

**HALIFAX REGIONAL COUNCIL
COMMITTEE OF THE WHOLE
FEBRUARY 17, 1998**

PRESENT:

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

STAFF MEMBERS:

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

TABLE OF CONTENTS

1.	APPROVAL OF MINUTES - Jan 27 and Feb. 3/98	4
2.	APPROVAL OF ORDER OF BUSINESS & APPROVAL OF ADDITIONS AND DELETIONS	4
3.	BUSINESS ARISING OUT OF THE MINUTES	9
4.	CONSIDERATION OF DEFERRED BUSINESS	
4.1	FCM Request re Telecommunications: Access to Municipal Rights of Way	9
4.2	By-Law S-400, Respecting Charges for Street Improvements	10
4.3	Street Lights	12
4.4	Solid Waste/Resource Management Strategy: Condominium Collection	13
5.	REPORTS	
5.1	MEMBERS OF COUNCIL	
5.1.1	Councillor Blumenthal - Snow Clearing - Sidewalks Abutting Private Property - Enforcement of By-Law	13
5.2	HARBOUR EAST COMMUNITY COUNCIL	
5.2.1	Cole Harbour Place Expansion - Presentation - Mr. David Nantes	7
5.3	COMMUNITY COUNCILS	
5.3.1	Capital Projects - Allocation of Funds to Community Councils ..	14
5.4	MEMBERSHIP SELECTION COMMITTEE	
5.4.1	Appointments to Boards and Committees	15
5.5	CHIEF ADMINISTRATIVE OFFICER	
5.5.1	Real Property Management Program	16
5.5.2	Tabling of the 1998/99 Operating Budget	16
5.5.3	Tender #97-132-(One) 1998 Pumper/Tanker for Musquodoboit Harbour Fire Department	16
5.5.4	Scheduling of Public Hearings	16
5.5.5	Crosswalk Guard Contract Performance Review	16
5.5.6	Case 7437: MPS and LUB Amendments	16
5.5.7	Payment to Roman Catholic Episcopal Corporation	16
5.5.8	Acquisition of Spry Harbour Atoms Athletic Club, Spry Harbour	16
5.5.9	Pollution Control Charges as defined in By-Law S-100	16

6.	PRESENTATIONS	
6.1	Role of the Region in the Canadian Capital Cities Organization - Councillor Skead, City of Fredericton	8
6.2	Halifax Regional Search & Rescue - Brian Russell/Tony Rodgers	8
7.	ADDED ITEMS	16
8.	ADJOURNMENT	16

Councillor Hetherington advised that Councillor Snow was now officially a senior citizen and wished him Happy Birthday. Council responded with a round of applause.

At a later point in the meeting, Councillor Mitchell acknowledged the 125th Anniversary of the RCMP.

1. **APPROVAL OF MINUTES - January 27 and February 3, 1998**

MOVED by Councillors Greenough and Blumenthal to adopt the minutes of January 27 and February 3, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

2. **APPROVAL OF ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

The Municipal Clerk requested deletion of the following items:

- 4.1 Presentation - Greg Keating, President, Access Communications Inc.
- 4.4 Solid Waste/Resource Management Strategy: Condominium Collection.

It was agreed to discuss the following items next:

- 5.5.2 Tabling of 1998/98 Operating Budget;
- 5.2.1 Cole Harbour Expansion - Presentation, Mr. David Nantes;
- 6.1 Role of the Region - Canadian Capital Cities Organization
- 6.2 Halifax Regional Search & Rescue.

MOVED by Councillors Hetherington and Blumenthal to adopt the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5.5.2 **Tabling of the 1998/99 Operating Budget**

- A memorandum prepared for Mr. Ron Singer, Director of Finance, on the above-noted, was before Council.

Mr. Ken Meech, Chief Administrative Officer, addressed Council thanking members of staff for their input and dedication in preparing this proposed document which was before Council this evening.

The total Operating budget being proposed for 1998/99 is \$438.2 million, an increase of 5 percent (\$21 million) over last year's Operating Budget. A deficit of \$5 million, from 1997/98, has been provided for in this year's budget.

Those aspects that significantly affect this year's budget include:

- √increases in salary costs (due to removal of Wage Restraint);
- √debt servicing and solid waste (due to new Provincial environmental standards);
- √service exchange (Social Services, streets and roads);
- √loss of commercial assessment.

In order to deal with these costs, staff is proposing an increase in all general taxes in the 2 percent to 4 percent range, which equates to a 3 to 4 cent increase.

Mr. Meech referenced four large scale projects which were currently being undertaken:

- √Harbour Solution Project
- √Solid Waste implementation
- √Year 2000 Project
- √Integrated Financial System.

In order to correct the negative financial situation that the municipality is currently experiencing, Mr. Meech advised that a five year comprehensive financial plan is to be prepared. It is anticipated that the Activity Based Costing (ABC) project will assist in this endeavour.

In closing, Mr. Ron Singer, Director of Finance, was introduced to provide an overview of the highlights of the budget.

Mr. Singer commenced his presentation by also thanking his staff for their hard work and dedication in the preparation of the 1998/99 Operating Budget.

Highlights and Assumptions of this year's proposed Operating Budget include:

- No significant change in tax structure (tax increases ranging from 2 to 4 percent - commercial weighting factor will remain at 2:55 times the residential rate);
- Deed Transfer Tax projection increased by \$2.7 million ;
- Allowance for assessment appeals reduced **by** \$1 million to \$2 million. Actual 1997/98 projected amount to \$6 million;
- Increase bus and ferry fees by 5 cents effective April 1, 1998;
- Provision for salary and benefit increases of \$11.7 million;
- Debt Charges increased by \$8.1 million;
- Deficit of \$5 million projected for fiscal 1997/98;
- Solid Waste costs increase by \$5 million (net) due to transition to new strategy;
- Capital from revenue increase by \$2.6 million (1997/98 \$3.6 million) which will require adjustments to the 1998/99 Capital Budget (\$8.6 million reduced to \$6.2 million);
- Interest will be paid to the capital reserves amounting to \$1 million (no budget allocation within the approved 1997/98 budget);
- Projected \$3 million provincial transition grant;

- Aggressively sell surplus land and apply \$1.2 million to existing debt load;
- Final phase of Service Exchange - savings of \$2.1 million;
- School Board Funding assumes the 1997/98 amount of \$75.7 million; Mandatory portion is projected at \$58.7 million with the balance of \$17 million representing supplementary funding for the former Cities of Halifax and Dartmouth. It is assumed the mandatory rate (.39 cents) will be decrease as a result of province wide increased assessments;
- An increase in waste water charges to \$1.74 per 1000 gallons (from \$1.42 in 1997/98) to fund increased operating and future capital costs; and
- Side walk snow clearing will be discontinued in the urban core area.

The **Residential** rates being recommended for 1998/99 are:

Halifax	1.550
Dartmouth	1.516
Urban Core	1.409
Suburban	1.275
Rural	1.069
Fire Protection	0.038 (included in above rates)

The **Commercial** rates being recommended for 1998/99 are:

Halifax	3.979
Dartmouth	3.895
Urban Core	3.620
Suburban	3.524
Rural	2.954
Fire Protection	0.096 (included in above rates).

In conclusion, Mr. Singer reiterated the fact that HRM will be focusing on the following issues:

- √Development of a 5 year financial plan (Capital and Operating)
- √Completion of collective bargaining
- √Harbour Solution Project
- √Solid Waste Implementation
- √Year 2000 Project
- √Service Review and Activity Based Costing
- √Integrated Financial System.

Mayor Fitzgerald complimented staff on a well prepared presentation.

At the request of Councillor Hetherington, Mr. Singer advised that Council would be provided a copy of the overheads utilized during the presentation.

MOVED by Councillors Hetherington and Greenough that it be recommended to Council to table the proposed 1998/99 Operating Budget. MOTION PUT AND PASSED UNANIMOUSLY.

5.2 HARBOUR EAST COMMUNITY COUNCIL

5.2.1 Cole Harbour Expansion - Presentation - Mr. David Nantes

- A memorandum prepared for Councillor Cooper, Chair, Harbour East Community Council, on the above-noted, was before Council.

The proposal before Council was an expansion to Cole Harbour Place encompassing a lifestyle and preventive medicine centre. The municipality was being requested to provide \$1.5 million in financing, as it can access lower interest rates than the Board of Cole Harbour Place would be able to obtain. In turn, payments will be made to HRM, over a seventeen year period (principal and interest) to cover the full amount.

Mr. David Nantes, Board Chairman addressed Council, and through the use of overheads reviewed the proposal.

Mr. Nantes advised that approximately \$60,000 had been raised to date through the Bingo operation and strong community support. Further, it is not the Board's intent to approach the municipality to assist with operating costs.

In response to an enquiry from Councillor Stone if the individuals involved will be employed by Cole Harbour Place, Mr. Nantes advised there will be a combination. There will be Cole Harbour Place employees, and employees providing the various services offered through the Lifestyle and Preventive Medicine Centre. The latter will run independently of the other.

Mayor Fitzgerald thanked Mr. Nantes for his presentation.

MOVED by Councillors McInroy and Hetherington that it be recommended to Council to:

- (a) endorse the proposed expansion of Cole Harbour Place which will incorporate a lifestyle and preventive medicine centre; and**
- (b) approve a temporary borrowing resolution for \$1.5 million, which will be used to finance the Cole Harbour Place Board's expansion to Cole Harbour Place, at no cost to HRM. MOTION PUT AND PASSED UNANIMOUSLY.**

Mr. Nantes thanked Council for its support.

6. PRESENTATIONS

6.1 Role of the Region in the Canadian Capital Cities Organization -
Councillor Skead, City of Fredericton

- Information provided by Councillor Skead, on the above-noted, had been distributed earlier to Council.

Councillor Gordon Skead, City of Fredericton, reading from a prepared statement, addressed Council noting the Canadian Capital Cities Organization commenced in 1996, with a goal to creating stronger links between Canadian Capital Cities and exchanging information in nation building. In an effort to achieve these goals, the creation of a booklet referencing particular characteristics of each Capital City has been realized.

Councillor Skead requested Council to consider establishing a Standing Committee on Canadian Capital Cities, with representation from Heritage, Tourism and community leaders.

In response to a suggestion from Councillor Sarto that the booklet (distributed to Council) be made available at the Junior High level (as well as the elementary level), Councillor Skead advised this could be accommodated.

Mayor Fitzgerald thanked Councillor Skead for his presentation and suggested this matter be referred to staff for a report to be tabled with Council during the next Regular Session scheduled for February 24, 1998.

MOVED by Councillors Sarto and Schofield that it be recommended to Council to refer the matter of establishing a standing committee on Canadian Capital Cities Organizations, to staff (Community Services, and Priority and Planning), for a report, with said report to be tabled with Council during the Regular Session scheduled for Tuesday, February 24, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

6.2 Halifax Regional Search & Rescue - Brian Russell, Chief Director

- Information provided by the Halifax Regional Search and Rescue (HRS&R) had been earlier distributed to Council.

Mr. Brian Russell, Chief Director, addressed Council, and through the use of overheads (pictures of the facility and equipment), provided information on two issues which his association was currently facing:

- (a) condition of emergency vehicles
- (b) request for assistance from HRM regarding training centre.

Mayor Fitzgerald thanked Mr. Russell for his presentation.

Councillor Hendsbee suggested the organization requires essential core funding on a continuing basis rather than having to apply for a grant annually. Further, the Councillor understood that Mr. Barry Manuel, EMO Co-ordinator, would be discussing this further with the Chief Administrative Officer.

Councillor Snow suggested that Real Estate become involved in future discussions.

Mr. Ken Meech, Chief Administrative Officer, suggested that he and Commissioner Greene, Fire Services, would initiate discussions with Mr. Russell.

Councillor Harvey suggested the Cobequid Road site mentioned as a training centre would be an ideal location.

Councillor Dooks requested that staff not forget the Musquodoboit Valley and Eastern Shore Search and Rescue, in their discussions.

MOVED by Councillors Snow and Hendsbee that it be recommended to Council to refer the two concerns raised by the Halifax Regional Search and Rescue:

- (a) condition of emergency vehicles**
- (b) request for assistance from HRM regarding training centre**

to the Chief Administrative Officer and Commissioner of Fire Services, to initiate preliminary discussions, with Mr. Brian Russell, Chief Director. MOTION PUT AND PASSED UNANIMOUSLY.

3. **BUSINESS ARISING OUT OF THE MINUTES** - None

4. **CONSIDERATION OF DEFERRED BUSINESS**

4.1 **FCM Request re Telecommunications: Access to Municipal Rights of Way**

- A memorandum prepared for Ms. Val Spencer, Commissioner, Priority and Policy, on the above-noted, was before Council.

Councillor Stone advised that the industry would like an opportunity to become provide input on this issue.

MOVED by Councillors Stone and Barnet that it be recommended to Council to:

- (a) support the principles developed by FCM for telecommunications access to municipal rights of way;**
- (b) not provide financial support to FCM to assist in the costs of defending municipal rights before the CRTC;**
- (c) authorize staff to prepare an overall policy for municipal rights of way that incorporates telecommunications companies and other users such as electrical and gas distribution companies.**

In speaking to the Motion, Councillor Barnet requested that correspondence be forwarded to the FCM enquiring why costs involved to defend the municipal position in this regard, are not covered through FCM dues.

MOTION PUT AND PASSED UNANIMOUSLY.

4.2 By-Law S-400, Respecting Charges for Street Improvements

- A supplementary memorandum, prepared for Mr. George McLellan, Commissioner, Regional Operations, on the above-noted, was before Council.

By-Law S-400 received First Reading on January 27, 1998. Prior to recommending this by-law for Second Reading, however, there was a consensus to forward the draft by-law to a Committee of the Whole meeting, to provide an opportunity for Council to further discuss the by-law, and allow staff to address Council concerns. The supplementary report, dated February 3, 1998, addressed the concerns raised.

Councillor Stone agreed to move forward and advertise for Second Reading.

A lengthy discussion ensued on the \$14/foot of frontage to be charged for new asphalt paving. In response, Mr. Kulvinder Dhillon, Director, Engineering & Transportation Services, advised that Council had previously adopted a standard cost for betterment charges in 1997.

Councillor Walker expressed concern noting the frontage costs should be based on the tender bids.

Councillor Kelly suggested that Section 2(3)(b) should be amended to replace "may" with "shall." The Councillor suggested where an individual has no access to a highway, they should not pay for both sides of the street. In response, Mr. Ken Meech, Chief Administrative Officer, advised it may be more appropriate to leave the Section as currently worded as Council needs the discretion to determine if there is no physical barrier. The word "may" allows the property owner to disagree and provides an opportunity for Council to examine the situation.

Mr. Dhillon suggested additional information on this issue could be provided at Second Reading.

Councillor Kelly questioned the rate differential (between the Municipal Finance Corporation and the Bank Rate). In response, Mr. Dhillon stated further information on this aspect, could be provided.

In response to other queries raised by Council, Mr. Dhillon advised if a provision is included in the proposed by-law to permit Council to levy an area rate, rather than a unit charge, utilizing Schedule "A" for the recovery of betterment charges, then, amendments to this proposed by-law would have to be made, to deal with those specific cases where Council decides to levy an area rate. Further, a separate by-law is required for projects which are currently approved on the basis of area rates.

In response to an enquiry from Councillor Hendsbee on asphalt thickness, Mr. Dhillon advised this was a separate issue from that being currently discussed, but that this could be addressed in a separate report.

Councillor Barnet suggested this proposed by-law should be revisited, even though it has been given First Reading.

MOVED by Councillors Barnet and Walker to direct staff to develop an alternate approach to permit an individual rate for each project.

Councillor Stone stated that information on costs must be provided to abutters to enable them to make a decision as to whether they wish a project to move forward. To not follow this process will delay a project. Residents must know what the costs are prior to calling for tenders. This was the reasoning behind Council initially agreeing to this policy.

Councillor Greenough agreed with Councillor Stone noting this permits the municipality to advise abutters of costs involved, so they can determine their interest level.

Councillor Hanson expressed concern with the manner in which the discussions were proceeding this evening. The Councillor reminded those in attendance that Council requested staff to revisit the draft by-law, which they did. It was now time to recommend this by-law be advertised for Second Reading.

MOTION DEFEATED.

On the chipsealing matter, Councillor Snow stated he did not support this as it was simply a maintenance function. Mr. Dhillon responded by stating if Council wishes, there will be no chipsealing process.

In response to a suggestion from Councillor Harvey if there was a simpler way in which betterment charges could be paid, Mr. Wayne Anstey, Municipal Solicitor, advised that in order to do this, an amendment to the provincial legislation would be required. This would mean, that the frontage rates could be implemented by a resolution rather than a by-law.

Councillor Cooper suggested that chipsealing be removed from the by-law and that he cannot support the by-law in this form.

MOVED by Councillor Cooper that chipsealing be removed from the by-law.

Mr. Dhillon reminded Council they have already approved projects that include chipsealing.

Mr. Meech stated during last year's Capital Budget deliberations, Council agreed that the municipality could recover 50% of capital costs either through frontage charges or area rates.

As there was no seconder, the Motion was lost.

Councillors Hendsbee and Cooper requested clarification on street curves (corner lots), and how this would be addressed.

MOVED by Councillors Stone and Sarto, that it be recommended to Council that By-Law S-400 be advertised for Second Reading. MOTION PUT AND PASSED.

Following a ten minute recess, Council resumed at 8:40 p.m.

Councillor Uteck left the meeting at this point in time.

4.3 Street Lights

- A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, on the above-noted, was before Council.

Councillor Hendsbee requested an inventory of street lights in the municipality.

MOVED by Councillors Blumenthal and Cunningham to develop an agreement to include those streets that serve condominiums and co-ops on unrestricted residential roads; further, that this issue be revisited at the next Committee of the Whole scheduled for March 3, 1998. MOTION PUT AND PASSED.

Concern was raised by Councillor Schofield on the lights owned by the Department of Transportation and Public Works, on Victoria Road (at the intersection of Fairley &

Stevens) that were still not working. Staff agreed to contact the Province once again, with a "firmer" tone, to have the problem corrected.

In response to a comment from Councillor Dooks that a District Councillor should have the authority to install lights, Mr. George McLellan, Commissioner, Regional Operations, advised there are too many differences between the Districts to be able to offer this authority. Council was reminded, however, the role of the municipality is to reduce overall costs in this regard.

Councillor Adams requested legal staff review the HRM Act as reference was made in the staff report that under the Act, no services are provided on private roads. The Councillor challenged this statement.

Councillor Adams referenced lights that are not in working order but are being paid for by the municipality. The Councillor suggested Nova Scotia Power should provide the service for which the municipality is paying. The Councillor requested this matter be discussed between the Mayor and Councillor Schofield when they meet the following day.

4.4 Solid Waste/Resource Management Strategy: Condominium Collection

This item had been deleted from the agenda, at the commencement of the meeting.

5. REPORTS

5.1 MEMBERS OF COUNCIL

5.1.1 Councillor Blumenthal - Snow Clearing - Sidewalks Abutting Private Property - Enforcement of By-Law

- A memorandum prepared for Councillor Blumenthal, on the above-noted, was before Council.

Councillor Blumenthal expressed concern with the enforcement of snow clearing regulations as they pertain to sidewalks which abut private property. The Councillor stated that, often three days can go by without snow being cleared off sidewalks.

The Councillor requested that staff determine why the ticketing process was not being used in these cases. In response, Mr. Peter James, Co-ordinator, License and Firearms Section, Police Services, advised that staff will look into the matter.

Councillor Adams enquired if there was a subsidy offered for sidewalk snow removal in the Dartmouth area - in addition to their area rate - through the general rate. The

Councillor requested information as to costs for the municipality to offer sidewalk snow removal for all of HRM with the same subsidy, as offered through the general rate in Dartmouth.

Councillor Harvey enquired as to the amount required, to cover the cost of sidewalk snow removal, without "dipping" into the general rate.

Councillor Greenough stated it was important that the miles of sidewalk that are currently being plowed at the cost of the municipality, be identified.

5.2 HARBOUR EAST COMMUNITY COUNCIL

5.2.1 Cole Harbour Place Expansion

This item was discussed earlier.

5.3 COMMUNITY COUNCILS

5.3.1 Capital Projects - Allocation of Funds to Community Councils

- A memorandum prepared for five Community Councils, on the above-noted, was before Council.

The following amendments were made to the listing of projects:

District 3 - Councillor Hendsbee - project #2 - should read "East Chezzetcook Baseball Backstop."

District 6 - Councillor Greenough - the amount should read "\$43,500."

District 10 - Councillor Cunningham : (1) \$43,500 should be revised to read \$40,500
(2) \$3,000 should be allocated for Penhorn Drive near Alderney School

District 14 - Councillor Epstein - reference to District "13" should read "14."

Councillor Downey anticipated his District will be covered even though he is not part of a Community Council.

Councillor Dooks suggested that staff not get involved with studies which will impact negatively on District Allocations.

MOVED by Councillors Greenough and Mitchell that it be recommended to Council to approve the Community Councils' allocation of funds up to \$43,500

per District. **MOTION PUT AND PASSED.**

5.4 MEMBERSHIP SELECTION COMMITTEE

5.4.1 Appointments to Boards and Committees

- A memorandum prepared for Mayor Fitzgerald, on the above-noted, was before Council. Also, a membership listing for the Trade Centre Limited, and the Halifax Regional Water Commission, as well as a listing of Council Member appointments, were before Council.

Councillor Cunningham requested appointments to the Library Board be deferred for one week.

Councillor Kelly expressed concern over the entire process noting the distribution of Committee appointments was not carried out on an equal basis.

MOVED by Councillors Kelly and Mitchell to refer the entire Membership Appointment listing back to the Selection Committee for review.

Councillor Kelly enquired as to why it was being proposed that the Committee Advisory Committee be dissolved when it had not completed its mandate. Councillor Greenough advised that the Councillor was correct with his statement.

MOTION DEFEATED.

Councillor Barnet requested his name be removed from the Regional Taxi & Limousine Committee.

With respect to Councillor Barnet's comments on the Regional Development Agency, Councillor Hendsbee advised this Agency was being reorganized and that the requirement for political representation was to be removed.

Councillor Harvey suggested that the Summerfest Committee be added to the listing.

The Members agreed to bring the Selection Committee together to discuss the concerns raised by various Members of Council.

5.5 CHIEF ADMINISTRATIVE OFFICER

The following items were forwarded to Regional Council, from Committee of the Whole, without recommendation:

- 5.5.1 Real Property Management Program
 - 5.5.3 Tender #97-132 - One 1998 Pumper/Tanker for Musquodoboit Harbour Fire Department
 - 5.5.4 Scheduling of Public Hearings
 - 5.5.5 Crosswalk Guard Contract Performance Review
 - 5.5.6 Case 7436: MPS and LUB Amendments - Brunswick Comprehensive Development District - Setting of Public Hearing Date
 - 5.5.7 Payment to Roman Catholic Episcopal Corporation
 - 5.5.8 Acquisition of Spry Harbour Atoms Athletic Club, Spry Harbour
 - 5.5.9 Pollution Control Charges (as defined in By-Law S-100)
7. ADDED ITEMS - None

MOTION TO EXTEND THE MEETING

MOVED by Councillors Walker and Adams to extend the meeting past 10:00 p.m.
MOTION DEFEATED.

8. ADJOURNMENT

MOVED by Councillors Harvey and Blumenthal to adjourn the meeting at 10:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
MUNICIPAL CLERK