

Council
May 15, 1980

DEFERRED ITEMS

Petition against Installation of Paving, Curb and Gutter,
Sod and Trees - Circle Drive

This item was deferred from the April 30, 1980 meeting of Halifax City Council.

Alderman Wooden advised members of Council that a survey was progressing but not finalized; and asked that this item be deferred to the next regular meeting of Halifax City Council, to which members of Council agreed.

Possible Expropriations - Herring Cove Road

This item was deferred to this meeting from the April 30, 1980 meeting of Halifax City Council.

A staff report dated May 14, 1980 was submitted. Mr. Churchill, Real Estate Department, advised that Parcel H-31 could be deleted as an acceptance of the offer was received. Alderman Wooden requested that properties H-22 and 24 be deleted as a result of problems existing.

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that the properties, as listed on Schedule "C" attached to the staff report of May 14, 1980 omitting properties identified as H-22, H-24 and H-31, be expropriated by the City of Halifax for street purposes, namely the widening of Herring Cove Road, Phase I. Motion passed.

A further staff report on properties identified as H-22 and H-24 be prepared for Wednesday next.

Fort Needham - Views

This item was last considered at the Council meeting of April 30, 1980.

A supplementary staff report dated May 13, 1980 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that City Council amend Zoning Map ZM-16 to identify the area known as Schedule "M" as being the area bounded by Young Street, Union Street, Dartmouth Avenue, Gottingen Street, Vestry Street, and the Harbour, as shown on Map 1 of the supplementary staff report dated March 10, 1980. Motion passed.

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PETITIONS AND DELEGATIONS

Petition - Dakin Drive Streetscape

A petition containing approximately 48 signatures was submitted in the name of Alderman Hamshaw on behalf of the citizens of Dakin Drive.

It was agreed that this petition be forwarded to staff for review and comment.

Petition - Tree Spraying

A petition containing approximately 332 signatures was submitted by Alderman Maley on behalf of Robert M. LeBlanc and concerned citizens. It was agreed that this petition be referred to staff for review and comment.

His Worship noted that this petition contained signatures and no addresses and in future, suggested that addresses be also included.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of May 7, 1980 as follows:

Policy Manual - Homes for Special Care

MOVED by Alderman Maley, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee, that the Policy Statement, Section 2 of the Municipal Social Services Manual, attached to the staff report dated April 17, 1980, pertaining to Policy and Procedures for Homes for Special Care, be approved, subject to concurrence in the identical text by the City of Dartmouth and the County of Halifax. Motion passed.

Revocation of Borrowing Authority for Purchase of "Quinpool Road Site " (part)

MOVED by Deputy Mayor Hanson, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee the Minister of Municipal Affairs be requested to revoke his approval of \$5,300,000 for the purchase of the lands known as the "Quinpool Road Site" in the City of Halifax to the extent of \$3,819,381, leaving, therefrom, the sum of \$1,480,619 still authorized to be borrowed under the approval dated January 21, 1975, and extensions, thereto, for the same purpose and that Council authorize the Mayor and City Clerk to execute a Borrowing (renewal) Resolution to expire at midnight of May 31, 1981, in the aforesaid terms. Motion passed.

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Lobster Caper Restaurant

This item was referred to Council without recommendation and , in the interim, the Board of Health were to meet and make a decision on the matter.

A report dated May 12, 1980, from the Secretary, Board of Health was submitted.

MOVED by Alderman Downey, seconded by Alderman Maley that upon the report of the Board of Health, Council affirm its motion of October 11, 1979 for year 1980 only. Motion passed with Alderman Shannon and Moore voting against.

Possible Acquisition - Portion of 3556 Dutch Village Road

MOVED by Alderman Moore, seconded by Deputy Mayor Hanson that, as recommended by the Finance and Executive Committee, the land shown as Parcel 1 on Plan TT-26-25490 be purchased from Mrs. Verna Louise Wood for the sum of \$5,500.00 as settlement in full; funds can be made available from Account No. 226111 Z0500 CJ001 (Traffic Improvements, Dutch Village Road).

Motion passed.

Proposed Offers of Compensation - Expropriation for the Fairview Overpass Project; Widening of the Dutch Village Road Northern Section

This matter was referred to City Council without recommendation. An information report dated May 14, 1980 was submitted

Following a short question and discussion period on the subject, it was MOVED by Alderman Moore, seconded by Alderman Hamshaw that Council authorize an offer of compensation to Maritime Trust Company for the properties at 3771 and 3775 Dutch Village Road, in the amount of \$58,500.00, funds to be made available from Account No. 226111 Z0330 CJ009; and further that staff be authorized to negotiate with the property owners indicated in Recommendation (b) of the Confidential Staff report dated April 23, 1980, and any other owners, and further that staff report back to Council at the Special Council Meeting of May 21, 1980. Motion passed.

Possible Acquisition - Portion of 337-339 Herring Cove Road

This matter was referred to City Council without recommendation.

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that the land shown as Parcel H-11 on Plan TT-28-26080 be purchased from Robert H. and Anna M. Daniels, for the sum of \$4,300.00 as settlement in full; funds can be made available

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from Account No. 226311 Z0500 CJ 012 (Herring Cove Road Widening).

Motion passed.

Harbour Walk Proposal

MOVED by Alderman Moore, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the matter be deferred pending receipt of a staff report on a policy re the boardwalk.

Alderman Maley advised that the recent application was a different type in that it became necessary because of the work being done on Granville Street during this year.

The Motion was put and passed with Alderman Maley voting against.

Former Incinerator Building

This matter was referred to City Council without recommendation and any further responses to staff's letter of April 24, 1980, or a staff memo that none have been received be circulated to City Council not later than May 13, 1980.

A supplementary staff report dated May 13, 1980, was submitted.

Alderman Sullivan advised he was satisfied with the draft agreement and also that a citizens' committee formed with two of the aldermen and citizens to meet periodically with the tenant to discuss problems.

His Worship noted that the clause " citizens' committee to meet with the tenant periodically to discuss any problems that may arise" should be drafted into the agreement. As well, another clause concerning "hours of operation" should also be inserted.

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, the Mayor and City Clerk be authorized to execute a lease on behalf of the City with Scotia Recycling Limited in the form as attached to the February 6, 1980, report, subject to:

- 1) staff inserting appropriate conditions defining that the normal hours should be between 7:30 a.m. and 4:00 p.m., subject to the permission of the Director of Engineering and Works if any change is made; and
- 2) that the lessee shall agree to consult with a citizens' advisory committee at all reasonable times requested by the Committee.

Motion passed.

Contract for Computer Software

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign a contract with NCR Canada Limited for the provision of the 8210-22-2 VRX Tran-Pro version of the transaction processor at a fee of \$12,000 with maintenance at approximately \$2,700.00 per annum after the first year. Necessary funds have been provided in the 1980 Finance Department Budget.

Motion passed with Aldermen Downey and Meagher voting against.

North West Arm Patrol Services - 1980

MOVED by Alderman Shannon, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, Tender No. 80-85 for Boat Patrol Services - North West Arm, be awarded to David W. Phipps for \$16.00 per hour, funds available in Account Number B0170. Motion passed.

Award of Tender - Lacewood Drive - Case No. 3448

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, City Council:

- 1) authorize Clayton Developments Limited to award the tender for the Lacewood Drive Paving Tender (including curb, gutter, sidewalk and sodding) to Steed and Evans Limited;
- 2) authorize funds for the City's share of the contract (up to \$172,000) be taken from Account No. CK004 of the 1980 Capital Budget.

Motion passed.

\$8,000 Grant from the Department of Tourism

MOVED by Alderman Meagher, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, \$8,000 be added to the 1980 budget of the Halifax Visitors and Convention Bureau, who are acting as co-ordination agency for this project, and that \$8,000 be added to the City of Halifax general revenues. Motion passed.

Tender 80-63 Five 1980 Model Truck Chassis with Salt/Dump Body
and Reversible Plow

MOVED by Alderman Hamshaw, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted to award Tender 80-63 to A.E. Fowles Ltd., 6055 Almon Street, Halifax, Nova Scotia for five 1980 Model truck chassis only for the tendered amount of \$137,995.50 and to Atlantic Equipment Limited, P.O. Box 35, Bedford, Nova Scotia, for five salt/dump bodies and plows for the tendered amount of \$62,000.00 and, further, authority be granted to dispose of the vehicles being replaced when the new units are received and placed into service. Motion passed.

Halifax Landmarks Commission

MOVED by Alderman Maley, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the City Clerk be authorized to arrange for a meeting as conveyed by Mr. Shutlak for the Halifax Landmarks Commission, to be attended by the City Manager and the Heritage Co-Ordinator.

Motion passed.

Halifax Fire Department - Salary Differentials

MOVED by Alderman Sullivan, seconded by Alderman Wooden, that as recommended by the Finance and Executive Committee, a private meeting of the Committee on Safety do be convened at an early date in order to consider the recommendations of the Fire Chief in a confidential memorandum dated April 10, 1980. Motion passed. His Worship advised that the City Manager would review the matter including budgetary implications.

Board of School Commissioners - Stipends

MOVED by Deputy Mayor Hanson, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee,

1. Payment of a stipend to Commissioners be continued;
2. The amount of the stipend be increased effective January 1, 1980, as follows:

the Commissioners receive \$1200 annually;

the Chairman receive an additional \$1200 annually;

the Vice-Chairman receive an additional \$600 annually;

3. The Stipend Review Committee of City Council be requested in future to include the Board of School Commissioners' stipends in conjunction with their periodic review of City Council stipends.

Motion passed with Aldermen Maley and Hamshaw voting against.

Herring Cove Road - Survey Consultants

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to enter into a contract with Servant, Dunbrack, McKenzie & MacDonald Limited for the survey, plans and descriptions of properties required for the realignment of the Herring Cove Road, Phase II, William's Lake Road to Old Sambro Road, at a cost not to exceed \$40,000.00.

Motion passed.

Recommendations - Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that, as recommended by the Finance & Executive Committee:

1. the matter of a request for a grant in the amount of \$100,000 by the Black Cultural Society, be referred to staff for a report, the item be brought back to a meeting of the Committee of the Whole Council, and Mrs. Ross and Mr. Oliver be advised of the action taken;
2. the application by Coalition Supportive Services be endorsed and the Federal Government be so informed;
3. the Grace Maternity Hospital item be deferred back to the next meeting of the Tax Concessions and Grants Committee;
4. the following be approved by City Council:

Downtown Business Association	\$ 1,000
Gilbert & Sullivan Society	500
Joseph Howe Festival	10,000
National Youth Orchestra	NIL
Neptune Theatre	15,600
Nova Scotia Drama League	NIL
Nova Scotia Kiwanis Music Festival	1,000
Nova Scotia Youth Orchestra	500
Theatre Arts Guild	350
Boy Scouts of Canada	1,000
Dalhousie Legal Aid	1,500
Junior Achievement	500
Little Dutch Church	1,000

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Patients' Rights of Nova Scotia	NIL
St. Joseph's Childrens' Centre	\$ 750
Spryfield Day Care	520
Alpine Marathon Committee	NIL
Altantic Karate Club	500
Halifax Junior Bengal Lancers	3,000
Halifax Super Tiger Cats Floor Hockey Team	100
Inner City Youth Club	850
Maskwa Acquatic Club	712
Pioneer Village Project	750
Callow Veterans Association	2,000
Canadian Association for the Mentally Retarded	NIL
Canadian Mental Health Association	NIL
Canadian National Institute for the Blind	2,500
Canadian Paraplegic Association	2,600
Canadian Red Cross	25,000
Coalition Supportive Services	1,500
Forward Horizons Mental Health	750
Halifax Welfare Rights	380
Home of the Guardian Angel	3,200
Mic Mac Friendship Society	2,500
Metropolitan Area Group Homes	2,100
Natural Braids and Things	200
North End Community Health Association	2,400
Salvation Army Men's Social Service Centre AND Hostel	7,000
St. John Ambulance	NIL
Victorian Order of Nurses	2,800

Motion passed.

1250 IGPM Diesel Pumper

MOVED by Alderman Hamshaw, seconded by Alderman
Wooden that, as recommended by the Finance and Executive Committee,
authority be granted to purchase a commercial unit as described
in the staff report of May 6, 1980, from King Seagrave Ltd. at a
cost of \$85,750. FOB Delivered with training and extended engine
and transmission warranty.

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 7, 1980, as follows:

Award of Tender No. 80-14 - Sidewalk Renewals

MOVED by Alderman Maley, seconded by Alderman Downey that, as recommended by the Committee on Works:

1. Tender No. 80-14 for Sidewalk Renewal be awarded to Steed & Evans Ltd. for the unit prices quoted;
2. Project funds be authorized from Accounts EH003, CB221, CB220, CB214 and CC032;
3. Funding transfers be approved as shown in the staff report dated April 22, 1980.

Motion passed.

Award of Tender No. 80-13 - Sidewalk Renewals

MOVED by Alderman Shannon, seconded by Alderman Downey that, as recommended by the Committee on Works:

1. Tender No. 80-13 for projects, materials, or services listed in Appendix "A" attached to the staff report dated April 29, 1980, be awarded to Dineen Construction (Atlantic) Ltd. for the unit prices quoted;
2. Project funds be authorized from Accounts CB203, CB204, CB216, CB128, CB222, CB230, CB232, CB213, CC024, CB235, and CA077;
3. Funding transfers be approved as shown in the staff report dated April 29, 1980.

Motion passed.

Award of Tender No. 80-83 - Cleaning of the NIP III Sewers

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works:

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1. Tender No. 80-83 for Cleaning of the NIP III area sewers be awarded to Video Inspection & Grouting (Mar.) Ltd. for the unit prices quoted;
2. Project funds be authorized from Account No. EH007;
3. Funding transfers be approved as shown in the staff report dated April 28, 1980.

Motion passed.

Tree Spraying

A staff information report dated May 13, 1980, was submitted.

His Worship advised that staff have indicated, if required by Council as a condition of spraying, they could proceed without the use of Seven but do not feel professionally that they could proceed without being permitted the use of malathion.

Mr. Connell, Director of Engineering and Works, responded to questions from members of City Council.

Alderman Sullivan stated that it is generally agreed that once a spray program is commenced, continued spraying is necessary. He asked if staff have considered in a selective spray program a way to release the City from a spray program using a selective method of spraying along with some other programs. He expressed concern re the implications of having to spray in future years because of commencing a spray program this year. Mr. Connell advised that the City will be doing selective spraying and will only spray where predators have been located, leaf miner, etc. He added that the other part of the program would be the sanitation program which is to remove the dead limbs, etc. which is an ongoing program.

After considerable discussion during which members of Council expressed concern and frustration with the conflicting scientific evidence upon which a decision had to be made, it was MOVED by Alderman Maley, seconded by Alderman Shannon that the City of Halifax do no spraying of trees this year. The motion was put and passed with Aldermen Sullivan, Wooden and Deputy Mayor Hanson voting against.

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Parking Meters - Quinpool Road

MOVED by Alderman Meagher, seconded by Alderman Shannon that \$32,000 be deleted from the budget this year, thus not purchasing the parking meters for Quinpool Road. Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance No. 153, the Sewer Development Charge Ordinance - SECOND READING

MOVED by Alderman Hamshaw, seconded by Alderman Moore that the amendment to Ordinance No. 153, the Sewer Development Charge Ordinance, as set out in Schedule "A" attached to the staff report dated March 24, 1980, be read and passed a Second Time. Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on May 7, 1980, as follows:

Mainland North Servicing Strategy

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the City Planning Committee, City Council:

1. approve the award of the Mainland North Servicing Strategy to DPA Consulting Limited at an upset price of \$80,650, such funds to come from the Design and Engineering Fund;
2. authorize the Mayor and City Clerk to sign a contract with the consultant to carry out this study.

Motion passed.

Case No. 3832 - Contract Development - 3055 Agricola Street - DATE FOR PUBLIC HEARING

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the City Planning

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Committee, a date be set for a public hearing to consider the application for contract development to permit a fourth-storey addition to the ageing and fermenting building at 3055 Agricola Street. Motion passed.

The Acting City Clerk advised that the public hearing is scheduled for Wednesday, June 18, 1980, at 7:30 p.m. in the Council Chamber.

Case No. 3829 - Contract Development and Lot Consolidation
- Lots 38 and 39 Herring Cove Road - DATE
FOR PUBLIC HEARING

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that, as recommended by the City Planning Committee, a date be set for a public hearing to consider entering into a contract development agreement with the developer, subject to the terms and conditions listed in the staff report dated April 18, 1980, for an 18-unit multiple unit residential building on Lot B, Herring Cove Road under Schedule "D", Section 66 of the Zoning Bylaw, Mainland Area, and to defer consideration of the lot consolidation application until a later date. Motion passed.

The Acting City Clerk advised that the public hearing is scheduled for Wednesday, June 18, 1980, at 7:30 p.m. in the Council Chamber.

Irving Arch - Water Street

MOVED by Alderman Maley, seconded by Alderman Wooden that the matter be deferred to the next regular meeting of City Council scheduled for May 29, 1980. Motion passed.

Adult Entertainment Uses - DATE FOR PUBLIC HEARING

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider amendments to the C-1 Zone (Peninsula and Mainland Areas) as follows:

- i) amend Section 49(1)(b) of the Zoning Bylaw (Peninsula Area) to add the phrase "excepting adult entertainment uses"; and

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- ii) amend Section 35(1)(b) of the Zoning Bylaw (Mainland Area) to add the phrase "excepting adult entertainment uses".

Motion passed.

The Acting City Clerk advised that the public hearing is scheduled for Wednesday, June 18, 1980, at 7:30 p.m. in the Council Chamber.

MISCELLANEOUS ITEMS

Halifax Fire Department Annual Report - 1979

The Halifax Fire Department Annual Report - 1979 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Wooden that the Halifax Fire Department Annual Report - 1979 be tabled and referred to Committee of the Whole Council scheduled for June 4, 1980. Motion passed.

QUESTIONS

Question Deputy Mayor Hanson re: Larry O'Connell Field

Deputy Mayor Hanson stated that last year considerable concern was expressed re the location of the play equipment and repairs to the area around the Club house at Larry O'Connell field. He noted that the work has not proceeded as quickly as it could have and he requested that staff give the matter a higher priority.

Question Alderman Sullivan re: Drainage Problem on Kaye St.

Alderman Sullivan stated there is a problem with drainage on Kaye Street which seems to be emanating from the Young Street area. He asked if staff would again look at Young Street between Needham and Gottingen Streets to see if the source of the water can be determined. He further requested that staff contact the Public Service Commission re the matter.

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Question Alderman Sullivan re: Legislation re New
Heating Systems in Homes, etc.

Alderman Sullivan stated a couple of months ago he requested that staff bring forth legislation re the installation of new heating systems in homes, etc. He asked that staff advise in an information report the status of the proposed legislation.

Question Alderman Clarke re: Seaview Park

Alderman Clarke requested that staff advise what the future plans are regarding the Seaview Park area.

Question Alderman Clarke re: Buy Out Costs For the Assets
of the Halifax Transit Corporation

Alderman Clarke asked that an up-to-date report be submitted re discussions with the Government concerning the buy out costs for the assets of the Halifax Transit Corporation.

His Worship advised that recent indications are that progress is being made in the discussions.

Question Alderman Wooden re: Landscaping Project at Graves
Oakley Park

Alderman Wooden stated that there has been no progress by the contractor re the landscaping project at Graves Oakley Park since late last year. She asked that the contractor advise City Council whether he intends to carry out the terms of the contract or whether it should be awarded to someone else.

His Worship suggested that notice be served on the contractor that his tenders will not be acceptable to the City henceforth until he rectifies this matter.

The City Solicitor suggested that the City should enforce the terms of the contract and the action suggested by His Worship.

It was agreed that the City Manager be asked to review immediately the contract and if there is failure of performance to cancel the contract under the conditions of the cancellation.

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Question Alderman Shannon re: (1) Alleged Rapes on
Dalhousie Campus (2) Report on Chemicals
in Water since Pockwock

Alderman Shannon stated she had asked questions re the above two subjects at the regular Council meeting held on April 30, 1980, and has not received a response to date.

Question Alderman Meagher re: Trucks Damaging Curbs

Alderman Meagher stated he received an information report re the problem of trucks driving over curbs. He stated the problem is increasing and asked that the matter be added to the next regular meeting of Committee of the Whole Council.

Question Alderman Meagher re: Fountain at Commons

Alderman Meagher asked when it is expected that the fountain at the Commons will be in operation.

The City Manager stated that the fountain is now operating.

Question His Worship the Mayor re: Northwest Corner of
Spring Garden Road and Barrington Street

His Worship stated that at the northwest corner of Spring Garden Road and Barrington Street transit buses are moving up over the curb and breaking the drain. He suggested that perhaps the lanes on Spring Garden Road could be moved further to the south. He asked that staff have a further look at the matter.

Question Alderman Sullivan re: Sodding on Hennessey Place

Alderman Sullivan asked if the City is going to resod the portion of boulevard on Hennessey Place where the equipment for the new sewer on Hennessey Street is being stored. The City Manager advised that staff normally replace damaged grass with sods.

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ADDED ITEMS

Use of City Coat of Arms

A memorandum dated May 12, 1980 was submitted by Allan M. Waye, Co-ordinator, 1980 F.C.M. Conference.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that in accordance with Section 12 of Ordinance 101, permission be granted to use the City of Halifax Coat of Arms on approximately 600 briefcases and clipboards to be distributed to delegates attending the 43rd Annual Conference of the Federation of Canadian Municipalities in Halifax, June 8 - 12, 1980. Motion passed.

Dog Control Services

A staff report dated May 14, 1980 was submitted.

MOVED by Alderman Shannon, seconded by Alderman Sullivan that the matter be referred to the next regular meeting of Committee of the Whole Council. Motion passed.

Building Permits - Old South End

A staff report dated May 14, 1980 was submitted.

MOVED by Alderman Maley, seconded by Alderman Shannon that Council indicate no objection to the permits for the applications listed in the staff report dated May 14, 1980. Motion passed.

School Admission Age - Alderman Clarke

Alderman Clarke expressed surprise that on May 13, 1980 the School Board turned down the request of City Council to implement a change in the age requirement of admission to school, particularly in view of the fact the School Board had recommended the age change both to the Provincial Government and to the Nova Scotia School Board Association.

Alderman Clarke stated he was advised this date by the Chairman of the Board of School Commissioners

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if Council was to deal with the matter of funding, the matter would be reconsidered again at the next Board meeting. He added that he thought Council had made the point that it was prepared to back its motion with any necessary funding, but apparently the message was not conveyed or did not reach the School Board.

Alderman Clarke stated his intention to move two motions, one, that the School Board reconsider Council's request of making the age change and, two, Council advise the School Board if additional funding were necessary, it would be forthcoming. He stated he would seek the advice of the City Manager as to how that could be done.

Alderman Clarke referred to a meeting held in the Council Chamber on April 14, 1980, with the Chairman and members of the School Board present at which Alderman Maley raised the matter of what funding would be needed and how it would be managed. He suggested the consensus at that time was that it would be handled by means of a supplementary matter in the fall.

His Worship stated he is not opposed to the content of the motion but reiterated his opposition to the manner in which the matter is being dealt with. He advised of information given by the Chairman of the Board of School Commissioners during a telephone conversation this date. His Worship drew Council's attention to Section 159(m) of the Halifax City Charter and stated, in his view, City Council cannot appropriate funds without asking the City Manager.

Alderman Hamshaw stated that City Council has requested information from the School Board relating to the number of children attending primary classes and a response has not been received.

Deputy Mayor Hanson advised that he was unable to attend the Board of School Commissioners meeting due to a very serious personal matter but he did contact the Chairman of the Board and urged him to address the Board and ask them to set up a meeting with Halifax City Council to discuss this very important matter.

Alderman Wooden stated a principal has expressed concern to her re the primary/grade 1 mix. She suggested that City Council consider the matter before next year and encourage the Board to not allow a mix at the primary/grade 1 level.

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Alderman Sullivan stated there was some confusion as to whether or not the funding was going to be forthcoming as it was not included in the motion presented to the Board of School Commissioners at its meeting on May 13, 1980.

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that Halifax City Council request that the Halifax School Board reconsider the request of City Council that the school age requirement be changed from October 1 to December 31 of the calendar year, commencing September 1980. Motion passed.

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that Halifax City Council advise the Halifax School Board that it will approve and provide the necessary funding which may be needed if increased costs are incurred to the budget of the Halifax School Board as a result of this implementation of this policy change.

He requested that the City Manager or City Solicitor advise if the motion is contrary to the Halifax City Charter provisions. Alderman Clarke explained that the motion is one of intent rather than the mention of specific funds as he suggested the specific funds needed cannot be truly identified.

Alderman Clarke stated he would be prepared to defer the foregoing motion until the next regular meeting of Committee of the Whole Council for an opinion from the City Solicitor. He further noted that the next meeting of the Board of School Commissioners is scheduled for May 27, 1980, and he would welcome any presentation the School Board wished to make to Council prior to their meeting.

Alderman Clarke requested that the City Manager pass the contents of the motion along to the Chairman of the School Board for him to determine whether it is what he is seeking from City Council and, if it is deficient, the City Manager bring back a recommendation which would include what the Chairman of the Board of School Commissioners is seeking. He stated he wishes to send to the School Board a motion which would satisfy their particular requirement from Halifax City Council, knowing that if increased costs were incurred the School Board could return to City Council for additional funding, without argument from City Council.

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Alderman Moore stated he is not satisfied that the additional funds could not be handled within budget and advised that, to assist the City Manager, he is certainly prepared to entertain a review of priority of projects that might pertain to Ward 9, if a reallocation or movement of funds within the budget is required.

MOVED by Deputy Mayor Hanson, seconded by Alderman Wooden that the City Manager ask the Chairman of the Board of School Commissioners if the Board members and the Director of Education would meet privately with members of Halifax City Council at 12:30 p.m. on Wednesday, May 21, 1980. Motion passed.

Interest Rate on Overdue Taxes - His Worship the Mayor

His Worship asked if it was agreed and understood that staff will apply a rate 2% on prime at the time of the payment of the second installment for taxes. The City Manager responded in the negative.

The City Manager suggested that the matter be referred to the next regular meeting of Committee of the Whole Council at which time the necessary information would be available.

Meeting adjourned - 11:00 p.m.

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MAYOR EDMUND L. MORRIS
CHAIRMAN

EDWARD A. KERR
ACTING CITY CLERK

Date Approved by City Council: _____

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
May 21, 1980
7:40 p.m.

A Special Meeting of Halifax City Council was held at this time.

PRESENT: Deputy Mayor Hanson, Chairman; Aldermen Shannon, Downey, Sullivan, Clarke, Wooden and Hamshaw.

ALSO PRESENT: City Manager, W. Anstey, Acting City Solicitor, E.A.Kerr, Acting City Clerk, and other members of Staff.

The meeting was called to order and members of Council, led by the Acting City Clerk, joined in reciting the Lord's Prayer.

It was unanimously agreed to add the following items to the agenda:

1. Proposed Offers of Compensation - Expropriation for the Fairview Overpass Project and Widening of the Dutch Village Road, Northern Section
2. Dog Control Services
3. School Admission Age
4. Interest Rates on Overdue Taxes
5. Application for Auctioneer's License

7:45 p.m. Alderman Meagher arrives.

Proposed Offers of Compensation - Expropriation for the Fairview Overpass Project and Widening of the Dutch Village Road, Northern Section

MOVED by Alderman Hamshaw, seconded by Alderman Wooden, that as recommended by the Finance and Executive Committee, Council authorize offers of compensation to Marnat Properties, in the amount of \$400, to Clifford Harrison in the amount of \$3,000, and to Irving Oil Company Limited in the amount of \$106, as expressed in part (b) of the staff report of April 23, 1980. Motion passed.

Dog Control Services

MOVED by Alderman Sullivan, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, authority be granted to enter into a contract with M.E. Sinanan, DVM, to provide dog control services in accordance with the attachment to the staff report date 1980.05.13 for a period of three years, subject to non-performance as determined by the Chief of Police; and to the following being included in the contract:

1. a clause ensuring that animals that are brought to the Pound to be put down, be put down and not sold or given away;
2. a clause ensuring that animals brought to the pound to be boarded are not placed in the same areas as animals which are in the Pound for other purposes;
3. that proper controls be enacted to ensure the foregoing are carried out;
4. that the City have access to all financial and non-financial records dealing with the dog control services and the dog pound, and that the City be permitted to inspect the Pound at any time it wishes to ensure that the foregoing is being carried out; and if they are not being carried out, it be cause for termination of the contract;

and further that staff be instructed to investigate and report back to Council on the feasibility of establishing a Pound in the City to be leased to any successful proponent.

Motion passed with Alderman Shannon voting against.

School Admission Age

A staff report dated May 21, 1980 was submitted.

Alderman Clarke noted Council's approval of a motion of May 15, 1980, asking the Board to consider their earlier decision.

MOVED by Alderman Clarke, seconded by Alderman Wooden that, under Section 201(1) resolve to make a supplementary appropriation of \$60,000 for the Board of School Commissioners' 1980 Budget for the purpose of lowering the school admission age to admit those children who will have attained 5 years of age on or before December 31 in the year in which they propose to first attend school. Motion passed.

Special Council
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Alderman Clarke requested that these matters be forwarded to the Board of School Commissioners for consideration at their meeting on Tuesday evening.

Interest Rates on Overdue Taxes

MOVED by Alderman Meagher, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, effective June 1, 1980, the interest rate on overdue taxes be reduced from 19% to 17% and staff report to City Council if a further reduction in interest rates is warranted.

Motion passed.

Application for Auctioneer's License - Vintage Car Auction

MOVED by Alderman Shannon, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council authorize the issuance of an Auctioneer's License to Vintage Car Auction Canada Limited in accordance with Ordinance No. 146.

Motion passed.

Special Council
May 21, 1980

Case No. 3808 - CONTRACT DEVELOPMENT - 1585 OXFORD STREET

A public hearing regarding the above matter was held at this time.

Mr. E.B. Algee, Development Control Department, with the aid of maps, addressed members of Council on this application. Mr. Algee advised this was an application for contract development under Section 83 (Schedule C) of the Zoning Bylaw, peninsula area for a property located at 1585 Oxford Street, for permission to use one of the apartments as an office for several businesses. The building was built in 1959 and contained 47 apartment units. At present, there are 46 units in this building. Mr. Algee advised there were five companies operating from this building managing eleven apartment buildings in the City. Mr. Algee advised it was staff's recommendation to refuse the application because it does not meet the Municipal Development Plan policies, in particular Policy 1.4. The building is located in a low density neighbourhood with a professional building in the area and some R-3 in the area of Coburg Road.

Mr. Algee responded to questions from members of Council.

Mr. Elwin MacNeil, counsel for the applicant, addressed members of Council in support of the application. Mr. MacNeil advised this was the residence of Mr. Fletcher Smith, the President of Parkdale Realties and A.M. Smith & Sons Limited. The area used for the accounting purposes is less than 400 feet, and there is no public access, the only entry being if one possesses a key. Mr. MacNeil submitted two submissions containing a petition containing the signatures of all but one of the residents of this building, which is a part of the official file of this meeting.

There were no other persons present wishing to address members of Council in support of the application.

Mr. Keith Vaughan, Chairman, Ward II Planning Committee, addressed members of Council in opposition to this application. Mr. Vaughan stated this use in a R-3 zone is a violation and should not be permitted. The building is in a residential neighbourhood and is surrounded on three sides by single family and duplex residences. Mr. Vaughan further stated that approval of this contract could open the way for other proposals and would lead to change in character and destruction of the neighbourhood. On behalf of the Ward Two Residents, Mr. Vaughan recommended that the application be refused and the business be encouraged to relocate in a commercial area.

There were no other persons present wishing to address Council in support of or in opposition to this application.