act making dirt jumping parks and skateboard parks a named exemption under the Occupiers Liability Act owing to the nature of the sport.**
- 3. All motorized vehicles be included in the provincial exemption.**

Mr. Peter Bigelow responded to questions of Council as follows:

- If the recommendation goes forward as presented, construction of the new BMX facilities will begin in the Spring of 2008. Priority will be given to the five locations already identified which will be funded through the Councillor's discretionary fund.
- Staff will work with communities in the building of the BMX Dirt Jumping facilities, however; due to the expertise assigned to the project, HRM will use contractors to ensure specifications are met.
- The list of current BMX Dirt Jumping Park facility requests will be circulated to Members of Council.
- Ongoing in-house maintenance for the BMX Dirt Jumping Parks is recommended by staff. The actual cost is outlined in the report dated May 21, 2007. An expert would be hired to perform monthly inspections; HRM staff would perform weekly inspections.

Councillor Snow commented that she would not support an additional \$1,200.00 per site for ongoing maintenance.

Councillor Harvey requested that Lower Sackville be added to the list for a BMX Dirt Jumping Facility as youth in the area have requested such a facility. The local contact is Mr. Alex McBean. Councillor Harvey advised that he will allocate some funds toward the project.

Councillor Streach exited the meeting at 1:53 p.m.

Councillor Younger commented that at times it seems that HRM makes a huge project out of a little thing which ends up costing staff time and money. He suggested that signs be placed alerting the public to take the proper precautions in using a BMX Dirt Jumping facility and that HRM move ahead with the project(s).

Councillor Sloane strongly encouraged staff to consider partnerships in the communities in the construction of the facilities. She suggested that the users will help self police the activity and see that those participating in the activity are wearing helmets and proper gear.

Ms. Geri Kaiser, Acting Chief Administrative Officer, commented that community partnerships are important to HRM and additional resources are put into developing those partnerships. Mr. Bigelow explained that there will be partnerships such as contractors offering backhoe time etc., however; staff would prefer to have guidelines and standards in place to ensure safety of the public and taxpayer before moving forward. Mr. Paul Dunphy, Director, Community Development, added that the BMX Dirt Jumping Facilities will be built and there will be coordination between Council and the communities. HRM does not currently have the expertise to build/maintain the facilities but is looking to hire that expertise.

Councillor Smith inquired what the target age group is for the BMX Dirt Jumping parks and what the expected number of users would be. He also inquired how many projects may be put on hold in order to build these BMX facilities. He added that he has tried to get a skateboard park in District 9 for the last four years and, even with \$40,000 set aside for the project, there is nothing there yet. Councillor Smith added that District 9 needs a Youth Centre for those between the ages of 12 and 18. He suggested that every district in HRM should have a Youth Centre.

Mr. Mike Labrecque, Director, Transportation and Public Works, responded to concerns of ongoing maintenance costs, outlined in the report dated May 21, 2007, explaining that the issue has to be identified in order for it to be measured and managed. The work (cost) will be included in the current budgets. In order to become more efficient, costs have to be measured.

Councillor Johns requested that, as the expertise improves, upgrades on the original projects be included in the ongoing maintenance in order to maintain the same standards throughout HRM.

MOTION PUT AND PASSED.

4. WEEKLY SUMMER GREEN CART - REVIEW OF CHANGE IN SERVICE BOUNDARIES

- A copy of the PowerPoint presentation was before the Committee of the Whole.
- An Information Report dated September 4, 2007 was before the Committee of the Whole.

Mr. Jim Bauld, Manager, Solid Waste Resources, presented.

Councillor Hendsbee commented that weekly green cart collection in the rural areas is recommended for public safety due to bears, racoons, coyotes etc. being attracted to the green bins. In the urban core the issue is more with fruit flies. He requested that consideration be given for weekly green cart collection in the more densely populated rural areas.

Mr. Bauld commented that the Solid Waste Advisory Committee will be receiving a report regarding an analysis of bear reports over the last three years. He explained that the report indicates there does not appear to be a link with the frequency of summer green cart collection and bears as most bear sightings have been in areas with weekly summer green cart collection. The issue of bears is more in keeping with new development disturbing their habitat.

Councillor Walker commented that a \$70,000.00 cost to extend weekly summer green cart collection to all areas of HRM seems reasonable. Weekly green cart collection will encourage more participation in diversion. He suggested the service be extended to include the month of June as there are warm days in June as well.

MOVED BY Councillor Walker, seconded by Councillor Adams that the Committee of the Whole endorse weekly summer green cart collection for all HRM and that further discussion on this matter be included as part of the budgetary process.

In response to Deputy Mayor Uteck, Mr. Bauld commented that he cannot advise if weekly summer green cart collection has enhanced the diversion rate. Deputy Mayor Uteck added that 83% of the complaints seem to be animal related and she does not see the need to extend weekly green cart collection at this point.

Councillor Adams expressed concern with removing a service that does not cost HRM a dime. He added that people often say they pay a lot of taxes and get nothing for it. He commented that the cause of the smell associated with the green bins is due to the residual matter and regular cleaning of the green bins could control the odour.

Councillor Snow commented that if the charge is under the General Tax rate then all of HRM should receive the service. She added that her rural residents have not requested the service, however; she is in agreement with the motion if it keeps all of HRM united and equal. She suggested the month of September be included rather than June as the weather is often warmer in September and there is also leaf collection in the fall.

Mr. Bauld advised Council that staff, subject to the direction of Council, can build into the Request for Proposals various options for weekly summer green cart collection such as: all of HRM for July, August, all of HRM for June, July, August or all of HRM for June into September.

Mr. Bauld confirmed for Councillor Younger that currently the cost of green bin collection is

covered in the General Tax rate. Councillor Younger then added that if everyone is paying for the service, everyone should receive the service unless they really do not want it. He added that Council is not spending the \$70,000 today as the issue will be discussed during budget deliberations and by then there may be efficiencies in place where the cost may be reduced.

Councillor Rankin advised that the original intent of weekly green cart collection was for urban areas with smaller lots. He encouraged the standardization of services as much as possible. He added that he has received calls from residents in Prospect who are asking for the same level of service. Residents of HRM will receive a suitable return for the \$70,000 cost rather than HRM trying to justify why some rural areas have the service and some do not.

Councillor Mosher entered the meeting at 2:50 p.m.

Councillor Smith expressed concern with a \$70,000 additional cost to provide weekly summer green cart collection for all of HRM when it is unclear if the weekly collection is helping diversion. He inquired if those residents who are requesting this service are aware that they will be paying more taxes for the service.

Mayor Kelly exited the meeting at 3:01 p.m. Deputy Mayor Uteck assumed the Chair at this time.

Councillor Meade commented that regardless of weekly pick-up there will still be the same amount of compost going to the facility. He added that the cost may be even higher than \$70,000.

Councillor Younger added that the details on pricing will be discussed during budget deliberations. He added that if an area does not get the service they should receive a reduction in their taxes.

Mayor Kelly resumed the chair at 3:07 p.m.

Councillor Snow suggested that staff measure and record weekly green cart collection for the next year then provide that information to Council to enable an informed decision. She added that if the results indicate that people in the Suburban or Urban areas are not using the weekly collection service, then those areas should not have the service either.

Councillor Mosher commented that the service should be offered throughout the municipality as it would encourage more people to compost. It is discrimination to not offer the same service.

Councillor Sloane suggested that the issue needs to be discussed at the community level as Council needs to hear from the people on this issue.

A vote was then taken on the motion as follows: **MOVED BY Councillor Walker, seconded by Councillor Adams that the Committee of the Whole endorse weekly summer green cart collection for all HRM and that further discussion on this matter be included as**

part of the budgetary process. MOTION PUT AND PASSED.

5. ADJOURNMENT

The meeting adjourned at 3:27 p.m.

Jan Gibson
Municipal Clerk