

**CITY COUNCIL  
M I N U T E S**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
1 March 1990  
8:00 P. M.

A regular meeting of Halifax City Council was held on the above date.

**PRESENT:** His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Moira Ducharme; and Aldermen Deborah Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Richard Grant, Hanson, Jeffrey, Flynn, and Stone.

**ALSO PRESENT:** Mr. D. F. Murphy, Q.C., Acting City Manager; Mr. Barry Allen, Acting City Solicitor; City Clerk; and other members of City staff.

The meeting was called to order, and members of Council, led by His Worship Mayor Ron Wallace, joined in the recitation of the Lord's Prayer.

**Recognition - Mr. Peter S. Connell, P.Eng.,  
Director of Engineering and Works**

Mr. Wayne Yogis, President of the Atlantic Chapter of the Canadian Public Works Association, addressed Council to announce that Mr. Peter S. Connell, Director of the City's Engineering and Works Department, has been selected as one of the top 10 public works officials in North America.

In his remarks, Mr. Yogis advised that the award from the American Public Works Association (which will be officially presented during a ceremony to be held later in the year in Winnipeg) represents a recognition of Mr. Connell's professionalism and integrity in carrying out his responsibilities as a public works official. In bringing this matter to Council's attention, Mr. Yogis also pointed out that Mr. Connell is now one of only a very few Canadians to receive this very prestigious award.

Mr. Peter Connell, in thanking Mr. Yogis for his comments, emphasized that he intends to accept this award on behalf of the City's Engineering and Works Department in total. He pointed out that his Department operates very much as a "team effort," and acknowledged, in particular, the imagination, initiative, and hard work displayed by his

COUNCIL  
1 MARCH 1990

division supervisors and their staff members. Mr. Connell also thanked Council for their support in making it possible for him to participate in various professional organizations relevant to his position as Director, and expressed his very deep appreciation for the honor bestowed on him by the APWA.

**Moment of Silence - Former Alderman William A. Gates  
(Alderman Jeffrey)**

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At Alderman Jeffrey's request, a moment of silence was observed in recognition of the recent passing of former Alderman and Halifax mayoralty candidate William A. Gates.

**MINUTES**

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 15 February, and of a special meeting, held on Wednesday, 7 February 1990, were approved on a motion by Alderman O'Malley, seconded by Alderman Stone.

**APPROVAL OF THE ORDER OF BUSINESS,  
ADDITIONS, AND DELETIONS**

At the request of the City Clerk, Council agreed to add:

- 10.1A YWCA Request for Funds
- 20.1 Acquisition - Parcels H-217 and H-217A (Lands Abutting Herring Cove Road)
- 20.2 McCully House - Purchase and Sale Agreement
- 20.3 CN Railways - Letter to Director of Engineering and Works (Alderman Tom Jeffrey)
- 20.4 Ward #1 (Alderman Deborah Grant)
- 20.5 Selection of Consultant - City Manager (Alderman Richard Grant)
- 20.6 Municipal Social Assistance (Deputy Mayor Moira Ducharme)

At the request of Alderman Flynn, Council agreed to add:

- 20.7 Transit Funding Formula

COUNCIL  
1 MARCH 1990

A discussion arose with regard to information received from the City Clerk vis a vis a request from the President of the Halifax Homeowners Association to address Council concerning Item 10.8, "1990 Legislation."

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of Committee of the Whole Council at which time representations from members of the public would be invited.

The motion for deferral was put and lost with three (3) members of Council voting for it and nine (9) voting against it as follows:

**FOR:** Deputy Mayor Ducharme; and Aldermen Fitzgerald and Flynn ..... (3)

**AGAINST:** Aldermen Deborah Grant, Downey, Meagher, O'Malley, Pottie, Richard Grant, Hanson, Jeffrey, and Stone ..... (9)

It was subsequently moved by Alderman Jeffrey, seconded by Alderman Fitzgerald that Council agree to hear the presentation from the Halifax Homeowners Association during its deliberations of Item 10.8, "1990 Legislation."

The motion was put and passed.

The agenda, as amended, was approved on a motion by Alderman Fitzgerald, seconded by Alderman Pottie.

DEFERRED ITEMS

Case No. 6013: Minor Variance Appeal  
- 5963 College Street

A public hearing with regard to this appeal was held on Wednesday, 21 February 1990.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the decision of the Development Officer to refuse the application for a minor variance at 5963 College Street be overturned, and that the appeal be granted, provided that the garage facility not be used as it was in the past as a part of the residence and that the walkway be boarded up.

Responding to a question from Alderman Pottie, Alderman Fitzgerald indicated that the owner of the property in question has advised that no repairs will be undertaken to

COUNCIL  
1 MARCH 1990

the walkway and that, in fact, it will eventually be torn down.

The motion was put and passed.

**Case No. 5937: Rezoning from R-1 to R-2A  
- 5760-62 Inglis Street**

A public hearing to consider this matter had been held on Wednesday, 21 February 1990.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the application to rezone 5760-62 Inglis Street from R-1 (Single-Family Dwelling Zone) to R-2A (General Residential Conversion and Townhouse Zone), lands of Kim Lee Realty Company Limited, be approved by City Council.

The City Clerk advised that Aldermen Deborah Grant, Meagher, O'Malley and Jeffrey had not been present at the 21 February public hearing and were therefore ineligible to vote.

The motion was put and passed with Aldermen Deborah Grant, Meagher, O'Malley and Jeffrey abstaining from the vote.

**Case No. 5892: Proposed Development Agreement  
- 1480-84 Carlton Street**

A public hearing to consider this matter had been held on Wednesday, 21 February 1990.

A private and confidential Information Report, dated 28 February 1990, was submitted from Mr. Barry S. Allen, Acting City Solicitor.

Speaking as a member of the City's Heritage Advisory Committee, Alderman Fitzgerald advised that recent legislation is encouraging property owners to restore (under contract development) historic buildings to their original splendor. In this context, he noted that the owner of the building located at 1480-84 Carlton Street has indicated to the HAC and to Council that he would be willing to undertake such restorations and to enter into a contract mutually acceptable to the City and to the Heritage Advisory Committee. The Alderman further advised that he has personally discussed the proposed agreement with various of

COUNCIL  
1 MARCH 1990

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COUNCIL  
1 MARCH 1990

the residents on that portion of Carlton Street in question, and has received no negative comments on the matter.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that the application for a development agreement to permit offices in the building located at 1480-84 Carlton Street be approved by City Council.

In putting forward this motion, Alderman Fitzgerald strongly recommended that the problems pertaining to the remainder of Carlton Street be referred to the Planning Advisory Committee for a recommendation concerning the long-term use of that street under heritage legislation.

The City Clerk advised that Aldermen Deborah Grant, O'Malley and Jeffrey had not been present at the 21 February public hearing and were therefore ineligible to vote.

The motion was put and passed with Aldermen Deborah Grant, O'Malley and Jeffrey abstaining.

**Case No. 5949: Proposed Development Agreement**  
**- Parcel "L," Corner of Dunbrack Street and Lacewood Drive**

A public hearing into this matter had been held on Wednesday, 21 February 1990.

An Information Report, dated 1 March 1990, was received from Mr. B. N. Kennedy, Traffic Authority.

MOVED by Alderman Stone, seconded by Alderman Richard Grant that City Council approve the entering into of a development agreement between the City of Halifax and Clayton Developments Limited to permit construction of a shopping plaza on Parcel "L" of the lands of Clayton Developments Limited, provided that the development is in substantial conformance with Plans No. P200/17611-15 of Case No. 5949.

In putting forward this motion, Alderman Stone emphasized that, in his opinion and in that of the residents of the Lacewood Drive/Dunbrack Street neighborhood, the commercial development proposed for Parcel "L" will considerably aggravate existing traffic problems in the area. He therefore urged that staff give serious consideration to the installation of appropriate traffic lights (particularly on Lacewood, Dunbrack and on Radcliffe) so that they could be operational even during the construction phase relevant to Parcel "L."

COUNCIL  
1 MARCH 1990

Alderman Richard Grant made reference to the 1 March Information Report, and asked for comments from the Traffic Authority as to whether the "nationally accepted warrants for signalization" are similar to those accepted by the Province of Nova Scotia. The Alderman also sought clarification from Mr. Kennedy as to whether the views expressed in the final paragraph on p. 1 of the 1 March Information Report reflect the opinion of the Traffic Authority or of a Traffic Engineer.

Alderman Richard Grant also made reference to his experiences with the flashing lights currently installed at the intersection of Dentith and Old Sambro Road, emphasizing that, in his opinion, flashing yellow lights have been extremely effective in reducing traffic speeds and facilitating the use of pedestrian crosswalks. He therefore requested that this option be taken into consideration with regard to the Dunbrack Street/Bridgeview South/Radcliffe Drive area.

Deputy Mayor Ducharme advised that she would not be supporting the motion because of the negative implications (particularly for Bayview Road) of the traffic volumes which will be generated by the proposed development. In this context, she emphasized that, in her view, the installation of traffic lights would do little or nothing to reduce traffic volumes on adjacent residential streets.

The City Clerk advised that Aldermen Deborah Grant, O'Malley and Jeffrey had not been present at the 21 February public hearing and were therefore ineligible to vote.

The motion was put and passed with Deputy Mayor Ducharme voting in opposition and Aldermen Deborah Grant, O'Malley and Jeffrey abstaining.

**Tender #89-185: Three 1990 Stake/Dump Trucks  
(10,000 GVW)**

This matter had been forwarded without recommendation from a Special Meeting of City Council held on Wednesday, 21 February 1990.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that authority be granted to purchase three 1990 Stake/Dump Trucks (10,000 GVW) under Tender #89-185 from MacLellan L/M Sales, the lowest bidder meeting specifications, for a total price of \$67,740.00 (funds to be made available in Account Number 126104.X1710, entitled "Motor Equipment Fixed Assets - Works Vehicles").

COUNCIL  
1 MARCH 1990

The motion was put and passed.

**Tender #89-186: One 1990 Tandem Truck  
with Combination Body and Plow**

This matter had been deferred from a Special Meeting of City Council held on Wednesday, 21 February 1990, pending receipt of a supplementary staff report.

A supplementary staff report, dated 26 February 1990, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, with reference to Tender #89-186 for one tandem truck with combination body and plows, authority be granted to purchase the chassis from Bruce Chev Olds Ltd. (for a total price of \$81,650.00), and the plow and body from Scotia Equipment, the lowest bidders meeting specifications, for a total price of \$37,985.00 (funds to be made available in Account Number 126104.X1710 entitled "Motor Equipment Fixed Assets - Works Vehicles").

Responding to a question from Alderman Flynn, Mr. B. G. Smith, Director of Finance, advised that, according to the terms of the proposed warranty, all service work and repairs will be performed in Halifax by a representative of Bruce Chev Olds.

With reference to Mr. Smith's comments, Alderman Pottie expressed concern with regard to the down time required when a vehicle either cannot be repaired in Halifax or when personnel must be sent from outside the City to effect the necessary repairs. He strongly recommended that this matter be taken under review by the City's Tendering Practices Committee.

The motion was put and passed.

**Tender #89-195: One 1990 Model Truck Chassis  
with Body and Crane**

This matter had been deferred from a Special Meeting of City Council held on Wednesday, 21 February 1990, pending receipt of a supplementary staff report.

A supplementary staff report, dated 26 February 1990, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that, with reference to Tender #89-195, authority be



COUNCIL  
1 MARCH 1990

granted to purchase one 1990 Model truck chassis with body and crane from Fairley & Stevens, the lowest bidder meeting specifications, for a total price of \$69,717.81 (funds to be made available in Account Number 126104.X1710 entitled "Motor Equipment Fixed Assets - Works Vehicles").

The motion was put and passed.

**Tender #89-199: Two Model 1990 Crew Cab  
Stake Trucks (10,000 GVW)**

This matter had been deferred from a Special Meeting of City Council held on Wednesday, 21 February 1990, pending receipt of a supplementary staff report.

A supplementary staff report, dated 26 February 1990, was submitted.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Flynn that, with reference to Tender #89-199, authority be granted to purchase two model 1990 crew cab stake trucks (10,000 GVW) from Fairley & Stevens, the lowest bidder meeting specifications, for a total price of \$45,538.00 (funds to be made available in Account Number 126104.X1710 entitled "Motor Equipment Fixed Assets - Works Vehicles").

The motion was put and passed.

**PETITIONS AND DELEGATIONS**

**Petition Alderman Stone Re: 1990 Legislation  
(Proposed Amendment to Halifax City Charter)**

Alderman Stone presented a petition on behalf of approximately 320 residents of Ward 12 with regard to the proposed amendment to the City Charter pertaining to the office of aldermanic services. In that petition, consideration was requested of the following points:

- a) information, evaluation and legal assessment be submitted from City staff;
- b) a public meeting and public hearing be scheduled for citizen participation and input; and

- c) the vote on such resolutions require the assent of 2/3 of the full Council membership.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 21 February 1990 as follows:

St. Mary's University Astro Turf - Request for Funds

Following is the motion with regard to this matter which was approved by the Finance and Executive Committee during its meeting on 21 February:

That the request received from Saint Mary's University with regard to a donation from the City of \$150,000 towards the replacement of the artificial track and field surface be referred to staff for review and recommendation.

Alderman Fitzgerald opened the discussion by expressing reservations concerning the viability of such a considerable grant to Saint Mary's University, particularly in light of the very serious financial constraints the City is presently facing and the precedent a municipal contribution to this kind of facility might set. In putting forward these concerns, however, the Alderman also emphasized that, because of Saint Mary's very impressive role in the Halifax community, he would like to see the City contribute to the project in some manner, perhaps by increasing its rental time of the playing field.

After some discussion, it was moved by Alderman Deborah Grant, seconded by Alderman Fitzgerald that Saint Mary's University be requested to approach the Province of Nova Scotia with regard to the possibility of securing a provincial grant towards the replacement of their artificial track and field surface; and that no decision on the matter be made by City Council at this time.

In putting forward this motion, Alderman Grant emphasized that the University had not planned to commence its replacement project until sometime in 1991.

Concurring with remarks made earlier by Alderman Fitzgerald, Alderman Flynn also recommended that, in the interim, University representatives be encouraged to meet with members of the City's Recreation Department to ascertain

COUNCIL  
1 MARCH 1990

whether this project would be better served by the City through an enhanced rental scheme (pertaining to the playing field or some other purchase of service) as opposed to a specific financial contribution.

Alderman Richard Grant asked for a breakdown of figures pertaining to the number of hours the City has rented from Saint Mary's since the construction of their playing field, the amount of money spent by the City toward the purchase of that time, and whether or not funds have been contributed by the City toward, for example, incidental maintenance of the playing field.

After some further discussion, the motion was put and passed.

Halifax YWCA Request for Funds

Alderman Deborah Grant, as Chairman of the YWCA's Capital Campaign, declared a conflict of interest and retired from the meeting.

Following is the recommendation from the Finance and Executive Committee approved during its meeting held on Wednesday, 21 February 1990:

That the Acting City Manager provide a further report with a recommendation with respect to the request received from the YWCA for a contribution of \$300,000.

After some discussion, it was moved by Alderman Flynn, seconded by Deputy Mayor Ducharme that the request from the YWCA for a civic contribution to their capital campaign be deferred to Council's budgetary review process for 1990 and included as part of those deliberations.

In putting forward this motion, Alderman Flynn emphasized that a Council decision regarding the finalization of the 1990 budget is anticipated within the next 3-4 weeks.

The motion was put and passed.

Alderman Deborah Grant returns to the meeting.

COUNCIL  
1 MARCH 1990

Halifax Natal Day Festival - Parade Date

Following is the motion approved by the Finance and Executive Committee during its meeting held on Wednesday, 21 February 1990:

That the matter be deferred, pending receipt of a report and recommendation from staff concerning the viability of scheduling the 1990 Natal Day Parade for Sunday, 29 July.

Alderman Richard Grant addressed Council to advise that members of the Natal Day Committee have contacted a variety of church leaders in the Halifax community and that, in general, the response to the concept of holding the Natal Day Parade on a Sunday afternoon (as a family-oriented event) has been extremely positive.

Alderman Grant went on to note that the Committee's proposed 1990 budget, which had been presented to Council on a previous occasion, pertained to an extended Festival intended to span two weekends and which would see events taking place in a variety of City wards. In his comments, the Alderman noted that the budget includes a reduction of \$2,500 to \$70,000 with an increased reliance on corporate sponsorship.

A discussion ensued with Alderman Flynn expressing concerns with regard to the impact on City expenditures (particularly in terms of service costs) relevant to an expanded Natal Day Festival as had been outlined by Alderman Grant.

It was therefore moved by Alderman Flynn, seconded by Alderman Downey that the matter be deferred until the Acting City Manager can examine all costs related to the City's contribution to the 1990 Natal Day Festival, particularly as they pertain to service costs.

With specific reference to the scheduling of the Natal Day Parade, Alderman Meagher made reference to the practice previously suggested for implementation whereby the City of Halifax would hold their parade on Saturday (with Dartmouth's being held on the Monday of the Natal Day weekend) with the circumstances being reversed in the following year. The Alderman asked if consideration had been given to taking this approach in 1990.

On another but related matter, the Acting City Manager reminded Council that an amount of \$2,000 had previously been approved (during a Special Meeting of City

COUNCIL  
1 MARCH 1990

Council held on Wednesday, 21 February) for the Natal Day Festival Committee for start-up purposes.

Alderman Richard Grant strongly urged that a report on this matter be brought back for Council's consideration as quickly as possible.

The motion to defer was put and passed with Alderman Richard Grant voting in opposition.

Store Closing Hours/Tourist Zones

MOVED by Alderman Fitzgerald, seconded by Alderman Deborah Grant that:

- (1) that the matter of extended store hours in **industrial zones** be dealt with as a separate item; and further, that a staff report as to how best to proceed in this regard be submitted as quickly as possible.
- (2) that a date for a PUBLIC MEETING be scheduled to consider the matter of extended (retail) store hours in the City of Halifax.

Concurring with the motion presently on the floor, Alderman Flynn urged that the suggestions put forward by the President of the Halifax Shopping Centre Tenants Council (in his submission dated 21 February 1990) be included as part of the newspaper advertisement pertaining to the proposed public meeting.

Alderman Pottie also brought to Council's attention the large number of spectators a public meeting of this nature is likely to attract, and questioned whether a site other than the City Hall Council Chamber should be found for this purpose.

The motion was put and passed.

The City Clerk advised that the requested public meeting would be scheduled for **MONDAY, 23 APRIL 1990 at 7:30 p.m.** at a location to be announced.

His Worship Mayor Wallace indicated that consideration would be given to Alderman Pottie's suggestion of an alternate location.

COUNCIL  
1 MARCH 1990

**Acquisition - Parcel "C,"**  
**Civic No. 177 Cowie Hill Road**

MOVED by Alderman Hanson, seconded by Deputy Mayor Ducharme that Parcel "C," Plan No. P200/17475 (Civic No. 177 Cowie Hill Road) be acquired from Mr. Didier Theriault for \$4,500 as settlement in full (funds to be made available from Account Number CK019, Sundry Land Acquisition Account).

The motion was put and passed.

**Expropriation Settlement - Parcel H-136,**  
**Civic No. 391 Herring Cove Road (Plan #TT-41-29874)**

MOVED by Alderman Richard Grant, seconded by Alderman Hanson that the expropriation of Parcel H-136, Civic No. 391 Herring Cove Road (Plan #TT-41-29874) be settled for \$4,673 (funds to be made available in Account No. 226111-20300-CJ012, the Herring Cove Road Widening Account).

The motion was put and passed.

**Subdivision and Sale - Portion of Block H-11 to**  
**Halifax County Condominium Corporation #141**

**Alderman Flynn declared a possible conflict of interest and retired from the meeting.**

MOVED by Alderman Stone, seconded by Alderman Pottie that Council approve the subdivision of Block H-11, Castle Hill Drive (as shown on Attachment "A" of the 14 February 1990 staff report); and that, subject to approval of the proposed subdivision, approximately 5200 square feet of land be sold to the Halifax County Condominium Corporation #141 for \$2.50 per square foot.

The motion was put and passed.

**Alderman Flynn returned to the meeting.**

**Canadian Christian Festival III**

This matter had been forwarded to Council without recommendation in order to provide members with a further opportunity to review the contents of the 14 February staff report.

An Information Report, dated 28 February 1990, was submitted.

COUNCIL  
1 MARCH 1990

With reference to a suggestion put forward by Alderman Deborah Grant, Alderman Meagher, speaking as Chairman of the City's Tax Concessions and Grants Committee, recommended against forwarding the Festival's request for funding to his Committee. In his comments, Alderman Meagher emphasized that a grant of \$47,000 (as is being requested by the Canadian Christian Festival) would very quickly deplete the funds available to the Committee for other purposes, and recommended instead that the matter be included as part of Council's budget deliberations now underway.

After some discussion, it was agreed that the matter be referred to staff to determine the manner in which the request from the Canadian Christian Festival III (or some modification thereof) can be accommodated.

His Worship Mayor Wallace further noted that a decision on this matter will be made as quickly as possible (i.e., on or before Wednesday, 7 March).

1990 Legislation

The following information had been submitted:

- Correspondence, dated 27 February 1990, from Ms. Paulette Duncan, Secretary, Ward 10 Residents Association
- Correspondence, dated 27 February 1990, from Mrs. Anne MacMillan, President of the Ward 12 Association
- Correspondence, received on 27 February 1990, from Mr. Arthur Conrad, 6053 Belmont Road, Halifax
- Correspondence, dated 27 February 1990, from Mr. David B. Hyndman, Chairman, Halifax Board of Trade

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Ducharme that Halifax City Council approve the 1990 proposed amendments to the City Charter as contained in the staff report dated 20 February 1990 pertaining to Clauses 2 - 6 as follows:

- (a) Clauses 2 and 3. To authorize the Council to approve grants by resolution rather than by administrative order.
- (b) Clause 4. To better allow for the regulation of false burglar alarms.
- (c) Clause 5. To amend the definitions of "street vendor" and "vending" to include the sale of food, beverages or other

COUNCIL  
1 MARCH 1990

merchandise not only from mobile canteens, which is now the case, but also from stands.

(d) Clause 6. To authorize the Council to convey a small portion of Fleming Park to an abutting property owner for the purpose of settling the boundary between properties.

The motion was put and passed.

Following is the recommendation approved by the Finance and Executive Committee during its meeting held on Wednesday, 21 February 1990:

That Halifax City Council approve the 1990 proposed amendment to the City Charter (as contained in the staff report dated 20 February 1990) pertaining to the office for aldermanic services, provided that the explanatory note relevant to that amendment is **amended** as follows:

Clause 1 authorizes the Council to establish, by administrative order, an office for aldermanic services to be directly responsible to the aldermen.

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Ducharme that, in light of the numerous requests received with regard to the opportunity for public input, Council set a date for a public meeting to consider the feasibility of an amendment to the Halifax City Charter concerning the establishment of an office for aldermanic services.

As had been previously agreed, Council invited the Chairman of the Halifax Homeowners Association, Mr. James Vaughan, to address them on this matter.

In his remarks, Mr. Vaughan made reference to the possible implications of the proposed Charter amendment, both on the City's current system of government and on its taxpayers, and urged that Council arrange a public meeting on the matter so that residents can be fully apprised as to the rationale behind this request.

Concurring with Mr. Vaughan's remarks and speaking in support of the motion currently on the floor, Deputy Mayor Ducharme emphasized the number of requests received from the public for further information on this matter and a chance to contribute their comments, referring, in particular, to the lengthy petition submitted earlier in the meeting by Alderman Stone on behalf of Ward 12 residents and to the submission recently received from the Chairman of the Board of Trade.



\* AMENDED PAGE

COUNCIL  
1 MARCH 1990

Alderman Flynn also spoke in favour of a public meeting, making reference to the fact that no report on the matter (other than the actual text of the amendments which had been provided by the Acting City Manager on 20 February) had yet been prepared. In this context, the Alderman suggested that, unless the public can be fully briefed on this issue, Council could be accused of withholding information from its constituents.

\* Alderman Fitzgerald expressed the opinion that the establishment of an Aldermanic Office would, in his opinion, be the first step toward destroying the Council/Manager form of government which he suggested was the best form of government for the City of Halifax. Alderman Fitzgerald spoke in favour of a public meeting and questioned why some Aldermen were opposed to giving the citizens a chance to express their views on the proposed change. He also noted that none of the Aldermen who were supporting the proposed amendment have come forward and stated the reasons why they wanted this change.

After some further discussion, the motion was put and lost with five (5) members of Council voting for it and seven (7) voting in opposition as follows:

**FOR:** Deputy Mayor Ducharme; and Aldermen Deborah Grant, Fitzgerald, Pottie, and Flynn ..... (5)

**AGAINST:** Aldermen Downey, Meagher, O'Malley, Richard Grant, Hanson, Jeffrey, and Stone ..... (7)

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that Council approve Clause 1 of the legislation as contained in the staff report dated 20 February 1990 which permits Council to establish the Office of Aldermanic Services at Council's discretion, and that the Office report directly to the Aldermen or to the City Manager.

The following is Clause 1 of the Legislation as contained in the staff report dated 20 February 1990:

"(1) Chapter 52 of the Acts of 1963, the Halifax City Charter is amended by adding immediately following Section 171 a new Section 171A as follows:

171A (1) Notwithstanding any provision of this Act, Council may, by administrative order, establish an office for aldermanic services.

(2) The terms of employment of the employees of the office shall be determined by Council by administrative order."

**COUNCIL  
1 MARCH 1990**

**His Worship Mayor Wallace addressed Council from the podium with Deputy Mayor Ducharme assuming the Chair.**

In his opening remarks, His Worship Mayor Wallace stressed the importance for Council to receive public input when it is taking an action to amend the City Charter that establishes the Council/Manager form of government. Mayor Wallace reiterated his view that it was wrong for Council to approve such an amendment without public input.

Mayor Wallace questioned the added cost to the taxpayers which would result from the establishment of an autonomous Aldermen's office and also expressed his concern with regard to a duplication of service. His Worship emphasized that Council's action to approve the proposed legislation was wrong, regressive, and self-serving. He further emphasized that the amendment would present a third level of bureaucracy, and a third level of authority for City staff.

Concern was also raised by Mayor Wallace with respect to the proposed legislation resulting in the removal of the Aldermen and staff from any authority of the Mayor or the City Manager. It was his opinion that the amendment would provide an opportunity for abuse of authority and power, and would set the stage for the FIRST public scandal for a City Council in the history of the City of Halifax.

Mayor Wallace challenged each Alderman who was in support of the amendment to state his or her reasons why they were initiating and supporting the amendment. In closing, His Worship Mayor Wallace pleaded with members of Council to listen to former Mayors, the Board of Trade, the Homeowners, the Ward Associations, and the public.

A copy of Mayor Wallace's presentation was submitted to all members of Council and is included in the official file for this meeting.

**His Worship Mayor Wallace re-assumed the seat of the Chair with Deputy Mayor Ducharme taking her usual seat in Council.**

\* Deputy Mayor Ducharme advised that she had spoken to the past City Manager and to the Acting City Manager who have indicated to her that the proposed change would be a regressive step and in which they could never recommend. The Deputy Mayor also noted that she had a conversation with Allan O'Brien, former Mayor for the City of Halifax, who indicated that this was the most regressive step he had ever seen a municipality take. She further advised that she had received calls from fellow members of the FCM Board urging

COUNCIL  
1 MARCH 1990

her to do everything to prevent Council from taking this step. Deputy Mayor Ducharme emphasized her strong opposition to an autonomous Aldermen's Office.

The debate continued with Alderman Hanson explaining that he was partly responsible for the selection of a staff person within the City structure to be the liaison and assistant to the Aldermen some years ago. He confirmed that the hiring of this person was done in a fair and open process.

Alderman Hanson went on to express the concern that, in this case, the trust and integrity of the Aldermen was not being accepted as part of the process for what's taking place. He explained that he was supporting the direction to approve the proposed amendment to the City Charter because Council had been advised that this was the only means of achieving the establishment of an autonomous Aldermen's office. Alderman Hanson indicated that he was supporting the effort to achieve an administrative office with one thing in mind - that it best service the people of the City of Halifax. The Alderman expressed the view that he did not envision that the role of the City Manager would deteriorate because of the proposed amendment. He suggested that the establishment of the autonomous office for the Aldermen was in the best interests of the public.

In response to the comment made by Alderman Hanson concerning the legislation, the Acting City Manager advised that the advice which had been given, in order to accomplish the independence being sought, was that a change to the legislation was required. Mr. Murphy explained that the legislation is written this way so that Council could achieve the objective that it wants at this time which apparently is to set up an office independent of the Manager. Mr. Murphy advised that the form of the legislation permits an autonomous Aldermen's office, but also permits a change back at some future time without having to get legislation.

Alderman Stone expressed the concern that there has been a fair amount of misrepresentation regarding the proposed change to the City Charter. In order to effectively represent the citizens of his Ward and of the City of Halifax, Alderman Stone emphasized that he saw the need for an autonomous Aldermen's office. He explained that it was very difficult to change a staff recommendation or to get various options in a staff report once the report has been completed. The Alderman emphasized the need to receive various options in some cases. He noted that those options need to come from the information held by staff. Alderman Stone indicated that he would often like an independent research into the kinds of things that are happening in his

COUNCIL  
1 MARCH 1990

Ward. He suggested that the only purpose of the proposed legislation was to formalize what already exists which is two or three people in the Aldermen's office to work on behalf of the Aldermen. Alderman Stone commented that there was no intention to try to destroy the City Manager form of Government.

\* Alderman R. Grant indicated that he understood that the City Manager had to recommend on certain financial matters, etc., but noted that Council ultimately had the authority because it approved the overall budget. Alderman R. Grant went on to express the opinion that the proposed change to the Charter was an appropriate and needed one. The Alderman indicated that he firmly believed that, in order to service the citizens he represented, he required administrative support. Alderman R. Grant indicated that he could not have that support jeopardized with the possibility of developing a conflict between the Manager and the Aldermen's Office. As an example of this, Alderman R. Grant referred to the widening of the Bedford Highway. He explained that the previous Alderman for Ward 12 had agreed with the staff report for the widening of the Bedford Highway. However, he noted that the new Alderman for Ward 12 came on Council and was confronted with the matter. Alderman R. Grant advised that the new Alderman for Ward 12 had discussed the matter with the Aldermen's Executive Assistant and together organized a public meeting. Alderman R. Grant pointed out that staff disagreed with the public meeting and recommended that it not be held. However, the Alderman noted that the meeting did take place with the residents concerns being aired and action taken to address those concerns. In closing, Alderman R. Grant emphasized that no one was against the City Manager system.

The discussion continued with Alderman Pottie emphasizing the need to amend the City Charter in order to ensure that the Aldermen's administrative office will always be there to serve all the Aldermen in the City of Halifax in future years. He noted that it was his understanding that this office could be dismantled in some way in its present state.

\* Deputy Mayor Ducharme reiterated her concern with regard to working in an office which one has actively campaigned against. She expressed the concern that she could not see how there would be any teamwork if members of Council were forced to work within an environment which they did not agree with. The Deputy Mayor questioned why cooperation could not exist and the Aldermen could not form an office structure that was acceptable to everyone. She noted that it has been suggested that the Office was so busy at the moment that some Aldermen could not get their calls through. She

COUNCIL  
1 MARCH 1990

went on to question how research could be added to the responsibility of the Office without employing more people. Deputy Mayor Ducharme also questioned why the proposed change was needed if everyone was happy with the way things presently exist.

\* Alderman Meagher suggested there was no member of Council with the desire or will to destroy the City Manager form of government. However, Alderman Meagher explained that the Aldermen required support staff because the Aldermen's Office was becoming more and more complex and a second opinion was needed in some instances. Alderman Meagher expressed the concern that there has been misinformation with regard to the change and the costs associated with the establishment of an autonomous Aldermanic Office. Alderman Meagher indicated that there would no additional expenses if the proposed change to the legislation was approved.

\* Alderman O'Malley expressed her support for the establishment of an autonomous Aldermen's Office. She pointed out that she was not undermining the authority of the City Manager in any way. Alderman O'Malley went on to explain that when a staff report is received, it generally gives one suggested direction which, at times, is not the direction that the people want. In instances like this, Alderman O'Malley emphasized the need to be able to go to the Aldermen's Office in search of some other alternative. Alderman O'Malley advised that the proposed change would not involve any additional expenses.

\* Alderman Flynn pointed out that the issue before Council was to change the legislation for one clause only in the Administrative Order. He noted that the integrity and service being provided by the Aldermen's Office was not at question tonight. Alderman Flynn reiterated the concern that the proposed change to the legislation would mean two Managers for the City.

\* Alderman D. Grant noted that she has been listening intently to the debate and discussion on this item and is concerned with the inference that budgets were going to be escalating dramatically if the proposed change was approved. Alderman D. Grant also expressed the concern that the suggestion has been made that the Aldermen would not be accountable to anybody. The Alderman stressed the fact that this Council was a responsible one and was responsible for bringing in and reviewing budgets for all departments including its own. Alderman D. Grant went on to indicate that she has endured frustration during the five years she has served on City Council due to not having adequate assistance or staff. She noted that the Aldermen have had to fight for the most minor changes in their office. Alderman

COUNCIL  
1 MARCH 1990

D. Grant also expressed concern that the Aldermen were being discredited with regard to what they are trying to accomplish. She expressed the view that none of the Aldermen were trying to do something that would dramatically affect the City of Halifax and noted that she felt that the Aldermen's Office was satisfactory. However, she suggested that the Aldermen needed more control and management of their own Office because of interference.

Following a further discussion, Alderman Jeffrey, in closing the debate, spoke in favour of the proposed City Charter amendment. He explained that nine members of Council see the importance for this change and how it will help them to service their constituents. Alderman Jeffrey noted that the Aldermen's office presently works primarily without any input from the City Manager's Department. He further noted that politicians at every level of government require independence. Alderman Jeffrey also referred to other municipalities where aldermen's offices have been established and operate independently of the City Manager.

The motion was put and passed with nine (9) members of Council voting for it and three (3) voting against it as follows:

FOR: Aldermen Downey, Meagher, O'Malley, Pottie, R. Grant, Hanson, Jeffrey, Stone, and D. Grant.... (9)

AGAINST: Deputy Mayor Ducharme, Aldermen Fitzgerald and Flynn ..... (3)

North End Day Care

This matter was forwarded to Council without recommendation from the Finance and Executive Committee meeting held on 21 February 1990.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for 7 March 1990.

REPORT - COMMITTEE ON WORKS

Winter Parking Ban

This matter was forwarded to Council without recommendation from the Finance and Executive Committee meeting held on 21 February 1990.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for 7 March 1990.

COUNCIL  
1 MARCH 1990

Report - Committee of the Whole Council  
Boards, and Commissions

Motion Alderman R. Grant Re: Amendment to Ordinance No. 166  
The Signs, Billboards, and Advertising Structures -  
SECOND READING

This item was deleted at the request of the City Clerk during the setting of the agenda.

The City Clerk noted that the item would be dealt with at the next regular meeting of the Committee of the Whole Council scheduled for 7 March 1990.

Motion Alderman Flynn Re: Amendment to Ordinance No. 149  
The Petty Trades Ordinance - SECOND READING

This item was deleted at the request of the City Clerk during the setting of the agenda.

The City Clerk noted that the item would be dealt with at the next regular meeting of the Committee of the Whole Council scheduled for 7 March 1990.

REPORT - CITY PLANNING COMMITTEE

Case No. 5562: Development Agreement - 6205 Pepperell St.

This item was forwarded to this meeting without recommendation from the last City Planning Committee meeting held on 21 February 1990.

It was agreed that this item be forwarded to the next regular meeting of City Council scheduled for 19 March 1990.

Case No. 6024: 3734 Dutch Village Road -  
Rezoning from R-2P to R-2AM

This item was forwarded to this meeting from the last City Planning Committee meeting held on 21 February 1990.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for 7 March 1990.

COUNCIL  
1 MARCH 1990

Case No. 5766: Amendment to the MPS, 5481-85 Victoria Road

This item was forwarded to this meeting from the last City Planning Committee meeting held on 21 February 1990.

It was agreed that this item be forwarded to the next regular meeting of City Council scheduled for 19 March 1990.

Case No. 5796: Development Agreement - Block C-1B, Agricola, Russell, and Macara Streets

This item was forwarded to Council from the last City Planning Committee meeting held on 21 February 1990 without recommendation.

It was agreed that this item be forwarded to the next regular meeting of City Council scheduled for 19 March 1990.

MOTIONS

Motion Alderman Jeffrey Re: Ordinance #116  
The Taxi Ordinance - FIRST READING

A report dated 16 February 1990 from the Chairman of the Halifax Taxi Commission was submitted (with an attached report dated 15 February 1990).

Notice of Motion with respect to this matter was given at a regular meeting of City Council held on 14 December 1989.

It was agreed that this item be forwarded to the next regular meeting of City Council scheduled for 19 March 1990.

MISCELLANEOUS BUSINESS

Policy on Official Languages

His Worship Mayor Wallace noted that there were several Dalhousie Law students present in the gallery who have been before Council different times regarding the importance of sending out a message of support to the people of Quebec and across Canada for a policy on official languages.

Deputy Mayor Ducharme addressed the matter and suggested that a message of support was being sent out to the people of Canada. She commented that there was support for



COUNCIL  
1 MARCH 1990

ADDED ITEMS

Acquisition - Parcels - 217, and H-217A  
(Lands Abutting Herring Cove Road)

This item was added to the agenda at the request of the City Clerk.

A confidential staff report dated 26 February 1990 was submitted.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990**.

McCully House - Purchase and Sale Agreement

This item was added to the agenda at the request of the City Clerk.

A supplementary staff report dated 23 February 1990 was submitted.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990**.

CN Railways - Letters to Director of Engineering and Works  
(Alderman Jeffrey)

This item was added to the agenda at the request of Alderman Jeffrey.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990**.

Ward #1 (Alderman Deborah Grant)

Alderman D. Grant informed Council members, the citizens of Halifax, and staff that she would be officially resigning as an Alderman with the City of Halifax effective March 30, 1990. In her remarks, Alderman D. Grant noted that it was a great pleasure for her to serve the citizens of Halifax as their representative for Ward 1. She commented that she would be marrying Donald Wells on May 19th and would be moving to Regina on July 1st with their respective families.

COUNCIL  
1 MARCH 1990

Alderman D. Grant submitted her letter of resignation dated 1 March 1990 to the City Clerk.

Selection of Consultant - City Manager (Alderman R. Grant)

This item was added to the agenda at the request of Alderman R. Grant.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990.**

Municipal Social Assistance (Deputy Mayor Ducharme)

This item was added to the agenda at the request of Deputy Mayor Ducharme.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990.**

Metropolitan Authority - Transit Funding Formula (Alderman Flynn)

This item was added to the agenda at the request of Alderman Flynn.

It was agreed that this item be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 7 March 1990.**

There being no further business to be discussed, the meeting was adjourned at 1:30 p.m.

HIS WORSHIP MAYOR RON WALLACE  
AND  
DEPUTY MAYOR DUCHARME

EDWARD A. KERR  
CITY CLERK

K/MMD

HEADLINES FOR CITY COUNCIL MINUTES  
of 03/01/90

PAGE 1

Recognition - Mr. Peter Connell, P.Eng., Director of Engineering and Works	....138
Moment of Silence - Former Alderman William A. Gates (Alderman Jeffrey)	....139
MINUTES	....139
APPROVAL OF ORDER OF BUSINESS	....139
DEFERRED ITEMS	
Case No. 6013: Minor Variance Appeal - 5963 College Street	....140
Case No. 5937: Rezoning from R-1 to R-2A - 5760-62 Inglis St	....141
Case No. 5892: Proposed Development Agreement - 1480-84 Carlton Street	....141
Case No. 5949: Proposed Development Agreement - Parcel "L", Corner of Dunbrack Street and Lacewood Drive	....142
Tender 89-185: Three 1990 Stake/Dump Trucks - 10000 GVW	....143
Tender 89-195: One 1990 Model Truck Chassis with Body and Crane	....144
Tender 89-186: One 1990 Tandem Truck with Combination Body and Plow	....144
Tender 89-199: Two Model 1990 Crew Cab Stake Trucks 10000 GVW	....145
PETITIONS AND DELEGATIONS	
Petition Alderman Stone Re: 1990 Legislation (Proposed Amendment to Halifax City Charter)	....145
REPORT - FINANCE AND EXEC COMM	
St. Mary's University Astro Turf - Request for Funds	....146
Halifax YWCA Request for Funds	....147
Halifax Natal Day Festival - Parade Date (Referral to Staff)	....148
Acquisition - Parcel "C", Civic No. 177 Cowie Hill Road	....149
Store Closing Hours/Tourist Zones	....149
Subdivision and Sale, Portion of Block H-11 to Halifax County Condominium Corporation 141	....150
Expropriation Settlement - Parcel H-136, Civic No. 391 Herring Cove Road (Plan TT-41-29874)	....150
Canadian Christian Festival III	....150
1990 Legislation	....151
North End Day Care	....156

HEADLINES FOR CITY COUNCIL MINUTES  
of 03/01/90

PAGE 2

REPORT - COMMITTEE ON WORKS Winter Parking Ban	.....156
REP.- COMM. OF WHOLE COUNCIL Motion Alderman R. Grant Re: Amendment to Ord. 166 The Signs Billboards, and Advertising Structures - SECOND READING	....157
Motion Alderman Flynn Re: Amendment to Ordinance 149 The Petty Trades Ordinance - SECOND READING	....157
REPORT - CITY PLANNING COMM. Case No. 6024: 3734 Dutch Village Road - Rezoning from R-2P to R-2AM	....157
Case No. 5562: Development Agreement - 6205 Pepperell St.	....157
Case 5796: Development Agreement - Block C-1B, Agricola, Russell, and Macara Streets	....158
Case No. 5766: Amendment to the MPS, 5481-85 Victoria Road	....158
MOTIONS Motion Alderman Jeffrey Re: Ordinance 116 The Taxi Ordinance - FIRST READING	....158
MISCELLANEOUS BUSINESS Policy on Official Languages	....158
FCM Conference	....159
NOTICE OF MOTIONS Notice of Motion Ald Flynn: Reconsideration of #10.8 "1990 Legislation" & Council's Decision not to hold a P. Hearing	....159
ADDED ITEMS McCully House - Purchase and Sale Agreement	....160
Ward 1 (Alderman Deborah Grant)	....160
Acquisition - Parcels - 217, and H-217A (Lands Abutting Herring Cove Road)	....160
CN Railways - Letters to Director of Engineering and Works (Alderman Jeffrey)	....160
Selection of Consultant - City Manager (Alderman R. Grant)	....161
Municipal Social Assistance (Deputy Mayor Ducharme)	....161
Metropolitan Authority - Transit Funding Formula (Alderman Flynn)	....161

**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
7 March 1990  
6:00 P. M.

A special meeting of Halifax City Council was held on the above date.

The meeting was called to order, and members of Council, led by His Worship Mayor Wallace, joined in the recitation of the Lord's Prayer.

**PRESENT:** His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Moira Ducharme; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Pottie, Richard Grant, Hanson, Jeffrey, and Stone.

**ALSO PRESENT:** Mr. D. F. Murphy, Q.C., Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

At the request of the City Clerk, Council agreed to add:

- (1) 1990 Natal Day Parade/  
Date for Natal Day
- (2) YMCA Request for Funds
- (3) 1999 FCM Conference
- (4) Municipal Social Assistance

**1990 Natal Day Parade/Date for Natal Day**

This matter had been referred from a meeting of the Finance and Executive Committee held earlier in the day. Following is the motion approved by that Committee:

That the 1990 Natal Day Parade be held, commencing at 2:00 p.m., on Sunday, 29 July, and further that Council declare Monday, 6 August 1990 as Halifax Natal Day.

Special Council  
7 March 1990

On the recommendation of Deputy Mayor Ducharme, it was agreed that the two parts of the motion be dealt with separately.

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the 1990 Natal Day Parade be held, commencing at 2:00 p.m., on SUNDAY, 29 JULY.

For clarification purposes, Alderman Pottie noted that the Parade date and that of the official civic holiday would be separated by a timeframe of a week and a day.

The motion was put and passed with Deputy Mayor Ducharme and Aldermen Downey and Meagher voting in opposition.

MOVED by Alderman Richard Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council declare MONDAY, 6 AUGUST 1990 as Halifax Natal Day.

In putting forward this motion, Alderman Grant noted that the proposed civic holiday will coincide with other municipal holidays across the Province.

Alderman Fitzgerald noted that in previous years the Parade, coming as it did at the beginning of the Festival's activities, served to attract numerous spectators who tended to remain in the vicinity for the next two days in order to participate in the remainder of the Natal Program. The Alderman therefore expressed concern with regard to the proposed time lapse between the 1990 Parade date and that of the official civic holiday, questioning whether the events held in the interim will be sufficient to hold the public's interest.

After some discussion, it was moved by Alderman Fitzgerald, seconded by Deputy Mayor Ducharme that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Monday, 19 March 1990.

It was suggested by Alderman Richard Grant that the Natal Day Festival Committee could submit a report concerning the advantages of scheduling the civic holiday for either Monday, 30 July or Monday, 6 August.

The motion to defer was put and passed.

1999 FCM Conference

MOVED by Deputy Mayor Ducharme, seconded by Alderman Richard Grant that, as was recommended by the Finance and Executive Committee, City Council endorse the hosting of the 1999 Federation of Canadian Municipalities Annual Conference in Halifax, Nova Scotia.

The motion was put and passed.

Canadian Christian Festival III

This matter was last discussed during a regular meeting of Halifax City Council held on Thursday, 1 March 1990.

An Information Report, dated 6 March 1990, was submitted.

MOVED by Alderman Pottie, seconded by Alderman Stone that, with reference to the request for funding from the Canadian Christian Festival III, City Council authorize the expenditure of \$6,350 for hospitality items, a grant of \$20,000 to the Festival, and authority for the City of Halifax to provide the necessary police and clean-up services.

In putting forward this motion, Alderman Pottie acknowledged that the Festival had initially asked for a direct cash contribution of \$47,000. The Alderman emphasized, however, that the police and clean-up services proposed to be provided by the City are anticipated to cost in the vicinity of \$5,000-\$8,000 which, calculated with the other contributions from the City, render the municipal donation rather substantial.

After some discussion, the motion was put and passed.

YWCA Request for Funds

This matter was last discussed at a regular meeting of Halifax City Council held on Thursday, 1 March 1990

MOVED by Alderman Pottie, seconded by Deputy Mayor Moira Ducharme that the City Manager be authorized to develop a payment plan for a grant to the YWCA in the amount of \$100,000.

Special Council  
7 March 1990

The motion was put and passed.

Municipal Social Assistance

MOVED by Deputy Mayor Ducharme, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee:

Because the three levels of government all share the same taxpayers and therefore have a shared responsibility for the problems of poverty and unemployment, it is in the interests of all concerned that a unified approach be taken in resolving these problems.

Therefore, be it resolved that:

- (1) Halifax City Council continue to make every effort to persuade the Provincial Government of the urgent necessity of providing 75 percent cost-sharing with regard to the City's social assistance payments on an amount that is necessary to meet the social assistance requirements of the City; and
- (2) a letter be forwarded on behalf of Halifax City Council to the Minister and Deputy Minister of Community Services, to the Minister of Canada Employment and Immigration, and to Mr. Gerald Everard, the Director General (Atlantic Provinces) of CEIC, asking them to commit appropriate staff to work with members of Halifax City staff to develop a strategic plan for addressing the problems of poverty and unemployment in the City of Halifax, particularly from the perspective of identifying an alternative to social assistance.
- (3) a Council Committee meet with the Minister on this matter.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 6:30 p.m.



Special Council  
7 March 1990

HEADLINES

1990 Natal Day Parade/Date for Natal Day .....	164
1999 FCM Conference .....	166
Canadian Christian Festival III .....	166
YWCA Request for Funds ....	166
Municipal Social Assistance .....	167

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

\*K