

**WEST HANTS REGIONAL MUNICIPALITY**  
**Special Council Meeting Agenda**  
**December 19, 2023 – 6 p.m.**  
**(also held via virtual via Zoom and Facebook livestreamed)**



Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.

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1. Call to Order
2. Attendance
3. Announcements
4. Approval of the Agenda
5. Declaration(s) of Conflict of Interest
6. Unfinished Business/Postponed Motions
  - a) Stormwater Managements Report/Discussion
7. New Business
  - a) Emergency Repair Recommendation Report – Director Richard
8. Next Meeting Date / Adjournment

**WEST HANTS REGIONAL MUNICIPALITY**

**Special Council Meeting Minutes**

December 19, 2023 - 6:00 p.m.

Sanford Council Chambers, 76 Morison Dr, Windsor, NS

And virtually via Zoom (also Facebook Livestreamed)



**West Hants**

something inspiring awaits.

1. Call to Order - Mayor Zebian called the meeting to order at 6:02 p.m.

2. Attendance

Council:

Abraham Zebian, Mayor

Rupert Jannasch, Councillor, District 1

Scott McLean, Councillor, District 2

Mark McLean, Councillor, District 3

Jeff Hartt, Councillor, District 4

Debbie Francis, Councillor, District 5

Paul Morton, Deputy Mayor, District 8

Bob Morton, Councillor, District 6

Ed Sherman, Councillor, District 7 (ZOOM)

John Smith, Councillor, District 9

Laurie Murley, Councillor, District 10

Jim Ivey, Councillor, District 11

Staff:

Mark Phillips, Chief Administrative Officer

Carlee Rochon, Director of Financial Services (ZOOM)

Todd Richard, Dir. Public Works

Selleena Thornton, Municipal Ops Sup.

Deanna Snair, Municipal Clerk

3. Announcements (6:03 p.m.)

Mayor Zebian acknowledged that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and that this land is governed by the treaties of Peace and Friendship signed in 1726. West Hants Regional Municipality also recognizes that we are all treaty people and have responsibilities to this land and each other. West Hants Regional Municipality also recognizes African Nova Scotians are a distinct people whose history, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years.

4. Approval of the Agenda, including additions or deletions (6:03 p.m.)

Voting occurred by a show of hands.

**MOVED BY COUNCILLOR FRANCIS AND DEPUTY MAYOR P. MORTON  
THAT THE 2023-12-19 SPECIAL COUNCIL AGENDA BE APPROVED.  
MOTION CARRIED**

5. Declaration of Conflict of Interest (6:04 pm) – None

6. Unfinished Business/Postponed Motions

a) Stormwater Management Report/Discussion

The Stormwater Management plan/report was shared with Council prior to the meeting for review and further discussion. During large storm events residents in the area experience overland flooding and CSO events. Both staff and Mr. Bailey from CBCL were available to answer any questions arising from the report, however, staff were looking for direction from

Council on next steps to begin working on a long-term plan. Director Richard and Mr. Bailey both highlighted the report was a part of the process to move forward. Depending on the next steps and the option/area was chosen, more information/work may be needed depending on the path chosen. It was important that everyone understood and was clear on what short term vs long term vs more immediate options.

Council discussed the matter in detail, specifically short-term fixes, timing for this option and potential next steps. With respect to the “shorter term fix” option, there are two main drainage areas in the downtown core (Cunnable Creek and Alexander), the majority of the problems relate to Cunnable Creek. The first part of this option would be separating Stannus Street and then continuing into the community, up through the rest of the watershed and then back down through. Timing for this option was hard to determine. The first part was to figure out seeing what options make the most sense and if more information was needed to narrow the options down further. The second factor for timing was determining funding and seeing if there were provincial or federal monies available to support the project.

Mr. Bailey advised that any of the three options within the report were viable options to consider. However, if the focus was on Cunnable Creek first, the first option wasn't likely to be the one to move forward with, option 2 or 3 would be viable. All three options would solve the problems with different timelines.

Mr. Bailey was asked for his expert opinion on what option he would choose if there were no barriers. All three options required additional field data (geotechnical – how deep is the rock in the ground, how to deal with the rock in the ground, how to deal with property lines (large excavation and impacts to property lines), impacts to water mains (do they require moving, replacing or temporary water lines) and impacts to sewer lines. Getting this information and putting it in a plan would be the first step. It was estimated that this would take 6-12 months to complete.

All options were technically viable; however, each option had their own nuisances associated with them (what to construct, how to construct, impacts to properties and other areas and potential negative impacts to other things that remain unknown at this time). This information has to be obtained before a decision can be made on the best option to proceed forward with.

Staff were suggesting that the direction be to release an RFP along with the study and the proponents review all options for a more detailed design to answer some of the questions. The data has been collected along with the plan; however, more information was required re: a detailed review of what option is the best to proceed with.

The short-term fix as viewed as fixing the immediate problem in the Victoria and Stannus areas, the long-term fixes would continue to progress through the years as streets were separated and storm and sanitary were separated.

Staff and CBCL would create the wording for the scope of the RFP (review the study, review the options within the study and possibly some short- and longer-term options). The process would be a fairly extensive design including options. It was felt this would be a phased approach. The

first phase would be to review the options and narrow it down to two or three options and return to staff. Staff would then provide an information report to Council.

Without having a degree in engineering, it was difficult for Council to move forward with a decision without more definitive answers. All of the options had a large cost associated with each and partnerships with other levels of government were required.

With respect to the short-term option of having an addition pump in the Elmcroft playground, the treatment plant has not been evaluated so it was unknown if it would be able to handle the additional load. If that was the option chosen, evaluating the plant to see what the impacts would be on the plant would be part of the next steps.

It was critical that a short-term solution was found for those living in the Stannus, Wiley, Victoria, Munroe, Gary Street areas as well as Tremaine Crescent. A point was raised that these residents cannot wait another two (2) years before work begins on a solution.

Questions were posed regarding the missing data information and the risk associated with making any assumptions on pipe performance and ability to handle the volume. Mr. Bailey confirmed they had all the information needed for the main drainage corridor. There was confidence that the main drainage pipe sizes would handle the flow for the community. Some of the smaller residential streets which feed into the main were where the information was missing. There was little risk associated with this. All the information needed for the larger collector areas has been obtained.

A question was raised as to the overall yearly Capital Budget and if that money could be pulled and directed towards this project. The 100-million-dollar cost was a high-level estimate based on current-day costs; no inflation amount was built into the cost breakdown. It was estimated that 2-5 million dollars (high level estimate) was spent yearly on Capital projects for streets, sanitary and stormwater.

All three options can be done in phases and can be pushed in different directions/timing to solve the problem sooner vs later. Timing was dependent on how much money was invested each year and how far the project progresses. It was felt that this number was not able to be pulled from the cost of the whole project. However, if an amount was determined that Council would like to spend per year, then the project could be looked at backwards and it may be able to be determined how much of a section could be built and the timing associated with it.

Tremain Crescent was not part of this plan; it was being addressed separately. Currently Mr. Bailey is exploring options for this area.

The system does not have the capacity to relay the water down to the pump at the waterfront (the pipe restricts the volume), that is what the additional pump at the playground area was explored as an option.

Cost sharing plans were in place in other provinces to assist residents who could improve their private properties to provide protection from flooding. An assessment is done to determine what is needed, an evaluation is done on the costs associated with improvement and a grant program is utilized to assist with financial aid. This was not identified in the plan being presented.

Other strategies such as drainage from properties, water gardens, down spots and sewer pumps not being piped into the sewer were part of municipal ordinances. The options presented were designed to handle the flow without any of these measures being in place.

Option 1 (full separation) takes all the stormwater out of Cunnabel Creek (brown line on the map) and pushes it all towards Albert Street. It was a viable option in the sense that it makes it more constructable, but nothing can be done until the redline on the map was built, meaning that the problems on Stannus Street would not be solved for a long time.

It was noted that what Council was looking for was a plan and what they have been presented with was a study. It was felt there was an expectation that a decision would be made, however a decision cannot be made without a plan.

**MOVED BY COUNCILLORS MURLEY AND IVEY THAT COUNCIL DIRECT STAFF TO COME BACK WITH MORE INFORMATION INCLUDING A SUGGESTED RFP FOR COUNCIL TO REVIEW UTILIZING THE CBCL REPORT AND THAT THE RFP TO DEVELOP A STORMWATER MITIGATION PLAN IDENTIFYING BOTH SHORT AND LONGER TERM PHASED IN SOLUTIONS. MOTIONS CARRIED.** Nays: Ivey, Smith

Discussion Points (after the motion was made):

- The report was not an easy read. It was suggested that Council may not be where they need to be in order to provide direction or make a decision at this meeting as there was no clear path. In order to make the best decision moving forward it was important to take additional time to review it further and gain a better understanding of things that needed to be done to fix the bigger problem, look at what can be done (outside of what was presently being done) to see that properties are not flooding when the next rain event occurs. There may be value in having an additional round table discussion to determine where Council wants to end up.
- There was value in having a brainstorming session where all ideas were considered.
- It was felt that a main pipeline was needed. A decision was needed on where the water was going and what the elevation was going to be. Anything done prior to this may be a waste of money. There were benefits to having gravity assisting with the process (with climate change and less maintenance). Direct Richard agreed a gravity system was ideal.
- It was suggested that an RFP would provide the additional information (depth, etc.) needed to move forward with a decision. Someone with more expertise would provide a clearer path forward.
- Appreciation was expressed for the report, but it was not a plan and Council did not have the expertise to choose one option over the other options.
- The RFP was estimated to take 6 months. The scope of the RFP was expected to take approximately a month along with an internal review of the RFP and possible external consulting services to ensure it is accurate. It would then be brought back to Council for review and if approved it would be issued with a closing date of 3-4 weeks after being issued. All tenders would be reviewed and then costing would be explored and then a report would be presented to Council with a lot more information to consider.

- Concern was raised that more flooding could occur while Council was waiting for the RFP to be completed. There was value in a temporary fix in the short term while the RFP was issued to stop the localized flooding until a solution can be found.
- Director Richard advised this was not an easy short-term fix. If there were any short-term options within municipal resources, they would be done. The two (2) events over the past few years overwhelmed the system and flooded the streets. If water is not overtopping the streets or curb it was not considered a flood event. Public Works were not aware of any flooding that occurred as a result of last night's rainfall. Victoria Park does have standing water; it was a low-lying bowl area that will have standing water in it (not considered a flooding event). A pumping station was not seen as a short-term solution. The cost alone is in the millions of dollars in addition to operational costs and the need for a backup power source during a power outage.

Mr. Bailey reviewed the options again for Council's benefit. Again, he emphasized that all three options would provide a solution but without more information they could not say which option was the preferred option. The RFP will help make that decision easier.

## 7. New Business

### a) Emergency Repair Recommendation Report (6:59 p.m.)

Director Richard reviewed the report highlighting that the large portable generator (60 kw) recently experienced a catastrophic "alternator" failure. Due to the low hours on the engine and overall good condition of trailer it is being recommended to proceed with repairs rather than full replacement of the entire unit.

Full replacement costs for this piece of equipment would be estimated to be north of 100K. If approved staff will proceed with having parts ordered and repairs made ASAP. Steps have already been taken to find a rental unit in the short term if the need arises while the current equipment is being repaired.

The total cost of the repair is to be funded through the Sewer Capital Reserves (West Hants Sewer Reserve in the amount of \$21,428.26 and the Windsor Sewer Reserve in the amount of \$9,183.54).

#### Discussion Points:

- The municipality currently has six (6) generators. (a 2005 60 kw generator, currently in need of repairs, a 2002 50 kw generator, shared with NS Department of Agriculture, a 42-kw generator, two (2) 40 kw tow behind generators and a small one that only runs one pump).
- The generators were considered emergency generators. All are fully utilized, with certain generators only able to run specific lift stations. The generator needing to be repaired can run single or three phases, while the remaining generators are three phased.
- The generator shared with the Department of Agriculture (used to open the gates at the aboiteau) had a catastrophic failure last night as well. The Municipality cost shares on this (40% repairs) which may result in a future report for Council to consider.
- The request was before Council as it was not identified in the Capital budget and due to timing (may not be able to get three quotes in a timely manner) and using the

Emergency Procurement Purchase Policy. Three quotes are needed (if staff can get them) for any purchase over \$5000.00.

- The equipment was being tested when it failed, it was not hooked up to any equipment or in operation at the time. Since the failure a certified electrician completed an assessment of the equipment to ensure all were working properly.
- The generator was cost shared between the two (2) utilities. West Hants has the larger number of lift stations; with only six (6) being in Windsor.

**MOVED BY COUNCILLORS FRANCIS AND MURLEY THAT COUNCIL APPROVES THE EMERGENCY REPAIRS TO THE PORTABLE GENERATOR FROM CUMMINS CANADA, FOR \$29,352.58 PLUS APPLICABLE TAXES, TO BE FUNDED THROUGH THE SEWER RESERVES. MOTION CARRIED**

8. Next Meeting Date / Adjournment – January 9<sup>th</sup>, 2023 Committee of the Whole Meeting 6 p.m.

**MOVED BY DEPUTY MAYOR P. MORTON AND COUNCILLOR FRANCIS THAT THE MEETING ADJOURN AT 7:12 P.M. MOTION CARRIED**

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Mayor Abraham Zebian (Chair)

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Deanna Snair, Municipal Clerk