

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES**

**February 22, 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:**

**Mr. Dan English, A/Chief Administrative Officer  
Mr. Wayne Anstey, Solicitor  
Ms. Vi Carmichael, Municipal Clerk**

**Ms. Karen F. Swim, Recoding Secretary**

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1. The meeting was called to order at 6:00 p.m. with an invocation.

2. **APPROVAL OF MINUTES**

**Moved by Councillor Barnet, seconded by Councillor Mitchell that the Minutes from meetings of Halifax Regional Council held on January 24, January 31, and February 1, 1996 be approved as circulated. Motion carried.**

3. **APPROVAL OF THE ORDER OF BUSINESS**

The following items were proposed as additions to the agenda:

- (1) Third Reading - By-Law P-100 Respecting the Board of Police Commissioners (proposed by the Municipal Clerk as Agenda Item No. 8)
- (2) Workshop for Elected Officials - Dates (Proposed by Councillor Kelly as Agenda Item No. 9)
- (3) Natal Day (proposed by Councillor Stone as Agenda Item No. 10)
- (4) Building Inspection Function (proposed by Councillor Stone as Agenda Item No. 11)
- (5) Board of Management - Halifax County Rehabilitation Centre (proposed by Councillor Cooper as Agenda Item No. 12)
- (6) Regional Development Agency (proposed by Councillor Hendsbee as Agenda Item No. 13)
- (7) Lord's Prayer (proposed by Councillor Dooks as Agenda Item No. 14)

**Moved by Councillor Downey, seconded by Councillor Kelly that the agenda, as amended, be approved. Motion carried.**

4. **REPORTS**

**4.3.1 Commissioner of Community Services -  
Business Improvement District Commissions**

At the Chairman's request, it was generally agreed that the above-noted item would

be dealt with at this point in the meeting's agenda.

A report dated February 19, 1996 and entitled "Business Improvement District Commissions" was submitted from Mr. Dan English, Commissioner of Community Services.

A presentation was received from Mr. Chris Chisholm, Chairman of the Spring Garden Road BIDC, with regard to the February 19 report. Mr. Chisholm, joined by Ms. Janice Manders, Executive Director, Downtown Halifax BIDC and Mr. Richard Neima, Past President of the Downtown Dartmouth Development Corporation, responded to questions from various members of Council.

**Moved by Councillor Greenough, seconded by Councillor Downey that:**

- (1) HRM Community Services staff enter into negotiations with the existing three Business Improvement District Commissions to deliver, on behalf of HRM, business district development and promotion activities (this is dependent upon the three BIDC's taking the initiative to incorporate as independent bodies); and that**
- (2) HRM staff return the draft service agreements negotiated with the business district groups to Council for review and approval.**

**Motion carried.**

#### **4.1.1 Commissioner of Corporate Services - Presentation Re: Municipal Tax Structure**

A report dated February 19, 1996 and entitled "Municipal Tax Structure Conference - January 26-27, 1996" was submitted by Mr. Ron Singer, HRM Director of Finance.

Following a brief presentation concerning the issues raised during the recent Tax Structure Conference, Mr. Singer, joined by Mr. Larry Corrigan, Commissioner of Corporate Services, responded to questions from various members of Council.

Councillor Greenough commended Mr. Singer on his presentation and asked that Council be provided with copies of his presentation. Concurring with Councillor Greenough's request, Councillor Mitchell also suggested that those members of Council who had been unable to attend the January Conference be provided with comprehensive information packages for reference purposes.

Following a lengthy discussion, **it was moved by Councillor Greenough, seconded by Councillor Kelly that the February 19 report submitted by the Director of Finance be tabled. Motion carried.**

#### **4.1.2 Commissioner of Corporate Services - Interim Tax Billing**

A report dated February 16, 1996 and entitled "Interim Tax Billing" was submitted by Mr. Ron Singer, HRM Director of Finance.

**Moved by Councillor Schofield, seconded by Councillor Mitchell that:**

- (1) an interim tax billing be issued each year, with a due date of the last working day in April, except for fiscal 1996/97, which due date will not be later than May 31, 1996;**
- (2) the interim tax billing be 50% of the taxes levied in the previous taxation year; and that**
- (3) Crain-Drummond be awarded the contract to print and distribute approximately 93,000 tax bills at an estimated cost of \$14,889 (plus GST and postage)**

Responding to a question from Councillor Kelly, Mr. Singer advised that a recommendation regarding tax exemptions for single parents, senior citizens and other disadvantaged individuals will be prepared for Council's consideration in conjunction with the submission of the proposed budget. Mr. Singer went on to point out that, given the fact that such tax exemptions are not normally applied until the September billing, there is still ample time for Council debate on this subject.

With reference to a question from Councillor Harvey, Mr. Singer indicated that arrangements have been made with Crain-Drummond that all tax bills will carry a Halifax post mark.

In reference to concerns raised by Councillor Cooper over the difficulties experienced during the recent regional election with regard to appropriate mailing addresses, Mr. Singer advised that discussions are now underway between staff and Canada Post to ensure that these problems do not recur.

After some further discussion and questioning of staff, **the motion was put and passed.**

**4.1.3 Commissioner of Corporate Services -  
Interest on Overdue Taxes**

A report dated February 16, 1996 and entitled "Interest on Overdue Taxes" was submitted from Mr. Ron Singer, HRM Director of Finance.

**Moved by Councillor Barnet, seconded by Councillor Adams that:**

- (1) interest chargeable on overdue taxes be set at the rate of 4% above the prime rate as set from time to time by the Municipality's Bankers;**
- (2) interest be calculated on a single basis and applied daily; and that**
- (3) a thirty (30) day grace period be allowed on special billings.**

Responding to a question from Councillor Cooper, Mr. Singer advised that, in staff's opinion, an interest rate higher than prime must be imposed in order to encourage prompt payment of taxes and deter property owners from using the Region as their "bank". He went on to emphasize that interest is intended to be charged against the principal only.

In reference to a question put forward by Councillor Greenough, Mr. Corrigan advised that the existing municipal units use a variety of approaches to the charging of interest (e.g., the City of Halifax has a fixed rate of 15% while the City of Dartmouth and the Town of Bedford use a percentage above prime). On that basis, therefore, it is staff's opinion that a recommendation of prime plus 4% would represent an equitable approach to the problem.

Councillor Greenough expressed concern that the staff recommendation was somewhat exorbitant, and **moved an amendment to the motion, seconded by Councillor Hendsbee that the interest chargeable on overdue taxes be set at a rate of 3% above prime.**

Following a brief discussion, **the amendment was put and defeated.**

**A second amendment was proposed by Councillor Walker, seconded by Councillor Blumenthal that the interest chargeable on overdue taxes be set at 5% above prime. The amendment was put and defeated.**

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

**4.1.4 Commissioner of Corporate Services -  
Selection of Banker**

A report dated February 19, 1996 and entitled "Selection of Banker" was submitted by Mr. Larry Corrigan, Commissioner of Corporate Services.

Mr. Corrigan provided Council with a brief presentation which outlined the selection process used by HRM to select a banker and the criteria imposed. He then responded to questions from various members of Council.

**Moved by Councillor Sarto, seconded by Councillor Barnet that:**

- (1) the Royal Bank of Canada be appointed banker for Halifax Regional Municipality for a period of five (5) years; and that**
- (2) staff of HRM's Finance Department negotiate detailed terms of the contract, based on the RFP and the proposal received.**

**Motion carried.**

**4.2.1 Commissioner of Regional Operations -  
MIRROR NS - Work Plan: Phase 2**

A report dated February 19, 1996 and entitled "MIRROR NS: Work Plan - Phase 2 (February/March 1996)" was submitted by Mr. George McLellan, Commissioner of Regional Operations.

**Moved by Councillor Barnet, seconded by Councillor Cooper that Council approve the amended Work Plan, Phase 2, for February and March 1996, totalling \$824,000.00 submitted by MIRROR NS (and as outlined in the February 19 report) for design and testing works related to the residual disposal facility.**

Mr. Jim Bauld, HRM's Manager of Solid Waste, and Mr. Jim Donovan, representing the Halifax County Municipality, responded to questions from various members of Council pertaining to the nature of the work to be undertaken and the necessity for it to be commenced at this time.



Councillor Epstein made reference to the investigation of Site "A" previously approved by Council to be undertaken by the Nova Scotia Research Foundation, and called the expenditure of \$824,000 at this point in time "a gamble" which he could not support.

Responding to concerns put forward by Mayor Fitzgerald, Mr. David Nantes, representing MIRROR NS, advised that over the next three weeks (i.e., the time frame allotted the Nova Scotia Research Foundation to complete its review) he would estimate that the amount of work that could be accomplished on Site "A" would constitute roughly 25% of the total \$824,000.00.

**Moved by Councillor Blumenthal, seconded by Councillor Epstein that the matter be deferred for a one-week period until Council is provided with more detailed information concerning the nature of the work proposed for Phase 2. The motion to defer was put and defeated.**

Copies of information dated February 16, 1996 and entitled "MIRROR NS Proposed Budget for February/March 1996," which had previously been provided to members of Halifax County Council, were distributed.

**Moved by Councillor Uteck, seconded by Councillor Cooper that MIRROR NS be authorized to proceed with Phase 2 until such time as the results from the Nova Scotia Research Foundation are known and on the condition that no more than \$250,000 is expended. The motion was put and defeated.**

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

**NOTE:** A Notice of Motion of Reconsideration was subsequently introduced by Councillor Kelly (supported by Councillor Epstein) that at the next regular meeting of Halifax Regional Council, scheduled for Wednesday, February 28, the motion approved by Council on February 22 with regard to "MIRROR NS: Work Plan - Phase 2" is to be reconsidered; and further, that until that time, a stay of proceedings will be in effect.

#### **4.2.2 Commissioner of Community Services - Location of Halifax Regional Municipality Council Chamber**

A report dated February 16, 1996 and entitled "Location of Halifax Regional Municipality Council Chambers," was submitted from Mr. George McLellan, Commissioner of Regional Operations.

In the ensuing discussion, several members including Councillors Schofield , Greenough and Sarto expressed concern with regard to what they termed the "cursory" look that had been afforded the Dartmouth Council Chamber and its capacity to house the Regional Council. Councillor Sarto indicated that while he would support staff recommendation in principle (i.e., that Halifax City Hall should be selected as the future site of the Regional Council), he would appreciate receiving a more detailed estimate of the costs involved in renovating the Dartmouth Council Chamber for this purpose.

Councillor Kelly made reference to the expenditures that will be required by the Regional Municipality to prepare an adequate meeting place for its Council. He noted that the legislative chamber at Province House is vacant for lengthy periods of time throughout the year, and suggested that, in the spirit of good will, the Province may be encouraged to consider loaning its premises to Regional Council for its use.

**It was therefore moved by Councillor Kelly, seconded by Councillor Hendsbee that the matter be deferred until such time as a formal approach has been made to the Nova Scotia Legislature in this regard. The motion was put and defeated.**

Councillor Epstein indicated that while he concurred with the philosophy that the Regional Council should be housed at Halifax City Hall, he felt that the staff report made a number of assumptions as to the requirements of a renovated Chamber. As an example, the Councillor made reference to the proposal to extend the seating capacity of the public gallery, thereby necessitating that a portion of the building's Fourth Floor be used. It was Councillor Epstein's assertion that, if it was deemed essential to enlarge the gallery, efforts should be made to restrict it to the Third Floor, thereby realizing considerable cost savings.

Councillor Epstein also expressed concern that the report assumes a particular configuration of the Chamber itself, suggesting that a different yet effective arrangement may also result in savings. He indicated that he himself had been able to devise a rough design which, in his view, was workable but inexpensive, and strongly suggested that if an architect is hired for this project, he be asked to develop renovation plans based on what he considers to be the most reasonable in terms of cost.

Concurring with Councillor Epstein's thoughts regarding the expansion of the public gallery, Councillor Hendsbee suggested that an alternative may be to keep the size of the Halifax Council Chamber relatively in tact, but to equip adjacent rooms with television monitors so that members of the public unable to find seats in the Chamber itself could watch the proceedings in comfort.

Several members, including Councillors Barnet, Harvey, Mitchell and Cooper, indicated that, in their view, the County Council Chamber, which has been used by the Regional Council since early January, are extremely functional and could be continued to be used until such time as the Region is in a better position to consider expenditures of this nature. Councillor Cooper also noted that, while Halifax City Hall may appear to be the natural site for Regional Council, there are factors over and above those relating to the renovation of the Chamber (e.g., parking) which should also be considered. He went on to express the view that, in the interests of the Region's taxpayers, Council should take time to assess all the possibilities, rather than to make a hasty decision which focuses on only one site.

**Moved by Councillor Stone, seconded by Councillor Walker that Halifax Regional Council authorize the Chief Administrative Officer to appoint a well qualified and experienced firm of consulting architects to prepare detailed design proposals and firm estimated costs for internal alterations to Halifax City Hall, necessary to accommodate the needs of Halifax Regional Council under the following conditions:**

- (a) the fee for this work, including expenses, GST, and all applicable taxes is not to exceed \$10,000;**
- (b) the design proposals and estimated costs be submitted no later than two months after the appointment has been made; and that**
- (c) the location and design for the Regional Council Chamber be restricted to one floor only.**

**The motion was put and passed.**

#### **4.3.1 Commissioner of Community Services - Lake District Recreation Association (Management Agreement)**

A report dated February 19, 1996 and entitled "Lake District Recreation Association - Management Agreement" was submitted from Mr. Dan English, Commissioner of Community Services.

After some considerable discussion, **it was moved by Councillor Barnet, seconded by Councillor Kelly that:**

- (1) a request be made to the Lake District Recreation Association (LDRA) that the 30-day notice of termination with regard to their management**

agreement be waived; and further, that

- (2) if the above-noted request is refused, HRM, in accordance with the existing Management Agreement, give immediate notice to the LDRA of its intention to terminate the existing management agreement which was entered into in 1992 with the Municipality of Halifax County.

**Motion passed.**

#### **4.3.2 Commissioner of Community Services - Planning and Development Fees**

A report dated February 19, 1996 and entitled "Planning and Development Fees" was submitted from Mr. Dan English, Commissioner of Community Services.

**Moved by Councillor Kelly, seconded by Councillor Barnet that:**

- (1) the fee schedules which currently apply for Planning, Building and Development applications and permits be maintained at their present levels after April 1, 1996; and that
- (2) HRM Community Services staff be directed to work with the development industry, public, and other interested parties to produce a revised schedule of fees for the Municipality.

The motion was put and passed.

#### **5. PROPOSED ADMINISTRATIVE ORDER NUMBER ONE RESPECTING THE PROCEDURES OF COUNCIL**

Moved by Councillor Greenough, seconded by Councillor Sarto that Proposed Administrative Order Number One be tabled. Motion carried.

#### **6. MOTION - COUNCILLOR RANKIN**

Moved by Councillor Rankin, seconded by Councillor Barnet that:

- (1) a special committee of the Council be hereby established, to be known as the Solid Waste/Resource Advisory Committee;

- (2) the special committee be comprised of the Mayor and eight (8) members of the Council;
- (3) the Chair of the special committee will be selected by the Committee from among its members;
- (4) the mandate of the special committee will be to advise the Halifax Regional Council respecting solid waste management, including responsibility to receive reports and to keep the Council informed respecting all matters relating to the solid waste management program currently under development.

Councillor Cooper made reference to the public consultation process which has been used to date during the development of the waste management strategy, and expressed concern that a similar commitment to public participation was not evident in the motion.

**An amendment was therefore proposed by Councillor Cooper (and accepted by Councillors Rankin and Barnet, the mover and seconder of the original motion); namely, that the provision that "consultation with the public will be a mandatory component of the committee's decision-making process."**

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

The following eight members of Council indicated their willingness to serve on the Solid Waste/Resource Advisory Committee:

Councillor Rankin	Councillor Cooper
Councillor Barnet	Councillor Epstein
Councillor Blumenthal	Councillor Mitchell
Councillor Walker	Councillor Schofield

Councillor Rankin urged that a meeting of the Advisory Committee be arranged with Mr. George McLellan, Commissioner for Regional Operations, at the earliest possible opportunity (preferable prior to the February 28 meeting of Halifax Regional Council).

## **7. NOTICE OF MOTION - COUNCILLOR EPSTEIN**

Councillor Epstein gave Notice of Motion that at the next regular meeting of Halifax Regional Council (scheduled for Wednesday, February 28, 1996), he proposes to introduce a motion concerning a proposed Request for Proposals with regard to the

work outlined in the Draft Master Agreement (a copy of . Councillor Epstein's proposed motion was previously distributed to members of Council).

With reference to concerns put forward by Councillor Rankin, the Solicitor, Mr. Wayne Anstey, advised that Council will determine at its February 28 meeting whether, in its view, Councillor Epstein's motion actually constitutes a Motion of Rescission. In the interim, however, Mr. Anstey confirmed that the Councillor has observed the correct procedure for introducing a motion, whatever its ultimate consequences.

**8. THIRD READING - BY-LAW P-100 RESPECTING THE BOARD OF POLICE COMMISSIONERS**

**Moved by Councillor Sarto, seconded by Councillor Stone that Council give third reading to By-law P-100 Respecting the Board of Police Commissioners. Motion carried.**

**ADDED ITEMS**

**9. Workshop for Elected Officials - Dates (Councillor Kelly)**

Councillor Kelly made reference to a Workshop which had been scheduled for early March, and advised that, owing to other commitments, he would be unable to attend.

**ADJOURNMENT**

At 11:00 p.m. it was generally agreed that the meeting be adjourned and that the following matters be deferred to the next regular meeting of Halifax Regional Council scheduled for Wednesday, February 28, 1996:

- Natal Day (Councillor Schofield)
- Building Inspectors (Councillor Stone)
- Board of Management, Halifax County Rehabilitation Centre (Councillor Cooper)
- Regional Development Agency (Councillor Hendsbee)
- Lord's Prayer (Councillor Dooks)

**INFORMATION CIRCULATED**

The following information had been previously circulated to members of Council:

- Motion: January 30, 1996, Dartmouth City Council Re: Severance Pay for

Members of Council (Correspondence dated February 12, 1996)

- Nova Scotia Research Foundation - Terms of Reference (Information Report from the Commissioner of Regional Operations dated February 19, 1996)
- Service Levels and Standards (Information Report from the Commissioner of Regional Operations dated February 19, 1996)

**WALTER FITZGERALD MAYOR**

**RESPECTFULLY SUBMITTED BY: VI CARMICHAEL, MUNICIPAL CLERK**