

It was moved by Councillor Cosman, seconded by Councillor McCabe:

"THAT future Public Hearings re rezoning applications be held by the Planning Advisory Committee." Motion ruled out of order.

It was moved by Councillor Cosman, seconded by Councillor Lawrence:

"THAT all budget considerations be dealt with at the Committee of the Whole."  
Motion Defeated.

Councillor Streach pointed out that any meeting of the Finance Committee is open to any Councillor coming in and sitting in on the meeting; but, Budget Meetings are not open to the press. He stated that some members of Council have attended some Finance and Executive Committee Meetings.

Councillor Lawrence pointed out that she does not agree with budget sessions being held in camera. She does not disagree with people knowing before final decisions are made. She feels that the budget system would be educational to the Councillors so that they know where funds are going.

Councillor Cosman feels that the budget is a concern for the whole Council.

Councillor Sutherland took the chair while Deputy Warden Williams added his points of view.

Deputy Warden Williams pointed out that Council appointed the different committees to do certain jobs and Council as a whole certainly cannot expect to be present for every committee meeting and decision making. He spoke strongly that one committee feel they can handle public hearings, however, they expect budget discussion should be by Council of the Whole.

Councillor Topple voiced his opinion that the Committee system is good. The Committees are appointed to bring the decisions to Council for their approval.

Councillor Fader agrees partially with Councillor Cosman, however, he feels that the budget should be presented to Council and the press and public when it is set.

Councillor Eisenhower pointed out that the Committees make decisions or suggestions and that Council has final say on approving the decisions or not. He does feel that Committee work should be confidential. Council of the whole will get results and can discuss decisions made by Committees after it is researched by the Committees.

Councillor MacKay can see Councillor Cosman's reasoning, however, the Committee system is good and should not expect full Council to be present for every decision to be made. That was the reason that the Committees were set up.

He does feel however that the Public Hearing and budgets are important to the whole Council.

Councillor Lawrence would like to know the process of the budget, i.e. what is being cut, what is being added and how final figures got there.

Councillor Streach pointed out that the Finance Committee is made up of 9 members which is about 50 percent of Council.

He pointed out that the Finance Committee worked very hard during the last 6 budget meetings and have reviewed 24 pages of figures of department budgets. He said that the departments are broken down in the budgets. He pointed out that the items are usually read twice or hashed over before any results are made to come to Council.

He pointed out why the budget is taking so much time to prepare. He pointed out that due to the assessment rolls not being completed it is not possible to estimate revenues.

He does feel that the budget session should be done in advance so annual Council Session can be blocked off within certain days and strongly support the committee system.

There was discussion between Councillors Streach and Eisenhower concerning budget figures and cutting, etc.

Councillor Topple thinks that since work has been done, it is too late to have the committee of the whole attend at the Committee meetings. He thinks that we should get the assessments done as the County is losing money because rates are not assessed.

Councillor Cosman also feels this way; in that she would like to know about these meetings so that she can report to her tax payers. She also pointed out that she was not attacking the Finance and Executive Committee but feels that Council of the whole should be in on budget discussions. She did not want Council to feel this item was brought forward and since the Council had decided to hold public hearings she had given much thought to Council dealing with a 22 million dollar budget and not just a Committee..

Councillor Sutherland believes that the budget should be confidential to a certain stage.

Deputy Warden Williams returned to the Chair at 2:47 p.m.

It was moved by Councillor Cosman, seconded by Councillor Margeson:

"THAT the Federal Department of Public Works be requested to commit funds for the program of cleaning up Halifax Harbour and the inner Basin." Motion Carried.

Councillor Margeson commented on having the harbour and inner basin cleaned up because of tourists. People travel around the peninsula in small tour boats and the harbour certainly does not look very attractive.

Councillor Walker suggested cleaning up the whole of the Halifax County, not just the Halifax-Dartmouth Harbour region.

It was moved by Councillor Topple, seconded by Councillor Deveaux:

"THAT Council reconsider the following motion:

Moved by Councillor Margeson, seconded by Councillor Walker:

"THAT the Council By-laws be amended so that the hours of Council be 2:00 p.m. instead of 7:00 p.m."

The Motion was ruled defeated, as there was not a unanimous vote in favour of the motion.

Councillor Margeson withdrew item (c) of number 7 on the agenda.

It was moved by Councillor Benjamin, seconded by Councillor Streach:

"THAT the following persons be appointed as Dog Constables for licensing:  
Susan MacIntyre - Waverley  
James Leadon - Greenwood Heights." Motion Carried.

It was moved by Councillor Topple:

"THAT Council adjourn." Motion Carried.

MINUTES OF THE MEETING OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

Warden Ira Settle called the meeting to order. The Municipal Clerk, Mr. Bensted, called the roll.

It was moved by Councillor Fader, seconded by Councillor MacKay:

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Fader:

"THAT an eleven o'clock curfew be established for the meeting." Motion Carried.

Councillor Sutherland made reference to the good job which was done on refurbishing the Council Chambers and suggested that it would be a good idea to try to stick to the items contained in the agenda.

Councillor Streach agreed with this and it was given unanimous consent by Council.

Councillor Benjamin asked if Mr. Seymour Hamilton could speak to the Council with respect to the Arsenic Problem in Waverley.

It was moved by Councillor Benjamin, seconded by Councillor Streach:

"THAT Council hear the Waverley Ratepayers Association." Motion Carried.

Mr. Hamilton presented his views to Council and read a brief on the subject. There was some discussion on how water was to be hooked up, where the water would come from and the costs involved in this and the possibility of sewer problems being cleared up also. Mr. Hamilton stated that there is no alternative; that the people need water and the Federal Government should help. It is not fair to the people that they should be forced to drink contaminated water.

Councillor Topple suggested to Mr. Hamilton that the cost of sewer and water is the question and suggested the fact that a figure of \$200 per year per household must only mean water hookup and not both water and sewer.

Councillor Streach pointed out that this Council needs direction. He suggested that Councillor Benjamin play a tape to clarify answers by the Minister on a recent T.V. program.

Councillor Benjamin said that the figure of \$23.00 per footage for sewer costs is verified by the Works Department and this could be acceptable to the people.

Councillor Benjamin then played the tape to clarify Minister Bagnell's comments.

Minister Bagnell had said that the Municipality of the County of Halifax has not come to him for a cost sharing proposal. He stated that no application was received from the Municipality of the County of Halifax.

Councillor Benjamin does not agree with this statement that the County has done nothing. He said he sat in on two meetings and the Minister does not apparently remember these two meetings. Councillor Benjamin does not feel that Community wells are the answer and that the Taske Force does not recommend this either.

Councillor Benjamin said that we would not ask for assistance if there was no health problem involved. Because of serious health danger we need assistance now. Councillor Benjamin defined the area of cost they would accept. He said that we must appeal to the government for help. Right now the Waverley district can not develop because no one could install a well and that it would cost a homeowner a fortune to put in a filter system for themselves or to install a clean water system and that there is a low population to foot the bill themselves. He said that it is not fair to the children drinking this water. He suggested that we make formal application to Mr. Bagnell so a proposal can be presented to the Federal Government. He suggested that the residents should only pay \$200.00 as an average per resident per year for water. He stated that the arsenic problem was not caused by negligence of man; that it was caused by natural ground water.

It was moved by Councillor Margeson, seconded by Councillor Benjamin:

"THAT Council request the Provincial Government to provide financing for the providing of water and sewer as recommended by the Canadian British Consultants with the cost of water to be not more than \$200.00 per year per household." Motion Carried.

It was also moved by Councillor Benjamin, seconded by Councillor MacKay:

"THAT the report re Waverley be forwarded to the Minister." Motion Defeated.

Mr. Hamilton asked for continued cooperation of Council to put a bold program together for Waverley and said "certainly if we don't ask, they won't give."

It was moved by Councillor MacKay, seconded by Councillor Baker:

"THAT the report of the Warden be received." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Baker:

"THAT the report of the Director of Planning and Development be approved." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT the report of the Chief Building Inspector re Lesser Setbacks be approved." Motion Carried.

It was moved by Councillor Gaetz, seconded by Councillor MacKay:

"THAT the report of the Municipal School Board be received." Motion Carried.

Councillor Margeson queried as to the figure of \$2,700 for the Beaverbank-Kinsac Consolidated School area rate.

It was moved by Councillor Deveaux, seconded by Councillor Baker:

"THAT the section of the Municipal School Board Report re Area School Rates be referred to the Finance and Executive Committee." Motion Carried.

Councillor Deveaux expressed his concern about where any excess money from these rates would go. Mr. Bensted explained that any excess money is held in trust by the Municipal School Board for future expenditure.

It was moved by Councillor Gaetz, seconded by Councillor Fader:

"THAT the report of the School Capital Program Committee be approved." Motion Carried.

It was moved by Councillor Streach, seconded by Councillor Walker:

"THAT the report of the Finance and Executive Committee be approved as amended." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Lawrence:

"THAT the section re Improvements to Grounds be deleted and be dealt with as a separate item." Motion Carried.

Councillor Topple felt that we should not hire professional contractors to do work about the building. This would only end in high costs and the tax payers would pay for it. He felt that the water in the ponds doesn't need recirculation as we certainly don't use it.

Councillor Streach stated that it was the intention to have Mr. Gallagher give a price on redoing the pond, flower beds, etc. However, he does feel that the water should be changed and cleaned up and suggested that the lawn does not look the best.

Councillor Gaetz expressed his views on increasing the parking lot, which would be much more of service to the Municipal Building than putting in shrubs and clean water.

Councillor Baker expressed his views on constructing a walkway to the building next door since it is a part of this administration.

It was moved by Councillor Margeson, seconded by Councillor Lawrence:

"THAT the section re Public Address System be deleted and dealt with as a separate item." Motion Carried.

It was moved by Councillor MacKay, seconded by Councillor Margeson:

"THAT the section of dog control be deleted and dealt with as a separate item." Motion Carried.

Deputy Warden Williams expressed his views on the problems of dog control. He would like to see a dog control in districts 2, 4 and 5.

It was moved by Deputy Warden Williams, seconded by Councillor Baker:

"THAT Council approve in principal to negotiate with the SPC for dog control

services for districts 4 and 5 subject to a detailed agreement being approved by Council." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Gaetz:

"THAT a Special Session of Council at 10:00 a.m. April 11, 1978 to meet with SPC re proposed dog control for the Municipality." Motion Carried.

It was moved by Councillor Margeson, seconded by Councillor MacKay:

"THAT Council approve in principle to negotiate with the SPC for dog control services for districts 15, 16 and 20 subject to a detailed agreement being approved by Council." Motion Carried.

Councillor MacKay had no objection to discussing this matter with Mr. Marston of the SPC for dog control for the whole Municipality. He has a serious dog problem and would like some sort of remedy. He would like to have the Sackville area included in a dog control program. He says that the area is too large for one dog control officer.

Councillor Eisenhauer stated that the dogs should be caught not just merely chased onto the owner's property.

Councillor McCabe was wondering where the extra money from the dog licensing went. He felt that the money should go back into that area. However, Mr. Bensted pointed out that the separate areas do not license the dogs, the Municipality does and therefore the extra money goes back into the Municipality as a whole for dog control.

Councillor Topple is satisfied with his dog catcher and does not want the SPC to look after his area for him. He has good service now and does not feel that the SPC could do any better than his present dog catcher.

Councillor Benjamin felt that the Department of Land and Wildlife should step in and look after wild animals that stray into the districts and the animals which are killed.

Councillor Fader expressed his views that he was not in favour of the SPC looking after his area at the expense of an area rate.

It was moved by Councillor Walker, seconded by Councillor Deveaux:

"THAT the item re Proposed Improvements re Municipal Administration Building be referred to the Finance and Executive Committee to bring back estimated costs." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Streach:

"THAT the resolution re Splitting of Debentures be approved." Motion Carried.

It was moved by Councillor Gaetz, seconded by Councillor Benjamin:

"THAT Sackville High School Issuing Resolution be approved." Motion Carried.

WHEREAS the Municipality of the County of Halifax is authorized by law to borrow by the issue and sale of debentures of the Municipality a sum not exceeding Two Million Four Hundred Twelve Thousand Four Hundred Forty-six Dollars and Twenty-two Cents (\$2,412,446.22) for the purpose of erecting, furnishing, or equipping buildings for a new school at Sackville in the County of Halifax and acquiring or purchasing or improving land for such buildings;

AND WHEREAS pursuant to a resolution passed by the Council on the 17th day of December, 1968, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 14th day of February, 1969, borrowed from the Royal Bank of Canada in Halifax a sum not exceeding Two Million Five Hundred Thousand Dollars (\$2,500,000) for the purpose set out above;

AND WHEREAS pursuant to a resolution passed by the Council on the 17th day of June, 1975, and approved by the Minister of Municipal Affairs dated the 2nd day of July, 1975, the Council deemed it necessary to issue debentures in the total principal amount of Eighty-seven Thousand Five Hundred Fifty-three Dollars and Seventy-eight Cents (\$87,553.78) leaving a balance of Two Million Four Hundred Twelve Thousand Four Hundred Forty-six Dollars and Twenty-two Cents (\$2,412,446.22) still authorized to be borrowed for the purpose set out above;

AND WHEREAS the said Municipal Council deems that the issue and sale of debentures of the Municipality to the amount of One Million Four Hundred Seventy-nine Thousand Seven Hundred Seventy-nine Dollars and Ninety-nine Cents (\$1,479,779.99) as hereinafter mentioned will be necessary to raise a portion of the sum so borrowed;

BE IT THEREFORE RESOLVED

THAT one debenture of the Municipality for One Million Four Hundred Seventy-nine Thousand Seven Hundred Seventy-nine Dollars and Ninety-nine (\$1,499,779.99) be accordingly issued and sold;

THAT the debenture be numbered 78-B-1;

THAT the debenture be dated the 1st day of April, 1976;

THAT the principal and interest be payable in accordance with the following schedule:

<u>PAYMENT NUMBER</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1	April 1, 1977	\$ 31,645.99	\$ 121,262.05	\$ 152,908.04
2	April 1, 1978	34,239.25	118,668.79	152,908.04
3	April 1, 1979	37,045.02	115,863.02	152,908.04
4	April 1, 1980	40,080.71	112,827.33	152,908.04
5	April 1, 1981	43,365.17	109,542.87	152,908.04
6	April 1, 1982	46,918.77	105,989.27	152,908.04
7	April 1, 1983	50,763.57	102,144.47	152,908.04
8	April 1, 1984	54,923.45	97,984.59	152,908.04
9	April 1, 1985	59,424.20	93,483.84	152,908.04
10	April 1, 1986	64,293.78	88,614.26	142,908.04
11	April 1, 1987	69,562.40	83,345.64	152,908.04
12	April 1, 1988	75,262.76	77,645.28	152,908.04
13	April 1, 1989	81,430.24	71,477.80	152,908.04
14	April 1, 1990	88,103.12	64,804.92	152,908.04
15	April 1, 1991	95,322.82	57,585.22	152,908.04
16	April 1, 1992	103,134.14	49,773.90	152,908.04
17	April 1, 1993	111,585.57	41,322.47	152,908.04
18	April 1, 1994	120,729.56	32,178.48	152,908.04
19	April 1, 1995	130,622.87	22,285.17	152,908.04
20	April 1, 1996	141,326.60	11,581.15	152,907.75
		<u>\$1,479,779.99</u>	<u>\$1,578,380.52</u>	<u>\$3,058,160.51</u>

THAT the said principal and interest be payable without charge to the holder at the office of the Municipal Clerk and at any office of the Royal Bank of Canada in Nova Scotia, and at the principal office of the said Bank in either of the Cities of Toronto or Ottawa at the option of the holder, and the said interest to be at the rate of 8.1946% per centum per annum, commencing on the first day of April, 1976, calculated annually not in advance and payable annually at the said office at the option of the holder;

THAT the Warden of the said Municipality do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the Municipality do countersign the said debenture that they seal the same with the seal of the Municipality and that the Clerk do sign the interest coupons or if the same are lithographed with sign the same or have them impressed with a facsimile of his signature;

THAT the Municipal Clerk be the registrar of the debenture;

THAT a portion of the amount borrowed be repaid to the Bank out of the proceeds of the debenture when sold. Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Deveaux:

"The issuing of resolution re Issuing Resolution re Caudle Park School." Motion Carried.

WHEREAS the Municipality of the County of Halifax is authorized by law to borrow or raise by way of loan by the issue and sale of debentures of the Municipality a sum not exceeding Forty-two Thousand Five Hundred Dollars (\$42,500) for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for school purposes and acquiring or purchasing or improving land for such buildings;

AND WHEREAS pursuant to a resolution passed by the Council on the 15th day of June, 1971, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 24th day of November, 1971, borrowed from the Royal Bank of Canada at Halifax a sum not exceeding Forty-two Thousand Five Hundred Dollars (\$42,500) for the purpose set out above;

AND WHEREAS the said Municipal Council deems that the issue and sale of debentures of the Municipality to the amount of Twenty-three Thousand One Hundred Seventy-five Dollars and Two Cents (\$23,175.02) as hereinafter mentioned will be necessary to raise a portion of the sum required;

BE IT THEREFORE RESOLVED

THAT one debenture of the Municipality for Twenty-three Thousand One Hundred Seventy-five Dollars and two Cents (\$23,175.02) be accordingly issued and sold;

THAT the debenture be numbered 78-A-1;

THAT the debenture be dated the 1st day of April, 1976;

THAT the principal and interest be payable in accordance with the following schedule:

<u>PAYMENT NUMBER</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1	April 1, 1977	\$ 449.66	\$ 2,101.02	\$ 2,550.68
2	April 1, 1978	490.42	2,060.26	2,550.68
3	April 1, 1979	534.88	2,015.80	2,550.68
4	April 1, 1980	583.37	1,967.31	2,550.68
5	April 1, 1981	636.26	1,914.42	2,550.68
6	April 1, 1982	693.94	1,856.74	2,550.68
7	April 1, 1983	756.86	1,793.82	2,550.68
8	April 1, 1984	825.47	1,725.21	2,550.68
9	April 1, 1985	900.31	1,650.37	2,550.68
10	April 1, 1986	981.93	1,568.75	2,550.68
11	April 1, 1987	1,070.95	1,479.73	2,550.68
12	April 1, 1988	1,168.04	1,382.64	2,550.68
13	April 1, 1989	1,273.94	1,276.74	2,550.68
14	April 1, 1990	1,389.43	1,161.25	2,550.68
15	April 1, 1991	1,515.39	1,035.29	2,550.68
16	April 1, 1992	1,652.78	897.90	2,550.68
17	April 1, 1993	1,802.62	748.06	2,550.68
18	April 1, 1994	1,966.04	584.64	2,550.68
19	April 1, 1995	2,144.28	406.40	2,550.68
20	April 1, 1996	2,338.45	212.00	2,550.45
		<u>\$23,175.02</u>	<u>\$27,838.35</u>	<u>\$51,013.37</u>

THAT the said principal and interest be payable without charge to the holder at the office of the Municipal Clerk and at any office of the Royal Bank of Canada in Nova Scotia, and at the principal office of the said Bank in either of the Cities of Ottawa or Toronto at the option of the holder, and the said interest to be at the rate of 9.0659% per centum per annum, commencing on the first day of April, 1976, calculated annually not in advance and payable annually at the said office at the option of the holder;

THAT the Warden of the said Municipality do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the said Municipality do countersign the said debenture that they seal the same with the seal of the Municipality, and that the Clerk do sign the interest coupons or if the same are lithographed with sign the same or have them impressed with a facsimile of his signature;

THAT the Municipal Clerk be the registrar of the debenture;

THAT a portion of the amount borrowed be repaid to the Bank out of the proceeds of the debenture when sold. Motion Carried.

It was moved by Deputy Warden Williams, seconded by Councillor Baker:

"THAT Council approve the appointment of Mr. Edward Mason to the Board of Directors of the United Way." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Topple:

"THAT the Finance and Executive Committee call tenders for a Public Address System for the Council Chambers." Motion Carried.

It was moved by Councillor Margeson, seconded by Deputy Warden Williams:

"THAT the motion re Public Address System be deferred to July 18, 1978." Motion Defeated.

Councillor Margeson gave a Notice of Reconsideration.

It was moved by Councillor MacKay, seconded by Deputy Warden Williams:

"THAT Council request the Rehabilitation Centre to provide the Council Chambers with a portrait of Ex-Warden Doull." Motion Carried.

Councillor MacKay suggested that since Mr. Doull's son is living in Halifax that he should be present for the unveiling ceremony.

It was moved by Councillor MacKay, seconded by Councillor Margeson:

"THAT the following dog officers be appointed:-

- Sarah Chaulk - 19, 20
- Marjorie Major - 16
- Gordon Snow - Doreen Snow - 14
- Jack Murray - 13

Allan Mills and Joan Mills - 10  
Ken Whittier - 1  
Harry Mitchell - 4  
Keith-Fisher - 2  
Joan & Jim Webber - 3  
Mrs. Ruby Taylor - 12  
Irma Deal - 12  
Roy and Freda Giles - 17  
Mrs. Arlene Faulker - 18  
Mrs. Carl Beaver, Reg Young, Gordon Crowell - 9      Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Cosman:

"THAT the Supplementary Report of the Finance and Executive Committee be approved."  
Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT the allowable maximum income for 1978 Tax Exemptions be raised from \$4,500 per annum to \$5,000 per annum." Motion Carried.

Councillor Lawrence had questions as to applicants living on the property in question for tax exemption.

Councillor Margeson said that the regulations should not be too strict as to the meaning of living in the household as he feels that there are some elderly people who spend a lot of sick time with other relatives but try to live within the household as much as they can.

It was moved by Councillor Streach, seconded by Councillor Sutherland:

"THAT the Second Supplementary Report of the Finance and Executive Committee be approved as amended." Motion Carried.

It was moved by Councillor Lawrence, seconded by Councillor Walker:

"THAT a loan in the amount of \$47,000.00 for the district # 3 Seabright and District Fire Department be approved. Said loan to be repaid over a period of eight (8) years or less with the usual provision that Council may levy an area rate at any time if necessary in order to recover any outstanding principal or interest." Motion Carried.

It was moved by Councillor Eisenhauer, seconded by Councillor Streach:

"THAT Council approve the General Borrowing Resolution of \$8,000,000.00."  
Motion Carried.

To authorize the borrowing of certain moneys from the Royal bank of Canada to meet the current expenditure of the Corporation of the Municipality of the County of Halifax (hereinafter called "the Corporation") for the year 1978.

WHEREAS it is necessary to borrow the sum of \$8,000,000 from the Royal Bank of Canada to meet the now current expenditure of the Corporation until such time as the taxes to be levied therefor can be collected.

BE IT THEREFORE RESOLVED by the Municipal Council of the Corporation as follows:

1. That the Warden with the Treasurer of the Corporation, be and they are hereby authorized under the seal of the Corporation to borrow from the Royal Bank of Canada the sum of Eight Million 00/100 dollars as the same may be required from time to time to meet the now current expenditure of the Corporation which said expenditure has been duly authorized by the Council.
2. That the said Warden with the Treasurer aforesaid, be, and they are hereby authorized to pay or allow to the said bank interest on the said sum of Eight Million 00/100 dollars at the rate of 8 1/4 per cent per annum, which may be paid or allowed in advance by way of discount or otherwise howsoever as they may deem best.
3. That the said sum of \$8,000,000 so to be borrowed shall be made payable on or before the 28th day of February next; and the promissory note or notes of the Corporation, if any, given therefor, if made payable before the said 28th day of February may be renewed by the said Warden and Treasurer from time to time, but no renewal thereof shall fall due later than the said 28th day of February next.
4. That the promissory note or notes of the Corporation, sealed with the corporate seal and signed by the Warden and Treasurer of the Corporation be given from time to time as required, in security for the amounts borrowed from time to time under the provisions of this resolution.
5. That the giving of such renewal note or notes, as aforesaid, shall not be deemed satisfaction to the said bank of the said advance or interest, but as evidence only of indebtedness.



Passed in open council this 21st day of March 1978. Motion Carried.

It was moved by Councillor Gaetz, seconded by Councillor Fader:

"THAT Council approve the proposed amendment to the Mobile Home By-Law."  
Motion Carried.

Councillor Streach suggested that the report on Public Relations should be adopted into the Second Supplementary Report.

Councillor Lawrence spoke on the topic of business cards being an additional expense. Councillor Streach voiced his opinion that these items will come back on the budget.

Councillor Cosman suggested that two things should be added to the list of things which should be done, i.e. -

- (a) a list of Councillors should be in the lobby stating if the Councillors are in or out.
- (b) there should be a provision made for a wheelchair access to the building and a wheelchair washroom installed.

It was moved by Councillor Lawrence, seconded by Councillor MacKay:

"THAT the Supplementary Report of the Planning Advisory Committee be approved."  
Motion Carried.

Councillor Lawrence explained the difficulty in getting notices in the newspaper. She suggested that we should ask the paper to give a designated space and better rates for the County ads.

Councillor Streach suggested to get together with the two other Municipalities before going to the paper with this proposal and see what their views are.

It was moved by Councillor Cosman, seconded by Councillor Topple:

"THAT Council approve a Special Session of Council for the purpose of a Public Hearing re Zoning Application No. 25-77 at 7:00 p.m., Monday, April 24, 1978."  
Motion Carried.

It was moved by Councillor Streach, seconded by Councillor Gaetz:

"THAT the Report of the Redistribution Committee as a Special Committee re Provincial Electoral Boundaries be approved as amended." Motion Carried.

Councillor Topple expressed his opinion as to the proper boundaries or indicated boundary lines and population and how the communities would best be represented.

Councillor Cosman felt that the Sackvilles should stay together. She suggested that Bedford is growing towards Sackville and that Rockingham is growing towards the Bedford area.

It was moved by Councillor Cosman, seconded by Councillor Fader:

"THAT District # 15 be added to the Sackville area and that # 14, # 17 and Rockingham should be an area." Motion Carried.

Councillor Streach seemed to be in agreement with Councillor Cosman.

It was moved by Councillor Streach, seconded by Councillor Sutherland:

"THAT the Redistribution Committee be authorized to arrange a meeting with the Committee to submit these proposals." Motion Carried.

Councillor MacKay suggested that changing the districts around is not conforming with the guidelines.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT the matter of the Treatment Plant, Cole Harbour, be referred to the Finance and Executive Committee." Motion Carried.

It was moved by Councillor Baker, seconded by Councillor Benjamin:

"THAT the Finance and Executive Committee be asked to look at the possibility of setting up a Lake Advisory Committee." Motion Carried.

Tuesday, April 4th., 1978

Councillor Baker expressed concern about the development which will be taking place in the area of Long Pond. Apparently, the waste products and materials will be draining into Long Pond and this will eventually affect the three other lakes which Long Pond drains into before reaching Herring Cove. He stated that this development will eventually ruin four lakes if no one keeps an eye on things.

It was moved by Councillor Tople, seconded by Councillor MacKay:

"THAT all billings for capital charges show the rate of interest being charged."  
Motion Carried.

Councillor Tople expressed his concern that he would like to know what interest he is paying on tax bills. This would be in the best interest of the people so that they would know if they should pay the bill off immediately or for some reason wait.

It was moved by Councillor Deveaux, seconded by Councillor MacKay:

"THAT the Municipal School Board be requested to report back to Council as to the books deemed to be obscene being placed in libraries in Junior and Senior High Schools." Motion Carried.

Councillor Deveaux suggested that the Municipal School Board should look into this matter even though it is up to the Department of Education on the literature students are to read.

It was moved by Councillor Deveaux, seconded by Councillor Smith:

"THAT the Planning Advisory Committee look at the matter of zoning of a single mobile lot." Motion Carried.

Councillor Deveaux expressed his concern about lots containing one mobile home and being called Mobile Home Parks. He thinks that this is a misleading word to use "park".

Councillor Lawrence expressed great concern that Council were not receiving monthly financial statements from the accounts office. She was informed that after the 1978 budget had been set, then the montly reports of expenditures and percentage rates would be calculated and the Council would be able to have these reports or statements.

It was moved by Councillor Margeson, seconded by Councillor Poirier:

"THAT the Finance and Executive Committee be asked to look at a procedure re agenda items." Motion Carried.

Councillor Streach agrees with Councillor Lawrence that there should be monthly statements made available as soon as possible.

It was moved by Councillor Streach, seconded by Councillor Margeson:

"THAT this meeting be adjourned until 11:00 a.m. on Tuesday, April 11th., 1978."  
Motion Carried.

MINUTES OF THE ANNUAL MEETING OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

Mr. Bensted opened the meeting immediately following the regular monthly council session by calling the roll.

It was moved by Councillor Fader, seconded by Councillor MacKay:

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

Concerning the minutes of the annual session of Council on March 21st there appeared to be an error on page seven. The fifth and sixth paragraphs dealing with the Cole Harbour Development Plan should not appear in this particular section but earlier in the minutes and are therefore out of sequence.

It was moved by Councillor Cosman, seconded by Councillor Walker:

"THAT the minutes of the regular session on March 21, 1978 be approved as amended." Motion Carried.

It was moved by Councillor Walker, seconded by Deputy Warden Williams:

"THAT the minutes of the special session of Council on March 21, 1978 be approved." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT the minutes of April 4, 1978 be approved." Motion Carried.

It was moved by Councillor Sutherland, seconded by Councillor Topple:

"THAT the approval of minutes of April 11, 1978 be deferred." Motion Carried.

It was moved by Councillor Eisenhauer, seconded by Councillor Deveaux:

"THAT the Annual Report of the Planning Advisory be approved." Motion Carried.

Councillor Eisenhauer expressed his appreciation to the Planning Advisory Committee for a job well done over the past year.

Councillor Deveaux asked when the planning consultants were coming before council with a report on the municipal plan. Mr. Bensted reported that several meetings had been held with the consultants in the past two weeks. An official public hearing will be heard by County Council as a whole.

Councillor MacKay wondered what would happen when the final plan was ready as the Planning Advisory Committee is well informed on the matter but the rest of the Council is not getting enough information and won't be able to make a proper decision.

Councillor Lawrence explained that a large book had been presented to each of the Councillors giving details of the plan at the last meeting. A resolution was passed at that time that when the draft plan is ready all members of Council could attend a briefing session.

Councillor MacKay feels it will take a great deal of time to digest all of this at one session. The Planning Advisory Committee, however, have weekly meetings on this. The meeting would probably take all day and longer if necessary explained Councillor Lawrence.

Councillor Cosman thought there had been a request to send the plan chapter by chapter so that it would be easier to get through.

Councillor Streach thinks Councillor Lawrence has done a tremendous job in the past year as chairman of the Planning Advisory Committee. She has attended most of the meetings and some of the public hearings were very lengthy. The Committee was a very representative one.

It was moved by Councillor Margeson, seconded by Deputy Warden Williams:

"THAT the Annual Report of the Director of Social Assistance be approved." Motion Carried.

It was moved by Councillor Topple, seconded by Councillor Walker:

"THAT the following be appointed as dog constables for dog licenses:  
Daniel Whittier - 1  
Lloyd Misener - 6  
Wayne Misener - 6  
Dunlop Spears - 11 ." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Fader:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

Councillor Eisenhower asked about the pamphlet re dog education and when it would be ready. The Clerk advised this should be ready by the Middle of May.

It was moved by Councillor MacKay, seconded by Councillor Eisenhower:

"THAT Council adjourn until 7:00 p.m. on May 16, 1978." Motion Defeated.

It was moved by Councillor Streach, seconded by Deputy Warden Williams:

"THAT Council adjourn until 2:00 p.m. on May 16, 1978." Motion Carried.

ANNUAL COUNCIL SESSION - ADJOURNMENT

The Fifth Day of the Annual Session.

Warden Ira Settle called the meeting to order with The Lord's Prayer. The Municipal Clerk called the roll.

It was moved by Councillor Fader, seconded by Councillor Gaetz:

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

It was moved by Councillor Deveaux, seconded by Councillor Walker:

"THAT the Minutes of April 18th., 1978 be approved." Motion Carried.

It was moved by Councillor MacKenzie, seconded by Councillor Benjamin:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

It was moved by Councillor Deveaux, seconded by Councillor MacKay:

"THAT the Program Report of the Recreation Budget for 1978 be approved as submitted."  
Motion Carried.

Councillor Gaetz questioned as to playground equipment with respect to cost shared by the district concerned and if a grant could be made from Lien Law Funds. The Clerk advised yes if it was heavy equipment on Municipal owned lands.

It was moved by Councillor Sutherland, seconded by Councillor MacKenzie:

"THAT the Annual Council adjourn to June 20th., 1978 at 2:00 p.m." Motion Carried.

MINUTES OF A MEETING OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

June 20, 1978

Before Council was officially opened, a presentation was given by the Provincial Emergency Measures Organization. It consisted of slides, a film and explanations given by Messrs. Gray and Cole about the kind of program they would like to see implemented in the area for emergencies.

Councillor Deveaux asked if this presentation could be shown to such local groups as fire departments and Mr. Gray said that it could be. When asked by Councillor Baker how well equipped the Municipality was for emergencies, Mr. Gray feels the County is doing quite well. Mr. Gough is the E.M.O. advisor for the County and could give a more detailed analysis of the present situation.

It was noted by Councillor Cosman that the E.M.O. by-laws need updating and that a hazard analysis should be done for Halifax County as there are many local disasters that could occur and the County should be prepared for these. She thanked Messrs. Gray and Cole for making the presentation possible.

Deputy Warden Williams was disappointed to see that the film was an American one instead of Canadian. He, himself, lives in a fishing village which was vastly affected by Hurricane Edna. Many of the fisherman lost boats, wharves and equipment. The area was certainly a disaster but it was not declared so and the people got no financial assistance from the government. Deputy Warden Williams wanted to know what could be done to have such storms declared a disaster. Mr. Gray explained that in order for the Province to be able to claim Federal Assistance the damage would have to be over a million dollars as the Province would have to pick up the first million dollars in claims. The E.M.O. purpose is to protect lives and they do not, as such, get involved in financial assistance.

Councillor Eisenhauer asked who was responsible for emergency equipment loaned to the fire departments and Mr. Gray replied that the E.M.O. keep tabs on it. This equipment was a gift from the Department of National Defence.

Warden Settle thanked Mr. Gray and Mr. Cole for their presentation.

Warden Settle then opened the annual session of Council at 3:15 p.m. with the Lord's Prayer followed by the Clerk calling the roll.

It was moved by Deputy Warden Williams, seconded by Councillor Deveaux:

"THAT Mrs. Terri Durling be appointed as recording secretary." Motion Carried.

It was moved by Councillor Deveaux, seconded by Councillor Cosman:

"THAT the minutes of May 16, 1978 be approved." Motion Carried.

It was noted that because there are still six districts for which assessment notices have not yet been mailed, the assessment rolls were incomplete. The Finance and Executive Committee cannot deal with the final budgets and they recommend that the annual session of Council adjourn until July 18, 1978 at 2:00 p.m.

Councillor MacKenzie asked if the provincial assessment office has been approached about the delays. Mr. Bensted informed Council that the local office hoped to have the status rolls completely checked and back for printing next week. Once the corrections are made, things will start moving. Councillor MacKenzie also inquired about extra cost to the County because of the delay and assistance from the Department of Municipal Affairs to which Mr. Bensted answered that three quarters of the payment of usual grants had been made early to the County which puts them in a reasonable financial position with regards to income. The Department of Municipal Affairs will help with any additional costs the County may have incurred because of this delay.

Councillor Streach added that once the provincial assessment office complete their job, then Finance and Executive can do theirs. The County will definitely not suffer any financial loss because of their delay.

Councillor Smith was interested to know how an assessment can be sent out when the assessor does not visit the home. She asked what the usual procedure was. Warden Settle explained that they are supposed to go to each home but, of course, this is not practical where occupants may be absent. The solicitor, Mr. Cragg, went on to say that a homeowner must allow an assessor into his home, however, he can make an assessment without going into the home based on the previous history of the property. Mr. Bensted added that records are kept on each and every property.

Councillor Margeson brought up a point about the cost involved in sending out assessment notices by registered mail costing \$1.39 per letter. This can be very costly. Mr. Bensted explained that the first notice goes out by ordinary mail and it is only the second notice that is registered.

Councillor Eisenhauer asked that a press release be prepared explaining that the tax rates cannot be set because there are still six more districts that are not completed.

It was moved by Councillor Streach, seconded by Councillor Sutherland:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

June 20, 1978

It was moved by Councillor Fader, seconded by Councillor Eisenhower:

"THAT the district and Municipal Officers for districts 5, 7A, 10, 12, 1, 4, 16, 17, 18  
6 and 14 be approved as submitted." Motion Carried.

It was moved by Councillor Deveaux, seconded by Deputy Warden Williams:

"THAT the annual session of Council be adjourned to July 18, 1978 at 2:00 p.m."  
Motion Carried.

MINUTES OF THE ANNUAL COUNCIL SESSION OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

The Annual Council Session was called to order by Warden Ira Settle at 2:00 P.M., followed by the Lord's Prayer. Mr. Bensted called the Roll.

It was moved by Councillor Eisenhauer, seconded by Councillor Margeson:

"THAT Miss Gail Marks be appointed as recording secretary."  
Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Deveaux:

"THAT the Minutes of June 20th., 1978 be approved."  
Motion Carried.

It was moved by Councillor Deveaux, seconded by Councillor Fader:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

Mr. Bensted pointed out that this Report was the short report passed out to the councillors, stating that the Committee will be in a position to finalize the 1978 Budget Revenue and Expenditures for consideration by Council on July 12th., 1978.

Mr. Bensted explained the report and that the Committee recommends that members of Council be prepared, if necessary, to sit on July 26th and July 27th., 1978, in order to finalize budgets etc., so that the general tax rates and district and area rates may be approved in order for tax billing to commence July 31st., 1978.

Councillor Gaetz questioned whether or not, notices were sent to widows or widowers with respect to tax exemption.

Mr. Bensted explained that there would be an advertisement in the paper reminding people that they must apply for this exemption.

Councillor Eisenhauer questioned as to the number of councillors who would be in the area during that week. He stated that there may be some councillors away at that time, however, the Warden explained that there are only three away at this meeting, and that we only need twelve councillors present to carry out business.

Item No. 5, was the next on the Agenda to clear up and Mr. Bensted pointed out that some councillors had not changed or passed in the list of district officers and asked that this list be passed in after the Council Session before the 26th of July.

It was moved by Councillor Fader, seconded by Councillor Sutherland:

"THAT Council adjourn to Wednesday, July 26th., 1978 at 2:00 P.M." Motion Carried.



ANNUAL SESSION OF COUNCIL OF THE MUNICIPALITY OF THE COUNTY OF HALIFAX

July 26th., 1978

Warden Ira Settle called the meeting to order followed by the Municipal Clerk calling the roll.

It was moved by Councillor Walker, seconded by Councillor Poirier:

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

It was moved by Councillor Benjamin, seconded by Councillor MacKenzie:

"THAT the Municipal and District Officers be approved." Motion Carried.

Mr. Bensted pointed typing errors with respect to the Report of the Finance and Executive Committee re area and district rates. He pointed out that the pollution control rate for those area on the Dartmouth side of the Harbour would be 14 cents and those areas on the Bedford-Sackville side of the Harbour would be 13 cents. Councillor Benjamin said that he would like to have a detailed list of the district breakdown for services, i.e. garbage and that he would like to see the comparable figures for 1977. He confirmed that this information is available to the Councillors.

Councillor Baker asked how the area rate was established. Mr. Bensted answered that the rate was established by the estimated cost for the year divided by the assessment figure.

Council agreed to discuss the school area rates next.

It was moved by Councillor Gaetz, seconded by Councillor Lawrence:

"THAT the school area rates be approved as tabled." Motion Carried.

Deputy Warden Williams queried as to the left over funds with respect to school rates. Mr. Bensted answered that these surplus funds are held by the school board.

There was some discussion between Councillor Lachance and Deputy Warden Williams as to the approval on school area budgets. Deputy Warden Williams pointed out that if every school put out an area rate of 1 cent this could add up to a little sum of money. It was pointed out that this is allowed by legislation, however, Deputy Warden Williams feels that this could get out of hand if every school in a particular district decided to levy an area rate.

Councillor Walker would like to know what items are being bought at Sir John A. MacDonald High School for a total of \$10,000.00. Councillor Lawrence told him commercial supplies and science lab equipment, however, she did not have details of supplies ordered or what equipment was being ordered.

Councillor Benjamin agrees that overlapping of school area rates could get out of hand and is not democratic if three schools could put on an area rate or 3 people at a public meeting levying an area rate. He believes that the school board should be asked to have this aspect of the School Act amended so that the situation does not happen that people are being made to pay area rates which overlap.

Deputy Warden Williams would like to have this stopped before the money is spent. People do not attend public meetings but when a decision is made which makes the people pay money then certainly a lot of voices are heard.

It was moved by Deputy Warden Williams, seconded by Councillor Walker:

"THAT Council request the Finance and Executive Committee and School Board to arrange a meeting with the Minister of Education with respect to the setting of Budgets at Annual School Meetings." Motion Carried.

Deputy Warden Williams and Councillor Walker suggested that a delegation be formed to meet with the Minister of Education to discuss the School Board Act.

Councillor Fader does not wish to see School area rates get out of hand. Councillor Deveaux also shared this view.

Councillor Gaetz pointed out that he did not see anything wrong with the Act as it is now. He pointed out that people can go to these public meetings but they can not be bothered to do so. The people who turn up at the meeting set a Budget and the whole community "raises hell" afterwards.

Councillor Benjamin suggested that some Councillors may not be aware of the ratepayers annual meetings. In the communities there are sometimes 3 meetings going on in one night and the Councillor certainly can not make an appearance at all three meetings in one night.

Councillor MacKenzie confirmed that an annual school meeting has to be advertised.

Councillor Streach pointed out that no representative group should be empowered to set an area rate without the Councillor of the District being present.

July 26th., 1978

Deputy Warden Williams suggested no money be spent or allotted or no area rate be levied on any area unless one month notice be given. Deputy Warden Williams suggested that a meeting be arranged with the Minister of Education to discuss this. Councillor Walker shared this view. It was discussed that an invitation should extend to members of Council and School Board and a report be brought back to Council.

Councillor McCabe pointed out the over expenditure in the hospital budget. The area rate should be adjusted to read 15 cents instead of the 13 cents as shown.

Councillor MacKay suggested that he would like to see budgets for various services before he would agree to area rates proposed. He pointed out that he would like to have time to study the budgets and reports before making a decision.

Mr. Bensted explained how the rate was arrived at for garbage, i. e. by tender call, etc. Councillor Benjamin pointed out that any Councillor could obtain this information with respect to their particular district.

Councillor Streach suggested that Council adjourn for ten minutes to allow the five Councillors of the district to discuss this information with Councillor MacKay.

It was moved by Councillor Walker, seconded by Councillor Streach:

"THAT Council adjourn for 10 minutes." Motion Carried.

Warden Ira Settle called the meeting back to order.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT area and district rates be approved as tabled and amended." Motion Carried.

Councillor Lachance queried as to the Lien Law grants. Mr. Bensted explained that the surplus from tax sales, etc. can be used after 5 years for municipal capital purposes such as recreation, fire, school grounds, etc. if this money is not claimed. However, if in the future someone does make a claim after 5 years, the money will have to be paid to the individual possibly through general tax rates.

Councillor Lachance has questions as to when tax bills will be out and what changes are proposed for next year due to the computer. Mr. Bensted pointed out that there may be some changes due to mailing addresses changing, however, no major changes.

Councillor Gaetz again questioned as to the advertising of widow (er's) tax exemption and why an application was made every year. He was answered by Mr. Bensted, in that a widow (er's) circumstances may change from year to year so a new application must be made every year.

There was some question as to the time the tax bills go out. People are away on vacation and some receive vacation bonuses and at that time people will have to pay this bill before interest accumulates. It was established that next year the tax bills should not be so late going out.

Councillor Lawrence suggested amending the due date for interest to September 15th instead of the 1st, however, the computer does not program interest until the 30th of September anyway, therefore, people do have the 30 days in which to pay their bills.

Councillor Benjamin expressed that the County has already lost a great amount of money due to the bills not going out until this date and another delay means more loss of revenue to the County. Mr. Bensted pointed out that there have been discussions with the Minister and the Province has or will make available the money which the County has lost due to the late billings. Councillor Deveaux questioned if there would have to be a change in legislation to be able to use the Lien Law grant moneys for other purposes than municipal properties. Mr. Bensted pointed out that the Minister would not be prepared to change this legislation as such. It is Municipal Funds to be used for municipal purposes only.

Councillor Deveaux asked about playing areas and erecting backstops, etc., and Mr. Bensted pointed out that the Municipality owns most of the play areas and that municipal funds could be used for these purposes as long as it is municipal property.

It was confirmed that residents will have a 30 day period in which to pay their tax bills before the interest is put on.

Councillor Lawrence questioned as to where the tax dollars go and was wondering whether there is a percentage breakdown available for tax payers so that they know where their tax dollars are spent.

She also asked about headings and what they meant in the budgets.

Councillor Streach pointed out that he has a rough idea of some budgets but could not explain the complete budget in detail. He pointed out that there are some areas of the school board budget he does not approve of especially the increase in maintenance costs, i.e. 1973 - \$1,733,361 and now 1978 - \$5,109,370.00 which represents a 195% increase. He said that this increase may be due to: (1) growth in County is a significant factor and also do doubt the inflation factor. With these two factors, we can have a good solid base to ask the Minister for more funding for assistance. The increases since 1973 are as follows: 129% increase for property maintenance; 1973 - 70% of property maintenance being shared by the province and 1978 - 54% increase being shared by the province. There are increases all over the

County and in the budgets, the Committee has tried to allow for increases in almost all departments. The County is growing and he believes that the report before Council is a reasonable one.

Councillor Gaetz pointed out the Ocean View Manor grant of \$2000,000.00 in 1977 for a deficit and now, 1978, a deficit of \$150,000.00.

Mr. Bensted pointed that the Municipality is responsible for operating Ocean View Manor and that Ocean View Manor has been operating on a deficit since the beginning and Council allowed this deficit to accumulate. The County could not let the situation continue, therefore, the County is picking up the deficit over a period of time. In the future, the operating deficit should decrease as it gets paid off. He also pointed out that the occupancy rate is unpredictable.

Councillor Margeson discussed with Mr. Bensted the meaning of Miscellaneous Fiscal Services. Mr. Bensted pointed out that it is more economical for the County to have the bank do services rather than some individual, and also pointed out that the bank charges for these services.

Councillor Deveaux asked about the \$165,000,000.00 for tax exemption in 1978. Mr. Bensted replied that schools are exempt from taxation and the Provincial and Federal properties being exempt. He pointed out that the taxable assessment is \$940,000.00

Councillor Gaetz pointed out the construction per footage cost is going up beyond \$35.00 per square foot.

Councillor Gaetz was concerned about the tax rate due to the building of schools and pointed that funds are needed from the province.

Councillor Lachance agreed with more cost sharing with respect to education. He would like to see this item added to the list of topics to discuss at the meeting with the Minister.

Councillor Streach pointed out that Council should put together a good delegation to present these items to the Minister and not everyone go down to meet with him and to be completely unorganized. Councillor Fader suggested that the Chairman of the various committees should be present.

Councillor Margeson suggested the Minister could come out to the County Building.

It was moved by Councillor MacKenzie, seconded by Councillor Fader:

"THAT the Report of the Finance and Executive Committee be approved." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Benjamin:

"THAT the 1978 Budget, Revenue and Expenditures, be approved." Motion Carried.

It was moved by Councillor Lachance, seconded by Councillor Gaetz:

"THAT the item of School Construction costs be added for the meeting with the Minister." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor MacKenzie:

"THAT the interest date tax billing be September 1, 1978." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT Council adjourn for 15 minutes." Motion Carried.

It was moved by Councillor Fader, seconded by Councillor Streach:

"THAT the final report of the Finance and Executive Committee re 1978 budget, Revenue and Expenditures, be approved." Motion Carried.

Councillor MacKay questioned the change in the amount with respect to the estimated revenue of the Deed Transfer Tax. of \$900,000.00 to \$1,000,000.00. Mr. Bensted explained that this is an estimated figure and based on 1977 revenue that this amount could be anticipated for the year. Councillor Fader explained that in years before the estimated amount of revenue from Deed Transfer Tax was exceeded.

It was moved by Councillor Benjamin, seconded by Councillor MacKenzie:

"THAT Council approve the 1978 General Tax Rate of \$1.75 and a Residential Tax Rate of \$.99 per 100 dollars of assessment." Motion Carried.

Councillor Lawrence pointed out the meeting notice on the Councillors' desks re the Municipal Development Plan. Councillor Fader extended a hearty thank you to staff members on behalf of the Finance and Executive Committee with respect to preparing the Budget.

It was moved by Councillor Lachance:

"THAT Council adjourn." Motion Carried.

MINUTES & REPORTS

OF THE

SECOND YEAR MEETINGS

OF THE

THIRTY - NINTH COUNCIL

OF THE

MUNICIPALITY OF THE COUNTY OF HALIFAX

APRIL COUNCIL SESSION

TUESDAY, APRIL 18th, 1978

and

SPECIAL COUNCIL SESSIONS

Tuesday, April 18th, 1978 & Monday, April 24th, 1978

Tuesday, April 11, 1978

MINUTES OF THE SPECIAL SESSION OF THE MUNICIPAL COUNCIL  
OF  
THE MUNICIPALITY OF THE COUNTY OF HALIFAX

Warden Ira Settle called the meeting to order. The Lord's Prayer was recited. The Municipal Clerk called the roll.

It was moved by Councillor Cosman, seconded by Councillor Eisenhauer:

"THAT Miss Gail Marks be appointed as recording secretary." Motion Carried.

The Clerk advised that this was a special session for the purpose of discussing dog control and gave a slight review of previous discussions about dog control for the Municipality of the County of Halifax. Some discussions were held with the SPC; with the SPC submitting two proposals for two areas of the County. The Clerk suggested that this should be looked at on a County basis and not a district basis.

The Clerk advised that Mr. Marsten of the SPC was present in the gallery and Mr. Marsten was asked to come forward to outline the proposals which the SPC has for a dog control program.

Mr. Marsten outlined that any person authorized to control animals should have proper training. He had spoken to Manpower about a six month course for which Manpower would pay or reimburse the County for 60 percent of the wages during this training period. He feels that an animal control officer should know something about the animals the officer would be dealing with, especially dogs. However, there are cats, raccoons, etc. also getting into the garbage. He feels that if the animals, especially dogs, are trapped they should be trapped in a proper manner so as not to injure the animal and to prevent accidents to the officer.

Councillor Baker stated that dogs were the main concern for control.

Mr. Marsten stated that some cases of rabies have been reported in New Brunswick and it may spread into Nova Scotia.

Mr. Marsten suggested two solutions to help dog control. One would be a pellet gun which would shoot dye and will mark the dog which has been in the garbage. He mentioned about fees for licensing being higher for unspayed animals and unneutered animals. Unneutered animals are more a problem with respect to traveling and producing more animals.

Mr. Marsten stated if the owner cannot be located then the dog is impounded. Ownership might be admitted if he wants the dog back and will pay a fine. If the fine is too high, the owner will not admit ownership. However, the smaller fines could add up and an owner might just try to keep his dog on his property.

Councillor Baker asked what the proposed cost for a dog catcher would be for districts 2, 4 and 5.

Mr. Marsten stated he had \$17,940 for the three districts (2, 4 and 5). However, Manpower will reimburse 60 percent of the wages for the first six months while men are on training.

Councillor Lawrence clarified that the Manpower's reimbursement is not calculated in the \$17,940 figure.

Mr. Marsten stated while that one person would be delegated to an area that five people would always be moving around areas within the City and County. This way there would always be someone available.

Councillor Deveaux asked where the SPC was operating now. Mr. Marsten said in the City but if this project opens county wide then there would be the need to open two satellite pounds within the County.

There was considerable discussion as to the authority and legal status of present dog catchers. The by-laws as they now stand limit the dog catcher's authority in going on a property and getting the dog and to issue fines. Warning tickets might be issued and a record kept of this.

Mr. Marsten feels that working on a complaint system is the best way of determining the problem areas and to determine which areas need heavier coverage than others.

Councillor Topple stated that it is no good to issue tickets if action was not taken, if the tickets were not paid. Again Mr. Marsten said that when people were taken to court they denied ownership of the dog if costs go too high.

Councillor Gaetz agreed with Mr. Marsten that there should be some by-law changes so that animal officers could enforce the law.

Mr. Marsten also stated that the Provincial Government should help too, as well as the Department of Agriculture since they are sort of related to the environment.

Councillor Sutherland again wanted to know the legal status of the dog catchers. Mr. Marsten stated that this should go through the police commission and have County by-law enforcement officers.

Councillor Eisenhauer expressed his agreement with giving power to dog catchers to get problem dogs and not just chase them around the countryside. He was also interested in the economics of the situation and said that it would be more economical to do this project on a large scale than individual pilot projects.

Deputy Warden Williams strongly expressed that he had a bad dog problem and that it was getting worse now that people are preparing their property for gardens, flowers, etc. He stated that his dog catchers had kept the dogs on his property with the surplus going to the SPC, however, then his neighbours started complaining. He wants service as soon as possible and agrees with the program. He brought out the points that the SPC would have a list of the licenses and that may be a problem to furnish. Our list goes to Mr. Kelly and also a list should be made of the people who refuse to license their dog. He thinks that the refusals should be cracked down on especially the ones who have no intention of licensing their dog. He also thinks that people who have animals should look after them. It is not fair to the animals to let them run wild.

Deputy Warden Williams mentioned that two children were bitten on a school ground and four lunches stolen from children's hands.

Mr. Marsten pointed out that his trucks were different colors but yet marked so that people who let their animals run at large could not point out a certain "blue" truck.

Councillor Streach pointed out that he doesn't have a severe problem, however, the people are paying for dog control. The people feel that they are paying for a service that is not there. Actually, the people don't need the heavy service but yet they are still paying for it. He is in agreement with a county program financed through the County. He does not want this county service to increase area rates.

Councillor MacKenzie brought up the point that the dog catchers should stay in an area for a couple of days so that the dogs should be caught. He also supports a county wide program.

Councillor Walker also pointed out the time element. When a complaint is phoned in, he was concerned how long it would take the dog catcher to be on the scene.

It was clarified that the vehicles were equipped with radios so that they could be in the area of a complainant and get to the area in a very short time.

Deputy Warden Williams expressed his concern to have control now as the problem is getting worse and he can't wait for all these agreements to go through proper channels.

Councillor Cosman pointed out that she had just appointed a dog catcher and doesn't want to fire him.

There was discussion on having the dog control service implemented across the entire county, however, the districts that are happy with the dog service they were presently getting will not have to accept the SPC proposal.

There was discussion again on how long it would take an animal control officer to get to the problem area and as to maintaining satisfactory service which is now into effect.

Councillor Eisenhauer would like to see this program get started. Councillor Baker also suggested that he would like service immediately. Councillor Sutherland said that we should have qualified people to enforce the by-law.

Councillor Lawrence expressed that she would not like to see the present little dog pound in her area expand to become a satellite pound.

Councillor Deveaux does not oppose the program, however, he does wish to keep his present service.

It was moved by Councillor Fader, seconded by Deputy Warden Williams:

"THAT the Finance and Executive Committee be authorized to negotiate with the SPC as to a dog control program for the Municipality as a whole which would exclude present dog control in those areas where satisfactory dog control is in effect." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Fader:

"THAT the Solicitor be instructed to seek permissive legislation or by-laws empowering the Municipality to enter into a ticket procedure for violations of the Dog By-law." Motion Carried.

Council agreed that the enforcement officers should be empowered to ticket and collect fines.

It was moved by Councillor Eisenhauer, seconded by Councillor Streach:

"THAT sandwiches be brought in for lunch." Motion Carried.

It was moved by Councillor Walker, seconded by Councillor Eisenhauer:

"THAT the special session of Council adjourn. 11:40 a.m." Motion Carried.

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MINUTES OF A SPECIAL SESSION OF COUNCIL

RE: PUBLIC HEARING - APPLICATION # 25-77, LANDS OF WESTGATE PARK LTD. AT BEDFORD - PARCEL "L" FOR REZONING FROM C2 (COMMERCIAL GENERAL BUSINESS) ZONE TO R-4 (RESIDENTIAL GENERAL) ZONE.

Warden Ira Settle opened the public hearing with the Lord's Prayer followed by Mr. Bensted calling the roll.

It was moved by Councillor Eisenhauer, seconded by Councillor MacKay:

"THAT Terri Durling be appointed as recording secretary." Motion Carried.

Warden Settle outlined the ground rules for a public hearing and then introduced Mr. Gough of the Planning Department who gave a summary of the application. The application was advertised and neither letters of objection or in favour were received. The applicant wishes to erect a 51 unit apartment building and the Planning Department recommends approval of the application. Mr. Gough gave a brief description of the area in question and the immediate surrounding area. It is bound on the south by the Sackville River and a Nova Scotia Power Corporation right-of-way. To the south another apartment building is presently being constructed, to the east is an existing playing field and to the west is the Ponderosa Steak House in Bedford. There are single family homes on Union, Bridge and Meadowview Streets and there is a shopping mall nearby. The existing zoning is R-4 where there is already an apartment building, R-1 and R-2.

Councillor Cosman asked Mr. Gough to explain the addendum staff report re the application at this time. Mr. Gough explained that this outlines the purpose of the hearing which is to determine where on Lot J1-A the proposed structure will be located because the building can be constructed regardless of the hearing's outcome. It would appear that the proposed location is better than the other alternative for several reasons. The Department of Public Works have advised that this zone change would not create any problem in regard to water and sewer capacity. There is a treed area on the back portion of parcel "L" which should be preserved and which the developer will maintain if the zoning is approved. If not, these trees will have to be cut down to make way for the apartment in the other location. To rezone the area to R-4 would cut down on any future commercial development such as a tavern or drive-in theatre which would not fit in with the character of the neighbourhood. There is already enough commercial development existing in the area.

In reply to Councillor Streach's questions about the height of the land and the undergrowth, Dorothy Smith of the Planning Department said the area borders on the flood plane of the Sackville River and the lot is cleared except for the trees in question on the front portion.

Concerning the question of flooding, Mr. Gough said that at one time the area was definitely in the flood plane but it can be elevated by engineering means and not affected by floods.

Warden Settle then asked to hear from those who wished to speak in favour of the application.

Mr. Morton Kelly of Union Street, Bedford, took the floor and spoke on behalf of the developer. He has lived in the area for the past 25 years and has observed the developer who seems able to put land to productive use. Traffic should flow through the upper bridge which would be the most natural entrance to the property. By granting this application, the treed area would remain and the most intelligent use of the land implemented.

Councillor Lawrence asked the approximate area of Mr. Kelly's home in relation to the property and he replied that he was about 150 to 200 feet away from the entrance to the property in question.

Councillor Cosman asked if he had any invested interest in the said property and Mr. Kelly said he did not.

Councillor Deveaux asked who Westgate Park Limited consisted of and Mr. Kelly said Mr. Martin Eisenhauer was the name of the developer.

Regarding flats, Councillor Streach asked if Mr. Kelly could see improvements to this area over the years. Mr. Kelly stated there has been a marked improvement and it is because the developer is doing his job in good faith, expressing concern for the people in the area and being most conscientious in his efforts. The lands belong to him but he does not do the actual construction of the buildings.

Councillor MacKay was concerned that the treed area may be destroyed at a future date however Mr. Kelly seemed to feel that the developer would leave these trees intact especially if it were in the best interests of the people in the area.

Mr. George Caines of Stewart, MacKeen and Covert representing Westgate Park Limited then came forward. He, too spoke in favour of the rezoning saying the trees would be saved and it seemed to be the best use of the land. He mentioned that there were various representatives present from Westgate Park Limited who would be glad to answer any questions Council may have.

Again, Councillor MacKay asked if the trees would remain in the future once this application were approved. Mr. Caines said since the trees were attractive to an apartment building it would seem they would always remain, however, if there were any doubts about their future, the developer would be prepared to enter into an agreement whereby he would agree not to cut them down in the future.

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Jean Sproule of 11 Meadowview Drive, Bedford also spoke in favour of the application. She lives directly behind the area and was present at a meeting of some of the area residents the other evening. It seems they too wish to preserve the trees and aesthetic value.

There being no one else to speak in favour of the application, Warden Settle asked to hear from those who oppose it.

Mr. Ted Cunningham, 31 Meadowview Drive, Bedford, expressed his views in opposing the application.

He questioned some of the points contained in the report prepared by the Planning Department regarding size of the lot in question and the number of units allowed on the lot. Mr. Gough explained that there is room enough for 74 units, however, the developer has stated that the proposed building will contain 51 units. Dorothy Smith added that a building permit would be issued for the entire lot and the 51 units can be built after meeting all other municipal regulations.

Mr. Cunningham went on to say that Bedford has experienced a 600 percent increase in high density development. The County should be looking at this and making sure the developments are desirable and beneficial to the Community. The area in question is also in the flood plane. Mr. Cunningham was particularly concerned that this area was rezoned a few years ago at the developer's request to C-2 and he is now asking for another rezoning. At that time the developer agreed that high density was not the type of development that should go here. At that time the developer proposed a 48 unit building and promised to retain the trees and use adjacent land for garden plots. This never happened and now he wants another apartment building. The County should be concerned about the schools being crowded, the lack of recreational facilities, the heavy traffic problems and the flood plane problem and what another apartment complex will do to these already existing problems. There seems to be no consideration given to these problems. Thirty-six acres have been subdivided and none of it is for recreation. Mr. Cunningham was astonished at the inaccuracies of the report. The Planning Department is concerned with saving a few trees and the major issues are not being looked at.

Concerning the errors in the Planning Department's Report, Mr. Cunningham said there were no trees on parcel "L". Most of these were cut down and the drawing does not show the correct position of the few remaining trees. A horticulturalist looked at these trees a few days ago and said many of them would not live unless immediate remedial action is taken. There are mounds of earth around them from the construction of the shopping mall and apartment building. Many of them are sitting in water and will not survive until summer.

To say that another commercial use on this lot is undesirable makes no sense when there is 1/4 of a million dollars in other commercial enterprises around. At the first rezoning application, the people were prepared to have a commercial development here.

The Planning Department say that "down zoning" is good for the area. This should not be played up as a good thing. There is already a tavern being located in the area. The developer is asking for this rezoning and will then sell the land to an apartment construction firm.

Although the Department of Public Works state that this will slightly exceed the demands on water and sewer, there is no mention that yet another apartment complex may be going up and what then.

The impression being given to Council is that these scrubby half-dead trees are a Garden of Eden. The fact remains that the people have already gone through one hearing to have this changed to C-2 and they should live with that decision. Every time a developer comes along with an idea, he changes it and no thought is given to the needs of the people. The County might just as well throw away the zoning laws if this is the case.

Councillor MacKay asked what the plans for recreation were in this area. Mr. Gough has been in contact with the developer and he has indicated that he will be constructing the Sackville River Walkway and that it would be landscaped at a cost of around \$50,000.00 to \$75,000.00 for the entire project.

Councillor Topple agreed with some of Mr. Cunningham's comments but feels this particular application will tidy up the zoning.

Councillor Lawrence asked what the 600 percent growth rate was related to. Mr. Cunningham explained that 8 to 10 large apartment unit blocks have recently been constructed. She also asked if the trees were a visual buffer to Meadowview Street. Mr. Cunningham said that most of the trees have been cut down to make way for a right-of-way to the property. No consideration is being made for increased park land, traffic or schools which are the issues here tonight.

Councillor Lawrence stated that the elementary schools are not overcrowded. If Mr. Cunningham's statistics are correct about the 600 percent growth rate, then the schools have held up.

Councillor Benjamin asked the size of the existing apartment building. Dorothy Smith replied that it was 51 units and they would be similar in size. Councillor Benjamin feels the argument for schools is not valid as schools will have to be provided if the growth increases. He also feels that putting a commercial development beside an apartment building is not good planning which would be the case if the application is rejected. A green belt is preferable to this in any event. Mr. Cunningham could not see that any future plans were being made for schools and the County could get into trouble. There is also no guarantee that the developer will do as he says.



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Councillor Deveaux also agreed with some of Mr. Cunningham's comments but what is the lesser of the two evils. The developer is going to build regardless. He also wondered if there would be room for a small commercial venture on Lot "L" if this were rezoned. Mr. Gough said if there were public access then it could be developed for commercial use.

Councillor Cosman commented that public markets change as well as supply and demand, often this is justification for a change in development plans.

Councillor MacKay asked if the building could be accommodated and if criteria can be met. Mr. Gough said that he did not want to get into a confrontation but there are always social or economic conditions which change things. The traffic may be accommodated by improvements to the highways as was the case with Spryfield and the Armdale Rotary. Public Works has already stated that it would not be objectionable to have this development. When asked by Councillor MacKay if the Planning Department had some liaison with the School Board, Mr. Gough said the school system in Bedford appears to be adequate according to the School Board. They are aware of the development. Also, this type of building does not usually have children.

Councillor Gaetz asked if the scrubby trees could be replaced to make a better buffer zone. Mr. Cunningham replied that the best trees have already been cut down and he is in favour of buffer zones.

After answering Council's questions, Mr. Cunningham was replaced by Lacuna Cunningham of 31 Meadowview Drive, Bedford, who also spoke against the application. Mrs. Cunningham gave an excellent presentation starting out by saying that zoning is a privilege used to better the Community. She spoke about the hazard of having children living so close to the river where just last year a two year old drowned. In 1973 a petition was sent out by the developer asking to change the zoning from R1 to C2. The majority of the people supported this move. She then recited several quotes from newspapers confirming the resident's support of this rezoning. A few years later Mr. Eisenhower wanted to rezone again but did not send out a petition this time. A 51 unit apartment building was erected with the promise of garden plots. A right-of-way as prepared on the original subdivision map was totally ignored by Mr. Eisenhower and the garden plots never came about. The residents were landlocked and through negotiations were finally able to obtain a 50 foot right-of-way.

Mrs. Cunningham went on to confirm Mr. Cunningham's appraisal of the trees. She had a Mr. Harry Dean look at the trees and they definitely need help to survive. This is not included in the legal agreement. Some of the trees have been sitting in water for five years. She also feels that the legal agreement will not mean much as other legal agreements in the past have not been regarded. In the area there are 83 single family homes, a trucking firm, a 4 unit building, 13 R-1 vacant lots and the 51 unit apartment building.

Mrs. Cunningham stated that Councillor Fader had asked for more information regarding the traffic problem in this area three years ago. We are still faced with Councillor Fader's concern. As there are five sets of lights for traffic from Halifax to Sackville, people will be tempted to detour via Union Street. This street is narrow and twisting and someone could be killed if traffic increases here.

According to Project Planners, Mrs. Cunningham quoted them as saying the flood planes should be protected from most forms of development. With other development such as apartment buildings there is a greater chance for more costly flooding. Such things as a golf course or park would be better suited to the area. Mrs. Cunningham also spoke in detail about the flooding problems faced by many American cities because they have no green areas and are saturated with high rise buildings, pavements and other high density projects. Some cities are thinking of building lakes to catch the rainwater.

There is also the problem of silt going into the Bedford Basin from Mr. Eisenhower's projects. The Sackville River has been greatly disturbed by these developments. The flood planes have poured tons of silt into the Bedford Basin. There is enough R-4 zoned land to create a possible 600 apartment units in the area. The schools are old, an elementary school is needed and the high school is going on split shifts this fall. The sewer, water and roads will be over used. The single family home subsidizes the apartment block and the County should take a long look at high rise development.

Mrs. Cunningham suggested that a moratorium be put on high rise development. As stated previously rezoning is a privilege and developers are empire building at the expense of others. Mr. Eisenhower also promised to send out a monthly newsletter and only two have been received.

Many of the trees have already been destroyed. When Mr. Eisenhower asked what the people wanted, they asked for a fence and a ditch and he said these would be put in and it would be landscaped. As far as she is concerned, Mr. Eisenhower is not a man of his word and will only do what is expedient under legal pressure.

Councillor Cosman asked who Mrs. Cunningham was representing and she said herself only. Councillor Cosman also said that in 1975 the rezoning application was advertised and no one objected to it.

Solicitor for the County, Mr. Cragg, stated that the County was in no position to put a moratorium on building in any area as it is completely out of their hands.

Councillor MacKay commended Mrs. Cunningham's presentation saying it was very well done. The area is a mess and according to a picture Mrs. Cunningham distributed, the proposed development site is underwater.

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Councillor Lawrence said that if zoning should benefit the community and not the developer, there would be no developments at all, however, if all zoning applications were rejected.

Mrs. Cunningham feels that if the developer can show that there will be adequate park land, traffic facilities, school and fire protection then the project has its merits. The way it now stands though high rise developments place pressure on the existing facilities. The County is always trying to catch up to these demands. It was noted by Councillor Lawrence that the moratorium on schools has hindered the County in its attempts to obtain schools because of over-crowding.

Councillor Baker asked how long Mrs. Cunningham has lived in the area and if she has not seen improvements. She has been there for five years and has seen slides of what it was 25 years ago. There were small lakes to fish in but it is difficult to enjoy the environment around there now.

Councillor Streach agreed that Mrs. Cunningham has brought a number of good points. The Bedford Service Commission is now involved in an appeal which prevents them from taking a stand. It is difficult for the County to object to this development because it can be built regardless of their decision. Mrs. Cunningham feels that a person never has a chance against the developer.

It was noted by Councillor Fader that Mrs. Cunningham is the Chairwoman of the Bedford Service Commission. Mrs. Cunningham did say that the Commission feels that there is too much high density development in Bedford.

Councillor MacKay could not understand how something could be built in a flood plane area and wanted to know how this is determined. Mr. Gough explained that the flood planes are a provincial responsibility. Although building permits are issued through the Municipality, they are granted on the basis of advice from Health and Environment.

Councillor Topple said the Bedford Service Commission has the right to discuss anything they wish to. It is a fore-gone conclusion that the apartment will be built. It may be more desirable in the proposed location in that nothing commercial can be built here.

According to the Municipal Development Plan being prepared, Mrs. Cunningham said that this area will be a County protection district and this will be protected against such developments or rezoning.

Going back to the flood plane problem, Councillor MacKay feels it is ridiculous that the County is issuing building permits for this area. They have the responsibility but no authority.

Mr. Jim Edmonds, 19 Meadowview Drive, then came forward with his presentation. He also owns Lots 5 and 6 on the Union Street extension behind his own home. He agreed that the trees were ruined but has personally ordered new trees for his lots. At the last public hearing on this application a few years ago, he did not see the advertisement and subsequently had to hire a solicitor to appeal to the Planning Appeal Board to get his lots back. There are 11 approved lots under these trees. This was at personal cost to himself and the fault lies with the Planning Department because they did not have lot plan # 815 on file. In the end he still lost 16 feet.

Mr. Edmonds is very concerned about the health of the children. He would like to know if a legal agreement could be drawn up making some provision for directing the traffic out onto the service road and then onto the bridge. Union Street cannot handle any more traffic. It is not safe now for the children going to school and they obtained school busing because it was so dangerous.

Mr. Edmonds suggested that a fence be built which would protect the trees, ease up on the vehicular traffic and protect the children. There could be a small pedestrian right-of-way going to the shopping mall. He is especially concerned about traffic because of the five sets of lights which motorists will try to avoid during rush hour by using Union Street. If the fence is not put up people will be driving over this as it is presently well graveled.

Councillor Topple suggested that boulders be used instead as vandals may knock the fence down.

Councillor Cosman noted that the people in the apartment building need to be able to get through here and what about their rights.

Margaret Chapman of 61 Union Street, Bedford, agreed with Mr. Edmonds concerning the traffic. She has three children and many of the residents are in agreement with some type of an obstruction. She also feels that the more development that takes place on the flood planes will result in more flooding. She attended a meeting with the provincial government concerning the flooding recently and they suggested that the residents look to their elected representatives. The County has already contributed some short term help. She realizes that the County does not have the same short term help. She realizes that the County does not have the ability to stop building but the existing community should be protected.

Shirley Towell, 71 Union Street, Bedford agreed that something should be done about the flooding problem. Building permits should not be granted until these things are taken into consideration. Development has gone on in Sackville/Bedford as if a flooding problem does not exist. It also sounds as if the Public Gardens were being protected instead of a few trees.

There being no other persons to speak against the application, Councillor Streach suggested that there be a rebuttal from both sides to clear up any unanswered questions.

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The Solicitor for Westgate Park Ltd., Mr. Caines said that Mrs. Cunningham had made some interesting points. The developer cannot always be cast in the role of the villain. He has many difficulties to deal with himself. Her points could have been made without saying such negative things about Mr. Eisenhower. He is a man of his word. The developer is prepared to provide access in such a method subject to the Department of Highways giving their consent. The owner of the other apartment building will have to be approached as well.

Mr. Caines cannot see the reasons against the actual development since it can be built regardless. Since the proposed site is the best site, it only seems sensible to have it rezoned to R-4.

Mrs. Cunningham came forward again saying the developer can change his mind again as he has in the past. The area is under water in the picture distributed this evening. By leaving it in its present location, there would be more parking and it would move it further from the river.

Mr. Edmonds was pleased to hear that Mr. Eisenhower would consider the closure. The Department of Highways does not object to fencing this area either.

Councillor MacKay then asked about the location of the trees. Mr. Saks of Westgate Park Ltd. stated that the surveyors had marked out the four corners of the apartment building last year and it had been within 20 feet to the closest cluster of trees. During the winter some of these trees have died and that is why they are not shown in the picture.

It was moved by Councillor Sutherland, seconded by Councillor MacKay:

"THAT the public hearing be closed." Motion Carried.

Councillor Cosman, representing the district, then gave her views on the matter. She personally supports it with the addition of the legal agreement providing for a tot yard and protection and maintenance of the trees. She does understand the problems outlined this evening but since the building will be built anyway it seems to be the best place. She spoke to Mr. Perry, Superintendent of Schools, and statistically people in apartments do not have small children or preschoolers. Therefore, there does not seem to be any added burden to the school system. The impact would be small. She had talked to a lot of people about apartment buildings. At what point will Bedford have too many buildings? She has asked for a report from Project Planners at a meeting of the Planning Advisory Committee on the impact of apartment buildings in the area. Regarding traffic, she realizes this is a problem and read a letter from Mr. Miller of the Department of Highways who said that access roads would have to be negotiated with the owners of the buildings. The placing of "NO PARKING" signs in the area will help and these have been ordered. There should have been flood plane management 10 years ago and possibly the Bedford Service Commission could have purchased the land before any developing took place but it is too late for any of this now and we must live with the problems. Mr. Eisenhower has given his word that the trees would be repaired. She regrets that she cannot please everyone.

Councillor Sutherland asked if a motion could read to agree to having this road closed. Councillor Fader could not support this as there may be a case of emergency whereby the community would want this to remain open and it would be too late then. Mr. Cragg agreed with this and suggested that this be kept separate from the actual motion to approve or disapprove the application.

Councillor Lawrence questioned how involved the County would be should they sign an agreement with the developer. Would they have to enforce it at a later date. She suggested that the Finance and Executive Committee look at this as a precedent might be set for this type of thing.

Mr. Cragg said the County would be a party to the agreement and would have the right to interfere but would not necessarily enforce it. Councillor Lawrence could not understand how the County could enter into an agreement unless they were going to see that it would be enforced.

Councillor Benjamin supports the rezoning. He took great exception to Mrs. Cunningham's comments on Mr. Eisenhower saying he was not a man of his word. He personally knows him and his family and has the highest respect for him. He is definitely a man of his word. He too is concerned with the congestion of the highway. He suggested that the playing field adjacent to the Canadian Legion be used by the people in the area by putting a pedestrian crosswalk to connect it. He would like to see the developer incorporate this into his plan. He questioned putting up a fence.

Councillor Margeson suggested that the sewer capacity was being taxed. He asked how many types of units there were going to be and whether this has been approved by the Department of Health. There was a report from Councillor Cosman a few months ago about flooding and financial assistance was given to people in the area. A decision should be made on the facts.

Councillor MacKenzie said mistakes are always made and decisions of Council made 10 years ago should not be criticized now. Apartment buildings are needed.

Councillor MacKay asked what a covenant was and how it related to contract zoning. Mr. Cragg said the application should be considered separate from the contract and that it be dealt with later.

Since Councillor Topple feels Council is getting off the subject, he suggested they look at the locations since the building will go up regardless.

In summing up, Councillor Deveaux thanked those who made their presentations. The building permit cannot be stopped however, he will not approve the application because he feels it is too close to the Sackville River and flooding will be a major problem.

It was moved by Councillor Walker, seconded by Councillor Baker:

"THAT the zoning by-law be amended and is hereby so amended by rezoning lands of Westgate Park Ltd. - Parcel "L", Bedford from C2 (Commercial General Business) Zone to R-4 (Residential General) Zone as per application # 25-77." Motion Carried.

It was moved by Councillor Cosman, seconded by Councillor Fader:

"THAT Council approve an agreement between Westgate Park. Ltd and Tower Masonry Construction Ltd. and the Municipality of the County of Halifax re Parcel "L" Westgate Park Ltd., lands at Bedford and the Warden and Clerk be and are hereby so authorized to sign said agreement." (See motion to defer)

It was moved by Councillor Streach, seconded by Councillor Sutherland:

"THAT the above motion change to read the Bedford Service Commission instead of the Municipality of the County of Halifax."

Mr. Cragg suggested that this motion was not in order and the motion was withdrawn.

It was moved by Councillor Lawrence, seconded by Councillor Poirier:

"THAT this motion be referred to the Finance and Executive Committee." Motion Carried.

It was moved by Councillor Streach, seconded by Deputy Warden Williams:

"THAT Council adjourn." Motion Carried.

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