

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES JUNE 30, 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
Ron Hanson
Barry Barnet
Bob Harvey
Peter Kelly
Jack Mitchell

REGRETS

Councillor Stephen Adams

STAFF MEMBERS:

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

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1. INVOCATION

Mayor Fitzgerald called the meeting to order at 1 p.m.

2. SWEARING IN CEREMONY

The Honourable Judge Corrine E. Sparks administered the Oath of Office to Councillor - Elect Sheila Fougere, representing District 14 (Connaught-Quinpool), on Halifax Regional Council.

MOVED by Councillors Fougere and Blumenthal to recess to 2 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

3. PROCLAMATIONS - NONE**4. APPROVAL OF MINUTES - June 16 (Regular) and June 23 (Special), 1998**

MOVED by Councillors Blumenthal and Schofield to adopt the minutes of June 16, 1998 (Regular), and June 23, 1998 (Special). MOTION PUT AND PASSED UNANIMOUSLY.

5. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

At the request of Councillor Hendsbee, agenda item #10.1 - Canada Day Activities - Council agreed to hear a presentation by Ms. Carol Dobson after agenda item #8.

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

6. BUSINESS ARISING OUT OF THE MINUTES - NONE**7. MOTIONS OF RECONSIDERATION - NONE****8. MOTIONS OF RESCISSION - NONE****10. REPORTS****10.1 Canada Day Activities - Carol Dobson**

Ms. Dobson addressed Council reviewing the activities planned for Canada Day.

9. CONSIDERATION OF DEFERRED BUSINESS**9.1 Council Decision on Second Reading of By-Law T-201 Respecting Tax Exemptions**

C A memorandum prepared for Councillor Hendsbee on the above-noted, was before Council. A memorandum prepared for Mr. Ken Meech, Chief Administrative Officer, entitled "Provincially Funded Agencies" was also before Council.

MOVED by Councillors Hendsbee and Walker to give Second Reading to By-Law T-201 Respecting Tax Exemptions.

A brief discussion ensued with staff agreeing to delete "Mic Mac Amateur Athletic Club" from "1998, Schedule 9: At Fifty Per Cent (50%) of the Residential Rate."

Councillor Cunningham expressed concern with the Mic Mac Amateur Athletic Club being treated at the 50 percent level (under Schedule 15) suggesting it should be at the 85 percent level.

MOVED by Councillors Cunningham and Greenough that Mic Mac Amateur Athletic Club be treated at the 85 percent level for 1999. MOTION DEFEATED.

Councillor Dooks expressed concern that four lodges, within District One, were being treated at the residential rate and requested these be exempted - 100 percent. In response, Ms. Barb Nehiley, Principal, Societal Issues, advised that many masonic lodges were exempted at the residential rate in an attempt to bring all into line.

MOVED by Councillors Dooks and Kelly to exempt the four lodges at 100 percent.

Councillor Dooks enquired if the Committee could investigate this aspect further and review the function of these lodges.

MOTION DEFEATED.

Councillor Schofield suggested housing groups be discussed at the Housing Committee level, as well as the Province.

Various Members of Council thanked the Grants Committee on a job well done.

A vote on Second Reading took place. **MOTION PUT AND PASSED UNANIMOUSLY.**

MOVED by Councillors Hendsbee and Hetherington to give Third Reading to By-Law T-201 Respecting Tax Exemptions. MOTION PUT AND PASSED.

MOVED by Councillors Blumenthal and Hetherington to exclude long term care/nursing home facilities from the tax exemption By-Law T-201 to allow staff to review the status for all similar facilities in HRM and bring forth a recommendation that provides: equitable treatment; rational, cost effective approaches; and outlines the implications for HRM. MOTION PUT AND PASSED.

Councillor Uteck left the meeting at this point in time.

9.2 Council Decision on Second Reading of By-Law D-100 Respecting Dogs

C The information pertaining to the above had been previously circulated on June 16, 1998. Copies of correspondence from Mr. William Lawrence was also distributed to Council.

MOVED by Councillors Hendsbee and Snow to give Second Reading to By-Law D-100 Respecting Dogs.

A brief discussion ensued with Councillor Kelly suggesting the words “or in use” being inserted at the end of Section 11(3)(e).

MOVED by Councillors Kelly and Schofield to amend the by-law to insert the words “or in use” at the end of Section 11(3)(e). MOTION PUT AND PASSED.

A brief discussion ensued on educating the public on the enforcement aspect of the by-law.

Councillor Sarto referenced ballfields adjacent to elementary schools, noting these are travelled extensively by children walking back and forth to school. The Councillor enquired if fields adjacent to elementary schools could have signs posted in terms of not permitting dogs to run at large. Mr. Peter James, By-Law Enforcement Officer, advised that contact could be made with Mr. Stephen King, Parks and Natural Services, in this regard.

In response to an enquiry from Councillor Hetherington as to who would determine which parks should be designated as prohibitive to dogs, Councillor Hendsbee, Chair, Animal Registration Committee, suggested this could be dealt with through the Parks By-Law, and Community Councils.

Councillor Fougere referenced Section 13(1) noting there was a typo and that “unsprayed” should read “unspayed.” Further, the Councillor suggested the term “leash” should be removed from the by-law as the term equates to safety, which, in her opinion, was a misnomer.

Councillor Dooks suggested Dog Constables should be given the responsibility of policing this by-law and collect all fines and fees. The Councillor advised he would bring this

suggestion forward at a later date.

Deputy Mayor Rankin assumed the Chair (3:00 p.m.).

Councillor Dooks suggested that Deputies be provided with a listing of those individuals who have already paid their fee, prior to going door to door.

Councillor Hetherington suggested a "fact sheet" on the Dog By-Law should be developed and distributed through water and power bills.

Various Members of Council complimented the Animal Registration Committee, on a job well done.

Mayor Fitzgerald assumed the Chair (3:25 p.m.).

A vote on Second Reading took place. **MOTION PUT AND PASSED.**

MOVED by Councillors Hendsbee and Snow to give Third Reading to By-Law D-100 Respecting Dogs. MOTION PUT AND PASSED.

9.3 Emergency Services in the Musquodoboit Valley

C A presentation by Mr. Brooke Taylor, MLA, had taken place on June 23, 1998. Debate had been referred to this date.

Councillor Dooks addressed the issue reminding Council that an ambulance was required at the Musquodoboit Memorial Hospital, requesting that Council correspond with the Province, advising of same.

MOVED by Councillors Dooks and Blumenthal that correspondence be forwarded to the Province, supporting a request for the placement of an ambulance at the Musquodoboit Memorial Hospital. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 Canada Day Activities - Carol Dobson

This item was dealt with earlier in the meeting (see page 4).

10.2 COMMITTEE OF THE WHOLE (June 23,1998)

10.2.1 Report from Marine Drive, Valley & Canal Community Council - Les Collins Road - District 3

MOVED by Councillors Hendsbee and Dooks as recommended by the Committee of the Whole, to refer this matter to staff for a report. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 **Halifax Regional Development Agency**

MOVED by Councillors Hendsbee and Dooks as recommended by the Committee of the Whole, that at this time it does not appear necessary that the HRDA provide services to the urban core. Staff will continue to work with the Association to determine the need and approach to facilitating community economic development in the urban core. Further, to support changes to the Association's by-laws, particularly the amendment which changes the status of Municipal Councillors from voting members, to ex-officio or non-voting directorship. **MOTION PUT AND PASSED.**

10.2.3 **Tender #98-203, North St., Outfall Consolidation, Dartmouth**

MOVED by Councillors Cunningham and Greenough as recommended by the Committee of the Whole to:

- a) award Tender No. 98-203 - North Street Outfall Consolidation, Dartmouth, to Amber Contracting Limited for materials and services listed at the unit and lump sum prices quoted for a Total Tender Price of \$418,370 and a Total Construction Project Cost of \$481,125 with funding authorized as per the Budget Implications section of the staff report dated June 17, 1998.

- b) approve the appointment of SGE Group Inc., for supervision and project management services during construction at an estimated cost of \$40,000 and with funding authorized as per the Budget Implications section of the staff report dated June 17, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.4 **Tender #98-358, Trunk #2, Paving Renewal, Central Region**

MOVED by Councillors Snow and Cooper as recommended by the Committee of the Whole to award Tender No. 98-358 to Basin Contracting Limited for Option "A" full depth reclamation, for materials and services specified at the unit prices quoted for a total tender price of \$229,913.75 and a total project cost of \$252,000.00 with funding from the approved Capital Account number noted in the Budget Implications section of the staff report dated June 10, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.5 Tender #98-359, Windsor Junction Road Reconstruction

MOVED by Councillors Snow and Hetherington as recommended by the Committee of the Whole to award Tender #98-359, Windsor Junction Road Reconstruction, to Dexter Construction Co. Ltd. at a tender price of \$356,270.00 and a total project cost of \$409,710.00 with funding to be made available as noted in the Budget Implications section of the staff report dated June 9, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.6 Tender #98-387 - Purchase of 16 Life Rafts

MOVED by Councillors Cunningham and Blumenthal as recommended by the Committee of the Whole to award Tender 98-387 to Sea Pro Services as the lowest bidder meeting specifications. Cost per unit is \$6,800 with a rebate of \$1,500 for each raft that is being declared surplus, for a total cost of \$84,000. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.7 GoTime Upgrade Project Funding

C A Supplementary Report, prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Sarto and Greenough as recommended by the Committee of the Whole to authorize the transfer of \$647,177 from Capital Project Number 02-95115 to the GoTime Upgrade Project number 02-97801. **MOTION PUT AND PASSED.**

10.2.8 Settlement of Expropriation, Parcel X-11, 3636 Dutch Village Road

MOVED by Councillors Walker and Stone as recommended by the Committee of the Whole that Wayne and Thelma Wood be compensated \$6,000 as settlement, in full, plus any additional taxes or closing adjustments that may be applicable for the expropriation of Parcel X-11, 3636 Dutch Village Road, as shown on Plan No. TT-52-32828. Funds are available in the account for the project, the Titus Street Upgrading Project, Account 02-97921. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.9 Dingle Tower - Sir Sanford Fleming Park

MOVED by Councillors Hanson and Mitchell as recommended by the Committee of the Whole to approve a phased program, starting in 1998, to repair and restore the Dingle Tower with an initial commitment of \$135,000, funded by transfers from projects #91211 (\$16,000), #97312 (\$70,000), #91342 (\$25,000) and #91339 (\$24,000). **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.10 Sidewalk Upgrading - Pinegrove Drive - Halifax

MOVED by Councillors Blumenthal and Hanson as recommended by the Committee of the Whole to approve additional Local Improvement Charges in the amount of \$5.33 per foot per side as a frontage charge against the properties on Pinegrove Drive and relating to the replacement of the existing asphalt sidewalk with new concrete sidewalk and as outlined in the staff report dated June 10, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.11 Water Service Extension Upper Hammonds Plains

MOVED by Councillors Cooper and Hetherington as recommended by the Committee of the Whole to approve borrowing \$350,000 for the Hammonds Plains Water project from water service reserve funds with the understanding that when appropriate works are undertaken these reserves will be reimbursed. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.12 Beechville - Lakeside-Timberlea Community Centre Renovations

MOVED by Deputy Mayor Rankin and Mitchell as recommended by the Committee of the Whole to approve \$60,000 from the Capital Surplus Reserve Fund to augment the \$50,000 in approved funding from the Federal/Provincial Infrastructure Program for capital improvements to the Beechville/Lakeside/Timberlea Community Centre as outlined in the 1998-99 Capital Budget. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.13 Correspondence - Canoe '97 - Commemorative Plaque

MOVED by Councillors Cunningham and Schofield as recommended by the Committee of the Whole to authorize the Halifax Foundation to place a 42" x 36" bronze plaque on a natural granite base on HRM land adjacent to the gazebo site on Prince Albert road, Lake Banook. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.14 Tender 97-380 - Eastern Passage Field House

MOVED by Councillors Cooper and Greenough as recommended by the Committee of the Whole to approve funding as per the Budget Implications section of the staff report dated June 23, 1998 and award Tender No. 97-380 Eastern Passage Field House Construction to Tag Enterprises for materials and services listed at unit and lump sum prices quoted for a total tender price of \$109,261.50. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.15 Councillor Adams - Petition - Circle Drive Paving

MOVED by Councillors Mitchell and Hanson as recommended by the Committee of the Whole to forward a petition on Circle Drive Paving, to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.16 Councillor Adams - Absence from Council

MOVED by Councillors Hanson and Stone as recommended by the Committee of the Whole to grant Councillor Adams a Leave of Absence from three consecutive Regular Meetings of Council (May 26, June 16 and June 30, 1998). MOTION PUT AND PASSED UNANIMOUSLY.

10.2.17 Councillor Adams - Titanic Grave Site

MOVED by Councillors Blumenthal and Hetherington as recommended by the Committee of the Whole to forward the matter of Titanic Grave Site Markers to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.18 Councillor McInroy - Bissett Road Landfill - NSDOE Environment Act

MOVED by Councillors Greenough and Kelly as recommended by the Committee of the Whole that an expanded supplementary staff report be prepared. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.19 Land Matter - #7 Highway

MOVED by Councillors Hendsbee and Cooper to ratify the decision made In Camera (Land Matter - #7 Highway). MOTION PUT AND PASSED UNANIMOUSLY.

10.2.20 Legal Matter - Sable Gas Committee

MOVED by Councillors Hetherington and Sarto to ratify the decision made In Camera (Legal Matter - Sable Gas Committee). MOTION PUT AND PASSED UNANIMOUSLY.

CONFLICT OF INTEREST

Councillor Downey declared a Conflict of Interest on "Land Matter - Potential Parkland" and removed himself from the discussions, as he was on the Board of the Jefferson Estate.

10.2.21 Land Matter - Potential Parkland

MOVED by Councillors Snow and Hendsbee to ratify the decision made In Camera (Land Matter - Potential Parkland). MOTION PUT AND PASSED.

Councillor Downey resumed his place at the meeting.

10.3 CHIEF ADMINISTRATIVE OFFICER**CONFLICT OF INTEREST**

Councillor McInroy declared a Conflict of Interest on By-Law T-500 Respecting the Collection of Taxes and removed himself from discussions, as he was employed by the Provincial Assessment Department.

10.3.1 First Reading By-Law T-500 Respecting the Collection of Taxes

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Councillors Sarto and Blumenthal that Maritime Bailiff Services be appointed to serve warrants for outstanding business occupancy taxes, such appointment to expire on the first meeting of the Council elected in the year 2000; further, that First Reading to By-Law T-500, Respecting the Collection of Taxes be given. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor McInroy resumed his place at the meeting.

10.3.2 First Reading to Amend By-Law R-200 Respecting Road Improvement Taxes

C A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

MOVED by Deputy Mayor Rankin and Councillor Mitchell to give First Reading to By-Law Number R-200, Respecting Road Improvement Charges - Greenwood Heights/Maplewood Subdivision. MOTION PUT AND PASSED.

10.3.3 Approval of Area Rates

C A memorandum prepared for Mr. Dan English, Deputy Chief Administrative Officer, on the above-noted, was before Council. Also, correspondence from Mr. David Gray, Director of Finance, HRSB, on the above-noted, was before Council, outlining a summary of 1998-99 supplementary education funding expenditures.

It was agreed to discuss agenda item #10.3.3 - Halifax Regional School Board - Supplementary Education Funding - at this point in the meeting.

Information pertaining to an amendment to the Resolution (attached to the staff report dated June 25, 1998) under "Sidewalk Plowing" - deleting "For the Urban Core and Waverley, Fall River" - and replacing with "For the Urban Core except for the former City of Halifax (Urban Services) and Waverley, Fall River" was distributed to Council.

During the May 19, 1998 Regional Council Session, the 1998/99 Operating Budget and general tax rates were approved. Sections (e) and (f) - area rates and supplementary education rates - of the Resolution were not dealt with at that time. However, these rates have now been calculated, utilizing the 1998 assessment and surplus (deficits) figures.

MOVED by Councillors Hendsbee and Sarto to approve the schedule of area rates for 1998/99, attached to the staff report dated June 25, 1998.

A lengthy discussion ensued on the documentation provided by the Regional School Board as to where Supplementary Education Funding will be spent in the 1998/99 fiscal year. Council expressed concern with the information provided, requesting a meeting with representatives from the Board, to clarify the documentation. Concern was particularly raised with the funding earmarked for maintenance of buildings.

Councillor Hanson requested clarification from the Board as to what the Board's plans were on revisiting the issue of school closures.

A vote on the motion to adopt the area rates, *excluding* Supplementary Education Funding, took place. MOTION PUT AND PASSED.

Another Motion was put on the floor respecting Supplementary Funding.

MOVED by Councillors Greenough and Cunningham to defer setting the Supplementary Education Funding area rates, pending a meeting with representatives from the Halifax Regional School Board, to clarify the information provided by the Board, dated June 29, 1998, with said meeting to be held within one week. MOTION PUT AND PASSED.

Councillor Hendsbee distributed information entitled "Community Services - Area Rated Services - District 3 Capital Fund (1998-99 Approved Operating Budget)."

MOVED by Councillors Hetherington and Blumenthal to refer the documentation entitled: "Community Services - Area Rated Services - District 3 Capital Fund (1998-99 Approved Operating Budget)" to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 Capital Grant to Art Gallery of Nova Scotia

- C A memorandum prepared for Ms. Val Spencer, Director, Priority & Policy, on the above-noted, was before Council.

The Art Gallery's request for Capital Funding had been forwarded to staff, during the June 23, 1998 Committee of the Whole, for comment.

MOVED by Councillors Hendsbee and Cunningham that Council approve, in principle, a pledge to the capital campaign of the Art Gallery of Nova Scotia in the amount of \$250,000 with payments of \$50,000 each year for five years to begin in the fiscal year 2001 - 2002; further, to defer approval of payment for any such commitment until the fiscal year of 2001-2002 to give the new Council of the day the opportunity to give final approval, in the knowledge that HRM has sufficient resources to meet pledge amounts. MOTION PUT AND PASSED.

10.3.5 ICI Sector - Municipal Collection Services - Two Month Extension

- C A Supplementary Report prepared for Mr. Mark Bernard, Manager, Waste Resources, on the above-noted, was before Council.

Councillor Walker enquired if staff could analyse maintaining the existing service for another year at \$55.43 per year and provide details on same within two weeks.

MOVED by Councillors Walker and Blumenthal to analyse maintaining the existing service for the affected businesses for another year, at a cost of \$55.43 per year; further that a report be tabled with Council within two weeks. MOTION DEFEATED.

Councillor Dooks enquired as to how the rural areas will deal with the six bag limit. Any bags not picked up will have to be disposed of at one of two transfer stations, however, his residents could have a great distance to travel to a station, depending on where they live. The Councillor suggested maintaining the current service until a policy is developed dealing with rural concerns in this regard.

MOVED by Councillor Dooks to continue the existing service until staff can design a strategy for rural areas.

As there was no Secunder, **the Motion was lost.**

Mr. Ken Meech, Chief Administrative Officer, clarified the matter by stating the issue appeared to be the limitation on the number of waste bags in the rural area. Accordingly, he suggested staff review an option of giving latitude for arrangements to be made with individual commercial operators to pick up waste bags and charge for anything over six

bags. This will address the issue of equity and fairness. A staff report is to be prepared and brought back to Council within a two week time frame.

For the record, Deputy Mayor Rankin reminded Council there is free collection of garbage in the rural areas which costs the municipality more than \$30,000 per year.

Councillor Hendsbee suggested staff investigate latitude for seasonal fluctuations to help alleviate problems.

Councillor Dooks agreed to a staff report, as suggested by the Chief Administrative Officer.

MOVED by Councillors Blumenthal and Cunningham that staff review an option of giving latitude for arrangements to be made with individual commercial operators to pick up waste bags and charge for anything over six bags. Further, that the report be prepared within a two week time frame. MOTION PUT AND PASSED.

11. CORRESPONDENCE, PETITIONS

11.1 Correspondence

11.1.1 Halifax Regional School Board (HRSB) - Supplementary Education Funding

This item was dealt with earlier in the meeting under agenda item #10.3.3.

11.2 Petitions

11.2.1 Councillor Hanson - Forward Avenue

Councillor Hanson submitted a petition requesting formal closure of Forward Avenue, requesting this be forwarded to staff to be dealt with as soon as possible.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Councillor Hetherington - Regional Museum of Cultural History

Councillor Hetherington requested Council formally recognize the Regional Museum of Cultural History Ad Hoc Committee.

MOVED by Councillors Hetherington and Schofield to formally recognize the Regional Museum of Cultural History Ad Hoc Committee; further that the

Committee is to:

- C develop a report no later than December, 1998 with report to deal with the following:
- / mandate and services of the institution
- / future funding and financial arrangements for its operation
- / method of governance and administration
- / building requirements and location
- / a plan for a significant reduction in the operating budget for fiscal 1999/2000;

Further, that staff presentation of a plan, as directed by Council, be completed and presented in December;

Further, to recognize the participation of the following individuals on the Ad Hoc Committee: Anthony Edwards, David Flemming, Carman Moir, Anthony Lamphugh, Bill Mont, Lorna Heustis, Brenda Shannon, Robert Frame, *Four individuals yet to be appointed*** and, Councillor Bruce Hetherington. MOTION PUT AND PASSED.

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

MOVED by Councillors Blumenthal and Uteck to adjourn the meeting at 4:40 p.m.
MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
MUNICIPAL CLERK