

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES October 6, 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  
Sheila Fougere  
Russell Walker  
Bill Stone  
Stephen D. Adams  
Barry Barnet  
Bob Harvey  
Peter Kelly  
Jack Mitchell

REGRETS:

Councillor Ron Hanson

STAFF MEMBERS:

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

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**1. INVOCATION**

Mayor Fitzgerald called the meeting to order at 6:00 p.m.

**Acknowledgement**

At a later point in the meeting, Mayor Fitzgerald acknowledged the presence of Mr. and Mrs. Paul Norris of Edmonton. Mr. and Mrs. Norris are the parents of Mr. Dan Norris, Regional Heritage Coordinator, and Mr. Paul Norris is a former alderman of the City of Edmonton.

**2. PROCLAMATIONS**

**2.1 Mayor's National Initiative on Mental Health**

Mayor Fitzgerald proclaimed October 10, 1998 as World Mental Health Day.

**2.2 Autism/PDD Awareness Month - October**

Mayor Fitzgerald proclaimed the month of October 1998 as Autism/PDD Awareness Month.

**2.3 Co-operative Housing Day - October 14**

Mayor Fitzgerald proclaimed October 14, 1998 as Co-operative Housing Day.

At this time, Councillor Blumenthal expressed concern with the lack of attendance of paid Fire Services staff at a recent Fire Prevention Week event.

**Presentation - Communities In Bloom Award**

Mayor Fitzgerald displayed a national award which was presented to the Halifax Regional Municipality during the annual Communities in Bloom National Awards ceremonies held in Winnipeg last month. HRM won a four-star bloom rating for its general tidiness and recycling efforts. Mayor Fitzgerald congratulated Mr. Steve King, Manager, Parks and Natural Services, on the receipt of this award, and invited him to come forward and say a few words. Mr. King addressed Council describing the competition and acknowledging the efforts of those involved in HRM's participation.

3. **APPROVAL OF MINUTES - September 28, 1998**

**MOVED by Councillors Hetherington and Schofield that the minutes of September 28, 1998 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were requested to be added to the agenda:

- 12.1 Councillor Stone - Vandalism/Graffiti
- 12.2 Motion - Councillor Hanson's Absence
- 12.3 Councillor Kelly - Proposal: Focus '99, A Round Table Discussion
- 12.4 Councillor McInroy - Cole Harbour Heritage Park

The following item was requested to be deferred:

- 10.4.2 Tender 98-030 Purchase of Approx. 100 Sets of Self Contained Breathing Apparatus (SCBA) and Misc. Optional Equipment

The following items were requested to be placed on the October 13 agenda:

Councillor Adams - Government Road

Councillor Barnet - October 6/98 Information Item #5 Memorandum from Acting Director of Finance, dated October 1, 1998 re: Projected Debt for March 31, 1999

**MOVED by Councillors Hetherington and Blumenthal that the Order of Business be approved, as amended. MOTION PUT AND PASSED.**

5. **BUSINESS ARISING OUT OF THE MINUTES**

At this point in the meeting, Councillor Hendsbee clarified the motion adopted at the July 14, 1998 Regional Council meeting with respect to the 1998/99 Grant Recommendations, as there was some confusion as to the intent of the motion. Copies of amended Page 21 of the July 14, 1998 minutes were circulated to Council, confirming Council's action taken at that time.

Councillor Barnet brought to Council's attention, Page 8 of the September 28, 1998 Regional Council minutes where staff indicated to Council that the Work in Progress and Capital Debt was \$226 million. The projected Capital Debt for April 1, 1999 is

\$380 million. The Councillor expressed concern that the \$380 million may include amounts when projects cost less than the budgeted amount. Councillor Barnet stated Council needs a clear understanding of where HRM will be in terms of debt. The Councillor suggested Council can have more open discussion regarding this matter when this item is put on the regular agenda next week.

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 **Tender 98-253 Hyland Road, Sewer Renewal and New Paving (deferred Sept. 22/98)**

- This matter was deferred from the September 22, 1998 Council session, and was now before Council for consideration. The staff reported recommended the following: that Council award Tender No. 98-253, Hyland Road, Sewer Renewal and New Paving, to Dexter Construction Company Limited for the materials and services specified at the unit prices quoted for a revised Total Tender Price of \$62,331.15 and a Total Project Cost of \$71,681.00 with funding from the Capital Account Number as noted in the Budget Implications section of the staff report dated September 15, 1998.

Councillor Cunningham requested that Tender No. 98-253 be approved, as recommended by staff, with the exclusion of the paving, as the required number of residents were not willing to pay the improvement charges for the paving.

**MOVED by Councillors Cunningham and Hetherington that Council award Tender No. 98-253, Hyland Road, Sewer Renewal Only, to Dexter Construction Company Limited for the materials and services specified at the unit prices quoted with funding from the Capital Account Number as noted in the Budget Implications section of the staff report dated September 15, 1998.**

Councillor Walker suggested the policy of performing both sewer replacement and paving work at the same time needs to be examined in the future to avoid future costs. Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, clarified for this particular projects the two components were not overlapping.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2 Montague Road - Suburban Area Boundary (deferred Sept. 15/98)**

- This matter was deferred from the September 15, 1998 Regional Council meeting pending a staff report to allow Council to collectively examine the ramifications of this boundary change request for all of HRM.
- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding this matter was now before Council for consideration. The staff report recommended that the tax structure as set in the 1997/98 taxation year and applied in the subsequent taxation year 1998/99 remain unaltered.

**CONFLICT OF INTEREST**

Councillor Greenough declared a Conflict of Interest with respect to this matter, as one of the proponents is his brother-in-law, and removed himself from the discussion.

Councillor Cooper noted the following motion from the September 15, 1998 meeting of Regional Council was now back on the floor:

**MOVED by Councillors Cooper and Hendsbee that Halifax Regional Council include the area of Montague Road, including Gold Lane, Montague Gold Mines and Burnhope Drive in the Suburban Area Boundary.**

In response to questions from Councillor Kelly regarding the suburban rate, Mr. Reg Ridgley, Acting Director of Finance, stated the mapping used in the suburban rate was set during the 1997/98 tax structure. An urban and a rural rate were defined on a full suite of services and exclusion zones were determined for the suburban rate. Councillor Kelly inquired if staff is in the process of developing a policy or criteria for more fair and consistent tax rates for next year's budgetary consideration. Mr. Ridgley replied staff is not proposing to do this and it would require a change to the HRM Act. He stated some changes are being considered such as having commercial assessments to be able to pick up some area rates which cannot be done now. Mr. Ridgley noted on the alternatives in the report is to revisit the tax structure boundaries during the 1999/2000 budget.

Responding to a question from Councillor Kelly regarding Council's legal authority to change the tax rates and structure so set, Mr. Wayne Anstey, Municipal Solicitor, replied the tax rates already levied cannot be changed.

Councillor Barnet stated utilizing a reasonable distance to access services would accomplish a level of fairness with respect to the tax structure. The Councillor advised it is his intention to raise this next year during budget deliberations.

Councillor Stone stated this is not the time or place to debate the tax structure, and individual situations should not be discussed without looking at the tax structure collectively. The Councillor stated it was his understanding that the suburban tax rate was intended to be an interim measure and it was staff's intention that it would be phased out in five years and the areas would be reverted to full urban status.

Councillor Snow spoke in support of the motion stating it was an error that this area was not included in the suburban rate and the matter should be rectified. The Councillor noted correcting this situation does not involve a large amount of money, and Council should support the recommendation of the Community Council and the residents.

Councillor McInroy also spoke in support of the motion stating the matter was the result of a mistake in setting the suburban boundary.

Councillor Harvey stated if the proposed area has the same characteristics of the current suburban areas, it should be included. Mr. Ridgley replied the suburban areas were so designated based on concerns expressed by Council that certain areas should be excluded from the urban rate. Mr. Bruce Fisher, Budget Coordinator, stated staff arbitrarily chose the areas of the former Halifax County Municipality that did not pay for transit or sidewalks to be the candidates for suburban status. With respect to Montague Road, Mr. Fisher advised it did not meet this criteria and, therefore, was not included in the suburban boundary.

Deputy Mayor Rankin stated it is his recollection that Council set the tax structure policy and that there were no qualifications. The suburban policy was to include general communities that generally do not have transit, sidewalks, water and crosswalks. However, the Deputy Mayor noted this issue should be dealt with at a tax structure debate. With regards to the specific application currently before Council, Deputy Mayor Rankin stated he believes it fits the criteria of the general urban community.

Councillor Hendsbee spoke in support of the motion stating this is just a matter of a simple error. The Councillor noted the residents are not requesting a rebate, only that the issue be corrected for next year.



Councillor Cunningham expressed concern with the ramifications of passing this motion, noting there are probably a number of other communities in a similar situation. Mr. Meech stated it is his understanding that there other such communities who would then seek the same kind of treatment. Responding to a question from Councillor Cunningham regarding the indication given that a error was made by HRM by not including this area in the suburban boundary, Mr. Meech recalled on a number of occasions the boundaries were made very clear and to have a suburban rate was an ad hoc decision.

Councillor Hetherington suggested since there is a legal opinion that nothing can be done this year with respect to this matter, it should be deferred to the next tax structure debate.

**MOVED by Councillors Hetherington and Sarto that this matter be deferred to the next tax structure debate. MOTION PUT AND PASSED.**

**9. CORRESPONDENCE, PETITIONS**

**9.1 Correspondence**

**9.1.1 People's Resolution for a United Canada - Team Canada for Unity**

**MOVED by Councillors Hetherington and Blumenthal that:**

**Whereas the Halifax Regional Municipality believes that Canada is a country that is second to none, enriched by the presence of the Aboriginal peoples and their cultures, graced with the vitality of the English and French languages and gifted with the diversity of multiculturalism.**

**Whereas the Halifax Regional Municipality believes that all Canadians are equal and all Canadian provinces have the equality of status.**

**Whereas the Halifax Regional Municipality believes that Canada with existing Constitution and Charter of Rights and Freedoms offers all of its citizens and provinces an equal opportunity to prosper and flourish. This same Constitution has enabled and must continue to enable the Province of Quebec, a fundamental and valued partner of the Canadian confederation, the opportunity to promote and protect its culture, civil law tradition and French language.**

**Whereas the Halifax Regional Municipality recognizes the English and French languages, Canada's two official languages, as a fundamental and enriching part of our heritage as well as an unequivocally important part of its future AND that Canadians and their governments must endeavour, in a spirit of good faith, to ensure the vitality of these two official languages.**

**Whereas the Halifax Regional Municipality believes that Canadians and their governments must be committed to the protection and promotion of official language minority communities throughout Canada.**

**BE IT RESOLVED**

**That the Halifax Regional Municipality, in a spirit of friendship and unity, proudly adopt this "People's Resolution for a United Canada" and we hereby urge all Canadian municipalities to join us in this grassroots effort to resolve the issue of Canadian unity.**

**We, the people, call upon the Government of Canada (and all federal parties) as well as all provincial legislatures/assemblies (and all provincial parties) to join together with municipal governments, the level of government closest to the people, to ensure that all Canadians from all provinces are consulted on the issue of national unity.**

**We, the people, call upon the Government of Canada and all provincial legislatures/assemblies to ensure the continuance of a united Canada in accordance with the moral, political, legal and constitutional obligations of our nation.**

**We, the people, demand that the Government of Canada and all provincial legislatures/assemblies ensure that any future constitutional negotiations not lead to the breakup of our country.**

**That copies of this Resolution be sent to the Prime Minister of Canada and the Minister of Intergovernmental Affairs, and sent to the Premier of Quebec, Members of the National Assembly, Members of Parliament, all Provincial Legislatures, the Federation of Canadian Municipalities and all Provincial Municipal Associations. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2 Petitions**

**9.2.1 Councillor Sarto**

Councillor Sarto submitted a petition from residents of Cranberry Crescent which he requested be forwarded to the Board of Police Commissioners.

**10. REPORTS**

**10.1 MEMBER OF COUNCIL**

**10.1.1 Councillor Blumenthal - Outside Consultants**

Councillor Blumenthal expressed concern with the amount of money being spent on outside consultants. The Councillor suggested internal staff should be utilized more to save money. Councillor Blumenthal requested a staff report on the money spent this fiscal year on consultants and the use of consultants in the future.

**MOVED by Councillors Blumenthal and McInroy that a staff report be requested regarding the money spent this fiscal year on consultants and the use of consultants in the future.**

Councillor McInroy also expressed concern with the over utilization of outside consultants. The Councillor stated using internal HRM staff rather than consultants would result in savings to the Municipality.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 MEMBERSHIP SELECTION COMMITTEE**

**10.2.1 Representation on Regional Taxi & Limousine Committee**

- A staff report prepared for Mayor Fitzgerald regarding the above, was before Council for consideration.
- A chronology of events regarding By-Law T-105 Respecting a Regional Taxi and Limousine Committee was circulated to Council.

Councillor Adams noted although the Public Hearing portion of Second Reading of By-Law T-105 was closed, a decision still has to be made by Council.

**MOVED by Councillors Adams and Deputy Mayor Rankin that By-Law T-105 Respecting a Regional Taxi Limousine Committee receive Second Reading.**

Councillor Walker stated he could not support Second Reading until he receives information previously requested indicating that there are not over 400 members of the United Cab Drivers Association.

Councillor Cooper expressed concern with the Membership Selection Committee recommendation, stating not allowing any further appointments to the Regional Taxi and Limousine Committee will upset the balance of the Committee.

Councillor Walker expressed concern with dealing with Second Reading at this time as it was not an item on the agenda.

**MOVED by Councillors Greenough and Sarto that Second Reading of By-Law T-105 Respecting a Regional Taxi Limousine Committee be deferred. MOTION DEFEATED.**

The vote was then taken on Second Reading.

**MOTION PUT AND PASSED.**

**MOVED by Councillors Adams and Hetherington that By-Law T-105 Respecting a Regional Taxi Limousine Committee receive Third Reading. MOTION PUT AND PASSED.**

In response to a question from Councillor Walker, Mr. Anstey stated the composition of the Committee is as follows: 3 Councillors, 3 citizens, 4 taxi brokers, 4 taxi drivers, and 1 limousine driver.

**MOVED by Councillors Adams and Hetherington that the Regional Council decline UCDA's request to be appointed to the Taxi and Limousine Committee. There will be no further appointments made to this Committee until after the new By-Law governing all zones is completed. At that time, the composition of the Taxi and Limousine Committee will be considered with the view to replacing the 15 person Taxi and Limousine Committee with a small Committee to hear mainly appeals. MOTION PUT AND PASSED.**

### **10.3 REGIONAL HERITAGE ADVISORY COMMITTEE**

**10.3.1 Substantial Alteration: Carleton House, 1673-85 Argyle Street**

- A report from the Heritage Advisory Committee regarding the above was before Council for consideration.

**MOVED by Councillors Downey and Uteck that Council approve the Substantial Alteration application for Facade Alterations, Carleton Hotel, as presented to the Heritage Advisory Committee on August 26, 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3.2 Titanic Marker - Former Mayflower Curling Rink Site**

- A report from the Heritage Advisory Committee regarding the above was before Council for consideration.

**MOVED by Councillors Walker and Blumenthal that Council recognize the significance of the former Mayflower Curling Rink site with respect to the Titanic, and that this site be marked in some way. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4 CHIEF ADMINISTRATIVE OFFICER**

**10.4.1 Tender 98-278 Les Collins Avenue**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Hendsbee and Dooks that:**

- 1. Council approve Les Collins Avenue Upgrade as a Local Improvement Project and pre-approve funding from the 1999/2000 Capital Budget.**
- 2. Council award Tender No. 98-278, Les Collins Avenue Upgrade to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$282,704.50 and a Total Project Cost of \$325,110.00, with funding recovered 100% from the residents as per the Budget Implications Section of the staff report dated October 1, 1998.**
- 3. Council accept the road right-of-way for Les Collins Avenue.**

Councillor Hendsbee suggested that during future Capital Budget debates, Council should give consideration for a cost sharing opportunity with the residents of this street for the asphaltting of this road. The Councillor stated the residents would like to have the road built to a proper gravel standard this fall and be able to decide in the spring if they want to have it paved. If so, the residents hope there will be an opportunity for cost sharing of the asphalt with the Municipality.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4.2 Tender 98-030 Purchase of Approx. 100 Sets of Self Contained Breathing Apparatus (SCBA) and Misc. Optional Equipment**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

This matter was deferred during the Approval of the Order of Business.

**10.4.3 Tender 98-279 Graves Oakley Rugby Field**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Adams and Stone that Tender No. 98-279, Graves Oakley Rugby Field be awarded to Turf Masters Landscaping for materials and services listed at the unit prices quoted for a Total Tender Price of \$154,695.13, and a Total Project Cost of \$177,900.00, with funding authorized as per the Budget Implications Section of the staff report dated September 23, 1998.**

Councillor Harvey expressed concern with the lack of rugby facilities in Sackville and questioned where the proposed rugby field for this year will be located.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4.4 Tender 98-257 Alderney Landing - Interior Finishes**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Cunningham and Hetherington that Council award Tender No. 98-257, Interior Finishes, to Tag Enterprises Limited for materials and**

**services listed at the unit prices quoted for a Total Tender Price of \$500,734.15 and a Total Project Cost of \$575,850.00, with funding authorized as per the Budget Implications Section of the staff report dated October 2, 1998.**

In response to questions from Councillor Schofield, Mr. Michael Burns, Architect, stated the costs for the seating is not included in this Tender. Mr. Burns stated when the Tender for the seating was issued, the lowest tender received was scrutinized based on the tender requirements and was found to be substantially deficient.

Responding to a question from Councillor Schofield, Ms. Donna Davis-Lohnes, General Manager, Planning Services, stated funds have been budgeted for the tender before Council for approval. Alternative sources for funding for the other tenders are being explored through ACOA and the Department of Economic Renewal. Responses are anticipated by the end of October and which time staff will come back to Council with the results.

Councillor Barnet inquired how much money is needed to complete the project and what will happen if further funding is not provided. Ms. Davis-Lohnes replied there are alternatives for the membrane roof structure, such as an alternative design, if additional funding does not come through. Also, a consultant was hired last year to undertake a fundraising assessment to give staff some indication as to the realistic amounts of money that could be fund raised. Ms. Davis-Lohnes stated the cost to complete the project will be \$500,000. The total including the landscaping and membrane roof structure will be \$1.3 million. Ms. Davis-Lohnes noted when staff first brought this project to Council in November 1997, it was indicated there was not going to be sufficient funding to fully outfit the theatre. However, she noted approximately \$350,000 of structural work to accommodate lighting, catwalks, etc., has gone into the project, so more has been done than originally anticipated.

In response to comments made by Councillor McInroy, Ms. Davis-Lohnes stated the comment made by an HRM spokesperson in the newspaper today was referring to the original cost estimate for the project in 1995, which was based on very preliminary information. The added costs referred to in the staff report refer to the difference from a year ago when the budget was indicated to be \$5.6 million.

Councillor Stone inquired about the operating costs for this facility. Ms. Davis-Lohnes replied it is her understanding that HRM would look after these costs. Funding will need to be put in next year's Operating Budget for this facility. It has been projected that, for the first four years of operation, there will be a net operating deficit which will decline to year four. At that time, there will be a net operating surplus of \$9,000 which will increase each year thereafter.

Responding to a question from Councillor Blumenthal, Ms. Davis-Lohnes stated the cost for the fund raising assessment consultant was approximately \$10,000.

**MOTION PUT AND PASSED.**

**10.4.5 Signing Officers**

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Greenough and Blumenthal that:**

- 1. The list of signing officers for the HRM bank accounts be amended to remove the position of Commissioner of Corporate Services.**
- 2. The positions of Deputy Chief Administrative Officer of Corporate Services and Regional Operations and the Deputy Chief Administrative Officer of Community, Policy, Fire and Emergency Services be appointed as signing officers for banking purposes.**
- 3. The Manager of Treasury be replaced with the term “Treasurer.”**

Councillor Kelly inquired if these names are being added to the current signing officers which include the Mayor and Deputy Mayor. Mr. Ridgley replied in the affirmative.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4.6 Development of a Park and Parking Lot, Former Civic Hospital Site - 5970 University Avenue**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Uteck and Downey that Council:**

- 1. Award the contract for construction of the park and parking lot to Ocean Contractors for a total bid price of \$374,525.00 on behalf of HRM and the IWK Grade Health Center.**



2. **Authorize payment of costs from the HRM Sale of Land Account, not to exceed, \$25,000.000 for construction of the parking lot component of the project; and,**
3. **That Parcel B, as indicated on the site plan attached to the staff report dated September 28, 1998, measuring approximately 42,000 square feet, be conveyed to the IWK Grace Health Center, subject to the terms and conditions as indicated in the staff report for the amount of \$250,000.00. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.4.7 Development Charges**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above and entitled **Infrastructure Charge Legislation**, was circulated to Council for consideration.

**MOVED by Councillors Hetherington and Greenough that Council request the Province to enact an amendment to the Halifax Regional Municipality Act, presented as Attachment II to the staff report dated October 2, 1998, which would enable the Municipality to levy infrastructure charges on new developments to recover costs of infrastructure needed to service future development.**

Responding to a question from Councillor Cooper, Mr. Anstey stated payment of development charges will be required at the time of subdivision application. These charges may be based on expenses that occurred in the past, the present, or anticipated to be incurred in the future. However, past charges cannot go back beyond the date of the enactment of the by-law.

Councillor Cooper expressed concern with just receiving this report and suggested more time should be given for Council to review it.

**MOVED by Councillors Cooper and Sarto that this matter be deferred to the next meeting.**

Mr. Anstey expressed concern with delaying this issue, noting the Nova Scotia Legislature opens next week, and it was hoped these changes could be incorporated with the other changes being proposed. Mr. English noted the legislation currently before Council is not much different than what Council previously approved.

**MOTION DEFEATED.**

The main motion, as follows, was now back on the floor:

**MOVED by Councillors Hetherington and Greenough that Council request the Province to enact an amendment to the Halifax Regional Municipality Act, presented as Attachment II to the staff report dated October 2, 1998, which would enable the Municipality to levy infrastructure charges on new developments to recover costs of infrastructure needed to service future development.**

Responding to a question from Councillor Barnet, Mr. Anstey stated the wording of this legislation is very similar to that of the draft Municipal Government Act. Therefore, HRM will have the support of Municipal Affairs with respect to this version.

In response to a question from Councillor Hendsbee regarding Section 117A (10), Mr. Anstey stated if there is an agreement to defer infrastructure charges and they are not paid, they will represent a lien on the property. Any such agreement would be registered with the Registry of Deeds and anyone purchasing land in that subdivision would be aware that the agreement and charge existed.

Councillor Hendsbee inquired about the degree of public consultation with respect to this matter. Mr. Paul Morgan, Planner, advised that staff is proposing to meet with the private sector developers in the near future to obtain input as to a fair means of implementation.

Councillor Hendsbee suggested Council should meeting with Dr. John Hamm, Leader, Progressive Conservative Party of Nova Scotia, and the Progressive Conservative Caucus to discuss HRM issues to be put through the Nova Scotia Legislature. Mayor Fitzgerald noted an upcoming meeting with Dr. Hamm and Council is being planned.

Responding to a question from Councillor Kelly, Mr. Anstey stated it is his understanding that Municipal Affairs staff are not sure whether or not the new Municipal Government Act will proceed this fall. If it is passed into law, its effective date will not be until April 1, 1999. Therefore, any amendments HRM puts in place will be in effect from now until April 1, 1999.

Responding to an additional question from Councillor Kelly, Mr. Anstey stated Appendix A of the staff report was the previous version approved by Council. When this was sent to the Province, Item 4(e) was one of the areas with which the Province had concerns, as they believed it was too broad to take forward at this time and were not prepared to support it. As a result of this, it was removed. Councillor Kelly stated more strength and direction is needed so staff and the developers know what they are paying for all the way through. The Councillor stated the proposed amendment is too restrictive and

gives very little ability to recapture infrastructure costs. Councillor Kelly noted there is no provision for recreational and school needs. Mr. English stated adding schools and recreational facilities will put lot prices out of the market. He noted staff is satisfied with this amendment considering there was nothing in place in the past.

Councillor Greenough noted if Council supports this amendment now, it does not preclude it from being amended down the road to include some of the suggestions made by Councillor Kelly.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4.8 Nova Scotia Community Services - Rebuilding the System: A Discussion Paper**

- A staff report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for consideration.

**MOVED by Councillors Sarto and Hetherington that Regional Council endorse the Summary and Comments Report prepared by HRM staff, attached to the staff report dated October 1, 1998, for submission to the Nova Scotia Department of Community Services by October 30, 1998.**

Councillor McInroy expressed concern with the wording of the report and advised Council to be careful in identifying its concerns to the Province. The Councillor suggested Council should be providing comment to the Province on the issues on which they have been requested to comment. Councillor McInroy stated he was uncomfortable with forwarding the proposed document to the Province as a formal response from Council.

Deputy Mayor Rankin spoke on the service exchange program between HRM and the Province, and stated HRM is subsidizing Social Assistance levels, which is against the terms of this program. The Deputy Mayor suggested HRM should receive redress on the rent levels to the Housing Authority. He also stated if there are inadequate levels of income given to the social assistance clientele, HRM will be faced with increased demands on food banks, Metro Turning Point, etc.

Responding to a question from Mayor Fitzgerald, Ms. Barbara Nehiley, Principal, Societal Issues, Priority and Policy, stated it is clearly the responsibility of the Province to provide social assistance service. However, the Province is experiencing financial difficulty in meeting all of the needs. Ms. Nehiley stated it is important for the Province

to identify the impact the rebuilding of the system will have and who will be left out of that system.

Councillor Cooper expressed concern that the comments may not be strong enough with respect to the assumption by the Province of Social Services costs.

(Deputy Mayor Rankin assumed the Chair at 8:15 p.m.)

Councillor Barnet stated it is his understanding that social assistance recipients of the former County of Halifax Municipality have seen a significant increase in the amount of assistance they are receiving since the service exchange took place. With respect to staff's recommendation that a clear policy on the scope of community resource support is warranted, Councillor Barnet agreed.

Councillor McInroy reiterated his earlier comments that the document before Council should not be forwarded to the Province in its current form.

Councillor Hendsbee noted there were twenty social service agencies that received grants of \$115,000 from HRM this year. There were additional agencies that received tax concessions and reduced rents for municipal properties. Councillor Hendsbee agreed with Councillor Barnet that HRM needs to clearly show where its future direction should be with respect to Social Services.

**MOTION PUT AND PASSED.**

**MOVED by Councillors Barnet and Kelly that staff be directed to bring back to Council a clear policy on the scope of community resource support provided by HRM.**

Mr. Meech advised the Province has requested that HRM work with the Province in attempting to clarify what the respective roles will be in these areas, which is consistent with the motion on the floor.

Councillor Blumenthal stated any policy needs to be lenient enough to allow HRM to help these people.

**MOTION PUT AND PASSED.**

**RECESS**

A ten minute recess was taken at 8:35 p.m. The meeting resumed at 8:45 p.m.

**10.4.9 Major Recreation Complex Final Report (Burke/Oliver) - Presentations**

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

Mr. Dan English, Deputy Chief Administrative Officer, provided opening remarks regarding the Burke/Oliver Major Recreation Complex Final Report.

With the use of overheads, Mr. Bill Burke, Burke Oliver Consultants Ltd., presented the highlights of the Burke/Oliver report. Mr. Peter Bigelow, General Manager, Recreation Facilities, presented the staff report, noting staff is recommending that Council approve the Burke/Oliver report in principle, so staff can use the report as a guide or base to do short term and medium term indoor facility planning. Mr. Bigelow stated staff is proposing to work within the multi-year financial strategy framework to develop business cases and to bring this forward to Council at the appropriate time. He added staff must develop the capacity to realize these projects while minimizing the impact on debt and deficit. Currently, this is not possible under conventional municipal means without further eroding HRM's financial position. Mr. Bigelow stated through the next step being proposed by staff, staff will be able to provide Council with the information necessary to consider the impact of these projects on both social and financial goals of the Municipality.

Ms. Judith Hare, CEO, Halifax Regional Public Library, advised the report will be going to the Library Board on October 19, 1998 for review. Ms. Hare noted the strategic plan for the Library, which was an item on the Information Agenda, makes a very firm statement about the Board's belief in service equity. Ms. Hare stated the Burke/Oliver report recommendations tie in very nicely with the Library Board's strategic plan.

Responding to a question from Councillor Kelly, Mr. Bigelow stated the projects are listed in priority based on District needs. The business cases will be looking at other factors, such as sustainability, when projects are being put forward. With respect to time frames for developing criteria, Mr. Bigelow stated staff need to be ready to come back to Council at Capital Budget time with respect to financial obligations of HRM.

Councillor Stone inquired what the \$12.3 million for recreational facilities will include. Mr. Burke replied the major recreational centre will include a pool, fitness centre, multi-purpose room and will be tied into the library. Consideration could be given for other things such as municipal offices.

With respect to the Thomas Raddall Library at Northcliffe Pool, Councillor Stone noted this library is being relocated to an enhanced location.

**MOVED by Councillors Stone and Walker that Halifax Regional Council approve in principle the Major Recreation Complex Final Report to be used as a future planning tool for Recreation Facilities.**

Mr. English clarified that the business case analysis will be brought back to Council. If it can be demonstrated in the context of the multi-year financial strategy that costs can be offset by opening up capacity in other areas, the projects will be advanced. There is not an automatic assumption that the projects will be included in next year's Capital Budget.

Responding to a question from Councillor Schofield, Ms. Hare stated the Library Board is aware a branch is very much needed in Tantallon and this does not change regardless of other building plans.

Councillor Downey expressed concern regarding rumours the Centennial Pool will be closed. The Councillor noted this is the only Olympic size pool in the Municipality.

Councillor Hendsbee stated he would like to see the Eastern Region assessment done in a similar fashion. The Councillor inquired if there is a time frame for any of these further reports to come to Council. Mr. Bigelow replied there are other studies underway and will come forward as they are ready. It is his understanding there is some work being done on the Home for Coloured Children lands and other needs assessment work in other areas of the Municipality.

Responding to a question from Councillor Cooper, Mr. English stated there would be help required in the initial stages of operation of a major recreational facility in terms of providing a subsidy. The long term goal would be to enter into a partnership with a non-profit group which would take over responsibility of managing the facility, without subsidy.

Councillor Mitchell and Deputy Mayor Rankin spoke in support of the report, commending staff and the consultants.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - None**

**12. ADDED ITEMS**

**12.1 Councillor Stone - Vandalism/Graffiti**

Councillor Stone referenced a recent newspaper article profiling an individual who has been creating graffiti, particularly in the downtown area. The Councillor expressed concern that there is no enforcement of this activity. He reported the article stated this individual spends his time at night spraypainting various walls, buildings, mailboxes, street signs, benches and bus shelters across the Municipality. Councillor Stone noted he is not sure it is just this one person doing all the graffiti, but suggested graffiti attracts graffiti, and it adds to property damage.

Councillor Stone requested a staff report to investigate the person or persons doing this graffiti, what enforcement can take place, as well as the costs related to this type of activity.

Councillor Hendsbee suggested the work is more like urban street art than graffiti, and suggested the individual could refocus his energies towards problems elsewhere such as unsightly premises.

Councillor Barnett stated this problem occurs throughout the Municipality and suggested staff should investigate the use of anti-graffiti spray which can be used as a defence against this type of vandalism.

**MOVED by Councillors Stone and Blumenthal that this matter be referred to staff for a report. MOTION PUT AND PASSED.**

**12.2 Motion - Councillor Hanson's Absence**

**MOVED by Councillors Stone and Walker that Councillor Hanson be granted a leave of absence for as much time as required to recuperate. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3 Councillor Kelly - Proposal: Focus '99, A Round Table Discussion**

**MOVED by Councillors Kelly and Adams that Council work with the communities with respect to holding a Focus '99, A Round Table Discussion, with respect to addressing the following three serious issues:**

- 1. Assistance from the Province in recognition that their plan forced on the citizens did not work to deliver the benefits promised.**
- 2. Municipal politicians need to work with all stakeholders to find the best ways to work ourselves out of this crisis. This means getting the support**

of taxpayers and those who use essential municipal services. And, municipal politicians will need to make the right decisions, not the convenient decisions.

- 3. Municipal administration lacks accountability. We must obtain the most competent senior level public administrative advice and services. Competent people must get a handle on our revenues and expenditures, and learn what the real picture is and help guide us to options for the future. This can best be achieved by obtaining the services of an internationally recognized management consulting firm to guide the Municipality and its stakeholders through the hard decisions ahead.**

With respect to obtaining information from the communities, Councillor Barnet suggested there is nothing to preclude any Councillor from doing this in his/her own District. The Councillor noted the Expanded Audit Committee is meeting regularly to look at issues surrounding the Municipality's financial problems. He suggested it may be more appropriate to continue on the course the Municipality is currently following to deal with this situation.

Councillors Greenough and Blumenthal stated although Councillor Kelly's idea is a good one, a more immediate action is required at this time. Councillor Uteck noted Councillor Kelly's suggestion is for next year.

Councillor Hendsbee noted the Municipality is on target on with most budgets, but there are a few areas that need work.

Councillor Harvey stated he had no problem in the general principle of the motion, but expressed concern with the wording, in particular, with the use of the word "crisis". The Councillor suggested the residents' input could be obtained through the Community Councils.

In closing the debate, Councillor Kelly stated his proposal is intended to complement what is currently being done to address the financial problem.

#### **MOTION DEFEATED.**

**MOVED by Councillors Greenough and Schofield that Council authorize the Chief Administrative Officer and staff to identify budget cuts required to address the \$19.2 million projected deficit, and that the proposed cuts to be made be brought to a future meeting of Council for approval; further, that the Chief Administrative Officer involve the Program and Service Review Committee in developing these necessary cuts.**



Councillor Adams suggested different budget cut scenarios should be provided and proposed the following amendment:

**MOVED by Councillors Adams and Hendsbee that the motion be amended to include \$22 million and \$24 million deficit scenarios as well as the \$19.2 million projected deficit. MOTION PUT AND PASSED.**

The vote was then taken on the main motion, as amended, which read as follows:

**MOVED by Councillors Greenough and Schofield that Council authorize the Chief Administrative Officer and staff to identify budget cuts required to address the \$19.2 million projected deficit, as well as \$22 and \$24 million deficit scenarios, and that the proposed cuts to be made be brought to a future meeting of Council for approval; further, that the Chief Administrative Officer involve the Program and Service Review Committee in developing these necessary cuts. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **12.4 Councillor McInroy - Cole Harbour Heritage Park**

Councillor McInroy expressed concern with hunting in an area being used as a public park in Cole Harbour. The Councillor stated the park's use was expanded this summer by a project of the Nova Scotia Youth Corps which created new walking trails and vistas. Councillor McInroy stated hunting continues in this park and the potential for tragedy is heightening. Councillor McInroy suggested designation would ensure hunting restrictions will be applied to this park. The Councillor noted Council has requested in the past that the Province designate this park, but due to the increased use of the park, he requested a letter be sent to the Minister of Natural Resources requesting that the heritage park designation be put in place as soon as possible.

**MOVED by Councillors McInroy and Hendsbee that a letter be sent to the Minister of Natural Resources requesting that the promised heritage park designation be put in place as soon as possible.**

Councillor Hendsbee requested a staff report with respect to hunting in the suburban areas of the Municipality. The Councillor stated staff has the technology to take a map of the area and show what areas should be restricted from hunting based on setback requirements from public places.

Councillor Adams requested a staff report obtaining information from the Department of Lands and Forests regarding the legality of setting traps within the limits of HRM.

**MOTION PUT AND PASSED UNANIMOUSLY.**

13. **NOTICES OF MOTION - None**

14. **ADJOURNMENT**

**MOVED by Councillors Snow and Blumenthal that the meeeting adjourn at 10:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
Municipal Clerk