

**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
16 February 1993
7:35 p.m.

A special meeting of City Council, Public Hearings, was held on the above date.

After the meeting was called to order, the members attending joined in reciting the Lord's Prayer.

PRESENT: Her Worship Mayor Moira Ducharme, Chairman; and Aldermen Holland, Downey, Meagher, Pottie, Adams, Crowley, and Stone.

ALSO PRESENT: Ms. Mary Ellen Donovan, representing the City Solicitor; Mr. Edward A. Kerr, City Clerk, and other members of City staff.

**Public Hearing: Case No. 6631: 6570 Liverpool Street -
Appeal of Minor Variance Refusal**

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

A petition with 13 signatures in support of the appellant's request, received in the City Clerk's Office on 16 February 1993, was submitted.

A staff report dated 22 January 1993 was submitted.

Mr. Boyd Algee, Development Officer, addressed Council and, using diagrams, outlined the reasons why the request for minor variances of the lot frontage, lot area and front yard requirements of the land use bylaw for the property at 6570 Liverpool Street were refused (as contained in the 22 January 1993 staff report).

At 7:41 p.m. Deputy Mayor Fitzgerald entered the meeting.

Mr. Algee advised that the application was refused on 26 November 1992 and on 14 December 1992 the owner appealed this decision.

Mr. Algee responded to questions from members of Council.

Mr. Johnson, a resident of 6566 Liverpool Street, addressed Council and indicated that he was strongly opposed to the appellant's request.

Noting that he was the next door neighbour of the appellant, Mr. Johnson indicated that he has been a resident of this location for 47 years. He added that he was very concerned about the proposed addition because of the affect it would have on his property. Mr. Johnson noted that he had previously installed new windows in his home to increase the natural light. He pointed out that the proposed addition would diminish the amount of light into to his home, and he requested that Council uphold the minor variance refusal.

Mr. David Biggs, the appellant, addressed Council and reviewed his reasons for requesting approval of the minor variances.

Mr. Biggs advised that he and his family have been residents of 6570 Liverpool Street for 15 years and that they like the area and wish to remain. Mr. Biggs indicated that the reason he was requesting the minor variance was to build an addition on his house. He added that he felt this was necessary because he had growing children and because his mother-in-law was now living with the family. Mr. Biggs noted that the extra room was required in order that the family could live comfortably.

Mr. Biggs pointed out that he spoke with his neighbours concerning his request and, in reference to the submitted petition, he advised that there were a number of signed consent forms in support. He also pointed out that the proposed addition would alleviate certain maintenance problems he was having with the flat roof of the one-story addition at the rear of his home. Mr. Biggs advised that if he was granted permission to construct the addition, then the roof line would be level across the house and it would reduce the maintenance problems.

There were no further persons wishing to address Council on this matter.

Following a questioning of staff, it was MOVED by Alderman Pottie, seconded by Alderman Adams that this matter be forwarded to Council without recommendation.

Motion carried.

**Public Hearing: Case No. 6585: Dakin Drive: Petition for
Rezoning to R-1**

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

Mr. Marcus Garnet, Planner, addressed Council and, using diagrams, outlined the necessary amendments to rezone Dakin Drive from R-2 to R-1 (as contained in the 12 January 1993 staff report, submitted at the 14 January 1993 meeting of City Council).

Ms. Mary Lutwick, a resident of 32 Dakin Drive, addressed Council and spoke in support of the proposal to rezone Dakin Drive.

In her comments, Ms. Lutwick advised that the residents of the area were in support of the rezoning mainly because of the possible traffic problems which could result if higher density development were to occur. She expressed her appreciation to Council for its attention to this matter and she requested Council's approval of the rezoning.

There were no further persons wishing to address Council on this matter.

Alderman Stone addressed the matter and indicated that he would be supporting the resident's request. He added that all the residents were in support and the two who were not in support--39 Dakin Drive and St. Peter's Church--are proposed to be excluded from the rezoning. Alderman Stone also pointed out that the resident's homes which are currently zoned R-2 have no objection to the nonconforming uses of R-1. Alderman Stone then indicated that he was prepared to move a motion at this time.

MOVED by Alderman Stone, seconded by Alderman Crowley that Dakin Drive, with the exception of No. 39 Dakin Drive and St. Peter's Church, be rezoned from R-2 to R-1, and the Bedford Highway Secondary Planning Strategy be amended to allow this to occur according to the resolution as attached to the staff report dated 12 January 1993.

Motion carried.

**Public Hearing: Case No. 6564: Mainland South Plan Area:
Commercial Development in Residential Development Districts**

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

A letter dated 15 February 1993 from A. M. Young, 2130 Harvard Street, Halifax, N.S. B3L 2S7 was submitted.

Mr. Angus Schaffenburg, Planner II, addressed Council and, using diagrams, outlined the proposal to amend Section 6 of the Guidelines of the Mainland South Plan to allow convenience type uses within a Residential Development District (as contained in the 24 June 1992 staff report).

Mr. Robert Clark, a resident of 21 Parkmoor Avenue, addressed Council and advised that he would be speaking on behalf of the Parkmoor Residents Association. He pointed out that Parkmoor Avenue borders the area in question.

In his presentation, Mr. Clark advised that the Residents Association was opposed to any amendments to the Mainland South Plan. He added that the Mainland South Plan took a significant amount of time to develop and it had the input of numerous people. Mr. Clark advised that the result of this has been that the people of Mainland South feel very comfortable with the Plan as it presently exists and do not want it changed.

Mr. Clark pointed out that the residents are not against development in the area but they encourage development in the area which is planned. He added that the Association disagrees with the general view to incorporate all proposed developments and the commercial aspects "under the same roof."

Mr. Clark went on to note that, in the Mainland South area, there have been a number of small commercial developments that have failed. In this regard, he pointed out that the commercial development in Leiblin Park failed very early on and, in his view, it continues to be a blight on the community. In concluding his remarks, Mr. Clark advised that the Residents Association believes each plan should be considered by itself and not incorporated under one umbrella.

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There were no further persons wishing to address Council on this matter.

MOVED by Alderman Adams, seconded by Alderman Pottie that this matter be forwarded to Council without recommendation.

Motion carried.

Public Hearing: Case No. 6011: Peninsula North Secondary Planning Strategy - Area 1 - Proposed MDP and LUB Amendments

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

A supplementary staff report dated 3 February 1993 was submitted.

A letter dated 15 February 1993 from A. M. Young, 2130 Harvard Street, Halifax, N.S. B3L 2S7 was submitted.

Mr. Angus Schaffenburg, Planner II, addressed Council and, using diagrams, outlined the proposed municipal development plan and land use bylaw amendments to the Peninsula North Secondary Planning Strategy - Area 1 (as contained in the 3 February 1993 supplementary staff report).

There was no one in attendance wishing to address Council on this matter.

MOVED by Alderman Meagher, seconded by Alderman Downey that this matter be forwarded to Council without recommendation.

Motion carried.

There being no further business to discuss, the meeting adjourned at 8:12 p.m.

HER WORSHIP MAYOR DUCHARME
CHAIRMAN

Edward A. Kerr, CMC
City Clerk

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
25 February 1993
8:00 P. M.

A regular meeting of Halifax City Council was held at this time.

Deputy Mayor Walter Fitzgerald opened the meeting by leading those present in the recitation of the Lord's Prayer.

PRESENT: Deputy Mayor Walter Fitzgerald, Chairman; and Aldermen Holland, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, Crowley and Stone.

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of City staff.

MINUTES

The Minutes of a special meeting of Halifax City Council held on Wednesday, 3 February and of a regular meeting held on Thursday, 11 February 1993 were approved as circulated on a motion by Alderman Stone, seconded by Alderman Hanson.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.1 Accessible Taxis

On the recommendation of the City Manager, it was moved by Alderman Hanson, seconded by Alderman O'Malley that further discussion of the 1993-1995 proposed Capital Budget would be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 3 March 1993.

Alderman Stone made reference to a report, dated 25 February 1993, submitted by the City Manager concerning capital expenditures for the Library, and indicated that as

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the Library Board would be meeting in this regard on Monday, 1 March, he would support the motion of deferral.

The motion was put and passed.

The agenda, as amended, was approved on a motion by Alderman Meagher, seconded by Alderman O'Malley.

Donations - Mary Louise Pace

Alderman Adams made reference to Mary Louise Pace, a resident of Spryfield, who is suffering from leukemia, and advised that the community has organized a benefit dance to raise money to send Mary Louise to Vancouver for a much-needed bone marrow transplant.

The Alderman advised that, much to everyone's delight, the event has been sold out. However, he emphasized that anyone wishing to make a donation to this very worthwhile cause could do so through any Halifax branch of the Royal Bank.

DEFERRED ITEMS

**Case No. 6631: 6570 Liverpool Street
- Appeal of Minor Variance Refusal**

A public hearing into this matter was held on Tuesday, 16 February 1993.

MOVED by Alderman Pottie, seconded by Alderman Adams that the decision of the Development Officer be overturned, and that the application for minor variances at 6570 Liverpool Street with regard to the lot frontage, lot area and front yard requirements be approved.

The City Clerk advised that Aldermen O'Malley, Hanson, and Jeffrey were ineligible to vote on this matter owing to their absence from the 16 February public hearing.

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

**Case No. 6564: Mainland South Plan Area - Commercial
Development in Residential Development Districts**

It was agreed that this matter would be deferred to a later point in the meeting's agenda until Her Worship Mayor Ducharme could be present.

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**Case No. 6011: Peninsula North Secondary Planning
Strategy - Area 1 (Proposed MDP and LUB Amendments)**

It was agreed that this matter would be deferred to a later point in the meeting's agenda until Her Worship Mayor Ducharme could be present.

Council Motion of 9 December 1992: Court Ruling

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 28 January 1993.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that the matter be deferred to the next regular meeting of Halifax City Council scheduled for 11 March 1993 or until Alderman Macdonald can be present.

The motion to defer was put and passed.

PETITIONS AND DELEGATIONS

**Petition Alderman Adams Re:
Shared-Ride Taxi Proposal**

Alderman Adams submitted a petition containing the signatures of approximately 344 individuals associated with the local taxi industry expressing concern regarding the proposed "shared-ride taxi program."

The Alderman emphasized that he would be addressing this matter further under Agenda Item 16.1, "Amendment to Ordinance 116, the Taxi and Limousine Ordinance, Re: Shared-Ride Taxi Program (FIRST READING)."

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of the Finance and Executive Committee, held on Wednesday, 17 February 1993, as follows:

Ferry Boat Lane

A supplementary staff report, dated 22 February 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive

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Committee, Council approve a 201(1) authority to overspend the 1992/93 budget of the Real Estate Division by an additional \$9,305.84 over the previously approved level of \$25,000.

The motion was put and passed.

**Acquisition - Parcel 1, 517A
and 517B Herring Cove Road**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Parcel 1 as shown on Plan No. 92-3264 (attached to the staff report of 2 February 1993) be acquired from Mr. Timothy R. and Mrs. Ruth A. Burrill for \$3,200 as settlement in full; and further, that funds be made available in Account #91504, the Herring Cove Road Widening Account.

The motion was put and passed.

North End Community Centre Mortgage

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council modify the agreement between the City and the North End Community Centre to comply with the suggestions of Option #1 as attached to the staff report of 1 February 1993 as follows:

1. Defer repayment until March 31, 1996. The Centre would then pay annual instalments of \$13,500 for 8 1/2 years, commencing 31 March 1996 and completing on 30 September 2003.

The motion was put and passed.

Art Allocation Committee - Public Works Brochure

The City Manager advised that, upon investigation, it had been determined that the brochure proposed by the Art Allocation Committee could not be completed in-house as originally anticipated owing to various printing and binding requirements. Under the circumstances, therefore, Mr. Murphy indicated that he would be prepared to recommend that \$4,000.00 be provided to the Committee so that the project might be completed to specifications by an outside firm.

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After some discussion, it was moved by Alderman Holland, seconded by Alderman O'Malley that a total of \$4,000.00 be provided from the City Manager's Contingency Fund to the Art Allocation Committee for the design and production of a Public Artworks Brochure; and further, that the Committee be requested to adhere to the usual City tendering practices, particularly with regard to obtaining more than one quotation for this project.

The motion was put and passed.

**Property Tax Exemption - Widows, Widowers,
Single Parents, Senior Citizens and
Handicapped Persons - REPORT TO BE TABLED**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Information Report of 10 February 1993 be tabled.

It was noted that discussion regarding the feasibility of providing tax assistance to those Haligonians between the ages of 60-65 will be continued during the budget review process.

The motion to table was put and passed.

On another but related matter, Alderman O'Malley made reference to the circumstances surrounding a senior citizen who is joint owner (with a non-resident Haligonian) of a piece of property in the City of Halifax. The Alderman went on to note that, owing to the joint-ownership factor, the individual in question is not currently eligible for the City's tax deferral program, a situation which is the source of some considerable hardship for this particular resident.

Alderman O'Malley suggested that there may be other senior citizens in these circumstances, and asked that staff investigate the matter to ascertain if anything could be done to relieve the problem.

The City Manager indicated that staff would research the matter and attempt to accommodate the Alderman's concerns in this regard.

**Gratuitous Payment - Property
Owner, 2347 Moran Street**

This matter had been forwarded to Council without recommendation.

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An Information Report, dated 18 February 1993, was submitted.

Responding to a question from the Chairman, Mr. Murphy emphasized that, having investigated all aspects of the claim put forward by Mrs. Baird, both staff and the City's insurance adjustor have indicated that, in their professional opinion, the City has no legal liability in this matter. The City Manager went on to indicate that, given the circumstances, it would be necessary for the City to approach the Nova Scotia Legislature for permission to make this payment to the Moran Street resident.

MOVED by Alderman Meagher, seconded by Alderman Holland that a gratuitous payment of \$250.00 be made to Mrs. Douglas Baird of 2347 Moran Street as compensation for damages done to her property by a City-owned tree; and further, that permission be sought from the Nova Scotia Legislature with regard to the proposed payment.

A discussion ensued during which both Alderman Pottie and Alderman Hanson expressed concern that, should Alderman Meagher's motion be approved, a very dangerous precedent would be established for other claims of a similar nature.

The City Solicitor suggested that, given the amount of damages being claimed, Mr. and Mrs. Baird might be better advised to pursue the matter through the Small Claims Court. Alderman Meagher emphasized, however, that in his opinion, the individuals in question would be reluctant to do so, given what they would perceive as being the trauma involved with such a process.

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

St. Andrew's Centre - Gymnasium Floor

MOVED by Alderman Crowley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, a pre-authorization of fifty thousand dollars (\$50,000.00) in the 1993-94 Capital Budget (Recreation) be approved so that these funds can be utilized to repair the present condition of the St. Andrew's Centre gymnasium floor and to prepare a tender for a new floor to be installed in the summer of 1993.

The motion was put and passed.

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Agreement - Correctional Service of Canada:
Provision of Sentencing Information

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the Mayor and the City Clerk be authorized to execute an agreement between the Correctional Service of Canada and the City of Halifax in the form attached as Appendix "A" to the report from the City Solicitor of 10 February 1993.

The motion was put and passed.

Report - Election Procedures Task
Force - Ward Boundary Review

Following is the recommendation from the 17 February meeting of the Finance and Executive Committee:

That the Election Procedures Task Force provide a report on its findings to date at the next meeting of Council scheduled for **25 February**, and that Council then establish a terms of reference for the Task Force at the following Committee of the Whole Council meeting to be held on **3 March 1993**.

An Information Report, dated 23 February 1993, was submitted.

MOVED by Alderman Stone, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 3 March 1993**.

The motion to defer was put and passed.

NOTE: At a later point in the meeting, it was agreed that this item should more appropriately be deferred to the 22 March meeting of Committee of the Whole Council.

8:45 p.m. - Her Worship Mayor Ducharme enters the meeting with Deputy Mayor Fitzgerald assuming his usual seat on Council.

Captain William Spry Centre

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive

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Committee, Cox Downie be retained to represent the City of Halifax in its claims respecting the Captain William Spry Centre.

The motion was put and passed.

Appointments - Municipal Reform Committee

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the following Aldermen, who have indicated their wish to be members of the Municipal Reform Steering Committee, be appointed:

Deputy Mayor Walter Fitzgerald
Alderman Stephen Adams
Alderman Mary Ann Crowley
Alderman Graham Downey
Alderman Ron Hanson
Alderman Vance Macdonald

The Chairman noted that any other member of Council wishing to attend was most welcome to do so, and added that Minutes from these meetings would also be distributed.

The motion was put and passed.

**REPORT - COMMITTEE OF THE WHOLE COUNCIL,
BOARDS AND COMMISSIONS**

**Proposed Amendment to Ordinance 147, the
Dog Ordinance (Re: License Fees) - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on 11 February, and had been further considered during a meeting of the Finance and Executive Committee held on 17 February 1993.

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, City Council approve **SECOND READING** of an amendment proposed to Ordinance 147, the Dog Ordinance, attached as Appendix "A" to the staff report dated 27 January 1993.

The motion was put and passed.

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Alderman Pottie retired briefly from the meeting at this time.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 17 February 1993, as follows:

Proposal from Halifax Developments Limited Re: City Offices

MOVED by Alderman Jeffrey, seconded by Alderman Holland that, as recommended by the Planning Committee, the proposal put forward by Halifax Developments Limited be referred to staff for review and recommendation, particularly with regard to any cost benefits that might accrue should the City resolve to lease its premises rather than to purchase them.

Motion passed.

At this time Council dealt with the following items which had been deferred earlier in the meeting:

Case No. 6564: Mainland South Plan Area: Commercial Development in Residential Development Districts

A public hearing on this matter was held on 16 February 1993.

MOVED by Alderman Adams, seconded by Alderman Holland that City Council approve the adoption of the amendment to the Municipal Development Plan as contained in Appendix I of the Planning Advisory Committee report of 10 December 1992 except that the following words be added to the proposed subsection 6 of schedule I of section X immediately following the word centre on line 5: "except in the RDD areas generally west of the Herring Cove Road and South of Leiblin Drive".

The City Clerk noted that the following members of Council should not participate in the vote: Aldermen O'Malley, Hanson, and Jeffrey.

Motion passed with Aldermen O'Malley, Hanson, and Jeffrey abstaining.

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**Case No. 6011: Peninsula North Secondary Planning Strategy -
Area 1 - Proposed MDP and LUB Amendments**

A public hearing on the above matter was held on 16 February 1993.

An information report dated 22 February 1993 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Halifax City Council adopt the Municipal Development Plan and Land Use Bylaw amendments for Peninsula North - Area 1 as well as the incorporation amendments as found in Appendix II of the supplementary staff report of 3 February 1993.

The City Clerk noted that the following members of Council should not participate in the vote: Aldermen O'Malley, Hanson, and Jeffrey.

Motion passed with Aldermen O'Malley, Hanson, and Jeffrey abstaining.

Council then continued with the report of the Planning Committee as follows:

**Proposal from Greystone Developments Limited Re:
Possible Use - 1546 Barrington Street,
the Former Halifax Infirmary Annex**

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, staff and the Heritage Advisory Committee be authorized to discuss the proposal put forward by Greystone Developments pertaining to the former Halifax Infirmary Annex (located at 1546 Barrington Street) with the developers in question, and submit a recommendation, particularly with regard to cost implications, on the matter.

Motion passed.

Dalhousie Neighborhood Committee

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Committee, this matter be referred to staff for a full report and recommendation; and further, that the matter be brought back as quickly as possible for discussion at a future meeting of Committee of the Whole Council.

Motion passed.

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**Additional Residential Living Spaces Above the
Maximum Permitted - SET DATE FOR PUBLIC HEARING**

An information report dated 23 February 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Planning Committee, as an interim measure in order to allow for a thorough examination of the options outlined in the 10 February report, Council set a date for a public hearing to consider the amendments to the Land Use Bylaw as contained in Appendix I of the said report (these amendments will prevent the construction of quasi-independent living spaces).

Motion passed.

The City Clerk advised that the recommended date for a public hearing would be set for **Wednesday, 7 April 1993, beginning at 7:30 p.m.** in the Council Chamber.

Alderman Pottie returned to the meeting at approximately this time.

MOTIONS

**Motion Alderman Downey Re: Repeal of Ordinance 107,
the Halifax City Court Ordinance - FIRST READING**

At the last meeting Alderman Downey gave Notice of Motion that at the next regular meeting of Halifax City Council held on 11 February 1993, Alderman Downey gave notice of motion that he intended to introduce for First Reading a motion to repeal Ordinance 107, the Halifax City Court Ordinance.

A report from the City Solicitor dated 5 February 1993 was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that City Council approve FIRST READING of the Ordinance attached as Appendix A to the report from the City Solicitor dated 5 February 1993, the purpose of which is to repeal Ordinance 107, Halifax City Court Ordinance, and refer the said repealing Ordinance to the next Committee of the Whole Council meeting scheduled for 3 March 1993 for consideration and report.

Motion passed.

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**Motion Alderman Stone Re: Enactment of Ordinance 185,
the False Alarm Ordinance - FIRST READING**

Alderman Stone gave Notice of Motion at the last meeting of City Council held on 11 February 1993 that he intended to introduce for First Reading a motion to enact City Ordinance 185, the False Alarm Ordinance.

A staff report dated 18 February 1993 was submitted.

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that Council adopt Ordinance No. 185, The Alarm Ordinance, as attached to the staff report of 18 February 1993.

Following a short discussion, the motion was put and passed.

**Motion Alderman Crowley Re: Amendment of Ordinance 116,
the Taxi and Limousine Ordinance Re: Shared-Ride Taxi
Program - FIRST READING**

Alderman Crowley gave Notice of Motion at the last meeting of City Council held on 11 February 1993 that she intended to introduce for First Reading an amendment to Ordinance 116, the Taxi and Limousine Ordinance, in order to provide for the implementation and regulation of a shared-ride taxi program.

A report from Alderman Stephen D. Adams, Chairman of the Halifax Taxi and Limousine Commission, dated 25 February 1993, was submitted.

A report from James "Dusty" Miller, President, Halifax Seniors' Council, was also submitted at this time.

MOVED by Alderman Crowley, seconded by Alderman Stone that City Council give First Reading to an amendment to Ordinance 116, the Taxi and Limousine Ordinance, in order to provide for the implementation and regulation of a shared-ride taxi program, and refer the matter to the **3 March 1993 Committee of the Whole Council** meeting for consideration and report.

Alderman Adams referred to the petition he submitted earlier concerning the "Shared-Ride Taxi" proposal. He noted that the petition contains the request that Halifax City Council defer consideration of the "Shared-Ride Taxi"

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proposal for a period of two months in order to permit the Halifax Taxi Industry to consult with local senior citizens organizations concerning their transportation options. The Alderman further noted that the petition expresses the concern that a misunderstanding may exist on the part of senior citizens as to the cost advantages offered by the proposed program, and expresses the belief that a more appropriate use can be made of the existing infrastructure to meet the needs of these citizens.

In other words, Alderman Adams noted that the petition is suggesting that the Taxi Industry can accommodate senior citizens at a better rate than what is being proposed by the "Shared-Ride" program. Unfortunately, he commented that as the Taxi Ordinance presently stands, it is not legal for taxi drivers to offer discounts and, as a result, they cannot cater to the needs of the senior citizens of the City of Halifax.

It was, therefore, MOVED by Alderman Adams, seconded by Alderman Holland that:

- (1) the matter of the "shared-ride taxi program" be deferred, and that staff be authorized to initiate consultations with representatives of the Halifax taxi industry, the Halifax Seniors Council, the Disabled Individuals Organization, and other such agencies as deemed appropriate to review current and future transportation needs;
- (2) and further, that a recommendation from this group be requested **at the earliest possible Committee of the Whole Council meeting, no later than 21 April 1993.**

Following a short discussion, the motion was put and passed.

Motion Alderman Meagher Re: Notices of Assessment

Alderman Meagher addressed the matter and asked for clarification from the City Solicitor as to whether or not the City had any power in setting aside the assessments that have been sent out for 1993.

In response, the City Solicitor indicated that the City did not have the power to set aside the assessments. Responding to a further question from Alderman Meagher, the City Solicitor suggested that the City Council could ask that it be considered. However, he advised that there would be practical problems involved if it were done noting that a process has been started, appeals have been lodged, the tax

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rate has to be set, and that timing would be a crucial matter.

It was, therefore, MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that this matter be deferred to the next Committee of the Whole Council meeting scheduled for **Wednesday, 3 March 1993**, pending a report from the City Solicitor.

Motion passed.

Motion Alderman Meagher Re: Proposed Municipal Reform

The following motion was approved at the Planning Committee on 17 February 1993:

WHEREAS the Government of Nova Scotia has recently announced that municipal governments in the Halifax-Dartmouth Metropolitan area and the Sydney Industrial area must be amalgamated by April 1994;

AND WHEREAS little or no consultation between the Province and the affected municipal units occurred before the announcement referred to above;

AND WHEREAS the City of Halifax has a proud history as a responsible and independent municipal unit, and is approaching its 250th anniversary,

BE IT RESOLVED THAT the City of Halifax rejects recent announcements by the Government of Nova Scotia and its Premier on municipal reform and calls upon the Province to open discussions on municipal reform on a fair and equitable basis with the City;

BE IT FURTHER RESOLVED THAT the City of Halifax state publicly that it believes that municipal reform must come, but that it be based on service and efficiency for the taxpayers which must be demonstrated before amalgamation occurs for the sake of amalgamation only;

BE IT FURTHER RESOLVED THAT these views be passed on to the Government of Nova Scotia and its consultants as soon as possible.

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Alderman Meagher addressed the matter and expressed concern about the ramifications of the proposed municipal reform.

The Chairman noted that there were some anomalies with respect to the above motion and suggested that it should be referred to the City Solicitor for proper wording.

It was therefore MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, **3 March 1993**, pending a report from the City Solicitor on the wording of the proposed motion.

Following a discussion, the motion was put and passed.

MISCELLANEOUS BUSINESS

Appointments

A report from Her Worship Mayor Ducharme dated 24 February 1993 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that the following appointments be approved:

ADVISORY COMMITTEE ON CONCERNS OF AGING

Walter J. Foran (representing Ward 5)

Term to expire January 31, 1995

HALIFAX TAXI & LIMOUSINE COMMISSION

Wendell B. Power (representing limousine owners)

Term to expire January 31, 1995

HALIFAX NATAL DAY COMMITTEE

Barry R. States

Term to expire January 31, 1995

Motion passed.

QUESTIONS

Question Alderman Jeffrey Re: Deal Street

Alderman Jeffrey noted that he had spoken to some of the residents on Dutch Village Road on the south side of Deal Street concerning a power surge that occurred in this area a couple of days ago. He reported that this power surge had caused damage to some of the residents' appliances i.e. fridges, TV's, VCR's, microwave ovens, etc. The Alderman indicated that he would like to know who would be responsible for these damages inquiring whether it would be the NS Power Corporation. Alderman Jeffrey asked for a report in this regard.

Question Alderman Jeffrey Re: Early Morning
Bus Stop Snow Removal

Alderman Jeffrey indicated that he had received a number of calls pertaining to City staff clearing snow from bus stops during the early morning hours at 4:00 and 5:00 a.m. He noted that this work kept residents awake and questioned whether it was a normal practice.

The Chairman suggested that Metro Transit was responsible for this activity, but noted that staff would look into the matter.

Question Deputy Mayor Fitzgerald Re:
Early Retirement Incentives

Deputy Mayor Fitzgerald inquired whether the City was taking any steps to bring about incentives, such as early retirement packages, that would enable the City to cut down on the number of staff in the City of Halifax in an effort to balance the budget.

The City Manager noted that the matter was being looked at and that a report could be provided.

Question Deputy Mayor Fitzgerald Re: Emergency No. 911

Deputy Mayor Fitzgerald requested a status report with respect to the establishment of the emergency number 911 for the City of Halifax.

At approximately 9:35 p.m. Her Worship Mayor Ducharme retired from the meeting briefly with Alderman Holland taking the seat of the Chair.

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Question Deputy Mayor Fitzgerald Re: Metropolitan Authority

Deputy Mayor Fitzgerald noted that recently the Metropolitan Authority presented the following cost projections: \$5,000,000.00 for in-house compensation for the landfill, \$10.00 per tonne for burning, \$20.00 per tonne for landfill. He added that there was also an undetermined amount for composting, landfill costs, and incinerator costs. The Deputy Mayor asked for an indication of the impact in which these cost projections would have on the taxpayers of the City of Halifax and when it will take place.

Deputy Mayor Fitzgerald went on to note that he had suggested that Council establish a Commission or Board to consider garbage issues. He commented that it was suggested that this would not be needed. However, Deputy Mayor Fitzgerald pointed out that the City could save millions of dollars by reduction of commercial waste and expressed the view that the City should establish a system whereby it could encourage the reduction in commercial waste. The Deputy Mayor asked that this item be placed on the agenda for a future meeting for discussion.

Deputy Mayor Fitzgerald Re: Public Gardens Precinct

Deputy Mayor Fitzgerald noted that he had received a report indicating that the Provincial Government has sent the City of Halifax notice of a precinct to be established around the Public Gardens in which they are going to control it, limit height restrictions, etc. He noted that it was his understanding the City had until April to reply and therefore asked that this matter be brought to a future Committee of the Whole Council meeting.

The City Manager noted that a report may be provided by the next Committee of the Whole Council meeting for **Wednesday, 3 March 1993**.

Question Deputy Mayor Fitzgerald Re: Snow Removal

Deputy Mayor Fitzgerald expressed concern about areas, particularly at crosswalk locations, where it is difficult to access a sidewalk or a crosswalk because of snow piles. He suggested that every effort should be made to at least remove snow around crosswalk locations because of the hazard it poses for children and the elderly.

Question Deputy Mayor Fitzgerald Re: Crime Statistics

Deputy Mayor Fitzgerald referred to a confidential report on monthly crime statistics noting that it showed a

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substantial decrease in crime from '91 to '92. He suggested that the Chief of Police should be congratulated in this regard.

Question Alderman Stone Re: Snow Removal Dunbrack St Area

Alderman Stone noted that because of the recent snow falls there are a couple of intersections on Dunbrack Street where there were some high snow banks. He went on to ask that staff investigate the situation and consider removing the banks of snow or lowering them to alleviate this dangerous situation for persons entering onto Dunbrack Street. Alderman Stone expressed particular concern with respect to Ross Street going north and Bridgeview going south.

**Question Alderman Stone Re: Traffic Signalization -
Dunbrack - Ross Street Intersection**

Alderman Stone noted that he received a report regarding the feasibility of signalization at the Dunbrack/Ross Streets intersection. The Alderman expressed his disappointment with the report because it indicates that this intersection met only 46 percent of the minimum requirements for signalization which means that it does not appear that the Traffic Authority is going to allow this to happen. This being the case, Alderman Stone explained that a problem still exists because students have to cross this very dangerous intersection which is four lanes.

Alderman Stone requested a further report with respect to the feasibility of a push button pedestrian light at this location, RA5 lights, or the possibility of a crossing guard.

Question Alderman Stone Re: Taxi School

Alderman Stone noted that he had received information from the Taxi Commission in response to a question he raised about the taxi school. He explained that the Commission provided him with some statistics to show that there was not a big need for a taxi school in the immediate future. However, the Alderman pointed out that he was not informed as to the date of the last school nor the number of schools held in the past. Alderman Stone recognized that while the number of drivers and vehicles has decreased, he was of the view that there were people who were interested in becoming taxi drivers. He, therefore, requested further information with respect to an exact date of when the next taxi school is expected to be held.

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Alderman Stone also asked for information on the status of the "TOP" Taxis-On-Patrol program and an indication as to how successful this program has been.

Question Alderman Stone Re: Kearney Lake Area

Alderman Stone noted that he had received a report on 11 December 1992 regarding the Kearney Lake area and the matter of silt going into the water from the old inter-cement supply. He added that the staff reports indicate that there does not appear to be any real problem with this situation. However, the Alderman noted that the residents of the area are concerned about the number of pieces of metal that are buried at this location. Alderman Stone further noted that staff has indicated that a written report is anticipated from the Department of the Environment and he questioned the status of this report. The Alderman added that he would like to receive a written report from the Department of the Environment as requested and an indication as to whether this situation concerning silt is harmful to the water quality of Kearney Lake.

At approximately 9:45 p.m. Alderman Holland retired from the meeting with Deputy Mayor Fitzgerald taking the seat of the Chair.

**Question Alderman Downey Re: Traffic Signals at
Spring Garden Road and Dresden Road**

Alderman Downey asked for an update concerning the traffic signals at Spring Garden and Dresden Road and an indication as to when they will be officially installed.

**Question Alderman Downey Re: Development at Gottingen and
Cornwallis Streets**

Alderman Downey asked for an update on the development taking place at Cornwallis Court at the corner of Gottingen and Cornwallis Streets.

Question Alderman Downey Re: NS Power Corporation Poles

Alderman Downey noted that during the past week, the NS Power Corporation has been installing poles in the area of Maynard, Fuller Terrace, Bloomfield, Cornwallis, Cunard, and North Streets. He asked for information as to when the Power Corporation intended to remove the old poles

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expressing the desire that they be removed as quickly as possible.

Question Alderman Downey Re: Video Gambling Machines

Alderman Downey noted that he had received a number of calls from many tavern owners in the downtown area concerning video gambling machines.

In response, the City Manager advised that a report is being prepared on the matter and should be circulated in the next day or so.

Question Alderman O'Malley Re: Highland Park Junior High

Alderman O'Malley noted that the Highland Park Junior High came about with the amalgamation of the junior high classes at the St. Joseph's A. MacKay and St. Stephen's two years ago. She added that there have been many areas in the City that have suffered through school closures.

Alderman O'Malley went on to note that she had noticed with interest that the Area Review Committee had recommended certain things to the Halifax School Board and that the School Board had voted not to close any of the four elementary schools in the south end of the City. She pointed out that in the area she represents there have been a number of schools closed i.e. Richmond, Bloomfield, St. Steven's Annex, and the Alexander MacKay. Alderman O'Malley added that when the junior high in the former Mulgrave Park School was established two years ago to accommodate all the junior high students in the north end, the school was promised all the facilities that a junior high should have. The Alderman went on to express the concern that this commitment had not been lived up to and that this junior high does not have all the in-house programming as do other junior highs in the City.

Alderman O'Malley pointed out that it was her understanding some funding was being provided from the Province. She also noted that the PTA at Highland Park has been active in trying to secure funding so that the students in Highland Park can receive the same state-of-the-art programs that are being received in other areas of the City. At the present time, the Alderman noted that some of the students have to be bused to receive the Industrial Arts program which she viewed as an unsatisfactory situation.

Alderman O'Malley asked that a letter be written on behalf of the City to the Halifax District School Board indicating that the City would like the students at the Highland Park junior high to receive the same services and the same classes as do the other junior highs in the City.

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She also asked that the City request the School Board to live up to the promise made to the parents and the residents in the north end of the City two years ago when the amalgamation of these schools took place.

Question Alderman Adams Re: Mayor's Task Force on Drugs

Alderman Adams noted that he had attended a meeting of the Mayor's Task Force on Drugs on Monday evening in the Captain William Spry Centre for Ward 7. He added that some very good support was received from the citizens in this area. Noting that the Mayor's Task Force on Drugs program was really starting to develop, he suggested that consideration should be given to providing Mr. Todd Leader, Drug Awareness Coordinator, with some full-time permanent secretarial support to help him coordinate the program.

The Chairman suggested that this request be dealt with during deliberations on the operating budget at which time the Manager could provide a report, to which Council agreed.

Question Alderman Adams Re: Tax Rate

Alderman Adams questioned the effect on the tax rate if the City paid 5.5 percent of its debt and the City Manager, in response, advised that it would mean a 3 percent increase to the tax rate.

Question Alderman Adams Re: Bridge on Sussex Street

Alderman Adams referred to the bridge on Sussex Street, between the Spryfield Legion and the Captain William Spry Centre, noting that because of the nature of the turn and the nature of the speed of some of the vehicles, there has been concern raised about the safety of the pedestrians. The Alderman made particular reference to a crossing on Dutch Village Road, across from MT&T, where there were some metal posts and chain links put in to protect the pedestrians. Alderman Adams asked that staff investigate this situation.

Question Alderman Crowley Re: Location of Bench in the Bayers Park Apartment Building Area

Alderman Crowley asked that staff consider the installation of one or two benches in the area of the Bayers Park apartment buildings. She suggested that there were some grass areas in the location of the apartment building which would be suitable for the location of these benches.

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Question Alderman Crowley Re: Mumford Road - Sears Trucks

Alderman Crowley noted that while driving down Mumford Road, she noticed that the fence was gone where the Sears trucks had been parked. The Alderman asked that staff investigate the situation.

Alderman Holland Re: Sidewalk Snow Removal

Alderman Holland noted that he had received numerous calls from senior citizens with regard to the build-up of snow and their concern about the possibility of the City doing the sidewalk ploughing as is the procedure in Dartmouth. He asked for information showing the impact this would have on seniors tax bills to have the City responsible for the ploughing of the sidewalks.

The City Manager noted that it was his understanding that Dartmouth no longer carries out sidewalk snow removal but noted that a report could be provided on the matter.

Question Alderman Holland Re: Library

Alderman Holland noted that he had received calls concerning some of the people who are frequenting the Library who may be there perhaps not because they want to take advantage of the amenities, but maybe because of other needs that the Library might be able to provide for them. He suggested that this activity really impedes and impacts upon the people who are there trying to use the amenities and the Library facility. The Alderman asked for a report from staff on what might be done to improve the climate and ambience of the facility.

**Question Alderman Meagher Re: Regulations -
All-Night Businesses**

Alderman Meagher noted that he had received a report from the City Manager concerning regulations for all-night businesses in the City of Halifax. He asked that this item be referred to the next Committee of the Whole Council meeting scheduled for 3 March 1993 for discussion.

**Question Alderman Stone Re: Pioneer from Wren to Forest Hill
- Sidewalk**

Alderman Stone indicated that he was pleased to see from recent budget information that the sidewalk for Borrett Avenue was a typographical error. He noted that he was also

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concerned with the sidewalk on Pioneer from Wren to Forest Hill. The Alderman noted that this sidewalk also should have no sidewalk although it is indicated in the budget book. He asked that staff review this item as well.

NOTICES OF MOTION

**Notice of Motion Alderman Adams Re: Repeal of Ordinance 31
Respecting the Early Closing of Boot and Shoe Repair Shops**

Alderman Adams gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 11st day of March, 1993, he proposes to introduce for first reading an Ordinance repealing Ordinance 31 respecting the Early Closing of Boot and Shoe Repair Shops. He explained that Ordinance 31 is redundant, the subject matter being covered in respect of all shops in Ordinance 121, the Retail Shop Closing Ordinance.

**Notice of Motion Alderman Hanson Re: Ordinance 4,
the City Electrician Ordinance, and Ordinance 5,
the Fire Alarm and Telegraph Ordinance**

Alderman Hanson gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 11th day of March, 1993, he proposes to introduce for first reading an Ordinance repealing Ordinance 4, the City Electrician Ordinance and Ordinance 5, the Fire Alarm and Telegraph Ordinance. Both Ordinances are redundant in that the Fire Alarm service has been discontinued and in other respect than as the former head of that service, the position of the City electrician is a part of the civil service of the City and does not require a separate Ordinance.

ADDED ITEMS

Accessible Taxis

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

A memorandum from Her Worship Mayor Ducharme dated 25 February 1993 was submitted.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that 1.(iii) of the resolution approved by the Metropolitan Authority as follows be referred to the Taxi

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Commission for review and recommendation as soon as possible:

- 1.(iii) The concept of accessible taxis be referred to individual Councils for review by the Taxi Commissions concerning what changes would be required to municipal bylaws and the taxi owners' concerns with this type of vehicle. That recommendations from the municipalities be brought back by the last meeting in April.

Motion passed.

Alderman Adams advised that consideration of the matter would take place along with the review of the shared-ride taxi program considered earlier in the meeting.

There being no further business to discuss, the meeting adjourned at approximately 10:00 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD
CHAIRMEN

EDWARD A. KERR, C.M.C.
CITY CLERK

K/M

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
11 March 1993
8:00 P. M.

A regular meeting of Halifax City Council was held at this time.

Her Worship Mayor Ducharme opened the meeting by leading those present in the recitation of the Lord's Prayer.

PRESENT: Her Worship Mayor Ducharme, Chairman; Deputy Mayor Walter Fitzgerald; and Aldermen Holland, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, Macdonald, Crowley, and Stone.

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of City staff.

Statement by Her Worship Mayor Ducharme Re:
Mr. Donald F. Murphy, Q.C., City Manager

Before starting the regular agenda, Her Worship Mayor Ducharme made the following statement. Her Worship noted that on March 29, 1990, a motion to appoint Donald F. Murphy, Q.C., as City Manager was approved unanimously by City Council and that, since then, a motion of renewal has been approved unanimously.

Her Worship went on to advise that during his term, Mr. Murphy has built a strong competent management team and has worked closely with City Council to address many difficult issues. She noted that recently there has been a great deal of debate about Mr. Murphy's likely date of retirement and that there have been numerous media reports, some valid and some without validity. For the sake of the City and for the welfare of the citizens of this City, Her Worship advised that she has met with the City Manager to discuss his plans for the future. At this time, Mayor Ducharme called upon Mr. Murphy to comment on his future personal plans.

Mr. Murphy began his remarks by noting that his normal retirement date is November 30, 1993. Because of his 35 years service, Mr. Murphy added that he is entitled to three months pre-retirement leave under the existing policies of the City. Therefore, he noted that he could be leaving the City's employ as early as August 31. Mr. Murphy went on

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to advise that he has set goals for himself and that if he felt that he had achieved what he had set out to do at an earlier date than August 31, and if it did not inconvenience the City, it might well be that he would leave at a date earlier than August 31 if it were in his best interests and in the City's.

Her Worship Mayor Ducharme noted that she began her announcement by saying that Mr. Murphy has served the City of Halifax well. She noted that this week Mr. Murphy tabled an operating budget which requires the same funds from the taxpayers as in the previous year to operate the City. Mayor Ducharme pointed out that this is the first time since 1936 that this has been achieved adding that this was quite a testament to Mr. Murphy's management skills. Her Worship advised that on March 22, she will be presenting her recommendations to Council with respect to the appointment and terms of reference for the membership of a search committee to start the process to recruit a new City Manager. Mayor Ducharme noted that this process could take six months or more.

In closing, Mayor Ducharme advised that with the on-going budget discussions and the final report of a Commissioner for Municipal Reform, scheduled to be tabled in September with the Provincial Government, the citizens of the City of Halifax, as well as members of City Council, were fortunate to have someone of Mr. Murphy's calibre in the Office of the City Manager at this time.

MINUTES

The minutes of the regular meeting of Halifax City Council held on Thursday, 25 February 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman Downey.

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

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

- 20.1 Withdrawal from Sinking Fund Surplus and Valuation Allowance Surplus
- 20.2 Emergency Repair - Vohl Snowblower

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

- 20.3 Resolution - City Manager Term of Appointment (Alderman Adams)

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The agenda as amended was approved on a motion moved by Deputy Mayor Fitzgerald, seconded by Alderman Hanson.

DEFERRED ITEMS

Council's Motion of 9 December 1992: Court Ruling

This item was deferred to this meeting from the 25 February 1993 meeting of City Council.

MOVED by Alderman Jeffrey, seconded by Alderman Adams that this matter be deferred to the next regular meeting of City Council scheduled for Thursday, 25 March 1993.

Motion passed.

PETITIONS AND DELEGATIONS

There were no petitions or delegations presented at this time.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of the Finance and Executive Committee, held on Wednesday, 3 March 1993, as follows:

1993-95 Proposed Capital Budget

This matter was forwarded to Council without recommendation.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that this matter be deferred to the next regular meeting of City Council scheduled for Thursday, 25 March 1993.

Alderman Hanson expressed the view that a working program should be initiated for those items that can proceed without delay. He therefore requested an information report outlining the capital work projects that can be commenced without deferment.

The motion was put and passed.

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**Application for Heritage Fund Grant - St. Paul's Church
1749 Argyle Street**

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve a Heritage Fund grant of \$4,970 to assist with the 1992 roof repair and restoration costs of St. Paul's Church.

Motion carried.

Acquisition of Civic No. 2173 Barrington Street

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Civic No. 2173 Barrington Street be acquired from Irving Oil Limited for \$328,000; with funds being made available in the Sale of Land account for this purchase, subject to the approval of the Minister of Municipal Affairs.

Alderman Meagher addressed the item and noted that he had discussed this matter with, in his opinion, one of the most prominent lawyers in the City of Halifax who expressed the view that the amount of funds proposed to purchase the property in question was extremely high and that it would be more feasible for the City to take the matter to the Courts. Therefore, the Alderman noted that he would be voting against the recommendation and requested members of Council to defeat the motion.

Alderman Pottie also spoke against the motion noting that the assessed value of the property was \$220,000 while the motion was recommending that the City pay \$328,000 for the property. In his view, the Alderman suggested that this was too high a price for the property especially when it is assessed at \$108,000 less than what is being recommended.

Alderman Holland too expressed concern with regard to the City paying 50 percent over the assessed value. He added that he was concerned about assessment and indicated that he would be prepared to go to the Courts with this matter.

At approximately 8:25 p.m. Her Worship Mayor Ducharme retired from the meeting briefly with Deputy Mayor Fitzgerald taking the seat of the Chair.

Following a further short discussion, the motion was put and defeated.

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Metro Transit I.D. Cards - Residents of Seniors Manors

MOVED by Alderman Stone, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the subsidization of transit tickets for seniors under 65 years of age not be absorbed by Metro Transit and suggests that a possible alternative would be for interested agencies or seniors manors to purchase transit tickets and passes at full price and they, in turn, could subsidize the tickets and passes by selling them at a reduced rate.

Alderman Meagher addressed the matter and MOVED, seconded by Alderman Jeffrey that the motion be amended to add the following words: and, further, that the City Manager request the Social Planning Department to look into the possibility of subsidizing tickets or passes for persons on a disability pension.

The amendment was put and passed.

The main motion, as amended, was put and passed.

Potential Community Centre - Titus Smith Manor

This matter was forwarded to Council with the request that staff provide a report on the possibilities where funding could be obtained to accommodate a community centre in the Titus Smith Manor site.

Alderman Macdonald addressed the item noting that given the fact that there does not appear to be a great interest from the community in support of the development or arrangement for a community centre in the proposed Titus Smith Manor, he suggested that the City should not contemplate any financing in this regard any further.

Reiterating his remarks at the Committee of the Whole Council of March 3rd, Alderman Jeffrey emphasized the need for a community centre in the area in question. He added that while he did not wish to make a motion that the City proceed in this regard due to the report from staff, he would like to reiterate the need for such a facility in this area. The Alderman added that it was his intention, when the other part of this facility is to be built, that he will again request consideration of a community facility. He further asked that the Tax and Grants Committee increase its amount of funding to the seniors program in this area.

The Chairman suggested that, in the meantime, perhaps the Recreation and Social Planning Departments could gather some additional information for Council's consideration when the second phase of the Titus Smith site is addressed.

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Alderman Jeffrey indicated his concurrence with the Chairman's suggestion.

MOVED by Alderman Macdonald, seconded by Alderman Meagher that the City of Halifax not undertake the responsibility of financing the construction cost of any community space in the proposed Titus Smith Senior Residence and that N.S. Housing Department be informed of City intentions in this matter immediately, to facilitate their work plans.

Motion passed with Alderman Jeffrey voting in opposition.

Pollution Control Charge - 1993

MOVED by Alderman Pottie, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the Pollution Control charge for 1993/94, as called for under Section 4(2) of Ordinance 156, be set at \$0.02016 per cubic meter (\$0.91 per thousand gallons).

Alderman Adams asked for a report from staff, as requested by a citizen in Ward 7, regarding the amount in the Pollution Control Account as of today, March 11, and interest rates, or the investment rate, in which this account is returning to the City. As well, the Alderman asked for information pertaining to the specific projects for which this account is intended to be used for and also specific projects for which it has been utilized in the past.

At approximately 8:45 p.m. Her Worship Mayor Ducharme returned to the meeting with the Deputy Mayor taking his usual seat on Council.

Following a discussion and questioning of staff, the motion was put and passed.

Motion passed.

File #93-75 Computer Software/Hardware for G.I.S. and Network Enhancements

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place an order for Tender #93-75 Computer Software/Hardware for GIS and network enhancements with ESRI Canada; with funds being

Alderman Jeffrey indicated his concurrence with the Chairman's suggestion.

MOVED by Alderman Macdonald, seconded by Alderman Meagher that the City of Halifax not undertake the responsibility of financing the construction cost of any community space in the proposed Titus Smith Senior Residence and that N.S. Housing Department be informed of City intentions in this matter immediately, to facilitate their work plans.

Motion passed with Alderman Jeffrey voting in opposition.

Pollution Control Charge - 1993

MOVED by Alderman Pottie, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the Pollution Control charge for 1993/94, as called for under Section 4(2) of Ordinance 156, be set at * \$0.2016 per cubic meter (\$0.91 per thousand gallons).

Alderman Adams asked for a report from staff, as requested by a citizen in Ward 7, regarding the amount in the Pollution Control Account as of today, March 11, and interest rates, or the investment rate, in which this account is returning to the City. As well, the Alderman asked for information pertaining to the specific projects for which this account is intended to be used for and also specific projects for which it has been utilized in the past.

At approximately 8:45 p.m. Her Worship Mayor Ducharme returned to the meeting with the Deputy Mayor taking his usual seat on Council.

Following a discussion and questioning of staff, the motion was put and passed.

Motion passed.

File #93-75 Computer Software/Hardware for G.I.S. and Network Enhancements

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place an order for Tender #93-75 Computer Software/Hardware for GIS and network enhancements with ESRI Canada; with funds being

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available in account numbers 22603.0050 titled Data Processing Equipment - Operations, M.I.S., and 26114.8300.80436 titled Computer Equipment - Maintenance and Upgrade Account.

Motion passed.

Mainland South Community Centre

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, City Council authorize the Mayor and City Clerk to execute a lease providing space for the City's tenants in the form as attached to the 23 February 1993 staff report.

Notion passed.

Loss of Business Settlement: 385 Herring Cove Road

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the loss of business claim of Murphy's Shell, 385 Herring Cove Road, be settled for \$21,800 plus simple interest of 6 percent per annum together with \$3,500, plus G.S.T. as reimbursement of legal and accounting fees, with funds being available in account #91504, the Herring Cove Road Widening Account.

Motion passed.

User Fees (Adults) - Recreation Playing Fields

This matter was forwarded to Council without recommendation.

MOVED by Alderman Adams, seconded by Alderman Jeffrey that the City of Halifax maintain the status quo regarding user fees and not charge fees for the 1993 season.

Alderman Pottie addressed the matter and referred to the report dated 1 March 1993 from the User Fee Committee established by City Council to study the matter of implementing user fees. He noted that it is the recommendation of that Committee to implement user fees for adult users of the City of Halifax for outdoor sport facilities in 1993. Alderman Pottie expressed his support for this recommendation adding that, in his opinion, the Committee presented the best possible recommendation to Council. The Alderman went on to point out that if Council does not implement user fees, it will result in \$66,000 being added to the budget for this year. Alderman Pottie spoke against the motion and indicated that he was prepared to

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introduce a motion to approve the User Fee Committee's report of 1 March 1993.

Following a short discussion, the motion was put and passed with eight (8) members of Council voting for it and four (4) voting against it as follows:

FOR: Aldermen Downey, Meagher, O'Malley, Adams, Hanson, Jeffrey, Macdonald, and Crowley..... (8)

AGAINST: Deputy Mayor Fitzgerald, and Aldermen Holland, Pottie, and Stone..... (4)

1993 Assessments - Resolution

This matter was forwarded to Council without recommendation.

Alderman Meagher addressed the matter and expressed his concern with respect to the assessment situation. He noted that many residents in his Ward have had their assessments increased and therefore will have to pay higher taxes. The Alderman questioned what could be done to achieve a more fairer and equitable tax situation.

The City Manager commented that there can never be a guarantee at any time that assessments are going to be completely equitable to all people. However, he expressed the view that there is no doubt that when the assessments were the responsibility of the municipalities, there was a far better quality of assessment. Therefore, the City Manager agreed that it would operate better if assessments were a municipal responsibility.

The City Manager went on to clarify that taxes are not going up, that taxes will remain the same, and that the City will be getting the same number of dollars from the taxpayers in 1993/94 that were received in 1992/93. He added that the tax rate will go up because the average property is down almost 3 percent so the tax rate will go up almost 3 percent. Unfortunately, the City Manager noted that Alderman Meagher's Ward is a Ward where there has been an increase in the level of assessments.

Alderman Meagher asked for an information report with respect to what would be required to have the responsibility for assessments returned to the City of Halifax.

Proposed Municipal Reform - Resolution

This matter was forwarded to Council without recommendation.

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MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that:

WHEREAS the Government of Nova Scotia has recently announced that municipal governments in the Halifax-Dartmouth Metropolitan area and the Sydney Industrial area are to be amalgamated by April 1995;

AND WHEREAS little or no consultation between the Province and the affected municipal units occurred before the said announcement;

AND WHEREAS the City of Halifax has a proud history as a responsible and independent municipal unit, and is approaching its two hundred and fiftieth anniversary;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Halifax that

- (1) the Premier of the Province of Nova Scotia be requested to delay the consideration and subsequent implementation of the amalgamation in the Halifax-Dartmouth Metropolitan area until such time as the Province and the affected municipalities have had an opportunity to carry on open discussions on the topic of municipal reform in a fair and equitable manner;
- (2) the City of Halifax state publicly that it is in favour of municipal reform, but that such reform be based initially upon the delivery of services in a cooperative manner, and that amalgamation only be considered after all possible savings have been achieved through the service-delivery option, and after it has been demonstrated that amalgamation will in fact result in the more effective and efficient delivery of services, and is in the interest of all taxpayers of the Halifax-Dartmouth metropolitan area.

Motion passed.

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Atlantic Lotto - Video Machines

This matter was forwarded to Council pending receipt of a report from staff.

An information report dated 9 March 1993 was submitted.

Alderman Downey addressed the matter and noted that he was prepared to move a motion approving the information report of 25 February 1993 recommending that staff meet with representatives of the three provincial departments involved with amusement machines next week to discuss the situation.

The Chairman noted that the City Manager has indicated that staff will be coming forward with a further legal and planning report. She therefore suggested that it may be appropriate to defer this matter to a Committee of the Whole Council meeting pending receipt of a further report and that Council then make a decision with respect to approaching the Province.

It was, therefore, MOVED by Alderman Downey, seconded by Alderman Holland that this matter be deferred to the next Committee of the Whole Council meeting scheduled for **Monday, 22 March 1993**, pending a further report from staff.

Alderman Pottie requested that the report from the Legal Department address the action the City would have to take against the Nova Scotia Lottery Commission to challenge them in Court, and the City Solicitor noted that a report in this regard would be provided.

The motion to defer was put and passed.

File #913154 - Print Shop Maintenance Service

MOVED by Alderman O'Malley, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, authority be granted to obtain print shop maintenance service from A.M. International Inc. (the only tender received) in the amount of \$1,182.00 per month; and that funds be made available from account number 22204.0120 titled Printing Reproduction.

Motion carried.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 3 March 1993, as follows:

Street Lights - Willett Street

MOVED by Alderman Stone, seconded by Alderman Macdonald that, as recommended by the Committee on Works, the street lighting be upgraded on the north side of Willett Street between Westridge Drive and Lacewood Drive with concrete poles and suitable light fixtures; and further, that and amount of \$28,000 be included in the 1993/94 Capital Budget for this purpose.

Motion carried.

Centennial Rink

This item had been forwarded to Council without recommendation, pending receipt of a report from staff.

An information report dated 5 March 1993 was submitted.

Alderman Macdonald addressed the matter and indicated that he would respond to the concerns raised at the Committee of the Whole Council meeting held on 3 March 1993. In this regard, he noted that City Council was awaiting a report from the consultants concerning the proposed Vimy Flyover.

Referring to the pamphlets which were distributed concerning the Centennial Arena, Alderman Macdonald advised that they originated with some residents of the Granbury Place Condominium. He indicated that, based on the information these residents had received through attending various meetings on the matter of the proposed Vimy Flyover, they became quite concerned that the Flyover would result in the potential loss of Granbury lands and the loss of the Centennial rink property.

To illustrate his point, Alderman Macdonald presented three conceptual drawings of possible options regarding the Vimy overpass which he noted he obtained from the Halifax Industrial Commission. Referring to the maps, he pointed out that he would be dealing with them in more detail at the next meeting of City Council. Alderman Macdonald pointed out that, on each of the three maps, the Centennial Rink is eliminated and this was the information the residents were basing their concerns on and the reason why they are so alarmed.

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Alderman Macdonald advised that it was his view that the impact of the Vimy Flyover on the Centennial Rink and the surrounding properties was never considered by the proponents of the project. He added that single-sourcing the issue of the Vimy Flyover will destroy the Community. Alderman Macdonald advised that the short term concern of the residents regarding the Vimy Flyover is the possible increase in traffic and the long term concern is the potential loss of their rink. In concluding his remarks, Alderman Macdonald pointed out that he felt the whole issue regarding the Vimy Flyover should be abandoned altogether, however, he was prepared to wait for the consultant's report.

Alderman Stone addressed the matter and, referring to the Vimy Flyover, he noted that there were options available which would not include the destruction of the Centennial Rink. He added that the Flyover could go either right or left of the Rink. Alderman Stone went on to suggest that the pamphlets which were distributed sensationalized this issue and he added that he found the way in which the pamphlets presented information on the Vimy Flyover to the public was disturbing.

Alderman Pottie questioned whether the pamphlets were printed by the City's in-house print shop or if City funds were used for the printing, and he requested a report on this matter by the next meeting of the Committee of the Whole Council, scheduled for Monday, 22 March 1993.

As well, Alderman Pottie referred to the conceptual drawings presented by Alderman Macdonald and he requested a report from the Executive Director of the Halifax Industrial Commission on why the plans were ordered, how much they cost and, for what reasons were they drawn up. He asked that this information be provided for the next meeting of the Committee of the Whole Council, scheduled for Monday, 22 March 1993.

The City Manager indicated that this report would be circulated the following day.

Alderman Holland advised that he attended a meeting of the Barrington Street Business Improvement District Commission the previous day and one of the items raised was the lack of promotion of the Commission by the Industrial Commission. Alderman Holland requested a report from the Industrial Commission on what they see as their responsibility and role toward the Barrington Street Business Improvement District Commission and how they are trying to fulfil this.

Alderman Holland made reference to the consultant's report and advised that, in the past, there has

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been some criticism by Council on the time involved in submitting consultant's reports to Council. He suggested that this was because there was no clear policy established on this matter and Alderman Holland advised that Council might look at establishing a policy in this regard.

Deputy Mayor Fitzgerald briefly addressed the matter of the consultant's report which will be submitted to City Council and expressed some concern that it would not go to staff first for review and report. He indicated that he would not be able to vote on the matter until staff has an opportunity to review the report.

Following further discussion, Alderman Macdonald noted that he previously submitted a flowchart to City Council regarding the single-sourcing of the Vimy Flyover and he advised that he had additional copies which he would submit for recirculation to City Council.

The Chairman advised that there was not a motion involved in this item and that it was on the agenda as an information item.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 3 March 1993, as follows:

**Award of Tender #93-79: Halifax Police Department -
Towing and Storage System**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Safety Committee, Halifax City Council award Tender #93-79 (Halifax Police Department Towing and Storage System) to **Ace Towing Limited** in accordance with their tender submission and the staff report of 26 February 1993.

Motion carried.

**REPORT - COMMITTEE OF THE WHOLE COUNCIL,
BOARDS AND COMMISSIONS**

**Repeal of Ordinance 107, the Halifax City Court Ordinance -
SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 25 February 1993, and had been further considered at a regular meeting of the Finance and Executive Committee held on Wednesday 3 March 1993.

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MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, Halifax City Council give Second Reading to the Ordinance attached as Appendix A to the report from the City Solicitor dated 5 February 1993.

Motion carried.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 3 March 1993, as follows:

Public Gardens Precinct

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee:

- 1) the City advise the Governor in Council of its strong opposition to the actions of the provincial government on the basis that:
 - i. a proper provincial interest has not been established as required by the Planning Act;
 - ii. the proposed provincial policy is less sensitive than current City policy and regulation, will not produce the results that are espoused by the policy, and removes previously agreed to development rights of private land achieved through detailed study and public consultation;
- 2) the City forward to the Governor in Council the report of 13 May 1992 and the resolutions of the Union of the Nova Scotia Municipalities and the Federation of Canadian Municipalities supporting the City's position; and
- 3) the City inform the members of the Legislature for Halifax of the City's strong opposition to the actions of the government and the provincial policy; and further, that
- 4) the Mayor meet with members of the legislature for Halifax to express the City's deep concern over interference in City planning and development matters, and the inappropriateness of the proposed provincial policy.
- 5) staff prepare a presentation which will be submitted to the Province prior to 30 April 1993, stating the City's position

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Motion passed.

Her Worship pointed out that she has heard from the Union of Nova Scotia Municipalities that they intend to make another submission before April 30 in support of the City's position.

Alderman Stone noted that, at the Committee of the Whole meeting, he expressed strong concern about the Province's action on this matter, and he added that he believed City Council should take a firm stand on the issue. In this regard, Alderman Stone noted that the Province is accepting submissions on the proposed policy and he requested that the motion include a request that staff prepare a presentation which will be submitted to the Province prior to 30 April 1993, stating the City's position, **to which it was agreed.**

**Case No. 5194: Extension of Development Agreement -
1521 Lower Water Street**

MOVED by Alderman Downey, seconded by Alderman Meagher that City Council grant an extension to the development agreement governing Block "M," 1521 Lower Water Street, being the same agreement registered at the Registry of Deeds in Book 4612, Pages 45052-57, on the condition that the development is commenced within two years of Council's approval and is completed within four years of said approval.

Motion carried.

**Case No. 6597: Proposed Development Agreement -
1572 Barrington Street and 1571-75 Argyle Street
- SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, a date for a public hearing be set to hear the application for a development agreement to permit construction of a commercial/office building at 1572 Barrington Street and 1571 Argyle Street.

Motion carried.

The City Clerk advised that the date for the public hearing was scheduled for **Wednesday, 7 April 1993, at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

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MOTIONS

**Notice of Motion Alderman Adams Re: Repeal of
Ordinance 31 Respecting the Early Closing of
Boot and Shoe Repair Shops - FIRST READING**

A report from the City Solicitor dated 15 February 1993 was submitted.

Notice of Motion with regard to the repeal of Ordinance 31 respecting the early closing of boot and shoe repair shops had been given by Alderman Adams during a regular meeting of Halifax City Council held on Thursday, 25 February 1993.

MOVED by Alderman Adams, seconded by Alderman Macdonald that City Council approve First Reading of the Ordinance attached as Appendix "A", the purpose of which is to repeal Ordinance 31 Respecting the Early Closing of Boot and Shoe Repair Shops and refer the said repealing Ordinance to the Committee of the Whole for consideration and report.

Motion carried.

**Notice of Motion Alderman Hanson Re: Ordinance 4,
the City Electrician Ordinance, and Ordinance 5,
the Fire Alarm and Telegraph Ordinance -
FIRST READING**

Notice of Motion with regard to repealing Ordinance 4, the City Electrician Ordinance and Ordinance 5, the Fire Alarm and Telegraph Ordinance had been given by Alderman Hanson during a regular meeting of Halifax City Council held on Thursday, 25 February 1993.

MOVED by Alderman Hanson, seconded by Deputy Mayor Fitzgerald that City Council approve First Reading of the Ordinance attached as Appendix "A", the purpose of which is to repeal Ordinance 4, the City Electrician Ordinance and Ordinance 5, the Fire Alarm and Telegraph Ordinance and refer the said repealing Ordinance to the Committee of the Whole for consideration and report.

Motion carried.

MISCELLANEOUS BUSINESS

Appointments

A report dated 10 March 1993 from Her Worship Mayor Ducharme was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the following appointments be approved:

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Advisory Committee on the Concerns of Aging

Marie Lambert (representing Seniors Manors)

Term to expires 31 January 1996

Art Allocation Committee

G. J. (Jerry) Maloney

Term to expire 31 January 1996

Tourism Halifax Committee

James P. Boudreau

Term to expire 31 January 1996

Motion carried.

Freedom of the City

A report dated 8 March 1993 from Her Worship Mayor Ducharme was submitted.

MOVED by Alderman Holland, seconded by Alderman Hanson that City Council grant the Royal Canadian Navy permission to exercise the Freedom of the City of Halifax during the afternoon of Sunday, 2 May 1993, as part of the ceremonies marking the 50th Anniversary of the Battle of the Atlantic.

Motion carried.

QUESTIONS

Question Alderman Fitzgerald Re: Taxi Commission School

Alderman Fitzgerald requested an update on when the Taxi Driver Education School will begin.

Question Alderman Fitzgerald Re: Snow Clearing/Driving Precautions/Snow Clearing - Crosswalks

Alderman Fitzgerald made reference to the snow banks which have piled up at the street intersections and advised that, although staff have done a good job in dealing with the snowbanks at the major intersections, there were other intersections which were quite "tricky" and asked that staff look at these as well.

Alderman Fitzgerald also noted that many drivers are not driving in an appropriate fashion during the recent

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inclement weather the City has been experiencing, and he advised that the City should encourage the drivers to be more careful under these conditions.

Alderman Fitzgerald requested that City staff also look at clearing the snow from the entrance to the crosswalk areas. He pointed out that the snow is piled up on the curb and, as a result, the pedestrians are forced to climb over a bank of snow to get on the crosswalk.

In addition, Alderman Fitzgerald asked that staff continue to encourage the property owners who abut corner lots that they ensure that the corner sections of the sidewalks are properly cleared.

At 10:15 p.m. Her Worship retired from the meeting and Deputy Mayor Fitzgerald assumed the Chair.

Question Alderman Adams: Snow Removal - City Sidewalks

Alderman Adams noted that the City clears the sidewalks abutting City-owned properties by using small snow-clearing machines. He pointed out that the operators of these machines tend to get to their destination by using the City streets or roads. In this regard, Alderman Adams questioned if the operators could use the sidewalks rather than the road to get to their destination and "plow as they go".

Question Alderman Adams: Industrial Commission

Alderman Adams requested a report on the name of the firm which audits the Industrial Commission, and a copy of the Industrial Commission's audited report for 1991/92. In addition to this, the Alderman requested that the report include the policy and process utilized to obtain consultants and how these consultants are awarded tenders.

Alderman Adams also requested information on the salary and remuneration package of the Marketing Director of the Industrial Commission.

Question Alderman Pottie: Agreement - City of Halifax Duke Street Tower Offices

Alderman Pottie advised that it was mentioned to him that, when the City of Halifax initially occupied the Duke Street Tower Offices, there was some type of agreement whereby the City of Halifax had an option to purchase the Duke Street Towers. Alderman Pottie requested a report on whether this was accurate.

Question Alderman Pottie: Boards and Commissions Audit

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Alderman Pottie questioned how often the City's Boards and Commissions were audited.

In response, the City Manager noted that the City's external auditors are Peat Marwick Thorne and they carry out audits on the City's Boards and Commissions on an annual basis.

Question Alderman MacDonald Re: Snow Clearing - Driveways

Alderman Macdonald advised that he was recently speaking with an elderly gentleman who lives on Gateway Road about having to shovel snow from his driveway several times after the last snowstorm because of the numerous times the City's snowplows clear the street.

Alderman Macdonald noted that the gentleman realizes that this is inevitable part of Nova Scotia's winter, however, he was a senior citizen and finds it difficult when he has to shovel several times. In this regard, Alderman Macdonald advised that the gentleman suggested that the City consider installing a piece of equipment on the snowplows which would enable the plow operators to avoid putting snow in the driveways and, instead, the snow would be pushed ahead and deposited on the curb. He added that, apparently, the City of Calgary has this kind of snow clearing operation.

Alderman Macdonald added that the gentleman suggested that the citizens would not be opposed to the expenditure for this if it would mean that the snowplow operators could avoid putting snow in their driveways. Alderman Macdonald asked that staff provide a report on the feasibility and the approximate cost of implementing a similar operation.

Question Alderman Macdonald Re: Early Morning Snow Clearing

Alderman Macdonald advised that a citizen and his family who live on Main Avenue, near Gebhardt Street, awoke last Monday morning at 2:40 a.m. from the noise associated with clearing the snow from the bus stops located near his residence. He added that the family had to endure 40 minutes of this noise before they could go to sleep.

Alderman Macdonald advised that he was aware this was the responsibility of the Metropolitan Authority; however, he questioned if it is necessary for the Metropolitan Authority to carry out this work in a residential area during the middle of the night. Alderman Macdonald advised that a verbal report would be satisfactory.

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**Question Alderman Macdonald Re: Bayview Road Vehicle
Accidents**

Alderman Macdonald advised that he received a letter (which was submitted to the City Clerk) from a resident of Bayview Road who keeps statistics on the vehicle accidents on this road. Alderman Macdonald noted that on 13 February and 22 February there were car accidents on the road due to snow and ice conditions and the configuration of the roadway. Alderman Macdonald indicated that the resident who saw this believes that the accidents were not reported to the Police Department because it appeared that the drivers exchanged information and drove away.

Alderman Macdonald questioned if it would be possible to include this kind of information in the City's statistical base if similar letters were submitted to the Chief of Police on a regular basis.

The Chairman advised that the City Manager would look into this matter.

Question Alderman Stone Re: Ordinance 185

Alderman Stone noted that Council had previously dealt with Ordinance 185, the Alarm Ordinance, and two letters were received expressing concern with the Ordinance. Alderman Stone requested that staff review these letters prior to Council dealing with this item again. He noted that the letters were from B & B Security Locksmithing and the Canadian Alarm and Security Association. Alderman Stone advised that B & B Security Locksmithing see a need for reducing the number of false alarms, however, they are concerned that the Ordinance will penalize the innocent.

Alderman Stone added that the Canadian Alarm and Security Association have indicated that they had input in the initial stages but did not have input during the final stages. He noted that they would like an opportunity to make a presentation to Council or he suggested that, at least, they should be asked to submit their concerns.

Alderman Stone asked that staff review this prior to the matter coming back to Council.

**Question Alderman Stone Re: Guard Rail - Corner of
Dunbrack and Willett**

Alderman Stone noted that there was a guard rail on the inside of the sidewalk area on the corner of Dunbrack and Willett Street. He noted that it was probably erected before a sidewalk was installed, however, there did not seem to be a need for it and he asked that staff take a look at removing it once the snow has cleared.

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Question Alderman Stone Re: Fairview Overpass

Alderman Stone advised that he was still getting concerns expressed about the Fairview Overpass and he asked that the City's Traffic Authority review the situation again and see if a solution could be found.

In this regard, Alderman Stone advised that the problem seems to be the sliplane from Dutch Village Road, where vehicles have to cross four lanes of traffic if they are going to the Bridge Approach Roads. He asked that staff consider the idea of installing a temporary median which would separate the four lanes into "two and two" from the Dutch Village sliplane to the Windsor Street lights. Alderman Stone suggested that this would force the traffic coming from the Bedford Highway to select a lane before they reached the Fairview Overpass. As well, he suggested that if the traffic was coming from the Dutch Village sliplane, it would be forced to use the nearest lane rather than going across four lanes. Alderman Stone requested that staff consider whether this idea would be viable and he noted that perhaps it could even be done on a temporary basis.

**Question Alderman Crowley Re: Clarence A. Beckett School
and Grosvenor Wentworth School - Oil Spill**

Alderman Crowley advised that the Clarence A. Beckett School and Grosvenor Wentworth School had problems with underground oil spills. She noted that a number of parents are concerned about the safety of their children returning to the schools.

Alderman Crowley questioned if any environmental studies were being carried out and asked for a report from the School Board on this matter.

**Question Alderman Crowley Re: Catch Basins - Lower End of
Abbott Drive**

Alderman Crowley advised that she was receiving a number of calls about the flooding caused by the excessive snow and whether the City's catch basins were open. She added that one area of particular concern is the lower end of Abbott Drive, between Ashburn and Ralston Avenue. Alderman Crowley advised that there are drains in back of the green belt which some residents feel are blocked and she asked that staff investigate these catch basins.

**Question Alderman O'Malley Re: In-house Programming -
Highland Park Junior High School**

Alderman O'Malley advised that, at the last City Council meeting, she raised a concern about the in-house programming at Highland Park Junior High School. She noted

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that she asked that a letter be forwarded on behalf of Council to the School Board expressing the concerns of the parents and she questioned if this letter has been sent and she asked that a copy be forwarded to her.

Alderman O'Malley advised that the Provincial funding for special projects has been announced and Highland Park Junior High School is not going to receive any of this funding. She noted that the school is extremely disappointed about this matter.

Question Alderman O'Malley Re: Alexander MacKay School

Alderman O'Malley requested a report on whether the group who was making a movie in the basement of the Alexander MacKay School were still tenants of the School and she asked if this school was still the property of the School Board or if it had been turned back to the City.

Question Alderman O'Malley Re: Snow Fence at the Foot of Fort Needham

Alderman O'Malley pointed out that the snow fence placed at the foot of Fort Needham was in very poor condition. She noted that she received a report previously, stating that the fence had been vandalized, however, Alderman O'Malley advised that other snow fences seem more sturdy than this one and she asked that staff take another look at this with a view of strengthening the fence with some kind of supports.

Question Alderman O'Malley Re: Appreciation and Commendation - Mr. Lou Coutinho

Alderman O'Malley advised that she wanted to express her appreciation and commendation to Mr. Lou Coutinho, Assistant Operations Manager, for the excellent service he is providing to the citizens during the recent snowstorms. Alderman O'Malley asked that this commendation be placed on his personnel file and it be forwarded to him on behalf of Council, to which it was agreed.

Question Alderman Downey Re: Make-Work Projects - Snow Clearing

Alderman Downey also expressed his appreciation to the City workers for their efforts during the recent snowstorms.

Alderman Downey noted that the City's major roadways had very high snowbanks which posed a driving hazard. Noting that the City's snow removal budget was nearing depletion and that the Province cost-shares on the City's main roads, he suggested that staff approach the Province with the idea of cost-sharing on a make-work

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project which would be designed to remove the snowbanks from these roads.

Alderman Downey pointed out that another storm is forecasted for this weekend and, in this regard, he requested an update after this storm on the snow-clearing schedule.

At 10:40 p.m. Her Worship returned to the meeting and Deputy Mayor Fitzgerald assumed his usual seat in Council.

**Question Alderman Downey Re: Gottingen Street Area
Merchants Association**

Alderman Downey noted that City Council received on their desks this evening a private and confidential report concerning the financial status of the Gottingen Street Area Merchants Association.

Alderman Downey expressed concern about the content with the report stating that it was a very serious situation and he asked that staff take another look at this matter and see if something could be done to restore the Association. He asked that a further report be provided.

**Question Alderman Meagher Re: Early Closure of Service
Stations**

Alderman Meagher advised that, last week, Council received an information report regarding the early closure of service stations and he requested that this matter be referred to the Planning Advisory Committee for review and with a view of possibly holding a public meeting on the matter to see what the general approach would be of some of the oil companies and residents of the area affected.

Question Alderman Meagher Re: Front Yard Parking

Alderman Meagher noted that Council received an information item dated 1 March 1993 from the City Manager to the Planning Advisory Committee outlining the changes to the regulations regarding Front Yard Parking. Alderman Meagher asked that this matter be referred to the Planning Advisory Committee for review.

**Question Alderman Meagher Re: City Staff's Snow
Clearing Efforts**

Alderman Meagher also offered his congratulations to the City's work crews on their exceptional work of snow clearing during the recent storms.

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**Question Alderman Meagher Re: Condition of Oil Tanks
at Oxford School, Chebucto School, and St. Pat's**

Alderman Meagher advised that, a few weeks ago he requested a report on the condition of the oil tanks at Oxford School, Chebucto School (music program), and St. Pat's High School. Alderman Meagher indicated that he would like to have this information as soon as possible.

**Question Alderman Jeffrey Re: Harassment of City
Employees**

Alderman Jeffrey advised that some time ago allegations were made that two aldermen were harassing some City employees by following them around, and he requested a status report on this matter.

Her Worship advised that this matter had been forwarded to the Minister of Municipal affairs.

Alderman Jeffrey asked if City Council could receive a follow-up report.

Question Alderman Jeffrey Re: Report on Travelling Expenses

Alderman Jeffrey requested a report from the City's Auditor General regarding the travelling expenses of the Mayor's Office, Alderman's Office, and all City Departments. He advised that he wanted that Auditor General to date back to 1988 and provide the total cost of travelling expenses of each individual department.

ADDED ITEMS

**Withdrawal From Sinking fund Surplus and Valuation
Allowance Surplus**

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

A staff report dated 2 March 1993 was submitted.

Mr. Bernard G. Smith, Director of Finance, addressed Council and briefly reviewed the report and responded to questions from members of City Council.

Referring to the report, Alderman Meagher referred to the amounts allocated for the St. Mary's Recreation Centre and for the Oxford School Playground and he questioned what the funding would be used for.

In response to Alderman Meagher, the City Manager indicated that a report on this would be provided.

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Alderman Adams addressed the matter and advised that he felt, in light of the amount of money being dealt with, the matter should be deferred and staff be requested to report on the process. As well, Alderman Adams requested that the report detail what the larger expenditures (i.e. \$100,000 and up) are earmarked for and how much has been previously approved for those specific projects.

Following a brief discussion, it was MOVED by Alderman Adams, seconded by Alderman Pottie that this matter be deferred to the next regular meeting of City Council, scheduled for **Thursday, 25 March 1993**, pending receipt of a report from staff.

Motion carried.

Emergency Repairs - Vohl Snow Blower

A staff report dated 11 March 1993 was submitted.

The City Manager pointed out that, very recently he learned that the maximum cost of repair for the snow blower is \$20,000 instead of \$16,000 as stated in the staff report. He added that staff expects to recover \$10,000 from the salvageable parts.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that authority be granted to have the replacement transmission for the Vohl Snow blower flown in from Quebec as recommended in the 11 March 1993 staff report, and as further clarified by the City Manager at this meeting.

Motion carried.

Resolution - City Manager Term of Employment (Alderman Adams)

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

Alderman Adams advised that he would submit copies of the City Council minutes of 26 March 1992 and of 15 April 1992 concerning the term of employment of the City Manager for circulation to members of City Council.

Alderman Adams requested a report for the next meeting of Committee of the Whole Council, scheduled for Monday, 22 March 1993 from the City Solicitor on the legality of the 15 April 1992 amendment to the motion of 26 March 1992.

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Alderman Adams requested a report for the next meeting of Committee of the Whole Council, scheduled for Monday, 22 March 1993 from the City Solicitor on the legality of the 15 April 1992 amendment to the motion of 26 March 1992.

There being no further business to discuss, the meeting adjourned at 11:00 p.m.

HER WORSHIP MAYOR DUCHARME
DEPUTY MAYOR FITZGERALD

Edward A. Kerr, CMC
City Clerk

ms/sm

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**SPECIAL COUNCIL
PUBLIC HEARING
MINUTES**

Council Chamber
Halifax City Hall
22 March 1993
7:30 P. M.

A special meeting of Halifax City Council was held at this time.

The meeting was called to order with those present joining with members of Council in the recitation of the Lord's Prayer.

PRESENT: Deputy Mayor Fitzgerald, Chairman; and Aldermen Holland, Downey, Meagher, O'Malley, Adams, and Stone.

ALSO PRESENT: Sharon Glynn, representing the City Solicitor; City Clerk; and other members of staff.

**Public Hearing: Case No. 6646: 1455 Henry Street
Appeal of Minor Variance Refusal**

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

A staff report dated 24 February 1993 was submitted.

A letter dated 22 March 1993 from Kenneth H. LeBlanc, McInnes Cooper & Robertson, on behalf of the applicant, Mr. Tadeusz Downarowicz, was also submitted.

Mr. J. Michael Hanusiak, Senior Planner, addressed City Council and outlined the appeal of minor variance refusal with respect to the application by Mr. Tadeusz Downarowicz for a minor variance of the lot coverage requirement of the land use bylaw for the property at 1455 Henry Street. Mr. Hanusiak noted the reasons for the refusal of the application as contained in the staff report of 24 February 1993.

Mr. Kenneth H. LeBlanc, McInnes Cooper & Robertson, representing the applicant, Mr. Tadeusz Downarowicz, addressed Council and for the reasons stated in his letter of 22 March 1993 appealed to Council to grant the variance at 1455 Henry Street. Mr. Leblanc pointed out that at present the area of coverage on Mr. Downarowicz's lot

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constitutes about 42.5 percent of the total lot area and therefore advised that the additions would only increase the lot coverage by about 3.5 percent more than exists at present. As a result, he suggested that the variance being sought is minor.

In his presentation, Mr. Leblanc noted that Mr. Downarowicz had signed letters from all of his neighbours immediately adjacent to his lot confirming that they do not object to the proposed additions to his house (copies of which were attached to his letter of March 22). Mr. Leblanc responded briefly to questions from members of Council.

There were no further persons wishing to address Council.

MOVED by Alderman Meagher, seconded by Alderman Holland that this matter be forwarded to Council without recommendation.

Motion passed.

**Public Hearing: 5567 Morris Street - Application to
Deregister a Municipally Registered Heritage Property**

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

A memorandum from Dr. Paul A. Erickson, Chair, Heritage Advisory Committee, dated 2 March 1993 was submitted.

A memorandum from Mr. Dan Norris, Heritage Planner, dated 19 March 1993 was also submitted.

Mr. Dan Norris, Heritage Planner, addressed City Council and outlined the proposed deregistration of 5567 Morris Street as a municipal heritage property. It was noted by Mr. Norris that the current owner of 5567 Morris Street has requested that Council deregister the property because she was unable to communicate her objections to Council prior to registration on 25 June 1992. Mr. Norris went on to provide the background with respect to some of the issues with respect to the property in question as summarized in the staff report of 12 January 1993.

In response to a question from Alderman Stone, Mr. Norris confirmed that he had met with Mrs. Maria Kyreakakos who is acting as the representative for the owner. He added that he presented her with information that would indicate what the advantages are of a heritage property. Mr. Norris noted that Mrs. Kyreakakos is aware of the advantages of

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heritage registration, but her objection was that she did not want an infringement upon her property rights.

Alderman Meagher noted that at the time the property in question was registered there was a great turmoil in the owners' family which precluded them from attending the public hearing when the property had been registered. The Alderman added that the owners really do not want the property registered as a heritage property.

Alderman Holland questioned if there had ever been a property that was designated heritage and then de-registered and Mr. Norris indicated that he would research the matter and provide clarification at the next meeting of Council.

Mr. George Kyreakakos, Halifax NS, addressed Council and advised that Mrs. Mandros wanted him to emphasize that a relatively stressful situation existed at the time of the registration due to the death of her husband. He added that Mrs. Mandros basically wants her house to be registered the same as it has been during the past 40 years.

There were no further persons wishing to address Council.

In response to Alderman Holland's question about de-registering property, Alderman Meagher indicated it was his understanding that the furniture shop situated on Barrington Street next to a restaurant had been registered then subsequently de-registered.

MOVED by Alderman Meagher, seconded by Alderman Downey that the application to deregister the municipally registered heritage property at 5567 Morris Street be approved.

Motion passed with Alderman Holland voting in opposition.

**Public Hearing: Case No. 6642: Peninsula and Mainland
Land Use Bylaws - Housekeeping Amendments #4**

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

Mr. Paul Dunphy, Planner, addressed City Council and outlined the proposed housekeeping amendments to the existing land use bylaws for the peninsula and mainland portions of the City. He noted that the purpose of these amendments is to provide continuous and incremental improvement to the existing bylaws so that they remain

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effective. Mr. Dunphy added that a copy of the proposed amendments is attached to the staff report of 29 December 1992. He further added that the Planning Advisory Committee is recommending approval of the proposed amendments as noted in their report to Council of 3 February 1993.

There were no persons wishing to address Council on this item.

MOVED by Alderman Adams, seconded by Alderman Downey that this matter be forwarded to Council without recommendation.

Motion passed.

**Public Hearing: Case No. 6660: Peninsula and Mainland
Land Use Bylaws - Housekeeping Amendments #5**

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

Mr. Paul Dunphy, Planner, addressed City Council and outlined the proposed housekeeping amendments to the existing land use bylaws for the peninsula and mainland portions of the City. He noted that the purpose of these amendments is to provide continuous and incremental improvement to the existing bylaws so that they remain effective. Mr. Dunphy advised that a copy of the proposed amendments is attached to the staff report of 5 January 1993. He further added that the Planning Advisory Committee is recommending approval of the proposed amendments as noted in their report to Council of 3 February 1993.

There were no persons wishing to address Council on this item.

MOVED by Alderman Meagher, seconded by Alderman Stone that this matter be forwarded to Council without recommendation.

Motion passed.

At approximately 8:10 p.m. the meeting adjourned briefly and resumed at 8:20 p.m. with the same members of Council in attendance.

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**Public Hearing: Case No. 6638: 9 and 11 Alma Crescent -
Proposed Amendments to Municipal Development Plan and
Land Use Bylaws**

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

Mr. J. Michael Hanusiak, Planner II, addressed Council and outlined the proposed amendments, as contained in the staff report of 29 October 1992, to the Municipal Development Plan and Land Use Bylaw that would allow the properties at 9 and 11 Alma Crescent to be consolidated for the purpose of recognizing the existing 21 unit apartment building at 11 Alma Crescent as a permitted use. In his presentation, Mr. Hanusiak noted that the matter was forwarded to the Planning Advisory Committee which has subsequently recommended in a report to Council dated 8 February 1993 that City Council amend the Municipal Development Plan and Land Use Bylaw.

Mr. Michael Tweel, Cox Downie, Barristers and Solicitors, addressed Council on behalf of the property owners, Mr. and Mrs. Alexiadis. He noted that the 21 unit apartment building, as indicated, has existed at civic number 11 Alma Crescent since 1979/80. Mr. Tweel added that in 1991 when Mr. Alexiadis was first advised of the violation of City ordinances and Land Use Bylaw, he took steps immediately to seek ways to resolve the problem.

In response to a question from Alderman Stone, Mr. Tweel advised that the intention with respect to 9 Alma Crescent is to demolish the building and consolidate the property with civic number 11 Alma Crescent. He added that it was his understanding the property would be used basically for parking and would not be developed.

With the use of a map, Mr. Hanusiak briefly responded to a further question by Alderman Stone.

Mr. Valentine Johnson, 3750 Dutch Village Road, addressed Council and questioned whether the building in question could be made bigger or converted to the maximum of 14 units.

In response, Mr. Hanusiak advised that, as explained in the staff report, if the 21 unit building is destroyed it can only be replaced with the 14 units permitted by the R-2AM zone.

There were no further persons wishing to address Council.

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MOVED by Alderman Meagher, seconded by Alderman Stone that this matter be forwarded to Council without recommendation.

Motion passed.

At approximately 8:30 p.m., the meeting adjourned.

DEPUTY MAYOR WALTER FITZGERALD
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/MS

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
25 March 1993
8:00 p.m.

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

After the meeting was called to order, the members attending were led in prayer by Monsignor Albert O'Driscoll.

PRESENT: Her Worship Mayor Moira Ducharme, Chairman; Deputy Mayor Walter Fitzgerald; and Aldermen Holland, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, Macdonald, and Stone.

ALSO PRESENT: City Manager, City Solicitor, City Clerk, and other members of City staff.

Presentation - Monsignor Albert O'Driscoll

On behalf of the Police Department and members of City Council, Her Worship presented Monsignor Albert O'Driscoll with a retirement scroll in recognition of his 17 years of service as Police Chaplain. Her Worship noted that Monsignor O'Driscoll would be retiring as an honorary Superintendent. She noted that Police Chief Vince MacDonald and the former Police Chief, Blair Jackson, were in attendance.

Chief MacDonald addressed members of Council and those in attendance and expressed his gratitude to Monsignor O'Driscoll for his many years of service and dedication to the Police Department.

Monsignor O'Driscoll addressed Council and expressed his appreciation for tonight's presentation. In his remarks he indicated that he considered it to be an honour to have been the Chaplain of the City of Halifax Police Department and he was deeply honoured by tonight's presentation.

Members of Council then offered their congratulations to Monsignor O'Driscoll and wished him well in his retirement.

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MINUTES

The minutes of the special meeting of Halifax City Council held on Tuesday, 16 February 1993 and the regular meeting of Halifax City Council held on Thursday, 11 March 1993 were approved on a motion moved by Deputy Mayor Fitzgerald, seconded by Alderman Holland.

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

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

20.1 Award of Tender #93-58R - One Pavement Marking Truck Mounted Striping Machine

At the request of Deputy Mayor Fitzgerald, Council agreed to add:

20. 2 Incineration Challenge

The agenda as amended was approved on a motion moved by Alderman Downey, seconded by Alderman Meagher.

DEFERRED ITEMS

Council's Motion of December 9, 1992: Court Ruling

This matter had been deferred from the 11 March 1993 meeting of City Council.

A letter dated 24 March 1993 from Mrs. Janet Doyle, a resident of 1031 Beaufort Avenue, Halifax, N. S. B3H 3Y1 was submitted.

A letter dated 22 March 1993 from Mr. Carl Goodwin, a resident of 3 Glenmore Avenue, Halifax, N. S. was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Adams that this matter be deferred to the next regular meeting of the Committee of the Whole, scheduled for Wednesday, 7 April 1993.

Motion carried.

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1993-95 Proposed Capital Budget

This matter had been deferred from the 11 March 1993 meeting of City Council.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that this matter be deferred.

Motion carried.

Case No. 6646: 1455 Henry Street - Appeal of Minor Variance Refusal

A public hearing on this matter was held on Monday, 22 March 1993.

Deputy Mayor Fitzgerald addressed the matter and, noting that the neighbours surrounding the property in question did not express any objections, advised that he was prepared to move a motion in support of the appeal and to grant the minor variance request.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that the decision of the Development Officer be overturned and the minor variance of the lot coverage requirement of the land use bylaw for the property at 1455 Henry Street be granted.

The City Clerk advised that the following members of Council were eligible to vote on the matter: Alderman Holland, Deputy Mayor Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Adams, and Alderman Stone.

The motion was carried with Her Worship Mayor Ducharme, Alderman Pottier, Alderman Hanson, Alderman Jeffrey, and Alderman Macdonald abstaining.

Case No. 6642: Peninsula and Mainland Land Use Bylaws - Housekeeping Amendments #4

A public hearing on this matter was held on Monday, 22 March 1993.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that City Council amend the land use bylaw by adopting the amendments as attached to the 29 December 1992 staff report.

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The City Clerk advised that the following members of Council were eligible to vote on the matter: Alderman Holland, Deputy Mayor Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Adams, and Alderman Stone.

The motion was carried with Her Worship Mayor Ducharme, Alderman Pottie, Alderman Hanson, Alderman Jeffrey, and Alderman Macdonald abstaining.

**Case No. 6660: Peninsula and Mainland Land Use Bylaws -
Housekeeping Amendments #5**

A public hearing on this matter was held on Monday, 22 March 1993.

MOVED by Alderman Stone, seconded by Alderman O'Malley that City Council amend the land use bylaw by adopting the amendments as attached to the 5 January 1993 staff report.

The City Clerk advised that the following members of Council were eligible to vote on the matter: Alderman Holland, Deputy Mayor Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Adams, and Alderman Stone.

The motion was carried with Her Worship Mayor Ducharme, Alderman Pottie, Alderman Hanson, Alderman Jeffrey, and Alderman Macdonald abstaining.

**Case No. 6638: 9 and 11 Alma Crescent - Proposed
Amendments to Municipal Development Plan and Land Use
Bylaw**

A public hearing on this matter was held on Monday, 22 March 1993.

Deputy Mayor Fitzgerald addressed the matter and advised that at the public hearing the residents of the area in question who attended the hearing indicated that they were in agreement with the proposed amendments, therefore, he was prepared to move a motion of approval.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that City Council amend the Municipal Development Plan and land use bylaw in accordance with Appendix "A" of the 8 February 1993 staff report for the

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purpose of recognizing the 21 unit building at 11 Alma Crescent as a permitted use.

The City Clerk advised that the following members of Council were eligible to vote on the matter: Alderman Holland, Deputy Mayor Fitzgerald, Alderman Downey, Alderman Meagher, Alderman O'Malley, Alderman Adams, and Alderman Stone.

The motion was carried with Her Worship Mayor Ducharme, Alderman Pottie, Alderman Hanson, Alderman Jeffrey, and Alderman Macdonald abstaining.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of the Finance and Executive Committee, held on Monday, 22 March 1993, as follows:

Hiring Procedure - City Manager

Alderman Macdonald addressed the matter and noted that members of City Council had received a further memorandum from the City Manager. Alderman Macdonald advised that he supported the recommendation from the Committee of the Whole and in this regard he was prepared to move a motion approving this recommendation.

Alderman Meagher addressed the matter and, referring to the memorandum that members of City Council received from the City Manager, pointed out that there were a number of local firms that have expertise in this area and he suggested that, in fairness, all firms should be made aware of the call for proposals and not just a chosen selection of firms.

Alderman Meagher went on to add that he felt this process should be at "arms length" from City staff. He advised that it is necessary for all members of City Council to be involved in the process and he strongly urged all members of Council to make every effort to attend the meetings on the matter.

Alderman Meagher advised that Council should encourage its own City staff to apply for the position of City Manager. He noted that, on many previous occasions when Council was looking for senior level administrative

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positions, the candidate who was chosen was already a City employee.

Alderman Meagher strongly emphasized that the process should ensure fairness to everyone who applies for the position, as well as providing privacy to all candidates.

MOVED by Alderman Macdonald, seconded by Alderman Hanson that:

Council establish the following procedure for the hiring of a new City Manager:

1. the City Manager prepare and administer a call for proposals from Management consultants responsible for executive recruiting;
2. City Council choose a Management consultant to assist with the recruiting of a new City Manager;
3. the contracted Management Consultant consult directly with City Council collectively throughout the process of recruiting a new City Manager.
4. the call for proposals be advertised locally.

Alderman Holland noted that he has been involved in businesses where consultants have been contracted to search for similar positions. Noting that City Council would want to have the best possible applicant for the position, he advised that it was his experience that the advertising for the call for proposals should not be limited to the local area and that it should be advertised widely. In reference to Alderman Meagher's comments, Alderman Holland advised that he believed this matter should be at "arms length" not only from City staff but from members of City Council who are not going to be specifically involved.

Alderman O'Malley advised that if the motion is approved and the information is gathered by the management consultants, she would expect that it would be packaged and forwarded to all members of City Council at the same time in order that no one member of Council would receive any information before other members of Council. She strongly emphasized that she hoped that when the management consultant

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is chosen, they would consult with Council collectively and not meet privately with individual members of Council.

Alderman Stone addressed the matter and indicated that he concurred with most of the comments expressed on this matter. He added that he felt this process should be carried out through a committee of Council because there is some concern about the process. Alderman Stone advised that he was concerned about the aspect in the City Manager's memorandum stating, "that a number of prominent consultants in the executive search field will be contacted directly" adding that, if this is the case, he would like a report on who the prominent consultants are and what are their qualifications.

Alderman Stone added that he supported advertising the position in the local media rather than sending it to a selected number of consultants. Alderman Stone pointed out that he felt this matter was something that all members of Council should be involved with and, noting that Alderman Crowley was absent, the Alderman advised that he was prepared to move a motion to defer this matter to the 15 April meeting of City Council.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that this matter be deferred to the 15 April meeting of City Council.

The City Manager addressed the matter and advised that the only reason he suggested sending the proposal to selected consultants was in the interest of time. He explained that he felt it would take less time to send the proposal out tomorrow to selected consultants because he would receive responses relatively soon. The City Manager stressed that he had no difficulty in proceeding with the suggestions of Council members, i.e. obtaining a wider range of replies, advertising, etc. and advised that if this was what Council preferred to do, then there was no need for a further report because he had no difficulty in proceeding with this route.

The motion to defer was put and defeated.

For clarification, Her Worship noted that the motion on the floor includes Alderman Meagher's request for local advertising.

A brief discussion ensued with the City Manager responding to questions.

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In response to a question by Alderman Adams, the City Manager advised that he intended to advertise, collect the proposals, and circulate these proposals to City Council. He added that, beyond this, any further involvement by the City Manager would be a decision to be made by City Council, not the City Manager.

Following a brief discussion, the original motion was put and passed.

Point Pleasant Park - Request for Funding, Park Survey

This matter had been forwarded to Council, pending receipt of a report from the City Manager.

The City Manager addressed the matter and in response to a question raised by Alderman Stone at the 22 March 1993 meeting of the Committee of the Whole, advised that he was proposing to add the requested \$17,000 to the budget of the Point Pleasant Park Commission during the budgetary process.

Alderman Holland addressed the matter speaking in support of the Point Pleasant Park's request. He noted that the user study would determine such matters as, "who is using the Park", and "for what reason are people using the Park". He added that the results of the survey will enable the Park Commission to better accommodate the visitors to Point Pleasant Park. He also noted that Point Pleasant Park was one of a few Parks across Canada which has not had a user survey.

Noting the City Manager was proposing to address this matter through the budgetary process, Alderman Holland indicated that he was prepared to move a motion to refer this matter to the budget deliberations.

MOVED by Alderman Holland, seconded by Alderman Downey that this matter be forwarded to the budget deliberations.

Deputy Mayor Fitzgerald addressed the matter and indicated that he supported the idea on the basis that the funding will be accommodated without adding to the overall budget.

Following a discussion, the motion was carried.

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At 8:50 p.m. Her Worship retired from the meeting and the Deputy Mayor assumed the Chair.

Regulations Concerning All-Night Businesses in Residential Areas

MOVED by Alderman Meagher, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, this matter be referred to the Planning Advisory Committee for review and recommendation.

Motion carried.

Local Improvement Rate 1993

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, under Section 389 of the City Charter, an interest rate of **8.00 percent** be established for any local improvement tax levied in the tax year ended 31 March 1994.

Motion carried.

Report - Election Procedures Task Force - Ward Boundary Review

MOVED by Alderman Macdonald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Election Procedures Task Force be directed to proceed with a review of ward boundaries.

Alderman Stone addressed the matter and indicated that he was concerned about the costs involved and the amount of time that staff would be required to work on the review.

Alderman Stone questioned if the review by the Committee should involve public meetings.

In response to Alderman Stone, the Chairman indicated that this was something that Council would decide on once the report has been received from the Committee.

Motion carried.

Proposed Purchase, Parcel XI, Estate of Gabriel Edmonds

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Finance and Executive

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Committee, the City purchase the lands designated as Parcel XI containing approximately 3,735 square feet (as shown on Schedule "A" attached to the staff report of 8 March 1993) for the sum of \$37,000, with funds being available for this purchase from the Sundry Land Acquisition Account No. 91608.

Alderman Stone requested that, once Council approves this matter, staff look into the possibility of obtaining the remaining piece of land to complete this project.

Alderman Meagher noted that when the Regatta Point was constructed, the Greek Church objected to their land being used for a walkway. The Alderman suggested that staff speak with representatives of the Greek Church prior to proceeding. Alderman Meagher suggested that maybe Council should begin to give consideration to either creating a park or making improvements to the piece of land across from the Melville Cove store. He indicated that some tree planting and retention of the banks would improve this piece of land.

The Chairman noted that the last piece of property which would complete this matter belongs to the Church and this issue would have to be resolved.

Motion carried.

At 8:56 p.m. Her Worship returned to the meeting and the Deputy Mayor assumed his usual seat in Council.

Write Off Accounts - 1992

Alderman Macdonald addressed the matter and advised that, in his view there was no recourse on this issue and, in comprehending the difficulty staff would have in collecting past due accounts, he was prepared to move the motion approving the write off of accounts.

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

- (1) under Section 184 of the City Charter 1963, City Council excuse the City Treasurer from collection of monies due to the City, as summarized in the 8 March 1993 staff report, **with the exception of the \$100,000 outstanding in regard to the restoration of McCully House, and authorize the write-off of \$507,699.75;**

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- (2) that staff continue their efforts to persuade the Province of Nova Scotia to honour its commitment with regard to the McCully House restoration project; and that
- (3) a staff report be submitted outlining a procedure that could be utilized by City Council, should it resolve (on the basis of outstanding municipal debts) to discontinue doing business with a particular company or individual.

Deputy Mayor Fitzgerald noted that part of the write off was for the McCully House. He expressed concern that Council was requested to write off \$115,261 because the Provincial Government would not pay their share for the restoration of McCully House. In this regard, he indicated that he strongly supported the idea of staff approaching the Province and requesting that they pay this amount.

Alderman O'Malley addressed the matter and expressed concern that some businesses were still operating, yet the City was prepared to write off their taxes.

Alderman Downey indicated that he felt that the manner in which the write off of business occupancy taxes was handled was unfair when compare to the way in which the City handles the situation of people owing on their property taxes. He explained that someone who cannot pay their property taxes has their home put up for sale and it is advertised in the newspaper, whereas, this does not occur with people who have not paid their business occupancy taxes.

Alderman Stone concurred with Alderman Downey's comments adding that staff should look at setting up some sort of procedure to limit the amount of write off accounts.

Following further discussion the motion was put and defeated.

**Award of Tender 93-78 Computer Hardware, one (1) 4.0
Gigabyte and one (1) 8.0 Gigabyte Disk Drives - Halifax
Police Department**

MOVED by Alderman Stone, seconded by Alderman
Holland that, as recommended by the Finance and Executive
Committee, authority be granted to award Tender #93-78

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(Computer Hardware - One 4.0 Gigabyte and One 8.0 Gigabyte Disk Drive, Halifax Police Department) to **Dymaxion Research Limited** (funds to be made available in Account Number 26108.0212, titled "Office Equipment Assets - RAPID").

Following a discussion, the motion was carried.

FCM and National Packaging Protocol

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authorization be granted for the expenditure of \$3,026.83 from Refuse Account #903.22902 for the FCM Municipal Action Plan for the National Packaging Protocol.

Motion carried.

Vimy Avenue - Consultant's Report

This matter had last been discussed at the 22 March 1993 meeting of the Committee of the Whole Council.

A report dated March 1993 entitled, "Lacewood Drive - Bedford Highway Connector Study Report" prepared by Fenco Shawinigan Engineering (1991) Limited was submitted.

Alderman Macdonald indicated that members of City Council had received this report this evening. Noting that the Consultant had been requested to send the report directly to City Council, he advised that he was prepared to move a motion to defer it to the next regular meeting of the Committee of the Whole, thereby, giving staff an opportunity to assess the report and make some recommendations with respect to it.

MOVED by Alderman Macdonald, seconded by Alderman Stone that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for **Wednesday, 7 April 1993**, and that staff be requested to review and report back to Council.

Motion carried.

Town Crier's Vehicle

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, authority be granted to purchase the used Town

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Crier's vehicle from **Bob McDonald Automotive Inc.** for the sum of \$9,995.00.

Alderman O'Malley advised that she would not be able to support the motion, adding that the City was in difficult financial times and that she believed it was time to curtail some of the frills the City provides.

A brief discussion ensued and the motion was carried.

At 9:15 p.m. Her Worship retired from the meeting and the Deputy Mayor assumed the Chair.

Withdrawal from Sinking fund Surplus and Valuation Allowance Surplus

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be empowered to sign the resolution attached to the staff report dated 2 March 1993, authorizing the withdrawal of sinking funds surpluses and funds from the Capital Reserve Account totalling \$2,171,891, to be used for capital expenditures, subject to the approval of the Minister of Municipal Affairs; and further, that two copies of this resolution be submitted to the Minister for his approval.

Motion carried.

Requested Approval of Hiring of Temporary Staff

MOVED by Alderman Macdonald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authorization be granted to staff to enter into a contractual agreement with **Synerlogic** that will provide the services of two technical resources to the project at a cost not exceeding \$90,000, of which 50 percent is recoverable from the Provincial Government.

Motion carried.

Communications Network Maintenance

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute an operating agreement with **Century Analysis Incorporated** for

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an annual maintenance fee of \$56,320 plus applicable taxes (funds being available in the Network Maintenance Account).

Motion carried.

City of Halifax Response: Provincial Government Discussion Paper on Community Economic Development

MOVED by Alderman Holland, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, that Council, through the Mayor's Office, communicate to the Minister of Economic Development that the City of Halifax:

- urges the Provincial Government to establish special support mechanisms for metropolitan Halifax focusing on detailed research into opportunity identification and extensive marketing and promotion;
- recognizes the need for local government leadership in the urban and rural economic development in Nova Scotia;
- will continue to develop greater integration of organizations within the City to achieve greater efficiency;
- is prepared to cooperate in new initiatives aimed at stronger metropolitan area coordination of the local economic development effort consistent with the aims of individual municipal units;
- urges that Halifax area municipalities no longer be excluded from operational funding support for local economic development programs and be included in cost-sharing proposed for the new Local Economic Development Authorities;
- endorses the need for Provincial Government support of the local economic development programs in the areas of project innovation and skill development; and
- expects to have the opportunity for additional input as the broader elements of the Provincial Government's policy on economic development are worked out;

and further, that:

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- (1) a meeting be sought between municipal politicians from the Halifax-Dartmouth metropolitan area and representatives of the Provincial Department Economic Development (e.g., the Minister and/or Deputy Minister) at which time the above-noted concerns can be discussed in greater detail; and that
- (2) staff be authorized to make a presentation on Council's behalf at the 24 March meeting sponsored by Voluntary Planning.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Monday, 22 March 1993, as follows:

**Award of Tender: Contract #93-51,
Recyclables Collection**

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

- (1) staff be authorized to enter into a contract with **Enviro Care Services**, a division of H.R.D.A. Enterprises Ltd., effective 1 April 1993 and continuing until 31 March 1996, for the weekly collection of recyclables from Halifax residential properties, condominium and small business establishments;
- (2) funding be authorized from the proposed 1993/94, 1994/95 and 1995/96 Engineering and Works Department Operating Budgets.

A short discussion ensued with the City Manager responding to various questions raised by Alderman Jeffrey with respect to HRDA (Human Resources Development Association). The City Manager referred to the information report of 17 February 1993 which addressed questions raised with regard to this Association at a previous meeting of Council by the Alderman.

The motion was put and passed.

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Award of Tender #93-42, Inspection and Testing

MOVED by Alderman Holland, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #93-42 (Inspection and Testing) be awarded to **Jacques Whitford and Associates Ltd.** for the tendered price of \$45,895.00 for the inspection and testing of materials for 1993.

The motion was put and passed.

Bedford Highway Upgrading

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, Council approve the installation of concrete curb and gutter and sidewalk along the Bedford Highway (Phase I) under Section 391 of the City Charter, and that the abutters be so notified.

In moving the motion, Alderman Stone suggested that staff ask the Nova Scotia Department of Transportation and Communications to consider cost-sharing in this project.

The motion was put and passed.

At approximately 9:35 p.m. Her Worship Mayor Ducharme returned to the meeting with Deputy Mayor Fitzgerald taking his usual seat on Council.

Incinerator

This matter was forwarded to City Council without recommendation.

An information report dated 19 March 1993 was submitted.

Alderman Macdonald noted that a few weeks ago he had raised a number of questions with respect to the impact of the incinerator on the City of Halifax. The Alderman went on to highlight a couple of the issues which were answered in the information report of 19 March pertinent to his questions i.e. the capital cost of the incinerator applicable

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to the City of Halifax would amount to \$54,240,000, and 5% and 10% tax increases. Alderman Macdonald then complimented Mr. B.G. Smith, Director of Finance, and his staff for an excellent report.

Deputy Mayor Fitzgerald also addressed the matter and the issues addressed in the information report of 19 March. In his remarks, the Deputy Mayor expressed concern with respect to the decision by the Metropolitan Authority on incineration and noted that the impact is very discouraging to the taxpayers of the City of Halifax.

**Award of Tender #913235: Application of
Liquid Asphaltic Materials for Chip Sealing**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Committee on Works, Tender #913235 (Application of Liquid Asphaltic Materials for Chip Sealing) be awarded to **Municipal Contracting Ltd.** at the following rates:

<u>SINGLE AXLE</u>		<u>DOUBLE AXLE</u>	
PER GAL	PER HOUR	PER GAL	PER HOUR
\$0.50	\$195.52	\$0.42	\$197.50

(funds to be made available from the account numbers listed in the 10 March 1993 staff report).

The motion was put and passed.

**Award of Tender #92-35: Williams
Lake Road Sewer Renewal**

MOVED by Alderman Hanson, seconded by Deputy Mayor Fitzgerald that, as recommended by the Committee on Works, the additional expenditure of \$43,000.00 be authorized for Tender #92-35 (Williams Lake Road Sewer Renewal) with funds being available in the Pollution Control Capital Account #95002, Williams Lake Road Sewer Renewal (the revised total project cost is \$141,000.00).

The motion was put and passed.

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REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Monday, 22 March 1993, as follows:

Youth at Risk

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that the request for an additional twenty thousand dollars (\$20,000) to be added to the Recreation Department's 1993-94 current budget for the purpose of creating, developing, and offering specific programs for Youth at Risk be forwarded to and considered at a future budget/committee of the whole council meeting.

Following a short discussion with a number of Alderman speaking in support of this program for Youth at Risk, the motion was put and passed.

At approximately 9:50 p.m. Her Worship Mayor Ducharme retired from the meeting with Deputy Mayor Fitzgerald taking the seat of the Chair.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS,
AND COMMISSIONS

Repeal of Ordinance 31, Respecting the Early
Closing of Boot and Shoe Repair Shops
- SECOND READING

MOVED by Alderman Adams, seconded by Alderman Stone that Halifax City Council give Second Reading of the Ordinance attached as Appendix "A" to the report of the City Solicitor dated 15 February 1993, the purpose of which is to repeal Ordinance 31 Respecting the Early Closing of Boot and Shoe Repair Shops.

The motion was put and passed.

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**Repeal of Ordinance 4, the City Electrician Ordinance;
and Ordinance 5, the Fire Alarm and Telegraph
Ordinance - SECOND READING**

MOVED by Alderman Stone, seconded by Alderman Meagher that City Council approve Second Reading of the Ordinance attached as Appendix "A" to the City Solicitor's report of 16 February 1993, the purpose of which is to repeal Ordinance 4, the City Electrician Ordinance, and Ordinance 5, the Fire Alarm and Telegraph Ordinance.

The motion was put and passed.

**Repeal of Ordinance 114, the Halifax Civic Hospital Ordinance
SECOND READING**

A report from the City Solicitor dated 10 March 1993 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Stone that City Council approve SECOND READING of the Ordinance attached as Appendix "A" (to the report from the City Solicitor dated 10 March 1993), repealing Ordinance 114, the Halifax Civic Hospital Ordinance and that the said Ordinance be forwarded to the Minister of Municipal Affairs for approval and that, further, the Governor in Council be requested to proclaim the repeal of Sections 489 and 489A of the Halifax City Charter which were repealed by the Nova Scotia Legislature subject to proclamation at the 1992 sitting of the House of Assembly.

Motion passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Monday, 22 March 1993, as follows:

**Case No. 6687: Peninsula and Mainland Land
Use Bylaws - Housekeeping Amendments #6**

MOVED by Alderman Meagher, seconded by Stone that, as recommended by the Planning Committee, City Council forward the amendments proposed in the 4 March 1993 staff report to the Planning Advisory Committee for their consideration and advice.

The motion was put and passed.

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Mainland Common - Acquisition of Additional Land

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, Council authorize a first payment of \$568,000 from the Sale of Land Account to effect the acquisition of 14.5 acres of land from Clayton Developments Ltd. for the Mainland Common, as approved on 27 August 1992.

The motion was put and passed.

**Report from Heritage Advisory Committee Re:
Substantial Alteration to a Registered
Heritage Property - 5680 Inglis Street (Thorndean)**

MOVED by Alderman Holland, seconded by Downey that, as recommended by the Planning Committee, City Council approve the substantial alterations to the registered heritage property at 5680 Inglis Street (Thorndean) as shown on the revised drawings dated 22 February 1993, including the installation of a window on the second level of the east elevation, matching those at ground level, with the following conditions:

1. on the proposed kitchen addition, the corner trimming be consistent with the remainder of the building;
2. on the proposed kitchen bay window addition, correct the rendering to show a 45 degree angle below the bay window addition;
3. on the living room addition, the casings should be in keeping with the remainder of the building.

The motion was put and passed.

**Report from Heritage Advisory Committee Re:
Heritage Advisory Committee Annual Report (1992)**

It was agreed that, as recommended by the Planning Committee, the report dated 2 March 1993 and entitled "Heritage Advisory Committee Annual Report for 1992" be tabled.

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MISCELLANEOUS BUSINESS

Appointments

A report from Her Worship Mayor Ducharme dated 24 March 1993 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Holland that Mr. Tom Trainor be appointed to the Halifax-Dartmouth Port Development Commission for a term to expire 5 April 1995.

Motion passed.

QUESTIONS

Question Alderman Adams Re: Term of Employment
- Employee with the Halifax Industrial Commission

Alderman Adams indicated that he would like to receive a report with respect the term of employment for an individual who had been employed by the Halifax Industrial Commission. The Alderman added that he wanted the report to include details from hiring through to termination. Alderman Adams advised that he would submit the name of the individual to the City Clerk.

Question Alderman Adams Re: Auditor's Statements
for the Halifax Industrial Commission

Alderman Adams indicated that he would like to receive a report on the auditor's statements for the Halifax Industrial Commission for the years 1989-90 and 1990-91.

Question Alderman Adams Re: Circle Drive
- Maintenance of Pipe

Alderman Adams noted that at Circle Drive there is a drain pipe under Twin Oaks Road. He indicated that he would like to receive information regarding the responsibility for maintenance of this pipe. The Alderman submitted the name of the contact person to the City Clerk.

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Question Alderman Adams Re: Flooding Problem - Schnare Street

Alderman Adams submitted a letter dated 16 March 1993 to be forwarded to the Engineering and Works Department, City Field, City Solicitor, and other appropriate departments concerning a flooding problem on Schnare Street. The Alderman indicated that he would like a report from staff as to how this problem could be rectified noting that this was an ongoing concern and not just the result of extremely heavy rainfall.

Question Alderman Macdonald Re: Write-Off Accounts

Alderman Macdonald raised a question arising out of proceedings earlier this evening with respect to Council's decision against permitting staff to write-off the City's bad debt losses for the last period. He indicated that he would like to know whether there were any alternatives and, if any could be suggested by any of the Aldermen, they could give him a report. Alderman Macdonald went on to raise a question which he suggested should more appropriately be addressed by the City Manager. He questioned the effect of this refusal to write-off the City's bad debts on the City's financial records and whether there were any implications in so far as the City's funding arrangements with any other level of government are concerned.

Question Alderman Stone Re: Taxi School

Alderman Stone noted that on previous occasions at Council he had raised the matter of the taxi school. He added that according to a couple of calls he had received, the school has been postponed until September. The Alderman expressed the view that this decision was unacceptable and asked that the matter be placed on the agenda for the next Committee of the Whole Council meeting to be held on **Wednesday, 7 April 1993**, for a discussion.

Alderman Stone went on to advise that the taxi school was created on a recommendation of Council and that three are to be held during the year. He explained that it was his understanding the taxi school has been delayed because of difficulty in arranging it. Alderman Stone expressed the opinion that it would be better to go with the present qualifications in order to start the school as soon

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as possible. He indicated that he could not understand why the Taxi Commission could not hold two or three meetings to establish qualifications and then set a date for the school.

The Alderman added that there were a number of people who would like to become taxi drivers and who would like to have the opportunity to get a license. Alderman Stone reiterated that he would like this item to be added to the next Committee of the Whole Council agenda and that the Taxi Commission could be invited to present their views at that time. He noted that he intended to recommend or suggest that a taxi school be set up as quickly as possible, if not within the next 30 days.

**Question Alderman Stone Re: Intersection
Corner of Lacewood and Willett Streets**

Alderman Stone noted that there was some confusion with respect to the intersection at the corner of Lacewood and Willett Streets. He added that the Sobey's driveway has become congested because of Park Drive and the development that has taken place above this area. Alderman Stone went on to explain that, coming down the street, there is a stop sign and going up Lacewood there is a free flow of traffic making a left turn to go onto Willett Street. He explained that there is confusion because the drivers are unsure of what to do in this area because of the traffic coming up Lacewood turning onto Willett Street. Alderman Stone noted that there is confusion as to who has the right-of-way in this area. He asked that the Traffic Authority investigate this situation.

**Question Alderman Stone Re: Number to Call
Concerning Cruelty to Animals**

Alderman Stone noted that he was informed about a person who had tried with no success to report a concern regarding an animal which had been tied outside during the winter storms. He indicated that he would like to know the direct phone number of a contact person citizens could call to express a concern with respect to cruelty to animals.

Question Alderman Downey Re: Winter Parking Ban

Alderman Downey questioned whether the Winter Parking Ban will be terminated on March 31st. He referred to a report indicating that it went into effect on December

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14, 1992, effective until March 31, 1993. The Alderman asked for a report on this matter noting that it was his understanding an advertisement will need to be placed in the newspaper in this regard.

**Question Alderman Jeffrey Re: Snow Removal along
Business Section of Dutch Village Road**

Alderman Jeffrey advised that he had received some calls last week from a small business section on Dutch Village Road pertaining to an accumulation of snow which was piled in front of their businesses because of the bus stops. He noted that he immediately phoned City Field and was met on-site by workers who that evening proceeded to remove the snow from this area. Alderman Jeffrey advised that three days ago he was in an establishment and was told that some of the people involved in the snow removal were being chastised by some City officials for removing the snow. If this is the case, Alderman Jeffrey indicated that it was his hope it would cease. He added that he was informed that the workers were told not to remove any more snow from this area. Alderman Jeffrey indicated he would like to know, if this is correct, who gave this order to City Field.

Question Deputy Mayor Fitzgerald Re: 911

Deputy Mayor Fitzgerald asked for a report with respect to where the City stands in relationship to getting the 911 centralized number.

**Question Deputy Mayor Fitzgerald Re: Snow Removal
along Rainnie Drive**

Deputy Mayor Fitzgerald noted the difficulty in travelling down Rainnie Drive because of snow pile up. He questioned whether staff could cut the snow back to the curb with snow blowers and pile it onto the side of the Citadel in order to make the street more passable.

Question Deputy Mayor Fitzgerald Re: Snow Clearing Tickets

Deputy Mayor Fitzgerald indicated that he would like to know the number of tickets issued for not clearing sidewalks, the charges which were laid and taken to Court, as well as the number of sidewalks the City had to clear.

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Question Alderman O'Malley Re: Sprigs Lane

Alderman O'Malley requested a report on whether or not the City owned Sprigs Lane located off Isleville Street.

Question Alderman O'Malley Re: Seaview Look-Off

Alderman O'Malley requested a status report with respect to the Seaview Look-off and whether staff is intending to fill in the outfield this year with a view to using it during the ball season.

Question Alderman O'Malley Re: Alexander MacKay School

Alderman O'Malley indicated that she has not yet received a report on the status of the Alexander MacKay School.

Question Alderman O'Malley Re: Fort Needham Fence

Alderman O'Malley noted that she was still waiting for a report on the condition of the Fort Needham fence.

Question Alderman Meagher Re: Condition of North Street

Alderman Meagher noted the poor condition of North Street due to potholes especially from Robie Street to the bridge. He asked that staff investigate this situation.

Question Alderman Meagher Re: Oxford Street Patching

Alderman Meagher noted that the other day staff did some patching along Oxford Street by the Petro-Canada service station. However, he explained that because of bad weather the work practically washed away. The Alderman asked therefore that staff go back again and re-patch this area.

Question Alderman Meagher Re: Condition of North Street

Alderman Meagher noted the condition of North Street with respect to the driving lanes which have snow banks piled up on both sides making it difficult for traffic

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to pass through. He asked that staff address the situation and attempt to alleviate the problem.

Question Alderman Meagher Re: Moran Street

Alderman Meagher noted that Moran Street was a very narrow street and even narrower because of snow build. He expressed concern about vehicles, particular emergency, in getting down this street and asked that staff address the situation.

Question Alderman Holland Re: Church Street

Alderman Holland noted that because of snow building, Church Street has become impassable for emergency vehicles. He asked that staff consider having some of these narrower streets designated so that when there is a snow storm and snow banks, a blower can go along immediately to widen these streets so that the public safety would be increased.

Deputy Mayor Fitzgerald Re: School Board

Deputy Mayor Fitzgerald noted that he had received a report from the School Board. He added that one of the things that was quite disturbing in the report was the amount of money that was being cut back by the Province with respect to special services for people with learning disabilities, etc. Noting that the City of Halifax is a capital City and because of its hospitals and universities, the Deputy Mayor indicated that Halifax is often a destination for people from out of town which increases the demand for these special services.

Deputy Mayor Fitzgerald indicated that it was his understanding the Provincial Government has cut back funding for these special needs by about \$3,000,000.00. He expressed the view that this was a budgetary problem as well as a human problem and asked that Her Worship Mayor Ducharme make a special plea to the Province in respect of the item.

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NOTICES OF MOTION

Notice of Motion Alderman Adams Re: Rescission of City Council Motion of April 15, 1992, Concerning Term of Employment, City Manager

Alderman Adams gave notice of motion that at the next **special meeting** of Halifax City Council to be held on **7 April 1993** he will introduce a motion to rescind the amendment pertaining to the term of employment of the City Manager passed on April 15, 1992.

He advised that the original motion was made on 26 March 1992 and the amendment was made during the 15 April 1992 Council meeting. Alderman Adams indicated that the intent of the motion will be to reinstate the term of one year which was the original intent.

Notice of Motion Alderman Adams Re: Termination of Services of the City Manager

Subsequent to the above notice, Alderman Adams gave notice that, at that same special meeting of Halifax City Council to be held on **7 April 1993**, he will move a motion to terminate the services of Donald F. Murphy, Q.C., as City Manager of the City of Halifax and also to include an appropriate termination package.

Notice of Motion Alderman Macdonald Re: Termination of Employment of Mr. Alan Waye

Alderman Macdonald gave notice of motion that at the next special meeting of Halifax City Council to be held on **7 April 1993** he will be moving a motion to recommend to the City Manager, or acting City Manager, that the employment of Mr. Alan Waye be terminated for cause. He advised that in order to ensure that Mr. Waye has an opportunity to present his full case in private and to ensure that the rules of natural justice be observed in this matter, the reasons for his termination will be first communicated to Mr. Waye and then will form part of this motion and formally moved.

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ADDED ITEMS

Tender 93-58R - One Pavement Marking Truck
Mounted Striping Machines

A staff report dated 8 March 1993 was submitted.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that authority be granted to place this order with Atlantic Compressed Air at a tendered price of \$106,973.25 and that funds be made available from account number 26104.8033.80000 titled Motor Equipment Asset - Equipment Reserve - Vehicles, Engineering & Works.

Motion passed.

Incineration Challenge (Deputy Mayor Fitzgerald)

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

Deputy Mayor Fitzgerald addressed the matter and referred and spoke in support of a resolution that the Mayor and Council of the City of Halifax express their support for the C4 Group's effort to test the legality of Metropolitan Authority's incineration plan, and welcome the opportunity for the issues to be aired before an impartial, public, judicial body. The Deputy Mayor submitted copies of the resolution to the City Clerk for distribution to members of Council and asked that the resolution be forwarded to the City Solicitor for comment and report at the next Committee of the Whole Council meeting to be held on 7 April 1993.

Destination Resort Proposal

Before adjourning, Her Worship Mayor Ducharme announced that on April 13, at 8:00 p.m., in the Council Chamber, a presentation will be made to Council and the public on the Destination Resort Proposal which includes a casino. Her Worship advised that it should be made know to the public that the presentation will be made by the group involved to Council and the public.

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Freeze on Grants In Lieu of Taxes

Her Worship Mayor Ducharme also announced at this time that on this date she travelled to Ottawa and spoke with Elmer MacKay with a group from FCM about the fact that grants in lieu of taxes have been frozen. Her Worship noted that they received a report explaining how the process is going to proceed. Because in 1994 a new classification is going to be developed for parks, etc., Mayor Ducharme expressed the importance for someone from staff to be a member of the technical advisory group which will draw up these classifications. She suggested that Mr. Bernard G. Smith, Director of Finance, be involved in the negotiations with the Federal Government, to which Council agreed.

There being no further business to discuss, the meeting adjourned at approximately 10:30 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD

EDWARD A. KERR, C.M.C.
CITY CLERK

S/M

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