

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from Barbara Verge concerning the need for additional classroom space in the Hammonds Plains/Tantallon area.

It was moved by Councillor Meade, seconded by Councillor Fralick:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter said he had spoken to MLA Bruce Holland and discussed the situation. He said he has written a reply to Ms. Verge and Mr. Holland suggested that he may head up a round table discussion in the near future. He said he has indicated to Mr. Holland that Halifax County would participate.

SUPPLEMENTARY LETTERS AND CORRESPONDENCE

1. Mr. Reinhardt outlined a letter from Thomas A. Robertson with respect to the purchase of the Sackville Town Centre. Mr. Robertson requested to speak to council.

It was moved by Councillor Mitchell, seconded by Councillor Rankin:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Council agreed to hear Mr. Robertson speak.

Councillor Harvey said that he would agree only if Mr. Robertson had new information to present.

Mr. Robertson, upon arrival, informed council that he did not have any new information and therefore did not address council at this time.

2. Mr. Reinhardt outlined a letter from Theresa Scratch with regards to the municipality relocating to Sackville.

It was moved by Councillor Brill, seconded by Councillor Barnet:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

3. Mr. Reinhardt outlined a letter from the Department of Municipal Affairs informing Halifax County of interim changes in

positions of Regional Directors of Assessment as they affect the Metro Regional Assessment offices.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

4. Mr. Reinhardt outlined a letter from Mr. Fred Crooks re municipal polling districts review informing council that he has been advised that the Utility and Review Board will hold an afternoon hearing on March 10.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

It was moved by Councillor Rankin, seconded by Councillor Fralick:

"THAT COUNCIL FORMALLY REQUEST THE NOVA SCOTIA UTILITY REVIEW BOARD THAT THEY HOLD AN AFTERNOON SESSION ON MARCH 10TH AT 1:30 P.M IN THE COUNCIL CHAMBERS, 2750 DUTCH VILLAGE ROAD"

MOTION CARRIED

Councillor Rankin said council is still of the position that this has a provincial component to it in as much that it is provincial legislation and the utility board is under that legislation and Halifax County is on record as of December 7th requesting the province to consider an exemption from the review which was offered by a previous government. In addition to that he feels there is merit in informing the MLA's in the Halifax County area what the background was leading to the submission to the Utility Board because they have an interest in provincial matter falling under their legislation.

It was moved by Councillor Rankin, seconded by Councillor Giffin:

"THAT THE MLA'S BE UPDATED SO THAT THEY ARE IN A POSITION TO BE INFORMED ABOUT THE ISSUES PRIOR TO THE PUBLIC HEARING. FURTHER THEY BE INFORMED OF WHAT THE DISCUSSIONS WERE WITH THE MINISTER AND THE PROVINCE"

MOTION CARRIED

5. Mr. Reinhardt outlined a letter from Premier with regards to Canada Day celebrations and encouraging county support for

participation in organizing events for the 1994 July 1 festivities.

It was moved by Councillor Barnet, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter informed council that he has forwarded a copy of the letter to the special events coordinator with a request to start planning to organize events for July 1st. He said he would also encourage councillors to organize events in their own communities.

6. Mr. Reinhardt outlined a letter from the Sackville Economic Development office in response to the relocation of the municipal offices to sackville.

It was moved by Councillor Brill, seconded by Councillor Barnet:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

7. Mr. Reinhardt outlined a letter from the Sheet Harbour Board of Trade with respect to participation in the Infrastructure planning.

It was moved by Councillor Smiley, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Councillor Smiley said she believes the request is for water and sewer to be added to the list. She said a committee has been struck to look at the issue.

Mayor Lichter said later in the meeting council will be dealing with five items that will be added to the list of twelve. If, at that time, she wishes to move this council will be in a position to consider this request.

8. Mr. Reinhardt outlined a letter from FCM with regards to Federal payment of local taxes. He said this advises that the federal government has not decided on paying local taxes.

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

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

9. Mr. Reinhardt outlined a letter from the Atlantic Winter Fair requesting consideration under the infrastructure program with the 1/3 funding from each level of government.

It was moved by Councillor Giffin, seconded by Councillor Mitchell:

"THAT THE LETTER BE RECEIVED"

MOTION CARRIED

Mayor Lichter said Mr. Coombes does not outline any costs associated with the project. He said there is no cost impact for the county on the project but if he wants the county to look at this seriously and support the project then there should be more information. He said he would request that the letter be referred back to the Atlantic Winter Fair for some costing so that the county would have something more concrete to deal with.

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

"THAT THE LETTER BE REFERRED BACK TO THE ATLANTIC WINTER FAIR WITH THE REQUEST THAT THEY PROVIDE COSTING AND AN OUTLINE OF THE PROJECTS"

Councillor Sutherland said over the last number of years there has been various options for servicing. He said council would have to seek Mr. Coombes concurrence as to which alternative they may be discussing in terms of servicing the fair site.

Mayor Lichter said the details as to where the main line would go, how long it would be, at what cost, starting and finishing point, etc. would have to be provided to council before deciding to support.

MOTION CARRIED

10. Mr. Reinhardt outlined a letter from the Eastern Shore Learning Opportunities for Women with regards to user fees for homemaker services.

It was moved by Councillor Fralick, seconded by Councillor Giffin:

'THAT THE LETTER BE RECEIVED"

MOTION CARRIED

SERVICE STANDARDS COMMITTEE REPORT

Tenders - Snow Plowing/Sanding/Salting

Mr. Meech said this issue may need to be reviewed before any action

is taken on it. He said it is no different than contracts that are entered into that are funded by the general operating budget. He said there are many contracts entered into on the basis of multi year contracts that are financed through area rate sources. He said he would like an opportunity to respond to this. He said he would request that the item be deferred for the time being and referred to him for a staff report and information.

Councillor Merrigan said he feels it is different. He said the people in his community said they do not want to pay the area rate. He said these are area rate funds in which the people put the area rates on through council. He said the general rate is different. He said there is no need for area rates in his community for that service. He said the people in his district said they want to take a look at putting a policy in place where each person looks after the sidewalks in front of their own property.

Mr. Meech said he would like an opportunity to come back with something more comprehensive. He said if Councillor Merrigan does not want that service then the course of action to be followed is that the councillor, through council, direct that the staff are not going to be responsible for maintaining that particular service. He said that will end it.

Councillor Merrigan said if monies are approved for sanding and salting and sidewalks there is no problem in allowing a contract in that budget year. He said area rate decisions are made on an annual basis not on a three year basis.

Mr. Meech said general tax rates are also made on an annual basis. He said the area rates are decided by council not the community in a legal sense. He said he would like to come back with a report because if there are some areas to be excluded from this kind of procedure then they have to be identified.

Councillor Cooper asked if these contracts could be moved to after budgets have been approved and area councillors have had time to put the money in rather than at the end of the calendar year.

It was moved by Councillor Ball, seconded by Councillor Merrigan:

"THAT IT BE REFERRED TO MR. MEECH FOR A REPORT"

MOTION CARRIED

Career Firefighters Conflict of Interest Policy

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

"THAT FIRE SERVICE POLICY 101 BE AMENDED AS OUTLINED IN THE STAFF REPORT DATED NOVEMBER 15, 1993"

Councillor Peters asked if this was the Deputy Chief conflict.

Mayor Lichter said both the Chief and Deputy Chief position would not be filled by career firefighters.

Councillor Ball said the policy is dealing with the upper two levels of management. In some departments a Deputy Chief may not be considered to be senior level of management.

Councillor Peters said she has a problem with this because if she has a fire department that has a Chief and a Deputy Chief with the deputy being a paid man they simply change his title, he does the same job. She said in rural communities like hers she has paid staff that are deputy chief that are very qualified and lend aspect to the volunteer fire department. They also show up as volunteers when the need arises. She said what she heard at the committee meeting where this was discussed was that all that was required was to change titles. She said if that is all that is required she does not see the sense in this. She said if there is a chief and a deputy chief then you change that chief to unit or platoon commander who has the same authority he/she can be a paid staff and do the same job. She said what they talked about at those meetings about conflict of interest was if you are without a chief for any length of time, because of illness etc., the fire department simply elects a new chief so that there is no time that a deputy chief is going to be assessing his own wages or doing his own evaluations. She said she sees a need for volunteers who are also paid staff to actually attain a position within a fire department that is something you can look up to. She said she cannot support this because she cannot see why if you have community members that are also volunteers and paid men, they have nowhere to go within that fire department.

Councillor Merrigan said he feels that this could be done a different way. He said you have to assume that the chief and deputy chief are fairly good people or they would not be in that position. He said this is excluding them from the possibility of being paid men in the department because they can't retain their position of chief or deputy chief. He said he believes this could be dealt with by a different type of guidelines. He said the problem here is determining who the chief or deputy chief is responsible to. He said if a volunteer group, which have paid people, put in place a chief or deputy chief and there was a policy or procedure supported by the fire departments indicating that if this paid person who is chief or deputy chief is responsible first of all to the County of Halifax you would not have that conflict. He said you continue to have a conflict if you don't set up guidelines with regards to responsibility. He said he believes the fire departments should be responsible to the county who funds their operation.

Mayor Lichter said the Fire Advisory Committee has been dealing

with this for over two years and it has been coming back to council and each time it is referred back. He said he would suggest that those councillors who feel they have a solution should go to the Fire Advisory and suggest the solution.

Councillor Ball said that every time a meeting has been held to which councillors have been invited and/or their fire chiefs there is no appearance of the said parties. He said nowhere has this policy restricted a fire department from hiring a paid chief. He said the policy is suggesting is that if you are going to have a chief he not be a career firefighter and the second level of management in terms of administration. He said nowhere is it suggested that somebody who is good on the operational grounds is being restricted. He said the reason the committee went with this policy was on the advice of the various fire departments because their societal structure is such that their constitutions are different from each fire department and therefore the chain of command somewhat different. He said the deputy chief in some departments holds very little power and that power is more in line with the societal structure. He said the committee said the best way to resolve it in conjunction with fire departments is simply to pass it in terms of the top two levels of management. He said there is nowhere that this policy restricts talent from moving forward.

Councillor Peters asked if she has a volunteer chief and she gives him a stipend, is he then a paid chief.

Mr. Meech said the person would still not be considered to be paid chief. He said the distinction would be made as to whether or not the person was deemed to be a paid employee of the municipality. Because they are appointed as a volunteer they would not be deemed to be employees of the municipality.

Councillor Peters said the second page of the report says the reason for this is the fact that they don't want a conflict of interest to do with anything they are dealing with with the county. The only way that a deputy chief could be in conflict is if he then takes over the duties of the chief. She said putting this in law is going about it in a very dramatic sort of way when all you have to do is request of the thirty six fire departments in the county that they have included in their memorandum of association that if there is an extended period where the chief is away or sick that they elect one and that nothing to do with evaluations or wages be decided on by the deputy chief. She said the title of chief or deputy chief is an important title. She said it is something they strive for and is recognized by their peers and if you take that away when you have the paid chief who is also a volunteer within the community she feels you are doing that person an injustice.

Mr. Meech said it does have the potential to encourage some to start suggesting that they should have full time fire chiefs. He

said that is one of the possible reactions to it. He said it may be better to appoint a full time chief as opposed to having full time first class firefighters and volunteer chiefs.

Councillor Merrigan said that it should be taken into consideration that you have paid men responsible to the CAO. You have a fire department with a chief and a deputy chief who are volunteers and not paid. Who is the boss of those career firemen when you go to a fire scene? He said if Halifax County wants to make sure all chiefs and people in the fire departments, whether volunteers or not volunteers, are responsible to the CAO of the county. By ensuring that the chain of command flows from the county to the chiefs down to the membership there would no longer be any conflict. He said it can be dealt with by saying that every fire department that operates in the county must have a chief approved and appointed by the county once they are elected by the membership because they then are responsible to report because they are spending county money. If a problem arises within that fire department it can be dealt with by the CAO or his representative.

Councillor Peters said all her fire departments are opposed to this.

Mayor Lichter said he feels the proper thing to do if there are concerns would be to defer or refer it back to the Fire Advisory to offer solutions.

It was moved by Councillor Peters, seconded by Councillor Merrigan:

"THAT THE ITEM BE REFERRED BACK TO THE FIRE ADVISORY BOARD AND AN INVITATION GO TO ALL COUNCILLORS TO BRING THEIR CHIEF IN"

Councillor Ball said this has been done and the councillors have not shown up. He said this was a solution that was arrived at after discussion with those affected. He said he feels that this has been referred enough and it is time to make a decision.

Councillor Deveaux said there had been a meeting called last October and each councillor and all fire chiefs were invited to attend. He said he and Councillor Peters were the only two who attended the meeting.

Councillor Boutilier said the volunteer segment is the integral part of the fire protection service and if they are unhappy or unsure then it would be in the best interest of the county to have more discussion.

Councillor Meade asked how many unionized firemen were in the county.

Mr. Meech said between Sackville, Cole Harbour and Councillor

Meade's area there are approximately 60 or 70 people in the union.

REFERRAL MOTION DEFEATED

3 IN FAVOUR

20 AGAINST

ORIGINAL MOTION CARRIED

20 IN FAVOUR

3 AGAINST

MEMORANDUM RE: SACKVILLE TOWN CENTRE PROPOSAL

Mr. Meech said as indicated in the memo council had asked that he review the issue and, in particular, take into consideration the concerns that had been indicated or expressed in Councillor McInroys report to council that supported his motion to rescind the previous decision. He said he has attempted to minimize or eliminate some of the key risks that were inherent in the initial proposal. He said he is suggesting that all the various steps are gone through before the final decision to actually proceed to purchase is made. He said that is on the assumption that you can get the necessary agreements and option agreements to give you the necessary time. The first key concern or risk relates to the ability to find a buyer for this particular property that the municipal offices are situated in. He said the county would have to secure agreement for the sale of the property before you would proceed. He said from his point of view the approach outlined is an approach that would minimize and eliminate some of the risks of the original proposal. He said it does provide the option that if the municipality wanted to pursue or move in this direction then there may be the possibility of interesting the private sector in assuming ownership of the property with an undertaking from the municipality to enter into a long term lease. He said even if the municipality was to purchase and develop the property then the county would negotiate minimum ten year leases with the existing tenants which would also overcome one of the concerns/risks that had been identified. He said he has suggested that if the council is still of the view they do not want to pursue this particular option then maybe council could consider a mini complex for the community of Sackville to consolidate a number of those activities that the county presently have in Sackville.

Councillor McInroy said given the decision of council at its meeting of January 18th and given that there had been the comment that council had taken a decision on the matter and given that there are still considerable uncertainties associated with a proposed move of the municipality's administrative offices in total, from this location:

It was moved by Councillor McInroy, seconded by Councillor Bayers:

"THAT THE MATTER OF RELOCATING HALIFAX COUNTY'S MUNICIPAL

ADMINISTRATION CENTRE BE DEFERRED TO OCTOBER, 1994"

MOTION CARRIED

12 IN FAVOUR

11 AGAINST

Councillor Peters gave notice of reconsideration of the motion for the end of the agenda.

CAPITAL PROJECTS

Mayor Lichter reminded council that they had approved twelve items and five more items had been added. There had not been any costing on those items but have now been identified with costing. He said if council would like to add those five items to the original twelve, which have been approved and prioritized, then council has the opportunity, at this meeting, to do it.

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

'THAT THE ADDITIONAL FIVE ITEMS BE APPROVED'

Councillor Smiley said she would like to have Sheet Harbour added to the list. She said this will not include the industrial park. It would be from Bridge to Bridge.

The mover and seconder agreed that this be added to the list.

Councillor Ball asked what criteria was being used to put these projects on the capital infrastructure program.

Mayor Lichter said the criteria was not clearly set up by this council in any other way than having held a meeting at which it discussed the twelve proposed by staff. He said those were all water and sewer related items. He said he is assuming that the criteria was that council not stray from water and sewer projects.

Mr. Meech said it was determined, because of feedback from the province, that the province itself was contemplating to restrict it to sewer and water programs. He said that may not have been done officially.

Councillor Ball said he would like to have water in community of Herring Cove added to the list. This to be extended from where it is currently down through St. Paul's Ave.

The mover and seconder agreed that this item be added to the list.

Councillor Rankin said the he would like to add the interconnector road that would parallel between Highway #3 and the 103.

Mayor Lichter said that the municipality has never participated in the road building. He said it is clear that in this case the municipality would have to pay one third of the cost.

Mr. Meech said the source of funding has to be known. He said if Councillor Rankin assumes that his project was approved under the federal infrastructure program it would be on the assumption that the federal government would be paying one third, the province one third and then the question would be where the municipal one third would be found.

Councillor Rankin said he would like to have the engineers look at this because it would be contemplated that the private developer would participate.

Mr. Meech said he wanted to point out that if this was going to get serious consideration the funding by the county would have to be identified.

The mover and seconder agreed that the item be added to the list.

Councillor Deveaux said this would have to be subject to the one third funding being found from the private sector in order to save the municipality the cost.

Councillor Fralick said he would like to have Whynot's Point water drainage problems added.

Mr. Meech said council will have to get the information base as to the cost of these projects. He said the one on the interchange may be available through DOT. He said the addition of all these extra projects may in effect be diluting the priority listing to the point that somebody else will be making the decision as to what is priority.

The mover and seconder agreed subject to the funds being available.

Councillor Harvey said he feels a favourable outcome is being compromised by this exercise.

Mayor Lichter said the first twelve items are not up for grabs. The additional five items had to be brought back because of costing. As a result of that there have been additional items added to those.

Councillor Merrigan asked how this can come back and have more additions made.

Mayor Lichter said because there was no approval for those five. The approval was to have staff undertake costing and then bring that information to council on those five.

Councillor Merrigan said he feels that is all council should be allowed to deal with tonight.

Mayor Lichter said council is always free, when it makes a motion, and the mover and the seconder agree, to include other things in that motion.

Mr. Dickson said it is his understanding of the rules is that the mover and seconder are free to allow amendments to their motion at any time.

MOTION CARRIED

RATIFICATION OF APPROVED DISTRICT CAPITAL GRANTS

It was moved by Deputy Mayor Bates, seconded by Councillor Randall:

"THAT THE APPROVED DISTRICT CAPITAL GRANTS BE RATIFIED"

MOTION CARRIED

PLANNING ADVISORY COMMITTEE REPORT

File No. RA-TLB-10-93-02 - Application by Armoyan Group Limited to rezone Lots 124, 126 and 143 of the Governor's Glen Subdivision in Timberlea

It was moved by Councillor Ball, seconded by Councillor Rankin:

'THAT COUNCIL REJECT THE APPLICATION (WITH NO PUBLIC HEARING BEING HELD)"

MOTION CARRIED UNANIMOUSLY

Ratification of next two plan areas to be reviewed

It was moved by Councillor Fralick, seconded by Councillor Meade:

"THAT THE PROCESS FOR THE REVIEW OF THE MUNICIPAL PLANNING STRATEGIES BE INITIATED FOR PLANNING DISTRICTS 1 & 3 AND FOR PLANNING DISTRICT 5. FURTHER IF THESE PLANS ARE NOT COMPLETED BY JUNE THEN THESE ARE SET ASIDE UNTIL THE DISTRICTS THAT WERE TO BE COMPLETED AHEAD OF THESE ARE COMPLETED, DISTRICTS 15, 18 AND 19"

MOTION CARRIED

File No.'s ZA-F&S-13-94 and ZA-F&S-01-94 - Amendments to the Land Use By-Law for Planning Districts 14 & 17

It was moved by Councillor Ball, seconded by Councillor Peters:

"THAT THE AMENDMENTS BE APPROVED AND THAT A PUBLIC HEARING BE SCHEDULED FOR MARCH 14, 1994 AT 6:00 P.M."

MOTION CARRIED

Memo - Proposed Maritime Tel & Tel Cellular Transmission Tower in Waverley

It was moved by Councillor Ball, seconded by Councillor Randall:

"THAT THE INFORMATION BE RECEIVED"

MOTION CARRIED

EXECUTIVE COMMITTEE REPORT

Parkland Contribution Refund Montague Estates Subdivision Westphal

It was moved by Deputy Mayor Bates, seconded by Councillor Hendsbee:

"THAT COUNCIL APPROVE THE CASH-IN-LIEU CONTRIBUTION PREVIOUSLY PAID TO THE MUNICIPALITY FOR PHASES 1 AND 2, MONTAGUE ESTATES SUBDIVISION, WESTPHAL, BE REFUNDED TO LOON LAKE DEVELOPMENTS LIMITED IN EXCHANGE FOR ACQUISITION OF THREE PARCELS OF PARKLAND WITHIN MONTAGUE ESTATES SUBDIVISION AS IDENTIFIED ON PAGE 3 OF THE STAFF REPORT DATED JANUARY 24, 1994"

MOTION CARRIED

Vehicle Acquisition 1993/94

It was moved by Deputy Mayor Bates, seconded by Councillor Giffin:

"THAT COUNCIL APPROVE THE TRANSFER OF \$96,270.00 FROM THE VEHICLE RESERVE FUND FOR VEHICLE ACQUISITION 1993/94"

MOTION CARRIED

Capital Grant Requests

It was moved by Deputy Mayor Bates, seconded by Councillor Ball:

"THAT THE FOLLOWING CAPITAL GRANTS REQUESTS BE APPROVED:

DISTRICT CAPITAL GRANT	DISTRICT 5	\$3,000.00
GENERAL PARKLAND GRANT		\$1,000.00
GENERAL PARKLAND GRANT		\$2,500.00"

MOTION CARRIED

Mobile Home Tax Account #0022071

It was moved by Deputy Mayor Bates, seconded by Councillor Giffin:

"THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE TAX ARREARS,
WHICH ARE UNCOLLECTIBLE, IN THE AMOUNT OF \$1,204.68"

MOTION CARRIED

Closed Business Occupancy Accounts

It was moved by Deputy Mayor Bates, seconded by Councillor Sutherland:

"THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE
UNCOLLECTIBLE CLOSED BUSINESS OCCUPANCY ACCOUNTS IN THE
AMOUNT OF \$27,284.53"

MOTION CARRIED

Stop Dated Accounts

It was moved by Deputy Mayor Bates, seconded by Councillor Fralick:

"THAT COUNCIL AUTHORIZE THE WRITE OFF OF THE
UNCOLLECTIBLE STOP DATED ACCOUNTS IN THE AMOUNT OF
\$16,055.90"

MOTION CARRIED

Environmental Audit - Highway 101 Landfill

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

"THAT COUNCIL AUTHORIZE THE SACKVILLE COMMUNITY COUNCIL
TO ASSUME THE SPONSORSHIP ROLE TO OVERSEE THE
ENVIRONMENTAL AUDIT OF THE HIGHWAY 101 LANDFILL SITE,
SUBJECT TO RECEIVING SATISFACTORY ANSWERS FROM
METROPOLITAN AUTHORITY REGARDING THE CLARIFICATION SOUGHT
BY THE SACKVILLE COMMUNITY COUNCIL AND INDEMNIFICATIONS
THEY REQUIRED ON THEIR ROLE. FURTHER SHOULD SACKVILLE
COMMUNITY COUNCIL DECIDE NOT TO ASSUME THE OVERSIGHT
ROLE, THEN BY THIS MOTION, HALIFAX COUNTY MUNICIPAL
COUNCIL ACCEPTS THAT ROLE, AND WILL CARRY IT OUT, AS WAS
REQUESTED BY METRO AUTHORITY IN THEIR LETTER DATED
JANUARY 5, 1994"

MOTION CARRIED

LESSER SETBACK STAFF REPORT

It was moved by Councillor Bayers, seconded by Councillor Randall:

"THAT THE REQUEST BE APPROVED AND A HEARING BE HELD ON
MARCH 1, 1994"

MOTION CARRIED

AUXILIARY USES IN R1 ZONE

Councillor Barnet Declared a "Conflict of Interest" and left
Chambers

Councillor Sutherland said there have been difficulty accommodating In-law suites in R1 zones. He said with the economic times being the way they are more people are saying the only alternative they have to save their home and keep their mortgage going is to look at a provision for some auxiliary funding in the form of apartment revenue. He said there is no mechanism to deal with the R1 zones. He said he feels the county is going to be asked to do more with the R1 zones.

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

"THAT STAFF BE REQUESTED, IN CONSULTATION WITH THE
DEPARTMENT OF MUNICIPAL AFFAIRS, TO PROVIDE COUNCIL WITH
A NUMBER OF ALTERNATIVES RELATIVE TO THE AUXILIARY USES
WITHIN R1 ZONE"

Councillor Cooper asked if it is understood that this would go through the normal planning process and then amendments, as necessary, through PAC.

Mayor Lichter said it would start with staff and would eventually go to PAC who, in turn, will bring it to council.

Councillor Brill asked if this would also include the local PAC and a public hearing in the community.

Mayor Lichter said it will have to include amendments to MPS and Land Use By-law's which will have to be done through the PAC's.

MOTION CARRIED

REQUEST FOR BY-LAW ENFORCEMENT OFFICER

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

'THAT CHANTAL RACHELLE DELAROSBIL BE REGISTERED AS A BY-
LAW ENFORCEMENT OFFICER"

MOTION CARRIED

REPORT RE: HUBBARDS FIRE DEPARTMENT

Councillor Meade said negotiations have been ongoing for about a year and the Chester and Hubbards fire department were looking at a one year, not three, agreement. He said a solution was found.

It was moved by Councillor Meade, seconded by Councillor Fralick:

"THAT COUNCIL RESCIND THE AGREEMENT WITH THE MUNICIPALITY OF CHESTER AND THE HUBBARDS AND DISTRICT FIRE DEPARTMENT AS APPROVED ON NOVEMBER 16, 1993 AND APPROVE THE AGREEMENT AS SET OUT IN THE STAFF REPORT DATED FEBRUARY 11, 1994"

MOTION CARRIED

MINSTER OF EDUCATION - COUNCILLOR RANKIN

It was moved by Councillor Rankin, seconded by Fralick:

"THAT A LETTER BE WRITTEN TO THE MINISTER OF EDUCATION, WITH A COPY TO BRUCE HOLLAND, MLA AND THE SCHOOL BOARD, REQUESTING FUNDS TO CONSTRUCT A PEDWAY BETWEEN THE BEECHVILLE/LAKESIDE/TIMBERLEA ELEMENTARY SHCOOL AND THE TIMBERLEA JUNIOR HIGH THEREBY GAINING AN INTEGRATED PRIMARY TO GRADE NINE AND ACHIEVING GREATER COST EFFICIENCIES AS WELL AS PROGRAM EFFICIENCY"

MOTION CARRIED

TRANSIT IN HARRIETSFIELD - COUNCILLOR BALL

Councillor Ball said he would like for council to write to the Minister of Municipal Affairs and put the issue of transit in Harrietsfield which council was on record and supported grants to the establishment of a transit system in Harrietsfield. He said council also endorsed a transit system that took place in North Preston. He said given the fact that the province, by a letter in January from the Minister of Municipal Affairs, gave a one time operating grant of approximately \$12,000. that carry that transit through. He said he believes that Municipal Affairs owes council and the people of Harrietsfield the same fairness in applying a similar operating grant to the transit system that is in existence and council went on record as supporting. He said he requests that council fully endorse and ask them on a basis of fairness and equity of what they applied to one area they should apply to another area.

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

'THAT A LETTER BE WRITTEN TO THE MINISTER OF MUNICIPAL AFFAIRS, WITH THE ENDORSEMENT OF COUNCIL, ASKING THAT ON

THE BASIS OF FAIRNESS AND EQUITY THAT THEY GIVE A GRANT IN THE SAME FASHION, TO HARRIETSFIELD, AS THEY DID IN JANUARY TO THE NORTH PRESTON AREA"

Councillor Ball said he is asking for the same treatment, dollar for dollar, in one part of the municipality that should be as equal to any other part of this municipality.

Deputy Mayor Bates said it was his understanding that a matter like this would be discussed at the Service Standards committee and a recommendation would come to council.

It was moved by Councillor Hendsbee, seconded by Councillor Merrigan:

"THAT THIS BE REFERRED TO THE SERVICE STANDARDS COMMITTEE"

Councillor Sutherland asked what was expected of the Service Standards Committee with regards to this motion.

Mayor Lichter said before the Minister of Municipal Affairs approved \$12,000.00 for the Preston project a great deal of information had to be provided such as financial information, time table information, runs, etc.

Councillor Merrigan said there is a policy in place for providing and supporting para transit. He said that policy was followed in providing transit to Preston.

Councillor Ball said a presentation had been made to transit committee who fully endorsed the proposal. He said there was a report tabled and discussed by the transit committee and by council which is on file and can be sent in conjunction with the letter.

MOTION CARRIED

11 IN FAVOUR

8 AGAINST

DEPARTMENT OF ENVIRONMENT - COUNCILLOR RANDALL

Councillor Randall said he has a problem in an existing subdivision in his district. He said the subdivision is known as the Black Forest Subdivision located in Porters Lake. He said the problem was created by a temporary quarry/asphalt operation. He said the operation is located in back of the subdivision. While the zoning allows for the operation to be there, there are problems which are caused by this type of operation. The residents, approximately twenty families, want to be assured that the operation does meet the standards of the Department of Environment. He said there are emissions of smoke and dust etc.

It was moved by Councillor Randall, seconded by Councillor Hendsbee:

"THAT A LETTER BE WRITTEN TO THE PROVINCIAL MINISTER OF THE ENVIRONMENT, WITH A COPY TO THE LOCAL MLA, KEITH COLWELL, REQUESTING A SURVEY OF THIS OPERATION AND TO REPORT BACK TO COUNCIL. THE SURVEY TO BE CARRIED OUT AS SOON AS POSSIBLE AFTER THE OPERATION IS UP AND RUNNING IN THE SPRING"

Councillor Randall said that the Department will be informed by him when the operation starts in the spring.

MOTION CARRIED

DOT - COUNCILLOR RANDALL

Councillor Randall said this letter relates to the same subdivision and problems with the asphalt plant. He said the plant means trucks travelling through this subdivision daily and sometimes into the night. He said he has been informed that the trucks travel at higher speeds than acceptable for these kinds of vehicles. He said it is a gravel, secondary road that does not have a posted speed zone. He said the accepted speed of that type of road is 80km per hour. He said there are many young children in the subdivision which sets up an even more dangerous situation. He said the residents are requesting that a speed limit, not higher than 50 km per hour, be established along this road. He said he would also request consideration of installing a stop sign at or near the intersection of the two roads in that subdivision, Alps Road and Heidelberg Lane, which would tend to slow the vehicles. He said he is requesting that a traffic survey be carried out as soon as possible after the plant opens when the trucks are travelling on the road.

It was moved by Councillor Randall, seconded by Councillor Hendsbee:

"THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, WITH A COPY TO THE MLA, KEITH COLWELL, REQUESTING THAT A SPEED LIMIT, NOT HIGHER THAN 50 KM, BE POSTED ON THE ROAD AND FURTHER CONSIDERATION BE GIVEN TO INSTALLING A STOP SIGN AT OR NEAR THE INTERSECTION OF ALPS ROAD AND HEIDELBURG LANE AND FURTHER THAT A TRAFFIC SURVEY BE CARRIED OUT AS SOON AS POSSIBLE AFTER THE OPERATION OPENS IN THE SPRING"

MOTION CARRIED

DEPARTMENT OF TRANSPORTATION - COUNCILLOR RANDALL

Councillor Randall said this is with regards to the condition of

the East Chezzetcook Road. He said the road is heaved up about every eight feet across the entire width of the road. He said this is causing a great deal of wear and tear to vehicles. He said it is also a safety hazard.

It was moved by Councillor Randall, seconded by Councillor Fralick:

'THAT A LETTER BE WRITTEN TO THE MINISTER OF TRANSPORTATION, WITH A COPY TO THE MLA, ASKING IF THE DEPARTMENT IS AWARE OF THE PROBLEM AND WHAT PLANS, IF ANY, DO THEY HAVE TO CORRECT THE SITUATION. WILL THERE BE MONIES BUDGETED FOR THE PURPOSE IN THE 1994 BUDGET'

MOTION CARRIEDNOTICE OF MOTION TO RESCIND - COUNCILLOR SMILEY

Councillor Smiley said that most seniors who use the homemaker service are upset at the user fees. She said most of the seniors or users in her area are on a fixed income such as basic old age security. She said this service could mean the difference of someone staying in their own home or having to go to a nursing home. She said this user fee will not ensure that more people will be served. Those who are using the service will give it up because they cannot afford it. She said every need in the rural community to the senior has a cost associated with it. She said she feels this user fee is regressive and not appropriate at this time.

It was moved by Councillor Smiley, seconded by Councillor McInroy:

"THAT COUNCIL RESCIND THE MOTION INTRODUCING A "USER FEE" OF \$3.50 PER HOUR FOR APPROVED CLIENTS RECEIVING HOMEMAKER SERVICE EFFECTIVE APRIL 1, 1994 IN ORDER TO REDUCE EXISTING "WAIT LISTS" WITHOUT INCREASING NET MUNICIPAL EXPENDITURES BEYOND THE 1993/94 LEVELS"

Councillor McInroy said he was under the impression that if this fee caused any difficulty for any clients to the point where they would not be financially able to absorb that it would not preclude the possibility of them having the service being subsidized by the general taxpayer.

Mr. Cowcill said the province has a guideline for assessing the utilization of user fees for seniors. He said that guideline corresponds to the old age security and guaranteed income supplement income level which is approximately \$10,000. per year. He said for those people with lower incomes there is the possibility that there might be no fee whatsoever. He said the department could add some kind of review process to look at individual circumstances. He said the only way they can ensure that all people in the county get this service is to introduce a user fee and to tailor it in a manner which will ensure that people

who cannot afford to pay will be reviewed.

Debra Harvey said the wait list is spread across the county as a whole. She said there are some people who have been waiting for a period of three months to up to a year.

Councillor Peters asked Mr. Cowcill if there was an extraordinary situation it could be dealt with on an individual basis to address concerns that would place someone in a financial hardship.

Mr. Cowcill said that would be their intent. He said they would use the basic provincial guidelines to handle most situations. He said if they hear of a hardship situation they would develop some kind of a needs test to go in and look at the actual costs in relation to the money they have available to them.

Councillor Smiley asked what the ceiling was in other municipalities.

Mr. Cowcill said the provincial guideline is distributed by the department for the whole province and it is implemented in different ways. He said both Halifax and Dartmouth are charging \$3.50 an hour. He said there are areas that charge lower fees or a per visit fee.

Councillor Smiley asked if the user fee was implemented, is there a possibility of raising that income ceiling to \$12,000.

Mr. Cowcill said that is the provincially approved user fee guideline.

MOTION DEFEATED

URGENT AGENDA ITEMS

Canada Post - Councillor Rankin

Councillor Rankin said it is with regards to a temporary site for a community mailbox on the St. Margarets Highway to serve a number of residents in Governor Glen Subdivision. He said it is very inappropriate based on considerations of safety and extreme inconvenience in terms of location. He said they have not investigated all possible locations to serve the residents.

It was moved by Councillor Rankin, seconded by Councillor Fralick:

"THAT A LETTER BE WRITTEN TO CANADA POST REQUESTING THAT THEY WORK WITH THE RESIDENTS ASSOCIATION TO EFFECT A MUTUALLY ACCEPTABLE SOLUTION TO THIS PROBLEM"

MOTION CARRIED

Councillor Rankin said the second letter was with regards to a resident by the name of Sadie Boutilier. He said they have proposed to change the community mailbox which would cause inconvenience in as much as she is incapacitated.

It was moved by Councillor Rankin, seconded by Councillor Meade:

"THAT A LETTER BE WRITTEN TO CANADA POST ASKING THEY GIVE CONSIDERATION WITH REGARDS TO PROPOSED CHANGE IN THE COMMUNITY MAILBOX TO REFLECT THE CONCERNS WITH REGARDS TO THIS RESIDENT"

MOTION CARRIED

March 15th Council Session - Councillor Deveaux

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

"THAT THE MARCH 15 COUNCIL SESSION BE CANCELLED"

MOTION DEFEATED

FCM - Councillor Fralick

Councillor Fralick said the federal minister of finance froze all payments for local taxes on federal properties. Payments to municipalities are based on local property tax rates and the assessment value of the federal properties. Since the federal government is the largest taxing authority in Halifax County and the large property owner in Halifax County. He asked how the government can be concerned about an underground economy if it refuses to pay its own taxes. What kind of example is being sent to the people of Canada.

It was moved by Councillor Fralick, seconded by Councillor Peters:

"THAT A LETTER BE WRITTEN TO THE MINISTER OF FINANCE AND THE MP'S IN HALIFAX COUNTY REQUESTING THAT THIS FREEZE BE LIFTED"

MOTION CARRIED

ADDITION OF ITEMS TO THE MARCH 1, 1994 COUNCIL SESSION

C N Rail - Councillor Peters
Transportation - Councillor Merrigan
Canada Post - Councillor Ball
Department of Fisheries - Councillor Fralick

MOTION OF RECONSIDERATION

Mayor Lichter said it is his understanding that Councillor Peters

puts the motion of reconsideration and someone seconds it. It is not debatable. He said when councillors vote it is either to nullify the deferral motion that was made earlier on the issue of Mr. Meech's report to council. If the motion succeeds then it is as if it was never deferred and the floor is open for discussion. If the motion of reconsideration is defeated then the original motion of deferral stands and the issue is closed until November.

It was moved by Councillor Peters, seconded by Councillor Merrigan:

"THAT THE MOTION OF DEFERRAL BE RECONSIDERED"

MOTION CARRIED

14 IN FAVOUR

9 AGAINST

Councillor Boutilier asked Mr. Meech if there was any potential purchasers that may be available.

Mr. Meech said the county has been contacted by a number of different organizations enquiring as to whether the property is for sale. He said they have not gone into any detailed negotiations. He said he is aware that there are some organizations that are interested in examining the property if it should become for sale.

Councillor Boutilier asked if Mr. Meech has had any indication that the ten year leases are possible.

Mr. Meech said the negotiations on the leases had not been finalized before the motion to rescind was approved. He said it would be his view that if the county was going to be able to accomplish the five years he sees no reason why the ten year leases could not be accomplished. He said if there is any ability to negotiate leases the county should be able to secure them for ten years just as easily as for five years.

Councillor Boutilier said the last time this was discussed there was some hesitation discussion on the fact that perhaps the county would have some excess space. He asked if Mr. Meech or staff had done any looking into the possibility of perhaps exploring further that leasing of some excess space.

Mr. Meech said based on the information that he has to date it would indicate that there should be very little, if any, excess space. He said the point that was being made is that as a result of service exchanges for example there was some suggestion that the county would not require the space, i.e. social services. He said, at this point, there is no definitive position from the province as to if it is definitely going to happen. He said it has been indicated in the most recent municipal reform package that this is going to take place in April, 1995; however, there appears to be some suggestion that while that may happen the fact is is that the

province is not going to be in a position to actually assume responsibility for delivery of the service on that date. He said there is no definitive answer at this time. He said should there be some reduction in the county's own special needs then the expectation was that any excess space would be rented to other commercial tenants.

Councillor Boutilier asked if the county is looking for a minimum up to 90,000 square feet, at what cost.

Mr. Meech said what he was trying to suggest there was that one of the options might be that if in fact the county wanted to minimize the risk and if council was willing to be prepared to enter into an agreement with private developer then possibly the private developer could assume part of that risk whereby the county would enter into a long term lease agreement. He said initially the county may need the 90,000 square feet but in fact would only guarantee to lease a maximum 60,000 which would mean, depending on what cost the county would pay to accomplish or be able to reduce the risk, then is that the private developer would assume part of that risk.

Councillor Boutilier said Mr. Meech has indicated that the municipality might look at a revised program to look at the Sackville Town Centre but, even though it would help to consolidate some of the offices in Sackville, he feels that predicates what was started a number of years ago which was that the county would look for alternate space for the municipality, including the administration offices, going to Sackville. He said what was started was to look at what was in the best interest of the municipality. He said when this process was started it was not to move specifically to Sackville but to move the administration offices based on the need within the municipality.

Mr. Meech said that what is being suggested in this proposal is that before the county actually signs to actually agree to purchase the property it has the benefit of knowing what has been negotiated for each of the individual issues. He said council would not have to make the decision to purchase until such time as there is a guarantee to the sale of the property on Dutch Village Road and whether or not the ten years leases have been accomplished. He said there would also be updated costs as to the estimated cost for renovations.

Councillor Merrigan asked Mr. Meech if he still feels that the county offices should be moved to Sackville.

Mr. Meech said as indicated in his report, he still firmly believes that it makes good sense for the municipality to move in that direction. He said in light of the discussions going on with regard to municipal reform he feels it may be a better position for the county offices to be in Sackville.

Councillor Merrigan said in his opinion that the move to Sackville is a good financial move. He said he hopes the vote against the move was not just for the sake of not going to Sackville. He said he feels that if Halifax County offices are moved to that area it will also spur some development in the area. He said a growth in the community of Sackville supports the county.

Councillor Peters said items 1 and 2 of the report are good suggestions in her opinion. She said she would like to suggest that council allow Mr. Meech to find out the answers for 1 and 2 and then come back to council with that but also come back to council with what is in his last paragraph of the report namely the estimated cost of either renting more space in a consolidated area or constructing a mini complex to house the offices in Sackville. She said the numbers in the Edgecombe Report break down and show that it is a clearly viable solution. She said she is going to make a motion that Mr. Meech find out about the offer to purchase this present property and the ten year leases and then come back with that information. She said conditional upon that he could give some cost estimates as to square footage costs to move and amalgamate some of the services, that even if council says no, are going to be paid.

Councillor Rankin said to suggest that the expertise reside in the exclusive domain of the chief administrative officer and the director of finance is not true. He said he has some knowledge of property management as well as others on council. He said there was not a financial feasibility result in the Edgecombe Report. He said they listed other grounds other than finances. Political grounds. He said there has been a debate on this and the people against it was because there was going to be an increase in cost. He said there is no analysis available to suggest that this is financially feasible. He said there is a cost to it. There is no rate return. He said the timing is bad.

It was moved by Councillor Rankin, seconded by Councillor Fralick:

"THAT DEBATE BE LIMITED"

MOTION DEFEATED

Councillor Harvey said he is prepared to support what Councillor Peters has indicated she will put forward in a motion. He said this report does tie down as much as possible the variables that were of concern. He said it is an appropriate action plan to achieve a council policy objective which is now eight years old. It would bring the administrators and the decision makers physically closer to the people they serve. It would ensure that any spinoffs from this facility would be in the municipality. He said he sees this as a natural development in the growing political maturity in the municipality. He said the numbers have been explained many times and he feels that this is a progressive

approach.

Councillor Giffin referenced a newspaper article which said this move will relocate the administration closer to 80% of the people it serves. The spinoffs will be approximately one million dollars per year. He said that he feels the obtaining of ten year leases will be difficult to achieve. He said council has to take a good look at whether this is the best for the majority of people in the county.

Councillor Cooper said he feels this subject has to have a decision made on the facts. He said the enhanced services for the Eastern and Western areas was not addressed. He said there are many considerations to be addressed but because the situation is still changing he is willing to have a further look at this and get more answers. He said he approves of the municipality having a focus point within its own jurisdiction. He said he feels there are sufficient unanswered questions to require more information.

Councillor Hendsbee said he can see a lot of benefit for putting the offices in Sackville but there has to be some give and take with regards to money being spent in other districts as well.

Councillor Deveaux said that the move will take place sooner or later whether Sackville or some other area. He said a lot of the arguments are based on speculation. He said he feels it is time to make a decision. He said indications are that down the road this is going to be a paying proposition with regards to rental space.

Councillor Mitchell said he believes and supports what staff has put together and he support the move.

Mayor Lichter said he respects the opinion of Mr. Meech and Mr. McLellan. He said this issue is something they have discussed a number of times and he has no reason to have a municipal building in any particular location other than to have a municipal building in Halifax County Municipality. He said it was council who at the council session there was a motion to rescind the motion it was rescinded. He said after that rescindment, by agreement, this council directed Mr. Meech to do this work. He said it would be unfair to say the Mr. Meech has extended the option against council's wishes. He it does not matter what council's decision is as long as it is a majority that decides. He said it is an extremely difficult decision. He said Mr. Meech has provided the information and either it is good enough to pursue or it is not good enough.

It was moved by Councillor Peters, seconded by Councillor Brill:

"THAT COUNCIL DIRECT MR. MEECH, SUBJECT TO HIS MEMORANDUM, TO FIND OUT IF THERE IS AN OFFER TO PURCHASE THE PROPERTY ON DUTCH VILLAGE ROAD, TO SEE ABOUT

NEGOTIATING THE TEN YEAR LEASES AND COME BACK TO COUNCIL WITH THAT AS SOON AS POSSIBLE. IN CONJUNCTION WITH THAT MR. MEECH TO CONTACT STAFF AND LOOK AT THE OPTION OF LOOKING AT A MINI MALL SITE THAT WOULD BE NEEDED TO HOUSE THE EXISTING COUNTY OFFICES LOCATED IN SACKVILLE AND THE COST IMPLICATIONS OF THAT"

Councillor Merrigan said he would like to see a committee established consisting of councillors and staff to try to put this together and address the concerns.

Councillor Bayers asked if it could be added that information be provided on what type of services are going to be extended to the Eastern and Western portions of the county.

Mr. Meech said they are working on the issue. He said whether or not the municipal offices are moved to Sackville or not is not going to determine whether or not this will continue to be worked on. He said this could be incorporated as part of the requirements of the motion.

Councillor Bayers said the residents of the Eastern Shore are against this move at this time.

Councillor Peters said the concerns of other districts should be recognized but not tied to this motion because regardless of whether the county moves or not those issues must be addressed. She said she does not feel they should be linked with this motion. She said she would support a motion if Councillor Bayers to have a special committee set up to address his concerns or something to that effect.

Deputy Mayor Bates said as he understands the motion is that the investigation of this matter is being extended and council is not overturning a decision that was made at the last meeting. He said this is simply to do more investigation before coming back to council.

Mayor Lichter said his understanding that what was rescinded at the last council session was the original motion which said that if Mr. Meech was able to get a five year lease from IGA and the Liquor Commission then purchase the building and the municipality would move its offices there and renovate. He said that was rescinded and what is being said now is to look for someone to purchase for this particular building, negotiate ten year leases with IGA and the Liquor Commission and do the calculations to know what it will cost to have a building to house the new library plus all the offices that are out in Sackville. When all this information is available come back to council and a decision will be made.

Councillor Cooper said there is an indication of a decrease in spacial requirements and he would like to request that Mr. Meech

address this in the forthcoming report. He said this may result in more leasable space in the Town Centre.

Mr. Meech said the same amount of space is needed but the concern was raised that if it is decided down the road that social services was no longer going to be housed in the county facility, then there would be a reduction. He said even though there may be a need for 90,000 square feet the fact is that the county would not have to commit for ten years. He said he does not have any new information that would suggest that the county won't still need the same square footage.

Councillor Bayers with the support of Councillor Hendsbee asked that a recorded vote be taken:

<u>COUNCILLOR</u>	<u>DISTRICT</u>	<u>FOR/AGAINST</u>
Councillor Meade	1	Against
Councillor Rankin	2	Against
Councillor Fralick	3	Against
Councillor Mitchell	4	For
Councillor Ball	5	Against
Councillor Deveaux	6	For
Deputy Mayor Bates	7	Against
Councillor Hendsbee	8	For
Councillor Randall	9	Against
Councillor Bayers	10	Against
Councillor Smiley	11	Against
Mayor Lichter	13	For
Councillor Peters	14	For
Councillor Merrigan	15	For
Councillor Brill	16	For
Councillor Giffin	18	For
Councillor Barnet	19	For
Councillor Boutilier	20	For
Councillor Harvey	21	For
Councillor Sutherland	22	For
Councillor Turner	23	For
Councillor McInroy	24	Against
Councillor Cooper	25	For

MOTION CARRIED

It was moved by Councillor Merrigan, seconded by Councillor Peters:

"THAT A COMMITTEE BE FORMED COMPRISING OF STAFF AND MEMBERS OF COUNCIL TO WORK WITH MR. MEECH TO TRY TO BRING THIS PROPOSAL TOGETHER"

MOTION CARRIED

The following councillors volunteered:

Deputy Mayor Bates
Councillor Merrigan
Councillor Rankin
Councillor Hendsbee
Councillor Barnet
Councillor Peters

ADJOURNMENT

It was moved by Councillor Meade:

"THAT THE MEETING BE ADJOURNED"

MOTION CARRIED

PUBLIC HEARING

February 7, 1994

PRESENT WERE: Mayor Lichter
Councillor Meade
Councillor Rankin
Councillor Fralick
Councillor Mitchell
Councillor Ball
Councillor Deveaux
Councillor Hendsbee
Councillor Randall
Councillor Bayers
Councillor Reid
Councillor Merrigan
Councillor Brill
Councillor Giffin
Councillor Barnet
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Turner
Councillor McInroy
Councillor Cooper

ALSO PRESENT: Dale D. Reinhardt, Acting Municipal Clerk
Fred Crooks, Municipal Solicitor

=====
The meeting was called to order at 6:00 p.m. with the Lord's
Prayer. Mr. Reinhardt called roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Giffin, seconded by Councillor
Mitchell:

'THAT JULIA HORNCastle BE APPOINTED AS RECORDING
SECRETARY"

MOTION CARRIED

Mayor Lichter outlined the procedure for a public hearing.

RA-24-20-92-11 - APPLICATION BY MICHAEL FURLONG TO ZONE A PORTION
OF THE LANDS OF WAYNE MORRISEY SITUATED ON THE NORTH SIDE OF
HIGHWAY NO. 7 AND IMMEDIATELY TO THE WEST OF THE QUODDY RIVER, TO
SD (SALVAGE YARD AND DUMP) ZONE; AND

ZA-24-21-92-11 - APPLICATION BY THE MUNICIPALITY TO AMEND THE
PROVISIONS FOR SALVAGE YARDS UNDER ZONING BY-LAW NO. 24 THE

AMENDMENTS WOULD REQUIRE SALVAGE YARD OPERATIONS, INCLUDING ALL BUILDINGS, STRUCTURES AND USE OF LAND FOR STORAGE, TO MAINTAIN A MINIMUM SETBACK OF 100 FEET FROM A WATERCOURSE

Mr. Kurt Pyle said an application had been made by Michael Furlong to rezone a portion of property owned by David and Wayne Morrissey situated north of highway number 7 in Quddy Inlet from the general building zone to the salvage yard zone. He said this afternoon they were contacted by one of the abutting property owners who has indicated that he is actually the owner of the front portion of the subject site. The Morrisseys feel that they own it and there is a conflict in terms of who actually owns the property along the front of the road which is a key factor with this agreement as a salvage yard requires one hundred feet of frontage on any public road. They therefore ask council to defer the public hearing until March 7th so that they will have time to determine who is the actual property owner.

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

'THAT THE PUBLIC HEARING BE DEFERRED UNTIL MARCH 7, 1994"

MOTION CARRIED

ZA-TLB-18-93 - APPLICATION BY THE MUNICIPALITY TO ALLOW FOR ENTERTAINMENT USES ON PROPERTIES ZONED I-1 (LIGHT INDUSTRY) ZONE WITHIN THE LAKESIDE INDUSTRIAL PARK

Paul Morgan made the staff presentation. He said this is an application made by the municipality on behalf of Peter Blackburn who is interested in establishing a lounge in a premises in the Lakeside Industrial Park. He has operated a restaurant from this site for approximately seven years and it has a liquor license. He would like to obtain a lounge license from the Liquor Licensing Board and to do this would require an amendment to the provisions of the Land Use By-law.

The property is zoned I-1 (Light Industrial) zone as are all properties in the industrial park. Under the policies the intent is to promote industrial growth or development in the park but there is also provisions made for commercial uses. He said the I-1 zone currently allows for restaurants, drive in and drive through. He said this would not require a plan amendment it could be considered under the existing provisions of the Strategy.

He said the staff report referenced some to the issues towards lounges. He said a lounge is considered an entertainment use and is only permitted by development agreement right now in the commercial core designation. The primary reason for this was

residents concerns about the operational effects on neighbouring residential uses such as parking and extended hours of operation. He said within the industrial park there really are no residents nearby that would be affected. Staff's only concern was that the industrial zone has been applied to several properties across from the industrial park on the South side of the St. Margaret's Bay Road and the plan does reference some residents concerns about industrial uses there.

He said what they have suggested to allow for this request is to add entertainment uses to the list of the permitted uses in the I-1 zone but put a restriction that you cannot have entertainment uses on the South side of the highway. He said they feel this would address any concerns towards this proposal and any future proposal.

QUESTIONS FROM COUNCIL

Councillor Hendsbee asked if this would allow the proprietor to operate video gambling machines on the property.

Mr. Morgan said yes it would.

Councillor Hendsbee asked if it would allow for strippers in the area.

Mr. Morgan said it is suggested in the report a separate definition and a strip bar would fall under an adult entertainment use. He said it could not even be considered.

Councillor Fralick asked if there had been any letters or calls from abutters.

Mr. Morgan said he nor staff in his department has received any objections from abutters.

SPEAKERS IN FAVOUR

No speakers in favour.

SPEAKERS IN OPPOSITION

No speakers in opposition.

DECISION OF COUNCIL

It was moved by Councillor Rankin, seconded by Councillor Merrigan:

"THAT THE RECOMMENDATION AS OUTLINED IN THE STAFF REPORT BE APPROVED"