

**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
7 April 1993
7:30 p.m.

A Special Meeting of Halifax City Council, Public Hearings, was held on the above date.

After the meeting was called to order, the members of Council were led in prayer by Father Lloyd O'Neil.

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: Mr. Donald F. Murphy, Q.C., City Manager; Mr. Wayne Anstey, Q.C., City Solicitor; Mr. Edward A. Kerr, City Clerk; and other members of City staff.

**Public Hearing: Case No. 6681: 6287-89 North Street -
Appeal of Minor Variance Refusal**

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

A staff report dated 16 March 1993 was submitted.

A letter, with an attached "brief", dated 7 April 1993 was submitted from Mr. Michael F. Feindel, Barrister and Solicitor, Box 3382 East, Dartmouth, N.S., B2W 5G3 on behalf of the applicant, Ms. Shelagh Leahey.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the reasons why a minor variance of the lot frontage, lot area and one side yard for the property located at 6287-89 North Street was refused by staff (as contained in the 16 March 1993 staff report).

In his presentation, Mr. Hanusiak indicated that the purpose of the minor variance was to allow the existing three unit dwelling to remain on an undersized lot. He noted that the application was made on 1 February 1993 and

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was refused on 16 February 1993 and, subsequently, it was appealed.

Mr. Michael Feindel, representative of the applicant, addressed Council and, referring to his submitted letter, outlined reasons why he felt the minor variance should be approved.

In his remarks, Mr. Feindel noted that the property has been occupied as a three-unit dwelling since 1986 and during that time it has not interfered with the use and enjoyment of neighbouring properties. He added that the property has three parking spaces and has a large yard relative to the other properties in the area.

Mr. Feindel pointed out that the property was purchased as an investment by the applicant with the intention of retaining the property until she retires and, at that time, the applicant plans to sell the property. He advised that the applicant has maintained the property as an investment and continues to do so. In this regard, Mr. Feindel added that the applicant pays a management fee to her sister-in-law to manage the property on a continuous basis. Mr. Feindel added that the applicant is requesting that Council permit her to continue using the property as it has been used for the last six or seven years.

Mr. Feindel noted that he understood there were concerns expressed by residents in the area that more tenants might cause problems. He pointed that, if the variance is approved, there will be no change in how the property is occupied and, therefore, there will be no additional tenants.

In closing, Mr. Feindel advised that he felt the variance is minor and that the difficulty is not general to the area but only to the applicant's property and three adjacent properties. He reiterated that the applicant simply wants to continue using the property as it has been used in the past, and he requested Council's favourable consideration on this matter.

Mr. Feindel responded to question by members of City Council.

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

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

Motion carried.

At 7:45 p.m. Alderman Macdonald retired from the meeting.

Public Hearing: Case No. 6597: 1572 Barrington Street and 1571-75 Argyle Street - Proposed Development Agreement

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using architectural drawings, outlined the application for development agreement to permit construction of a commercial/office building at 1572 Barrington Street and 1571-75 Argyle Street, as contained in the staff report of 25 February 1993.

At 7:47 p.m. Alderman Macdonald returned to the meeting.

In his remarks, Mr. Hanusiak noted that this proposal has been reviewed and endorsed the Heritage Advisory Committee and, as well, it meets the criteria of the Municipal Development Plan, and it has staff's support.

Mr. Michael Burn and Mr. Jim Merritt, architects for the project, addressed Council and advised that they were representing the applicant, Mr. Nick Spiropalous of Centennial Realities.

Mr. Burn briefly addressed Council, indicating that the project would be beneficial to this area of the downtown by providing much needed revitalization.

Mr. Burn and Mr. Merritt responded to questions from members of Council.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, addressed Council and spoke in support of the project. Mr. Beed advised that the project will be a tremendous benefit to the Barrington Street area, and he noted that his business is involved in walking tours of the City and, in this regard, he felt the project would benefit his business. Mr. Beed added that his only concern was

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with respect to the roofline and whether the snow which will collect on it will affect the pedestrians walking beneath the roof line. He asked that this matter be checked in case there is a danger to pedestrians.

On another but related matter, Mr. Beed submitted a letter (a copy of which can be found in the official file of this meeting) concerning 1588 Barrington Street, which is also known as the Khyber building. Mr. Beed advised that this building, which is City-owned, was in a deteriorating state and he suggested that work be carried out on the building in the short term which would improve its appearance and enhance the surrounding area.

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

Alderman Crowley addressed Council and advised that, as a member of the Barrington Street Downtown Business Improvement District Commission, she was very pleased with the proposal, and she suggested that it may be the beginning of other proposals which will bring improvement to the area.

MOVED by Alderman Downey, seconded by Deputy Mayor Walter Fitzgerald that this matter be forwarded to Council without recommendation.

Motion carried.

Public Hearing: Case No. 6547: Proposed Amendment to the Land Use Bylaw - Definition of Dwelling Unit

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

A report dated 26 March 1993 from Judy Wells, Vice Chairman, Planning Advisory Committee, was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the proposal by staff (as contained in the 10 February 1993 staff report) to amend the land use bylaw in accordance with Appendix I of the 10 February 1993 staff report to prevent the construction of quasi-independent living spaces.

In his remarks, Mr. Hanusiak advised that staff were asking Council to amend the land use bylaw to clearly state that a dwelling unit can only contain one kitchen. He indicated that this would be a "stop-gap" measure and

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staff would be coming back to Council with a more indepth review of all the options available on the issue of accessory apartments units/in-law suites.

In concluding his remarks, Mr. Hanusiak noted that the Planning Advisory Committee supports the staff recommendation.

Ms. Lena Diab addressed Council and advised that she vehemently opposed the proposed amendment to the land use bylaw which would restrict an individual's ability to have more than one kitchen.

In her presentation, Ms. Diab suggested that the proposed amendment was an infringement on the constitutional rights of the individual. She indicated that she had two kitchens in her home and that, as a mother of three young children, she found that two kitchens were not only a convenience, but a necessity as well.

Ms. Diab noted that having two kitchens in her home was a tradition that she has always lived with, and she suggested that there were ethnic groups who adhere to this tradition as well. She also pointed out that approval of this amendment would negatively impact on the elderly and physically challenged because they may find it necessary to have two kitchens.

In conclusion, Ms. Diab advised that the reason for the proposed amendment was because of concern that an additional kitchen could lead to the rental of an additional unit. She added that there were laws and regulations to combat this problem and she suggested that until this was solved, the amendment should not be approved.

Mr. Rick Grant, a resident of 3 Linden Lane, addressed Council and indicated that his interest in this matter stemmed from his initiation of the proposals for a broader definition of dwelling unit in 1987 when he was an Alderman with the City of Halifax.

Mr. Grant briefly outlined the history of this issue, advising that it began when a family in his ward wanted to construct an in-law suite in their home in order that their elderly parents could live with them with some degree of independence. He added that the difficulty arose in that they were located in an R-1 zone and, subsequently, the City refused the required permit.

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Mr. Grant then asked a number of questions to which Mr. Hanusiak responded.

In response to a question by Mr. Grant concerning how the proposed amendment would affect existing dwellings, Mr. Hanusiak advised that staff's main concern is to prevent illegal rental units. He pointed out once again that staff is working on several options which will come before Council to deal with this matter in the long run. He added that staff has no intention of actively seeking out existing dwellings which are presently in this situation, adding that staff simply want to recover from a few court decisions pertaining to this matter.

A discussion ensued and Alderman Stone addressed the matter indicating that he supported the idea of an additional unit which would accommodate an extended family. Noting that the concern about this matter was the potential of creating illegal rental units, he suggested that the units could be constructed in such a manner such that both parties in the home would have access to all entrances and exits. Alderman Stone advised that this would eliminate the potential for renting out the units. As well, Alderman Stone suggested that creating an open space between the units would also reduce the possibility of renting out the additional space.

Following further discussion, it was MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that this matter be forwarded to Council without recommendation.

Motion carried.

Her Worship addressed Council and, noting that the remaining three items on the agenda were contentious and, in an effort to avoid frustration, irritation, or delays in the ensuing debate, she circulated and read to members of Council several aspects from Ordinance #103, Respecting the Rules of Order of Council.

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

Alderman Adams addressed Council and noted that this matter deals with the motion of 26 March 1992 concerning the extension of the City Manager's period of employment from 31 March 1992 to 31 March 1993. He noted that the amendment of 15 April 1992 changed the intent of

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the 26 March 1992 motion and extended the term of the City Manager by eight months.

Alderman Adams noted that Council had requested the City Solicitor's comments on the amendment and the Solicitor had indicated that this was irregular. Alderman Adams advised that, upon receiving further information from the City Solicitor, he would now withdraw the motion to recind the City Council motion of 15 April 1993.

The Chairman advised that the motion to recind the amendment of the correction of the minutes of 15 April 1993 was withdrawn.

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

Alderman Adams referred to the private and confidential motion of 29 March 1993 (received in the City Clerk's Office on 30 March 1993) concerning the termination of the services of the City Manager and indicated that he was prepared to move a motion in this regard.

MOVED Alderman Adams, seconded by Alderman
Jeffrey that:

WHEREAS a majority of the Aldermen as Members of the Halifax City Council have lost confidence that the City Manager is willing to adequately address their individual and collective concerns;

AND WHEREAS the result of this loss of confidence is an unacceptable relationship as between that majority of Aldermen as Members of Halifax City Council and the City Manager;

THEREFORE BE IT RESOLVED that Halifax City Council shall immediately demand the resignation of Donald F. Murphy, Q.C. as the City Manager of the City of Halifax with such resignation being effective the 8th day of April, 1993;

AND THEREFORE BE IT FURTHER RESOLVED that should Donald F. Murphy, Q.C. fail to resign as the City Manager of the City of Halifax as set out herein, Halifax City Council shall immediately terminate his employment as City Manager for the City of Halifax without further notice;

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AND THEREFORE BE IT FURTHER RESOLVED that regardless of resignation or termination as the case may be, Donald F. Murphy, Q.C. shall receive all of the salary and employment-related benefits to which he would have become entitled had his position as the City Manager of the City of Halifax continued through to and including the 30th day of November, 1993.

The City Manager addressed Council and advised that he would like to speak at this time because he did not wish to be perceived as participating in the debate.

The City Manager advised that when he was appointed City Manager, he was proud and happy to accept the position because he would be serving the City of his birth, and because he felt that he would be able to make a contribution to the City which he felt he owed so much. He noted that the completion of his service this year will bring to an end a total of 80 years of good service to the City by his father and himself.

The City Manager pointed out that during his interview for the position of the City Manager he was asked what he felt were the priorities of the City and he responded that he felt the priorities were to gain the control of the financial affairs of the City and the environment. The City Manager advised that controlling overhead and getting productivity from the same, if not fewer employees was another of his goals. The City Manager went on to add that he was asked how he would achieve these goals and he responded that he felt they could be achieved through a change in management style of the City of Halifax.

The City Manager added that he believed that to achieve these goals would require more input from the workers in the decision-making process. He noted that he has made strides in the areas he set out to address, however, he has not completed what he set out to accomplish. He pointed out that the recent budgets illustrate the City is gaining control of its financial affairs. With respect to management styles, the City Manager advised that he would like to see all departments, boards, and commissions achieve what has been done in the Police Department by former Chief Blair Jackson and the present Chief, Vince MacDonald. He added that, with the cooperation of all members of their staff, the two Chiefs have created a harmonious and effective working environment.

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The City Manager advised that he still likes his job and the challenges it presents and he added that he wanted to continuing serving the citizens of Halifax.

The City Manager indicated that he believed every member of Council became involved in serving the City with the intention of doing what is in the best interest of the City and he added that he believes Council members continue to be guided by this honourable intention. Noting that change in the usual manner of doing things is often difficult to accept, the City Manager advised that, in the past, he has instituted some changes which have been unpopular with some of the aldermen and have not been easily accepted. The City Manager pointed out that the changes he has made were entirely within his area of responsibility, and were made based upon his 35 years of experience with the City, and he suggested that these changes should be given the opportunity to operate before they are judged.

In concluding his remarks, he requested that the Alderman be guided by the principle of what is best for the City and he advised that the decisions he has made have been in the best interest of the City to which he has devoted most of his life.

At 8:35 p.m. Her Worship left the Chair and approached the podium and the Deputy Mayor assumed the Chair.

Her Worship addressed Council and pointed out that the citizens of the City are puzzled and confused by what is going on at City Hall. She noted that when the City was abruptly left without a City Manager, Mr. Donald Murphy was approached and asked to assume the responsibility to which he agreed, and the motion was approved unanimously.

Her Worship advised that, during her term as Mayor she had no reason to believe members of Council were discontented with the City Manager until 2 December 1993 when she received a piece of paper on which a motion was printed requesting the removal of the City Manager effective 9 December 1993. She pointed out that none of the Aldermen approached her personally with concerns about the City Manager.

Her Worship then provided a brief chronology of events beginning from 1 November 1991 to 2 December 1993 which illustrated to her why she felt the relationship

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between the City Manger and Council was excellent. In these remarks, she noted that on 11 November 1992, at a remembrance day event, Alderman Jeffrey and Alderman Adams indicated to her that they were very pleased with the way City Council was functioning; however, on 30 November 1992 these two Aldermen called for the resignation of the City Manager.

Her Worship questioned what happened between 11 November 1993 and 30 November 1993 and she added that, after a thorough search through all Committee of the Whole Minutes and City Council minutes she could only find one reason for this action and it was because of the City Manager's proposal to remove the Executive Assistant position from the Aldermanic Office. She pointed out that this action was within the mandate of the City Manager. Noting that the three most important decisions of a City Council are planning, budgeting, and choosing a City Manager, she advised that the decision to dismiss a City Manager was a monumental decision.

Her Worship suggested that when the majority of Council signs a motion affecting the City Manager outside City Council Chambers, it is evident that the most important part of Council business is being done behind closed doors by only some of the Aldermen with the others excluded. Her Worship noted that she made many attempts to speak with all members of City Council and one of the two Aldermen involved in the motion told her " there is no need to meet, the decision has been made". Her Worship added that this decision was not made in the Council Chamber and that the real debate took place in private with only seven of thirteen members present. In addition to this, she pointed out that one aldermen had stated publicly that "we" chose the Acting City Manger, without ever addressing the issue with Council. Her Worship advised that this was not democracy in action.

Her Worship noted that at the 9 December 1993 Special Council meeting, Council could have continued with the business of the City with a quorum of seven members. She added that the only undemocratic aspect of the 9 December 1993 meeting was that only seven members had the contents of the motion prior to the meeting. She added that the other six did not have time to prepare for debate on what was the most important decision to be made since she became Mayor and since the mover of the motion became an Alderman. Her Worship added that at the following Council meeting the six members of Council would have been

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ready to debate because they would have had the motion and would have had time to prepare for the debate.

Her Worship advised that Council has followed due process this evening but this dismissal will be neither fair or just. She urged those members requesting the termination of the City Manager to state the real reason why they feel Mr. Donald Murphy must be terminated as City Manager. Her Worship added that if this motion is approved the City of Halifax will be the loser by losing a 35 year employee. She added that the City will lose dignity and the respect of a majority of its citizens. As well, Her Worship pointed out that this action would diminish the possibility of the City obtaining the best possible candidate for a new City Manager, and it will lead to demoralized staff and loss of confidence of citizens.

In concluding her remarks, Her Worship requested that members of Council put the needs of the City first and to think about how this Council will be remembered, adding that it does not have to go down in history as the Council that dismissed the City Manager a few months before his retirement.

At 8:45 p.m. Her Worship returned to the Chair and Deputy Mayor Fitzgerald assumed his usual seat in Council.

Alderman Macdonald addressed the matter and spoke against the motion indicating that the City Manager, through this many years of service to the City, has measured up to a very high standard of public service. Referring to the various complaints put before Council on December 9 in regards to the City Manager's performance, Alderman Macdonald indicated that he had not been aware of these complaints until that time.

Alderman Macdonald went on to add that after some analysis of these complaints and, in reviewing Her Worship's response to these complaints in her January report, he concluded they were brought about because of the action taken by the City Manager with respect to the reorganization of the Aldermen's Office.

Reviewing the various complaints which were put forth against the City Manager at the 9 December 1992 meeting, Alderman Macdonald outlined the reasons why these were not the fault of the City Manager. Alderman Macdonald suggested that there were no real difficulties with the City Manager and that this action was carried out in anger

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and resentment, and the result would be to the detriment of the present form of municipal government.

Alderman Macdonald indicated that his main concern was the signal that City Council was sending out and the reputation of the City. Alderman Macdonald advised that this action was not carried out in a democratic way, advising that it was "signed, sealed and delivered in private."

In closing, Alderman Macdonald advised that he felt it was very pertinent to the issue that, along with the vast majority of the City's citizens, the unions were also supporting the City Manager. He added that he would continue to support the City Manager and the system of government that he represents, and he urged Council to vote against the motion.

Alderman Adams addressed the matter and, referring to the comment that the reason the majority of Aldermen are not happy with the performance of the City Manager was because of the reorganization of the Aldermen's Office, advised that Council was given a letter on 9 December 1992 by Mr. Eric Durnford, who is a lawyer with a firm in town, and in that letter are the facts regarding the motion. Alderman Adams noted that the letter states that the resolution was signed November 13 but otherwise dated the 30th of November. Alderman Adams advised that Council was given information on the Aldermens Office on 19 November.

Alderman Adams explained that, at a budget meeting on the 19 November 1992, this particular issue was brought forth and six days after, according to Mr. Durnford, this motion was signed. He added that it would appear that it is Mr. Durnford's belief, and those who had spoken with him, that this motion was signed on the 13th of November, therefore, there is no possible reason, using that information, that the reorganization of the Alderman's Office has anything to do with this particular resolution of Council.

Alderman Adams pointed out that he and all Aldermen have tried to come to a resolution on this situation. He added that it would have be better for Council to have met prior to 9 December, and advised that the private and confidential memo was given to Her Worship as a courtesy. He noted that, under the City Charter, the motion is required to be filed with the City Clerk's Office and also with the specific employee who is the subject of

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the particular resolution. Alderman Adams advised that this would have been the time to come up with a solution however, Her Worship released it to the press. He added that in bringing this forward publicly, it damaged any chance of working out a compromise. Alderman Adams emphasized that this was an intended resolution, and not a formal resolution of Council. He indicated that it is the usual practice for private and confidential documents to become public information when and only when they become formal resolutions of the Council of the City of Halifax.

Alderman Adams then reviewed the reasons for bringing forth the motion to terminate the City Manager, as outlined in the minutes of the 9 December 1992 Special Meeting of Halifax City Council. He noted that these reasons were the opinion of the majority of the members of City Council.

In concluding his remarks, Alderman Adams advised that Council has tried to resolve these differences, however, it has been to no avail. He noted that although some of the concerns have been addressed, the majority of them have not and this was why the action was being proceeded with.

Alderman Hanson addressed the matter speaking against the motion. Alderman Hanson suggested that the process which has taken place has not been in the best interests of the City of Halifax. He noted that public opinion on this matter is overwhelming against this action.

Alderman Hanson advised that the concerns expressed could have been dealt with in a different manner. Personally speaking, the Alderman noted that he has never had failure in communication between he and the City Manager and staff at any time. Alderman Hanson added that there were times when he did not agree with some of the decisions, however he was always given an explanation of why the position was taken.

Alderman Hanson indicated that it was not too late for members of Council to change their minds and make the right decision which, he advised, was to allow the City Manager to retain his position.

Alderman Downey addressed Council and also spoke in opposition to the motion. He advised that the taxpayers are the ones who will be hurt in this matter because if the City Manager is let go, the City will be paying a City Manager who is not working and it will be paying an Acting

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City Manager, who is working. Alderman Downey indicated that there was some controversy about the amendment he moved which extended the City Manager's retirement date to November of 1993, and he advised that when he made the motion, no member of Council expressed concern about it until one year later.

In concluding his comments, Alderman Downey noted that the City Manager has done a good job in his short tenure and, noting that he had indicated he would probably retire at the end of August, Alderman Downey suggested that it would be in the best interest of the City to allow the City Manager to retire at his normal retirement date.

Deputy Mayor Fitzgerald addressed the matter and spoke in opposition to the motion. In his remarks, the Deputy Mayor noted that he has a great respect for the City Manager's ability to communicate with individuals and to provide very professional decisions and advice. Deputy Mayor Fitzgerald indicated that the City Manager has always put the City of Halifax first in any decisions he has made. He noted that with the impending amalgamation of the Metro area and with the City's budget deliberations not yet completed, City Council needs Mr. Donald Murphy as its City Manager to guide it through these events.

Deputy Mayor Fitzgerald noted that the action to fire the City Manager came about very suddenly when, up to that point, he had received only praise from members of City Council. He also pointed out that Mr. Donald Murphy has received awards from professional organizations for his exemplary service as City Manager. Deputy Mayor Fitzgerald questioned what drastic measure occurred which initiated the action to fire the City Manager. With respect to the grievances against the City Manager, Deputy Mayor Fitzgerald advised that he did not agree or support any of them.

Deputy Mayor Fitzgerald advised that this matter has been destructive to the City and he suggested that the best way to proceed would be to allow the City Manager to continue and complete the objectives he set out for himself and then allow him to retire at his normal date. He added that it is very sad that a person who has dedicated his life to the City is repaid in such a fashion, and he advised that he respects the City Manager and would be voting to support the City Manager.

Alderman Holland addressed Council and advised that he would not be supporting the motion. In his

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comments, Alderman Holland indicated that this matter was a result of the City Manager's decision to reorganized the Aldermanic Office. He indicated that this decision was entirely within the mandate of the City Manager, noting that it was part of the management function of the City Manager. Alderman Holland noted that it is the City Manager's job to manage, and it is Council's job to set policy. Alderman Holland advised that the City has been run very efficiently and effectively and this has been recognized in the honouring of the City Manager by a national organization.

Alderman Holland expressed concern about hiring another City Manager if the motion is approved. He indicated that the City will not be fortunate to have the best possible candidates because many people will not want to be involved with a Council which deals with its senior officials in such a manner. In closing, Alderman Holland advised that the members of Council supporting the motion should rethink the matter and realize that it is not in the best interest of the citizens of Halifax.

Alderman Macdonald addressed the issue once again and asked that the Alderman not support the motion. He referred to an 5 April 1993 information report by the City Manager concerning his decision to make changes in the Aldermanic Office and, in reading excerpts from the report, he indicated that he felt it was pertinent that the citizens of Halifax understand why the situation to fire the City Manager arose.

Alderman Macdonald noted that all the charges that have been raised against the City Manager have been refuted and he added that they only emerged since the change in the Aldermen's Office was announced. Alderman Macdonald advised that, in his view, this motion has no basis in fact whatsoever, and he requested that when the vote is called, that it be a recorded vote.

Alderman Mary Ann Crowley addressed the matter and advised that, from the very beginning of this issue, she did not want to see the City Manager fired. She noted that he was given the opportunity to take his retirement with full salary to the end of November 1993 and full pension following. Alderman Crowley added that it was because of the actions of the Mayor that this matter became public and became an embarrassment to the City. She pointed out that the document that was filed was on a personnel issue and it was marked "Private and Confidential" and she suggested that if Her Worship had

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taken the appropriate measures in the beginning, this matter could have been discussed and resolved to everyone's satisfaction.

Alderman Crowley noted that the amendment that was passed which extended the City Manager's term for a period of eight months was done so in an uncustomary fashion without the notification and consultation of the majority of Council. The Alderman added that she believed the motion was passed not so much because the Aldermen weren't aware of what was going on, it was because they believed that no significant changes would be made without Council's full knowledge.

Alderman Crowley advised that she did not take the termination of employment of a 35-year employee lightly, however, she pointed out that she was elected to serve the people of Ward 11 in the best possible way, and she made her decision after considerable serious thought and deliberation and in putting the best interests of the City first.

Alderman Crowley noted that there have been recent articles and information in the media referring to the seven Aldermen supporting this motion as the "Gang of Seven". She added that she has also received threatening type phone calls and feels that this action is unwarranted because she has made a commitment to devote her time and energy to serve the citizens as an elected official. She added that her decision on this matter was something she did on her own, and without any influence from anyone else and she pointed out that she has not been malicious in taking this decision as has been indicated in the local media.

Alderman Crowley went on to note that this issue has become sensationalized in the media and much misleading information has been printed. She pointed out that statements have been made that the seven aldermen want to change the Council-Manager form of government. Alderman Crowley added that this was not true at all and was said without foundation. She pointed out that to make such a change requires an act of the Provincial Legislature and that was never a part of this issue.

In conclusion, Alderman Crowley advised that she felt that every reasonable effort has been made to reach a compromise, however this has failed. Alderman Crowley added, therefore, it was with regret she felt she had no other alternative and would have to support the motion.

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At 9:50 p.m. Deputy Mayor Fitzgerald assumed the Chair and Her Worship took Deputy Mayor Fitzgerald's seat in Council.

Her Worship advised that many misleading facts have been stated here tonight, and some untruths.

Her Worship noted that the motion she received in regards to this matter (on white paper) that was left on her desk says "Signed this thirtieth day of November in Halifax." She added that Mr. Durnford's letter contained a typo that was pointed out months ago to Council and she advised that it should not be quoted in Council as fact to mislead the people. Her Worship pointed that the motion was signed on the thirtieth of November, and she requested that Alderman Adams clarify this aspect for the record.

Her Worship indicated that she has been chastised for making this matter public, however, she pointed out that this was a motion of Council, and not an intended motion. Her Worship added that personnel matters are usually discussed in private to protect the City's personnel and she questioned if Donald Murphy would have been protected if seven members of Council had fired him behind closed doors in private. She advised that the citizens deserve to know that this action was being contemplated by members of Council.

Her Worship addressed some of the issues raised by Alderman Adams against the City Manager and reviewed the circumstances surrounding them explaining how they arose and the reasons why they were dealt with in the manner which was chosen.

Her Worship indicated that it was not the City Manager's job to make recommendations which are agreeable to everyone, and that it was his job to make recommendations and decisions which are in the best interest of the City.

Her Worship addressed the matter of the amendment of 15 April 1992 which extended the City Manager's term and advised that she wanted to make very clear that she did not lobby anyone to support Alderman Downey's amendment nor did she work to see that it was "slide through". Reading verbatim minutes on this matter, Her Worship advised that it is very clear as to what Alderman Downey's intent was regarding extending the City Manager's retirement date.

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Her Worship concluded her remarks by stating that the members of Council were elected to represent the people and she requested that they do this and defeat the motion.

Her Worship returned to the Chair and Deputy Mayor Fitzgerald assumed his usual seat in Council.

Alderman Adams reviewed the matter of the motion of 26 March 1992 and the amendment to that motion of 15 April 1992 and, noting that essentially this matter was now in the past, he indicated that because of the difficulties caused by the motion and amendment, in the future he would be very explicit when he is involved in similar situations.

Alderman Adams referred to Alderman Macdonald's comments regarding the 5 April 1993 information report about the change to the Aldermanic Office and disputed that the reason for this action was a result of the meeting held with the City Manager on his decision to make changes in this Office. He noted that, although the Aldermanic Assistant's name was raised, there were many other issues and concerns they had and these were discussed at this particular meeting.

The City Manager strongly protested this statement. He advised that he was aware of the rules of order of Council, however, he indicated that he believed this statement was incorrect and he felt that he must protest.

In response, Alderman Adams clarified his statement to advise that it was his "interpretation" of the proceedings of the meeting.

In closing the debate, Alderman Adams advised that everything that had to be said has been said adding that there was no question, and it was unfortunate, that the matter has led to bad feelings amongst City of Halifax Council members and a decline in staff morale. Alderman Adams indicated that the situation has led to rumours that the seven aldermen also have a list of other City staff personnel that it wants terminated. He emphasized that this was totally and unequivocally incorrect and untrue.

Prior to calling for the question, Her Worship asked if there were any other members of Council who wished to speak and, there being none, she requested a recorded vote.

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The motion was put and passed with seven (7) members of Council voting for it and five (5) voting against it as follows:

- FOR:** Alderman Meagher, Alderman O'Malley, Alderman Pottie, Alderman Adams, Alderman Jeffrey, Alderman Crowley, and Alderman Stone. (7)
- AGAINST:** Alderman Holland, Deputy Mayor Fitzgerald, Alderman Downey, Alderman Hanson, and Alderman Macdonald. (5)

Her Worship addressed Council and advised that this date will go down in history, not as a glorious event, but rather as the date the City lost a great deal of dignity, a great deal of heritage, and a great City Manager. She advised that this Council will be known as the first to dismiss a City Manager and to destroy the very fabric of the Council-Manager form of government.

In declaring the motion passed, Her Worship advised that Council should immediately convene a private meeting to discuss the appointment of an interim City Manager, **to which it was agreed.**

**Motion Alderman Macdonald Re: Termination of Employment
of Mr. Allan Waye**

Alderman Macdonald addressed Council and referring to the information report of the former City Manager dated 5 April 1993, advised that, at this time, he felt there was no purpose in proceeding with this matter, therefore, he withdrew his motion.

The meeting adjourned at 10:05 a.m.

HER WORSHIP MAYOR MOIRA DUCAHRME
DEPUTY MAYOR WALTER FITZGERALD

CHAIRMEN

Edward A. Kerr, CMC
City Clerk

/sm

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
15 April 1993
8:00 P. M.

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

The meeting opened with the recitation of the Lord's Prayer led by Her Worship Mayor Moira Ducharme and joined by members of Council, staff and those in the public gallery.

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

ALSO PRESENT: Mr. Wayne Anstey, Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

MINUTES

The Minutes of the last regular meeting of Halifax City Council, held on Thursday, 25 March 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, 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 Case No. 6551: Development Agreement for Senior Citizens Apartment Building -- Ford Street and Main Avenue (Former Titus Smith School Site)
- 20.2 City Hall Offices - Meeting Date
- 20.3 Outside Counsel
- 20.4 Digital Topographic Mapping

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- 20.5** Compensation Package for Highway #101
Landfill

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

- 20.6** Call for Proposals - Management Consultant
(New City Manager)

At the request of the Acting City Manager, Council
agreed to add:

- 20.7** Budget Meeting Date

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

- 20.8** Peninsula North Detailed Area Plan (Area 3)

At the request of Her Worship Mayor Moira Ducharme,
Council agreed that **Item 17.1**, "Appointments - Acting City
Manager and Acting City Solicitor," be dealt with as the next
item on the agenda.

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

MISCELLANEOUS BUSINESS

**Appointments - Acting City
Manager/Acting City Solicitor**

A memorandum, dated 13 April 1993, was submitted
by Her Worship Mayor Moira Ducharme.

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

- (1) **Wayne Anstey, Q.C.**, be appointed Acting City
Manager, effective 9 April 1993, for a period of
sixty (60) days, such appointment to be renewed
as required until such time as a City Manager is
appointed by City Council;
- (2) **Barry S. Allen, Senior Solicitor**, be appointed
Acting City Solicitor, effective 9 April 1993,
during the period the City Solicitor is Acting
City Manager.

The motion was put and passed.

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DEFERRED ITEMS

**Case No. 6681: 6287-89 North Street -
Appeal of Minor Variance Refusal**

A public hearing into this matter had been held on Wednesday, 7 April 1993.

Alderman Meagher pointed out that, according to the solicitor for the applicant, there will be no exterior alterations to the property in question, should this request for a minor variance be granted, nor will there be any changes to the manner in which the building has been occupied for the last several years.

On that basis, therefore, it was moved by Alderman Meagher, seconded by Alderman O'Malley that the decision of the Development Officer with regard to the application for a minor variance at Civic Nos. 6287-89 North Street be overturned, and that the minor variance be granted.

The motion was put and passed.

**Case No. 6597: 1572 Barrington Street and
1571-75 Argyle Street (Proposed Development Agreement)**

A public hearing into this matter had been held on Wednesday, 7 April 1993.

MOVED by Alderman Downey, seconded by Alderman Hanson that:

- (1) City Council approve the entering into of a development agreement to permit construction of a commercial/office building at 1572 Barrington Street and 1571-75 Argyle Street, provided the development substantially complies with Plan Nos. P200/19161-63, 19166-67 and 19277-78 of Case No. 6597;
- (2) Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

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**Case No. 6547: Proposed Amendment to the
Land Use Bylaw - Definition of Dwelling Unit**

A public hearing to consider this matter had been held on Wednesday, 7 April 1993.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that, as an interim measure in order to allow for a thorough examination of the available options, City Council approve the amendments to the Land Use Bylaw as contained in Appendix I of the staff report dated 10 February 1993 designed to prevent the construction of quasi-independent living spaces.

A discussion ensued with Alderman Jeffrey voicing concern about the implications of the proposed amendments on certain existing households.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Pottie that the matter be deferred to the next regular meeting of Committee of the Whole Council for further debate.

The motion to defer was put and lost.

After a lengthy discussion and comments from the Acting City Manager, the original motion was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 7 April 1993, as follows:

**1993/94 Operating Budget - Downtown Halifax
Business Improvement District Commission**

An Information Report, dated 13 April 1993, was submitted.

MOVED by Alderman Crowley, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the 1993 net operating budget for the Downtown Halifax Business Improvement District Commission be approved at \$266,520, reflecting the following mill rates:

Commercial Realty Rate per \$100 of assessment	0.081807
Business Occupancy Rate per \$100 of assessment	0.163610

The motion was put and passed.

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**Heritage Advisory Committee - Annual Report
(1993): Project Procedure**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, City Council advise the Heritage Advisory Committee that the Committee should refrain from endorsing projects prior to their coming to Council and should advise on those projects which are referred to it by Council.

The motion was put and passed.

Acquisition of 5177 Artz Street

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Civic No. 5177 Artz Street be acquired from the estate of Rita V. Lee for \$67,000 as settlement in full (funds are available in the Sundry Land Acquisition Account of the capital budget).

The motion was put and passed.

**Application from Heritage Fund Grant:
St. Mary's Basilica - 5221 Spring Garden Road**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve a Heritage Fund grant of \$8,000 to assist with the 1992 roof renewal costs of St. Mary's Basilica.

The motion was put and passed.

**Acquisition of Land Near Chain Lake
from Halifax Water Commission**

MOVED by Alderman Hanson, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, approximately ten (10) acres be acquired from the Halifax Water Commission for \$107,500 to be paid over a five-year period at \$27,500 per year (funds are available in Account Number 91608, Sundry Land Acquisition).

The motion was put and passed.

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Land Exchange - Former Rimco Lands and Parcel "F"

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the City-owned former Rimco lands at the southwest corner of Bishop and Lower Water Streets be exchanged for the lands owned by Realco Management Limited and identified as Parcel "F" on Plan No. 12-131B (Servant Dunbrack), together with compensation in the amount of \$221,750 in favor of the City, with said amount to be paid into the Sale of Land Account.

The motion was put and passed.

Encroachment License - Service Road/Upper Water Street

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, the Encroachment License requested by Unitel Communications to permit a duct bank to enclose fibre-optic cable in the Service Road, commencing at the Purdy's Wharf Parkade building, and proceeding northward into Upper Water Street, terminating at a manhole in front of the H.M.C.S. Scotian building, be approved.

The motion was put and passed.

**Cornwallis Court Development Limited
- Provincial Funding**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize that annual payments of \$200,000 be made to Ellis Don (Atlantic) Ltd. on behalf of the Province, subject to the provision of all required documentation, up to a maximum amount of \$700,000 including GST, on the understanding that prior assurance will be given by the Province that such funds will be reimbursed upon satisfactory proof of payment.

The motion was put and passed.

Halifax City Charter Amendments

(1) MOVED by Alderman Meagher, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the amendment to the City Charter attached as Appendix "A" to the report of 26 March 1993 from the City

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Solicitor be approved and forwarded to the Nova Scotia Legislature for formal approval and adoption.

The motion was put and passed.

(2) MOVED by Alderman O'Malley, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the term "alderman" (as opposed to "councillor") be retained in the City Charter.

The motion was put and passed.

**Carleton House (Former Carleton Hotel)
- Renovation Loan**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve an amendment to the City's Investment Policy as follows:

That in addition to the categories of investments authorized, the City may make an investment by way of mortgage loan to the Carleton House Preservation Society in an amount of \$300,000, payable under the terms and conditions laid down by Council.

The motion was put and passed.

Incineration Challenge (TO BE TABLED)

An Information Report, dated 31 March 1993, from the City Solicitor had been previously distributed.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the matter be tabled until sometime in the future.

The motion to table was put and passed.

**Award of Tender #93-56: Five 1993 Model
4WD Vehicles - Plows (9000 GVW)**

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

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- (1) City Council award Tender #93-56 for five 1993 model 4-wheel drive vehicles with plows, to replace units (78267, 78268, 78269, 78270 and 78275) 1989 4-wheel drive Chevrolets, to **Taylor Lincoln Mercury Sales Ltd.** in the amount of **\$126,618.45**; and that
- (2) funds be made available from Account Number 26104.8300.80000 titled "Motor Equipment Asset-- Equipment Reserve (Vehicles - Engineering and Works)."

The motion was put and passed.

**Award of Tender #93-61: Four 1993
Crew Cab Pickups, 4WD**

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

- (1) Council award Tender #93-61 for four 1993 Crew Cab Pickups, Four Wheel Drive, to replace units 78255, 78272, 78274 and 78280 which are 1989 Chevrolet Crew Cabs used for Parks & Grounds maintenance, to **Carroll Pontiac Buick** in the amount of **\$99,369.83**; and that
- (2) funds be made available from Account Number 26104.8300.80000 titled "Motor Equipment Asset - Equipment Reserve (Vehicles - Engineering & Works)."

The motion was put and passed.

**Award of Tender #93-65:
Six 1993 Pick-Up Trucks**

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

- (1) authority be granted to award Tender #93-65 to **Carroll Pontiac Buick** in the amount of **\$88,185.12**; and that
- (2) funds be made available from Account Number 26104.8300.80000 titled "Motor Equipment Asset -- Vehicle Reserve (Vehicles, Engineering and Works)."

The motion was put and passed

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Award of Tender 93-68: Three 1993 Model
Cargo Mini-Vans - 4500 GVW

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

- (1) Council award Tender #93-68 for three 1993 Model Cargo Mini-Vans, 4,500 G.V.W. (to replace units 71034 which is a 1988 Chev Cavalier, 71036 which is a 1989 Mercury Topaz and 78263 which is a 1989 Chev PickUp and are used by street inspectors and parking meter repairmen) to **O'Regan's Scotia Chev Olds** in the amount of **\$42,943.38**; and that
- (2) funds be made available in Account Number 26104.8300.80000 titled "Motor Equipment Asset - Vehicle Reserve (Vehicles, Engineering and Works)."

The motion was put and passed.

Award of Tender 93-72: One 1993 Model 4x4
Dump Truck c/w Plow - 10,500 GVW

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

- (1) Council award Tender #93-72 for one 1993 Model 4x4 Dump Truck with Plow (to replace unit 72141 which is a 1988 Chev 4 WD Dump used for snow and ice control and street maintenance) to **Carrol Pontiac Buick** in the amount of **\$35,619.23**; and that
- (2) funds to be made available in Account Number 26104.8300.80000 titled "Motor Equipment Asset - Vehicle Reserve (Vehicles, Engineering and Works)."

The motion was put and passed.

Alderman Adams made reference to the above-noted tender and the four which immediately preceded it, pointing out that there had been a number of bidders common to all five. He therefore suggested that, in future, consideration be given to tendering a number of vehicles as an entire parcel so that perhaps savings to the City might be realized.

In this same context, it was suggested by Alderman Holland that tender calls could be designed to provide for "either/or" bids.

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The Chairman indicated that comments from staff regarding the Aldermen's suggestions would be requested.

On another but related matter, Alderman Stone expressed concern about the number of late model City-owned vehicles which are having to be replaced because they are apparently too expensive to maintain.

**Date for Public Meeting - Conference 1999
(Progress on Recommendations)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, a public meeting be scheduled for **WEDNESDAY, 28 APRIL 1993 at 7:30 p.m. in the Council Chamber** to provide a progress report on Conference 1999 recommendations and to receive comments from the public.

The motion was put and passed.

**Letter from Mr. Charles A. MacDougall, Executive
Director, Halifax Civic Workers Union (Local 108)
Re: Mr. Donald F. Murphy, Q.C. (TO BE TABLED)**

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, the letter from Mr. Charles A. MacDougall, Executive Director, Halifax Civic Workers Union Local 108, be tabled; and further, that a letter of acknowledgement be sent to Mr. MacDougall in respect of his letter.

The motion to table was put and passed.

**Letter from Nova Scotia Archaeology Society
Re: 1546 Barrington Street (Former Halifax
Infirmary Annex (TO BE TABLED)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the letter dated 1 April 1993 from Lynne M. Schwarz, President of the Nova Scotia Archaeology Society, be tabled until a decision is made with respect to the old Infirmary site and the proposal by Greystone Construction Ltd., and further, that a copy of this letter be sent to the Heritage Advisory Committee for information.

The motion was put and passed.

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Vimy Avenue - Consultant's Report (Lacewood Drive - Bedford Highway Connector Study Report)

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, the report dated March 1993 and entitled "Lacewood Drive - Bedford Highway Connector Study Report" by Fenco Shawinigan be forwarded to staff for review and comment.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of its Committee on Works, held on Wednesday, 7 April 1993, as follows:

City Transportation Plan

This matter had been forwarded to Council without recommendation.

Referring to a letter recently received from Vaughan Engineering, Alderman Jeffrey pointed out that this company (as opposed to that recommended by staff) is entirely based in Halifax and, in addition, has already been involved in a transportation study in Dartmouth.

Emphasizing that, in his opinion, City Council has a certain obligation to assist local firms as much as possible, it was moved by Alderman Jeffrey, seconded by Alderman Holland that City Council appoint Vaughan Engineering Associates Limited to carry out a City Transportation Plan.

In the ensuing discussion, the Acting City Manager pointed out that a detailed negotiation of the contract price with regard to this project had been undertaken only with that engineering firm originally recommended by staff. Under the circumstances, therefore, Mr. Anstey strongly recommended that the matter be deferred so that a similar process could be pursued with Vaughan Engineering.

MOVED by Alderman Jeffrey, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 21 April 1993**, pending receipt of a supplementary report from staff.

The motion to defer was put and passed.

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**Tender #93-19: The Supply and Installation
of Vehicle Detection (SCOOT) Loops**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Macdonald that, as recommended by the Committee on Works, Tender #93-19, the supply and installation of Vehicle Detection (SCOOT) Loops, be awarded to the lowest bidder, Robinson Construction Company Ltd., for the tendered amount of \$530,002.54 and a total project cost of \$608,840.00.

The motion was put and passed.

REPORT - PLANNING COMMITTEE

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 7 April 1993, as follows:

**Case No. 6431: Plan Amendment Request
- 3763-71 Dutch Village Road**

Following is the recommendation from the 7 April meeting of the Planning Committee:

That Council **not** amend the Municipal Development Plan and Land Use Bylaw to accommodate the development proposed by Mr. Anthony Gossen (Case No. 6431).

MOVED by Alderman Jeffrey, seconded by Alderman Stone that Council pursue a redesignation and rezoning to Minor Commercial (C-2A) for Civic No. 3763-71 Dutch Village Road (Case No. 6431), instead of the proposed development agreement.

The Chairman advised that a supplementary staff report containing the appropriate information necessary to the scheduling of a public hearing would be submitted at a later date.

After some discussion, the motion was put and passed.

**Nova Scotia Utility and Review Board
Decision: Reversal of Council's Decision
of 28 May 1992 (5222-30 Tobin Street)**

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, an appeal to the Nova Scotia Court of Appeal be undertaken to reinstate the Council decision of 28 May 1992 refusing to amend Zoning Map ZM-17 for the purpose of increasing the

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height precinct on the property at 5222-30 Tobin Street to 75 feet.

The motion was put and passed.

**Report from Planning Advisory Committee Re:
Case No. 6011: Peninsula North - Area 2**

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that Halifax City Council give notice of its intention to adopt the Municipal Development Plan and Land Use Bylaw amendments as recommended and contained in Appendix I of the Planning Advisory Committee Report dated 30 March 1993 for **Area 2** of Peninsula North; and further, that a date for a public hearing to consider these proposed amendments be scheduled.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 MAY 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

ADDED ITEMS

Peninsula North Detailed Area Plan (Area 3)

This matter had been added to the agenda at the request of Alderman Meagher, and at the Alderman's request was dealt with at this point in the meeting's agenda.

NOTE: This matter had originally been deferred to the 21 April meeting of Committee of the Whole Council during the 7 April meeting of the Planning Committee.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that City Council give notice of its intention to adopt the Municipal Development Plan and Land Use Bylaw amendments as recommended and contained in Appendix I of the Planning Advisory Committee report of 30 March 1993 for **Area 3** of Peninsula North; and further, that a date for a public hearing to consider those proposed amendments be scheduled.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 MAY 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

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REPORT - CITY PLANNING COMMITTEE (CONT'D)

Case No. 6667 - Proposed Amendments to Land
Use Bylaw - Overhanging Signs in C-2A Zone

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Pottie that, as recommended by the Planning Committee, the following amendments proposed to the Mainland and Peninsula portions of the Land Use Bylaw be forwarded to the Planning Advisory Committee for review and recommendation:

59D(3) Peninsula/38D(3) Mainland. A single signboard (illuminated or otherwise) may be placed upon and perpendicular to the front of a building for the purpose of identifying the proprietor or nature of the business permitted therein. Such signboards shall be located immediately above the ground floor windows and shall not exceed 12 square feet (1.12m²) in area on a single surface. A maximum of two such signboards shall be permitted for any building regardless of the number of uses contained therein.

The motion was put and passed.

Report from Heritage Advisory Committee Re: Nova Scotia
College of Art and Design - Signage

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, City Council accept the substantial alterations to the registered heritage properties occupied by the Nova Scotia College of Art and Design as follows:

- (1) the brass lettering above the main entrance to the NSCAD on Duke Street meets the basic sign principles;
- (2) the two brass plaques on each side of the Duke Street entrance to the NSCAD meet the sign principles;
- (3) the lettering at the north end of 1895 Granville Street meets the basic sign principles; and
- (4) the hanging and fascia signs meet the basic sign principles.

The motion was put and passed.

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MISCELLANEOUS BUSINESS

Appointments - Acting City
Manager/Acting City Solicitor

This matter had been dealt with at an earlier point in the meeting's agenda.

Appointment - Mainland South
Community Centre Corporation

A memorandum, dated 15 April 1993, was submitted from Her Worship Mayor Moira Ducharme.

MOVED by Alderman Stone, seconded by Alderman Hanson that Ms. Sondra Cox-Wright, representing the Halifax Regional Library Board, be appointed to the Mainland South Community Centre Corporation (for a term to expire 31 January 1995).

The motion was put and passed.

Letter - "The Subway," 1855 Hollis Street (Awning)

Correspondence, dated 15 March 1993, was submitted from Mr. Scott Richards, "The Subway," 1855 Hollis Street.

MOVED by Alderman Downey, seconded by Alderman Adams that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 21 April 1993.

The motion to defer was put and passed.

QUESTIONS

Question Deputy Mayor Fitzgerald Re: Bicycles

Deputy Mayor Fitzgerald expressed concern about bicycles noting that particularly in the evenings when it is wet, dark, and cold, there are a substantial number of bicycles driving on City streets without any reflectors and with people wearing dark clothing. He added that this was especially a problem in his Ward. The Deputy Mayor went on to advise that cyclists should be encouraged to wear reflectors for their own safety and suggested that the regulations in this regard should be advertised.

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Question Deputy Mayor Fitzgerald Re: Amalgamation

Deputy Mayor Fitzgerald questioned if a reply had ever been received from the Provincial Government with respect to including education as part of the overall amalgamation of political or economic restructuring.

The Chairman advised that the City, to the best of her knowledge, has not been informed of this and suggested that, prior to the next Steering Committee meeting, a letter be sent to the Commissioner with the request that he address this specific item.

Question Deputy Mayor Fitzgerald Re: Sale of the World Trade and Convention Centre/Metro Centre

Deputy Mayor Fitzgerald commented on the recent announcements by the Premier to sell various properties throughout Nova Scotia. He questioned whether consideration should be given to selling the City's share of the World Trade and Convention Centre and Metro Centre to the Province. The Deputy Mayor asked that this matter be investigated suggesting the City could sell its share for \$1.00.

Question Deputy Mayor Fitzgerald Re: Garbage from Ships

Deputy Mayor Fitzgerald questioned whether there was any garbage service for ships i.e. cruise, transfer, container. He noted that these ships generate a lot of garbage and asked that staff investigate to see what type of garbage services are provided in this regard.

Question Deputy Mayor Fitzgerald Re: Southend Detailed Plan

Deputy Mayor Fitzgerald noted that sometime ago there was some discussion about a detailed area plan for the sub-area of the southend section of the City of Halifax. He referred particularly to the technical school area and Barrington Street. The Deputy Mayor asked for a report on the status of this plan.

Question Alderman Jeffrey Re: Explosion Medallion

Alderman Jeffrey noted that he has received a number of calls from residents pertaining to a medallion which is being issued by the Mayor's Office. He indicated that he was not aware of such a medallion and has been informed that it is a 75th anniversary medallion pertaining

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to the Explosion and that the medallion has inscribed on it "compliments of Mayor Moira Ducharme".

Her Worship Mayor Ducharme advised that there was a coin given to the survivors of the Explosion, but that there is no medallion. Her Worship added that this coin was made specifically for people who were alive during the Explosion and that it was her belief both Aldermen Hanson and Stone received one at the December 6th reception for the survivors of the Explosion.

Alderman Jeffrey asked for a report showing how these coins came about, why all Aldermen were not informed or consulted about them, the cost, and how many were given out. He further noted that he would like to know why these coins indicated they were from the Mayor's Office and did not include the Aldermen.

**Question Alderman Crowley Re: Asphalt -
St. Andrew's School Area**

Alderman Crowley referred to the St. Andrew's School area. She expressed concern about the number of potholes in this area and the uplifting of asphalt. The Alderman asked that staff investigate this situation.

Question Alderman Crowley Re: Commencement of Pothole Repairs

Alderman Crowley questioned when the City would be commencing its repairs to potholes.

**Question Alderman Crowley Re: Traffic entering the City
from the Bicentennial Highway**

Alderman Crowley explained that the traffic coming down the Bicentennial Highway entering the City travels at a very high rate of speed. She noted that this creates a dangerous situation for people coming around the turn from the Shopping Centre who are hardly able to get onto the highway due to the speed of traffic coming down the ramp. The Alderman questioned whether anything could be done to alleviate this problem.

Question Alderman Macdonald Re: School Board

Alderman Macdonald noted that during yesterday's meeting of the School Board and City Council he realized the great difficulty the School Board has in meeting budget targets set by the City. He questioned whether the City

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sometimes places undue restrictions on the operation of the School Board in terms of what they recommend for School closures or amalgamation. The Alderman added that the City expects the School Board to function within a certain budget framework.

Alderman Macdonald went on to request information from Mr. Smith, Director of Finance, when he meets with the Board, on what the School Board may have considered or targeted for consolidation or elimination over the last year and the total dollars that this would have represented.

Alderman Macdonald also raised a concern that he received from a resident about the evident lack of care on the part of the School Board and their cleaning staff with respect to the Duc D'Anville School. He explained that the resident who had raised this concern has indicated that he sees the indoor lights on at this School on both floors in every room from 6:00 p.m. to 12:00 midnight and that he sees very rarely any activity or cleaning going on. The Alderman noted that the outdoor lights are also on during these hours.

Alderman Macdonald expressed concern about this situation noting that this could be an expense which should be curtailed. He indicated that he would appreciate some additional information with respect to this situation.

**Question Alderman Stone Re: Intersection at
Lacewood and Willett**

Alderman Stone complimented the Traffic Authority for providing such a prompt report in response to a question he had raised regarding the intersection at Lacewood and Willett at the Sobey's driveway. He added that staff have reported that they have looked at this intersection and have also advised that there have been very few accidents at this location. However, the Alderman noted that, because of the change in traffic patterns, staff have indicated that they will be looking at this intersection again during the 1993 traffic program in May. Alderman Stone reiterated that he was very pleased with the prompt reply provided by staff in respect of this matter.

Question Alderman Stone Re: Director of Social Planning

Alderman Stone questioned the status of the appointment of a Director of Social Planning to replace Mr. Harold D. Crowell.

The Acting City Manager, Mr. Wayne Anstey, Q.C., addressed the matter and advised that Mr. Crowell is still acting as the Director. He added that there were only three

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applicants for the position and that he interviewed one applicant on this date. Mr. Anstey noted that interviews are scheduled for tomorrow and that it was his hope a report would subsequently be forthcoming.

Question Alderman Stone Re: Bedford Highway Upgrading

Alderman Stone raised a question regarding the upgrading of the Bedford Highway. He noted that it was his understanding that this upgrading was progressing very well. The Alderman questioned whether a letter had been forwarded to the Province to ask for cost sharing from the Department of Transportation and Communications in this upgrading.

Question Alderman Stone Re: Budget Deadline

Noting that Council was presently holding budget deliberations, Alderman Stone inquired about the deadline for setting the City's budget.

Question Alderman O'Malley Re: Mobile Canteens

Alderman O'Malley requested some information regarding the tendering expiration dates for mobile canteen locations throughout the City and whether or not these tenders will be coming to Council.

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

Question Alderman Downey Re: Budget Extension

In response to a question from Alderman Downey, Mr. B.G. Smith, Director of Finance, advised that the deadline for an extension for the budget was June 30th.

Alderman Downey questioned, in the event there was an election call before June, if the commitment for cost sharing from the Province would remain at the same level as last year.

In response, the Acting City Manager advised that if the City has not been notified differently then he could only assume that the cost-sharing has not changed.

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Question Alderman Downey Re: Line Painting

Alderman Downey noted that the street line painting is usually done in May. He questioned whether staff would consider doing the resurfacing and potholes before the line painting.

Question Alderman Downey Re: City of Halifax SCOOT Service

Alderman Downey noted that the publication "The Connection" published by Halifax Developments Limited recently featured an article with respect to the City's SCOOT system.

Alderman Downey noted that staff of the Engineering and Works Department, particularly the Traffic Authority, should be complimented in this regard.

Question Alderman Hanson Re: Quarry Road

Alderman Hanson asked that staff investigate the deplorable condition of Quarry Road where development is taking place. The Alderman advised that while he is not opposed to this development, he is concerned about how it affects the travelway and asked that staff investigate the situation.

**Question Alderman Hanson Re: Stormwater
320 Purcell's Cove Road**

Alderman Hanson advised that there has been an on-going problem in the vicinity of 320 Purcell's Cove Road with respect to stormwater. Noting that this is creating havoc for residents in the area, the Alderman asked that staff undertake an assessment and try and find a resolution which might alleviate this problem.

Question Alderman Adams Re: Driveway - Herring Cove Road

Alderman Adams expressed his thanks to Mr. Bill Sullivan, Chief Engineer, for his prompt response to previous questions he had raised in Council.

The Alderman went on to note that a gentleman on the Herring Cove Road has had his driveway washed away and a great deal of his lawn damaged as a result of water flowing down from Chambers Hill. Alderman Adams added that this has been an on-going problem in this particular area. He indicated that he would submit the name of this gentleman to staff and his phone number and asked that staff try and find

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an interim solution to this problem until a long term solution is found.

Question Alderman Adams Re: Guardrail on Tartan Avenue

Alderman Adams referred to the guardrail on Tartan Avenue noting that it appears to be deteriorating along with the pavement. The Alderman asked that staff investigate the situation.

Question Alderman Adams Re: No-Parking Central and B.C. Silver Schools

Alderman Adams advised that, at a recent meeting of the PTA for the Central and B.C. Silver Schools, concerns were raised about parents stopping to pick up their children in no parking zones. He added that there are no parking signs in this area. The Alderman went on to note that he has written a memo to the Chief of Police regarding this matter, but indicated that he would also like the Traffic Authority to investigate the situation with the possibility of placing "no stopping" signs in this area.

Question Alderman Adams Re: Crosswalk - Herring Cove Road and Clovis Avenue

Alderman Adams expressed concern with respect to a crosswalk at the Herring Cove Road at Clovis Avenue in the vicinity of a senior's residence and a Canadian Tire store. He added that there was a bus stop located on each side of the street. Noting that this area had five lanes with a blind crest, Alderman Adams explained that a dangerous situation existed for pedestrians trying to cross this roadway. He went on to ask that staff consider the possibility of erecting an island at this location to help alleviate this dangerous problem.

Question Alderman Pottie Re: Grand Casino

Alderman Pottie noted that Grand Casino had made a very professional presentation to City Council. He went on to note that an invitation was sent out under the Chairman of the Halifax Industrial Commission's name and Her Worship the Mayor inviting 600-700 people to a reception. Alderman Pottie advised that it was his understanding the Industrial Commission was cost-sharing with Grand Casino the budget for this reception which he heard was approximately \$40,000. The Alderman asked that the Chairman or the Executive Director of the Industrial Commission provide a report on the costs to the City in respect of this reception.

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NOTICES OF MOTION

**Notice of Motion Alderman Macdonald Re:
Rescission of City Council Motion of 25 March 1993
Concerning "Write-Off Accounts - 1992"**

Alderman Macdonald gave Notice of Motion that, at the next regular meeting of Halifax City Council, **scheduled for Thursday, 29 April 1993**, he proposes to introduce a Motion of Rescission with regard to Council's motion of 25 March 1993 concerning "Write-Off Accounts - 1992."

Her Worship suggested that Alderman Macdonald may wish to discuss this matter with the Acting City Solicitor prior to the 29 April meeting.

ADDED ITEMS

**Case No. 6551: Development Agreement for Senior
Citizens Apartment Building -- Ford Street and
Main Avenue (Former Titus Smith School Site)**

This matter had last been discussed by Halifax City Council during a meeting held on 26 November 1992.

A staff report, dated 6 April 1993, was submitted.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that City Council extend the signing deadline of 23 April 1993 to **30 July 1993** for the development agreement approved on 26 November 1992 with the Nova Scotia Department of Housing and Consumer Affairs. This development agreement shall be signed by 30 July 1993, or any extension thereof granted by Council on request of the applicant; otherwise the approval of the development agreement will be void and obligations arising thereunder shall be at an end.

The motion was put and passed.

City Hall Offices - Meeting Date

This matter had last been discussed during a regular meeting of Halifax City Council held on 25 February 1993.

A staff report, dated 14 April 1993, was submitted.

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MOVED by Alderman Pottie, seconded by Alderman Downey that the matter of the City Hall Offices be reviewed at a continuation of the Committee of the Whole Council meeting on **Wednesday, 21 April 1993 at 7:30 p.m. in the Council Chamber**, when staff and the proponents will be present to answer questions.

The motion was put and passed.

10:00 p.m. - Her Worship Mayor Ducharme returns to the meeting with Deputy Mayor Fitzgerald resuming his usual seat on Council.

Outside Counsel

A private and confidential report from Mr. Barry S. Allen, Acting City Solicitor, dated 14 April 1993, was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that **Mr. Don MacDougall** of Stewart McKelvey be retained as outside counsel to defend any legal challenges brought against the resolution of Halifax City Council dismissing Mr. Donald F. Murphy as City Manager; and further, that Mr. MacDougall be authorized to launch any appeals that may be required to the Labor Standards Tribunal.

The Acting City Solicitor advised that, upon his appointment, Mr. MacDougall will undoubtedly wish to meet with members of Council to receive more detailed instructions and background information concerning this matter.

The motion was put and passed.

Digital Topographic Mapping

A staff report dated 8 April 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that the Mayor and City Clerk be authorized to enter into an agreement with **The Eastcan Group of Survey Consultants Ltd.** to provide digital topographic update mapping in accordance with the specifications at a cost not to exceed \$49,411.53 (funds to be made available from Capital Account No. 91611, Digital Mapping, with \$12,943.79 recoverable from the Performance Bond).

The motion was put and passed.

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Compensation Package for Highway #101 Landfill

A staff report, dated 13 April 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that Council give authorization to staff to oppose the proposed landfill close-out legislation in its present form and, unless it is modified, to specifically provide for compensation for the 34 immediately adjacent homeowners as a first charge on the \$5 million fund.

The motion was put and passed.

Call for Proposals - Management
Consultant (New City Manager)

This matter had been added to the agenda at the request of Alderman Macdonald who requested clarification

Mr. Anstey made reference to his Information Report, dated 15 April and entitled "Call for Proposals - Management Consultant," and emphasized that, owing to some confusion surrounding the advertised deadline for the submission of proposals, it had been decided to accept the submission by Robertson Surette which had been received after 4:30 p.m. on 13 April 1993.

Budget Meeting Date

This matter had been added to the agenda at the request of the Acting City Manager.

Mr. Anstey proposed, and it was so agreed, that the next budget review meeting be scheduled for TUESDAY, 20 APRIL 1993 at 7:30 p.m. in the Council Chamber.

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

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD
CHAIRMEN

K*MS

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
29 April 1993
8:00 P.M.

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

Her Worship Mayor Moira Ducharme opened the meeting by leading members of Council and those present in the public gallery in the recitation of the Lord's Prayer.

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

ALSO PRESENT: Mr. Wayne Anstey, Q.C., Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 7 April, and of a regular meeting, held on Thursday, 15 April 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 Appointments
- 20.2 Busker's Festival
- 20.3 Call for Proposals - Recruitment of City Manager
- 20.4 Appointment of Acting Director - Social Planning Department
- 20.5 Award of Tender #93-92: Removal and Disposal of Excess Waste from Bar Screen and Grit Chamber - Roache's Pond Pumping Station

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FREEDOM OF THE CITY

Her Worship announced that the Navy will be exercising its Freedom of the City on **Sunday, 2 May 1993 at 2:00 p.m.** at which time 600 men and women will march through the streets of Halifax. She went on to note that the Freedom will be granted by the Chief of Police and that salute will be taken in the vicinity of the Sailor's Monument by the Governor General.

MOTIONS OF RESCISSION

**Motion Alderman Macdonald Re: Rescission
of City Council Motion of 25 March 1993
("Write-Off of Accounts - 1992")**

Alderman Macdonald had given Notice of Motion regarding this matter at the last regular meeting of Halifax City Council held on Thursday, 15 April 1993.

In deference to Alderman Macdonald who could not attend this evening's meeting, it was moved by Alderman Downey, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 13 May 1993.

The motion to defer was put and passed.

PETITIONS AND DELEGATIONS

**Petition Alderman O'Malley Re: Request
from Residents of Acadia Square Lodge South**

Alderman O'Malley submitted a petition containing the signatures of 22 residents of Acadia Square Lodge South which was appended to a letter dated 1 March 1993 from Mr. W. T. Jandron, Property Manager, Halifax Housing Authority.

The Alderman went on to point out that Lodge residents have expressed concern regarding the use of the walkway (Kenny Lane) leading from their facility's parking lot to Novalea Drive, and are asking that various alternatives be considered. Alderman O'Malley asked that the petition be tabled and forwarded to appropriate staff members for review and comment.

**Petition Alderman Meagher Re: Request
from Residents of Connaught Avenue**

Alderman Meagher submitted a petition on behalf of approximately 20 residents of Connaught Avenue requesting that the "worn, broken and hazardous" sidewalk

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on the east side of Connaught between Oak Street and Chebucto Road be replaced.

Noting that there are a number of senior citizens as well as a gentleman with visual disabilities who use this sidewalk on a regular basis, Alderman Meagher asked that consideration be given to making the necessary repairs as quickly as possible.

**Petition Alderman Meagher Re:
Sidewalk Repairs - Duncan Street**

Alderman Meagher submitted a letter, dated 2 February 1993, from Mr. Peter G. Oram of 6288 Duncan Street, in which concern was expressed regarding the condition of the sidewalks (on both the north and south sides) between Chebucto Lane and Harvard Street.

Alderman Meagher emphasized that these sidewalks are heavily travelled, particularly by children, older adults and mobility-challenged individuals, and therefore asked that consideration be given to making the necessary repairs as quickly as possible.

**Petition Alderman Meagher Re: Sidewalk
Repairs - Seaforth and Summit Streets**

Alderman Meagher advised that he had received a number of calls from residents of Seaforth Street concerning the condition of the sidewalk between Windsor and Dublin, and on Summit Street between Gladstone and Windsor. The Alderman indicated that he would request that the necessary repairs be included in the 1993/94 Capital Budget.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 21 April 1993, as follows:

Atlantic Lotto - Video Machines

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Information Report of 2 April 1993 be tabled; and further, that staff make a presentation to the Nova Scotia Liquor Licensing Board and the Lottery Commission explaining the City's position that it is opposed to allowing any more than five (5) machines on a licensed premise.

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Following a brief discussion, during which the Acting City Solicitor responded to various questions put forward by Alderman Jeffrey, the motion was put and passed.

Report from Art Allocation Committee
Re: Application of Mr. John Macnab

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, the application submitted by Mr. John Macnab regarding the placement of public art at Horseshoe Park be referred to staff for a report for comments on the proposed location and any associated costs.

The motion was put and passed.

Canteen Concessions - Halifax Public Gardens,
Three (3) Year Lease - Tender #93-82

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

- (1) authority be granted to award Tender 93-82 for canteen concessions at the Halifax Public Gardens to **Amcrest Foods** as follows: Year 1 - \$4,601.00; Year 2 - \$6,634.00; Year 3 - \$8,667.00;
- (2) funds be made available from Account Number 22502.0081 ("Buildings - Administration, Real Estate").

The motion was put and passed.

Expropriation Settlement - 5208 Buckingham
Street/1896 Barrington Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee:

- (1) \$30,975.35 be paid as settlement in full for the expropriation of 5208 Buckingham Street/1896 Barrington Street less \$17,700 already paid pursuant to the Expropriation Act and interest in accordance with the Expropriation Act;
- (2) funds be made available in the Sundry Land Acquisition account of the capital budget.

The motion was put and passed.

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Position with Respect to the Proposed Takeover of
the Dartmouth Ferry by the Metropolitan Authority

The following motion had been approved during the 21 April meeting of the Finance and Executive Committee:

THAT:

(1) the Halifax appointees to the Metropolitan Authority be advised that it is not reasonable to accept responsibility for accumulated deficits from prior operations, either capital or operating;

(2) acceptance of the Dartmouth position on Ferry Terminal parking revenues and to allow Dartmouth and Metropolitan Authority staff to reach some operating compromise on the matter of budgetary control and that the balance of the draft memorandum of agreement, as developed by the Metropolitan Authority staff, be the basis for operation of the Ferry System by the Metropolitan Authority.

Mayor Ducharme advised that, at a recent meeting of the Metropolitan Authority concerning this matter, the above-noted options had been put forward by City of Halifax representatives, but both had been defeated.

Deputy Mayor Fitzgerald reiterated remarks made during the 21 April meeting of the Finance and Executive Committee, emphasizing that because the ferry system directly contributes to the economic well-being of the City's Central Business District, it was his view that the City of Halifax should be prepared to cost-share in its operational expenses. Acknowledging that one of the major obstacles in these negotiations was the system's accumulated debt, the Deputy Mayor indicated that, in his opinion, the ferries could be transformed into a profitable venture, particularly if initiative and imagination were applied.

Alderman Holland indicated that he concurred in principle with the Deputy Mayor's remarks. However, he went on to point out that at the present time the revenues realized from the parking lots associated with the Ferry Terminal on the Dartmouth side are enjoyed solely by the City of Dartmouth. The Alderman went on to emphasize that, in his opinion, if all metro-area municipalities agree to cost-share in the operation of the ferry system, they should also all be permitted to benefit from the revenues collected through the operation of the parking lots.

Alderman Stone advised that while he fully supported the concept of contributing to the future operating costs of the ferry system, he had some difficulty

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in accepting that the City of Halifax should be expected to assist in the payment of debts accumulated by the ferries over the last several years.

Noting that the next meeting of the Metropolitan Authority will not be held until Tuesday, 11 May, the Chairman suggested that Council might wish to consider deferring this matter to the 5 May Committee of the Whole so that clarification on certain points could be provided by the Acting City Manager.

Alderman O'Malley made reference to the parking lots associated with the Woodside ferry terminal, and asked for information as to the amount of revenues annually collected through the operation of those facilities.

After some further discussion, it was moved by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that the matter be deferred to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 5 May 1993.**

In putting forward this motion of deferral, Deputy Mayor Fitzgerald suggested (and it was so agreed) that representatives of the Downtown Halifax Business Improvement District Commission be asked to attend and to contribute their comments on the matter.

The motion to defer was put and passed.

Taxi School

Alderman Jeffrey retires from the meeting.

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the report submitted on 21 April by Mr. Michael Edwards, Vice Chairman of the Halifax Taxi Commission, be tabled; and further, that the matter be forwarded to the Halifax Taxi Commission for review and recommendation.

Alderman Stone expressed concern regarding statements made during the 21 April meeting; namely, that the new Taxi School will not be ready for implementation until September of 1993. The Alderman noted that it had been his understanding that Council had previously required that taxi schools be held a minimum of three times annually and, in this context, pointed out that no courses of this nature have been held since the Spring of 1992. Alderman Stone went on to express concern that the tuition fee for the new taxi school is proposed to be substantially increased and questioned whether, in fact, such a comprehensive curriculum is necessary merely for the purposes of training individuals to operate a taxi. As an

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example, the Alderman referred to the fact that CPR training had been proposed as one of the course requirements, and asked for information as to the number of existing taxi drivers who had received this sort of training.

The Chairman indicated that this request would be forwarded to the Taxi Commission for a response.

Alderman Stone also noted that he has received a number of calls from individuals who are extremely interested in obtaining a Halifax taxi license as a means of earning a livelihood. In deference to these individuals, the Alderman indicated that, in his view, the Taxi Commission should make every effort to hold a driver education course as quickly as possible.

Concurring with the comments put forward by Alderman Stone, Alderman Holland suggested that, if the Commission was unable to have a completely reorganized Taxi School in place within the next several weeks, it could consider using either the former curriculum or a combination of the original format and whatever aspects of the proposed program that might be available.

It was therefore moved by Alderman Stone, seconded by Alderman Holland that the motion be amended by the adding the following; "and further, that the Halifax Taxi Commission be requested to hold a Taxi School no later than June 1993."

After some discussion, the amendment was put and passed.

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

Alderman Jeffrey returns to the meeting.

Mainland Common - Acquisition of Additional Land

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, in addition to the payment authorized on 25 March 1993, Council authorize a payment of 3 percent of the gross cost of the land, also to be made from the Sale of Land Account, to cover GST.

The motion was put and passed.

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**Annual Technical Support - SUN IV 32 Users Unix
- Finance Department (GIS) - File #58847**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to place the order for annual technical support for SUN IV 32 Users Unix with the **Oracle Corporation Canada Incorporated** in the amount of \$17,876.49 (price includes G.S.T.); with funding being available in Account Number 25358.0050 titled "Computer Software and Maintenance - Operations, MIS."

The motion was put and passed.

Change in Date:

27 May 1993 City Council Meeting

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the 27 May 1993 meeting of Halifax City Council be **RESCHEDULED to Thursday, 3 June 1993.**

The motion was put and passed.

Minutes of 22 March Committee of the Whole

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the 22 March 1993 Finance and Executive Committee Minutes be corrected to reflect that City staff did not advise Mr. Hill that the Vimy Bypass would not proceed.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of its Committee on Works, held on Wednesday, 21 April 1993, as follows:

**Motion Alderman Macdonald Re: 1987 City
Council Resolution Re: Widening of Alma
Crescent, Titus Street and Dutch Village Road**

The following motion was put and **defeated** during the 21 April meeting of the Committee on Works:

THAT funds be included in the 1994/95 budget for the widening of Alma Crescent, Titus Street, and Dutch Village Road.

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In deference to Alderman Macdonald who could not attend this evening's meeting, it was moved by Alderman Downey, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 13 May 1993.

The motion to defer was put and passed.

City Transportation Plan

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Committee on Works, City Council:

- (1) appoint **U.M.A. Engineering Ltd.** to carry out a City Transportation Plan in accordance with the Terms of Reference attached as Appendix 1 of the 9 March 1993 staff report, and at an upset cost of \$341,000.00;
- (2) approve an expenditure of \$9,000.00 for the public consultative process; and
- (3) authorize the transfer of funds in the amount of \$350,000.00 for this project from Account Number 91506, "Bedford Highway Upgrading."

Alderman Stone emphasized that he would not be voting in support of this motion, owing to his belief that City Council had an obligation to do everything in its power to support and promote companies with head offices that are located in Halifax and whose employees are primarily drawn from the local community.

Referring to the concerns put forward by Alderman Stone, Deputy Mayor Fitzgerald quoted from a letter dated 21 April 1993 from Mr. H. J. Porter, P.Eng., President of Porter Dillon, as follows:

The City of Halifax has a standard procedure in place for the selection of consultants which has served the City of Halifax and the consulting industry well over the years. Are we to assume that this procedure has been replaced by an arbitrary and capricious procedure which benefits none in the long-term.

The Deputy Mayor went on to emphasize that, in his view, the recommendation put forward by the steering committee meets all of the policy requirements previously established by Council for matters of this nature. He therefore urged that the committee's recommendation be accepted.

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After some further discussion, the motion was put and resulted in a tie vote. Her Worship broke the tie by voting in favor, and declared the motion to be passed.

**Award of Tender #93-41: Municipal Services
- Emergency and Incidental Repairs**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, Tender Number 93-41, Municipal Services - Emergency and Incidental Repairs, be awarded to G. & R. Kelly Enterprises Ltd. at the unit prices quoted.

The motion was put and passed.

**Award of Tender #92-23 - Replacement of
Overhead Sign Structure - Fairview Overpass**

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Committee on Works:

- (1) Tender Number 92-23, Replacement of Overhead Sign Structure - Fairview Overpass, Alternative "A," be awarded to **Black and MacDonald Limited** at the bid price of \$48,700.00 and a total project cost of \$68,700.00;
- (2) Council authorize a transfer of \$20,000.00 from Capital Account #91645 ("Retaining Wall - Robie Street Ramp") to Capital Account #91659 ("Fairview Overpass - Replace Overhead Sign Structure");
- (3) staff finalize a settlement with Finnamore & Partners Ltd. for damages to the previous Overhead Sign Structure at this location in the amount of \$42,000.00.

The motion was put and passed.

**Award of Tender #93-57: One 1993 Model
Truck Chassis with High Velocity Sewer
Cleaner and Waste Removal System**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Committee on Works, authority be granted to place Tender #93-57, the order for one 1993 model truck chassis with high velocity sewer cleaner and waste removal system, with **Bergor Equipment Supply Inc.**, for the price of \$201,748.50 (price includes G.S.T.); and further, that funds be made available

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from Account Number 26104.8300.80000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering & Works."

The motion was put and passed.

**Award of Tender #93-62: Two New Model
4WD Articulated Municipal Tractors**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to place Tender #93-62, the order for two new model 4-W.D. articulated municipal tractors, with Saunders Equipment Ltd. in the amount of \$154,613.93 (price includes G.S.T.); and further, that funds be made available from Account Number 26104.8300.80000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering & Works."

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

**Award of Tender #93-63: Five 1993 Model
Truck Chassis with Combination Salt and
Dump Bodies, and Reversible Plows (33,000 G.V.W.)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to place Tender #93-63, the order for five 1993 model truck chassis with combination salt and dump bodies and reversible plows (33,000 G.V.W.), with Parts for Trucks in the amount of \$148,699.24 (price includes G.S.T.); and further, that funds be made available in Account Number 26104.8300.80000 titled "Motor Equipment Assets - Equipment Reserve: Vehicles, Engineering and Works."

The motion was put and passed.

**Award of Tender #93-71: One 1993 Model Tandem
Truck Chassis with Vacuum Type Catchbasin Cleaner**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Committee on Works, authority be granted to place Tender #93-71, the order for one 1993 model tandem truck chassis with vacuum type catchbasin cleaner, with LaHave Equipment Ltd. in the amount of \$201,085.10 (price includes G.S.T.); and further, that funds be available from Account Number 26104.8300.80000 titled "Motor Equipment Assets - Equipment Reserve: Vehicles, Engineering and Works."

The motion was put and passed.

from Account Number 26104.8300.80000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering & Works."

The motion was put and passed.

**Award of Tender #93-62: Two New Model
4WD Articulated Municipal Tractors**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to place Tender #93-62, the order for two new model 4-W.D. articulated municipal tractors, with **Saunders Equipment Ltd.** in the amount of \$154,613.93 (price includes G.S.T.); and further, that funds be made available from Account Number 26104.8300.80000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering & Works."

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

**Award of Tender #93-63: Five 1993 Model
Truck Chassis with Combination Salt and
Dump Bodies, and Reversible Plows (33,000 G.V.W.)**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to place Tender #93-63, the order for five 1993 model truck chassis with combination salt and dump bodies and reversible plows (33,000 G.V.W.) - **for the body only with Parts for Trucks** in the amount of \$148,699.24 (price includes G.S.T.); with funds being made available in Account Number 26104.8300.80000 titled "Motor Equipment Assets - Equipment Reserve: Vehicles, Engineering and Works"; **and further that, authority be granted to place the order for the truck chassis with MacKay's Truck & Trailer Center Ltd.** in the amount of \$237,240.00 (price includes G.S.T.); with funds being made available in the account number 26104.8300.80000 titled "Motor Equipment Reserve - Vehicles, Engineering & Works."

The motion was put and passed.

**Award of Tender #93-71: One 1993 Model Tandem
Truck Chassis with Vacuum Type Catchbasin Cleaner**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Committee on Works, authority be granted to place Tender #93-71, the order for one 1993 model tandem truck chassis with vacuum type catchbasin cleaner, with **LaHave Equipment Ltd.** in the amount of \$201,085.10 (price includes G.S.T.); and further, that funds be available from Account Number 26104.8300.80000 titled "Motor Equipment Assets - Equipment Reserve: Vehicles, Engineering and Works."

The motion was put and passed.

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REPORT - PLANNING COMMITTEE

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 21 April 1993, as follows:

Case No. 6407: Development Agreement - 5669 Ontario Street

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, Council enter into an agreement with New Life Centre to enable construction of a six unit addition at 5669 Ontario Street as shown on Plans P200/19334-38 of Case No. 6407; and further, that Council discharge the agreement filed in Book 5201, Page 1025 between Bloomfield Housing Co-operative Limited and the City of Halifax.

Alderman O'Malley questioned if any correspondence regarding this matter had been submitted.

The City Clerk advised that no correspondence had been received.

Motion carried.

City Hall Offices

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Planning Committee, the matter of "New City Hall Offices" be referred back to staff with a request that the points raised during the 21 April discussion be addressed; that the proposals received from both the Canterbury Group and from Halifax Developments Limited be submitted to an outside consultant for comment; and that, when this information is available, a special meeting be convened with the public being invited to participate in the proceedings.

Alderman Adams requested that staff comment on whether it would be an appropriate avenue to tender out as well for office space.

Motion carried.

MISCELLANEOUS BUSINESS

Voting Delegates - U.N.S.M. Regional Meeting

Her Worship advised that a regional meeting of the Union of Nova Scotia Municipalities was scheduled for 5 May 1993 and that City Council is required to appoint five voting delegates prior to this meeting.

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A brief discussion ensued and it was MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that the following members of Council be appointed as voting delegates for the regional U.N.S.M. meeting to be held on Wednesday, 5 May 1993:

**Deputy Mayor Fitzgerald, Alderman Holland,
Alderman Adams, Alderman Crowley, and Alderman Stone.**

Motion carried.

QUESTIONS

Question Alderman Holland: Nathan Green Square

Alderman Holland advised that last December City Council passed a motion regarding property at Nathan Green Square. He advised that the motion approved the extension of Murphy Sailing Ships and this, in turn, results in the removal of a tree on the property. Alderman Holland noted that there was already very few shrubs and trees in this area and he requested that staff further discuss this matter with the proponent and see if there could be a way in which the proponent could proceed with his plans without destroying the greenery.

Question Alderman Jeffrey: Capital Budget - Dutch Village Road Project

Alderman Jeffrey advised that during the Capital Budget deliberations staff indicated to him that if he wanted to proceed with the project on Dutch Village Road (between Titus Street and McFatrige Road) regarding the installation of parking meters and putting in a sidewalk on one side of the street, it would require placing \$70,000 in the capital budget.

Alderman Jeffrey added that during the capital budget deliberations he removed the walkway between Percy Street and Joseph Howe Drive from the budget and he requested that, instead of this project, staff consider placing \$70,000 back into the capital budget for the Dutch Village Road project.

Question Alderman Jeffrey Re: Pamphlets Regarding City's Snow Policy

Alderman Jeffrey noted that some time ago Council heard a presentation from a company which wanted get into the business of sidewalk snow removal. He indicated that there has been some concern that pamphlets which have been circulated in this regard contain incorrect information about the City's snow policy. Noting that the Director of Engineering and Works is aware of this matter, Alderman

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Jeffrey requested that staff investigate this and report back to Council as quickly as possible.

Question Alderman O'Malley Re: Wastebasket - Novalea Drive

Alderman O'Malley noted that a wastebasket that had been located at the bus stop on Novalea Drive, across from Dr. Samuel Prince Senior Citizen Manor, has been removed for some time. Noting that the people waiting for the bus are now simply throwing their garbage on the ground, Alderman O'Malley requested information on why this wastebasket was removed.

Question Alderman O'Malley Re: Canteen Concession - The Dingle

Alderman O'Malley requested a report on when there will be a tender call for the canteen concession at The Dingle.

Question Alderman O'Malley Re: Sidewalk Deficiency Rating - Merkel Street

Alderman O'Malley requested an assessment on the deficiency rating on the south side of the Merkel Street sidewalk, between Agricola and Robie Streets.

Question Deputy Mayor Fitzgerald Re: Entrance to the City

Deputy Mayor Fitzgerald noted that there was a section of land at the entrance to the City, around the area of the Bicentennial Highway and the 103 which was quite unsightly, adding that there large holes filled with water and it had a rough and rocky appearance. The Deputy Mayor advised that similar sections (islands) in the City are usually landscaped and he asked that staff investigate this matter and see if something, relatively inexpensive, could be done to improve the appearance.

Question Deputy Mayor Fitzgerald Re: Paved Road Across the Commons

Deputy Mayor Fitzgerald requested a report on any plans proposed for the paved section on the Commons that was used for the Grand Prix.

Question Deputy Mayor Fitzgerald Re: Rockingstone Road

Deputy Mayor Fitzgerald noted that some time ago Council approved the rezoning of a property on

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Rockingstone Road from RC-1 to R-2, however, it was his recollection that the City lost this case. The Deputy Mayor requested an update on this situation.

The City Manager noted that a report regarding this matter will be provided before the next Committee of the Whole.

Question Deputy Mayor Fitzgerald Re: Halifax Infirmary and Khyber Building

Deputy Mayor Fitzgerald requested an update on the status of the old Halifax Infirmary and the Khyber Building.

Question Deputy Mayor Fitzgerald Re: Road to Harrietsfield

Deputy Mayor Fitzgerald advised that he has mentioned in the past that it would be advantageous to have a road from the area of the Exhibition Park to Harrietsfield and he questioned if there were any plans for this. He suggested that it would be beneficial because it would provide another entrance and exit to the Spryfield area and it would help the South Centre Mall and other businesses in the Spryfield area.

Question Alderman Crowley Re: CN Lands - Olivett Street

Alderman Crowley noted that, about a year ago, CN carried out some work to improve the area it owns behind the Olivett Street apartment buildings. She advised that the residents of Olivett Street feel there is still debris to be cleaned up and she asked that staff investigate this matter to see what could be done.

Question Alderman Crowley Re: Lloyd Fox Entrance - Westmount School

Alderman Crowley advised that a year ago, Council approved the closure of the Lloyd Fox entrance to the Westmount School area. She noted that the fence owned by the Halifax Shopping Centre which abuts the City fence has slats removed to the extent that people are now going through. She requested that staff contact the Halifax Shopping Centre to see if this can be repaired.

Question Alderman Crowley Re: Petitions Submitted to Council

Alderman Crowley noted that in the last number of months she has received some documents, such as petitions, at Council with the names printed rather than the actual signature of the individual. Alderman Crowley advised that she wondered about the legality of this and she asked that

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staff provide a report on whether there is a particular ruling on this matter.

Question Alderman Downey Re: Callback of Local 108 Workers

Alderman Downey requested a report on when the workers of Local 108 will be called back.

Question Alderman Downey Re: Replacement of Utility Poles

Alderman Downey noted that the Nova Scotia Power Corporation is replacing utility poles from Cogswell Street through to Bloomfield Street and he asked for a report on when this work will be completed.

Question Alderman Adams Re: Flooding in Spryfield

Alderman Adams advised that he had some names of individuals in the Spryfield area who are having flooding problems. He noted that he would submit these names to the City Clerk and he asked that they be passed on to staff and the situations investigated.

Question Alderman Adams Re: Storm Sewer - Leiblin Drive

Alderman Adams requested a report on the long term developmental timeframe for the Leiblin Park area storm sewer.

Question Alderman Adams Re: Extra Police Enforcement - Crosswalk at McMullen Road and Herring Cove Road

Alderman Adams noted that, in response to his request, he was very pleased with the assistance he was receiving from the Police Department, particularly the Alpha zone, in regards to selective enforcement.

Alderman Adams advised that he had a further request in this regard and he requested extra enforcement with respect to the monitoring of the crosswalk at McMullen Road and Herring Cove Road, near the Golden Age Centre. The Alderman asked that an unmarked police car be present during the busiest times, and especially when children are present.

Question Alderman Stone Re: Letter Re Cost Sharing for Improvements to the Bedford Highway

Alderman Stone advised that a couple of weeks ago he questioned if the letter was sent in regards to cost-sharing for improvements on the Bedford Highway and he requested a copy of this letter. Also, Alderman Stone asked that if a reply has been received, he would like a copy of this as well.

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Question Alderman Jeffrey Re: Flooding - 7 Rufus Street

Alderman Jeffrey noted that the apartment complex at 7 Rufus Street was experiencing some flooding recently and this was because the storm gutters on the Halifax West School were no longer present. He explained that the School abuts this apartment building, and when it rains, the water falls on the parking lot of the apartment complex and it has resulted in some of the apartments being flooded.

Alderman Jeffrey requested that staff investigate this as soon as possible and report back to Council on what action has to be taken.

Question Alderman Jeffrey Re: Flooding - Rosemount Avenue

Alderman Jeffrey advised that he received a petition from residents of Rosemount Avenue concerning flooding to a number of properties on this street. He added that it is felt that the flooding is due to the lack of catch basins and storm sewers in the Fairmount/Rosemount area. Alderman Jeffrey noted that he has made staff aware of this problem on a number of occasions, however nothing has been done to help the situation.

Alderman Jeffrey advised that he would submit the letter to City Clerk and he asked that a copy be forwarded to the Engineering and Works Department and that staff report back as soon as possible.

Question Alderman O'Malley Re: Kenny Lane

Alderman O'Malley noted that earlier this evening she tabled a petition regarding Kenny Lane, which is owned by the City. She advised that there is a lot of loose gravel on the lane and some people are using the rocks to throw at cars and homes in the area. Alderman O'Malley asked that the lane be cleaned up and that the loose gravel be removed as soon as possible.

ADDED ITEMS

Appointments

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

A report dated 28 April 1993 from Her Worship Mayor Ducharme was submitted.

Alderman Meagher advised that he was prepared to move approval of the appointments, however he requested

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that the appointment to the Point Pleasant Park Commission be withheld at this time, to which it was agreed.

MOVED by Alderman Meagher, seconded by Alderman Holland that the following appointments be approved:

BOARD OF POLICE COMMISSIONERS

George Mitchell, Q.C., CHAIRMAN

Term to expire 31 June 1993

Viki Samuels-Stewart

Term to expire 31 January 1996

TOURISM HALIFAX

Victor Ferriera

Term to expire 31 January 1996

Motion carried.

Busker's Festival

At the request of the City Clerk, this item was added to the agenda.

A staff report dated 28 April 1993 was submitted.

An information document entitled, "Halifax International Buskerfest, Economic and Social Impact" was submitted.

Alderman Adams addressed the matter, noting that it had been raised at the last meeting of the Committee of the Whole when, at that time, he submitted a request from the Buskers Festival Organization and asked staff to review and report back to Council.

Alderman Adams then outlined the numerous benefits that the Festival provides the City, indicating that it has a great financial impact and that Halifax was well known for holding this unique event. In this regard, the Alderman advised that he believed that for the positive impact it has on the City, it would be worthwhile to grant their request for funding.

MOVED by Alderman Adams, seconded by Alderman Jeffrey that a grant of \$20,000 to provide for the Buskers' Festival be added to the Tourism Department budget.

The Acting City Manager pointed out that the policy City Council has followed on events such as this has

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been to provide assistance in the formative years and then gradually reduce the assistance as the event gets underway. The Acting City Manager noted that this has been the case with the Buskers' Festival, advising that since its inception, Council has gradually reduced its assistance over the years. The Acting City Manager advised that it was expected that once the event is well underway, it should become self supporting. He pointed out that this year, staff has budgeted for the provision of services for this event, which amounts to approximately \$27,000.

The Acting City Manager advised that he was aware that Festival Organizers were having more difficulty this year than in previous years in securing sponsors and this was probably due to the overall state of the economy and, therefore, this was why staff was requesting that Council provide direction on this matter.

Referring to the submitted staff report, Alderman O'Malley noted that Festival Organizers were asking the Province for \$60,000 and she questioned if the City's grant would be contingent upon the grant coming from the Province. She added that she was also concerned that Council does not have an audited financial statement of last year's Buskers' Festival to review.

Responding to Alderman O'Malley's questions, the Acting City Manager advised that staff have been concerned for some time about the lack of certified financial data. With respect to the proposed grant from the City, he added that staff was recommending it be added to the Tourism budget so that the Tourism Department could monitor the progress and deal with the money accordingly.

Alderman O'Malley advised that she believed Council should review previous audited financial statements prior to any approval and, in this regard, she suggested that the matter should be deferred to the next meeting of the Committee of the Whole Council and, in the meantime, staff approach the Festival Organizers and request that an audited financial statement be provided.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 5 May 1993, and staff report back with respect to audited financial statements of the Buskers' Festival.

In addition to Alderman O'Malley's request for audited financial statements, Deputy Mayor Fitzgerald requested that, prior to the next Committee of the Whole, staff obtain all other necessary information, including the status of this matter with Provincial Department of Tourism. The Deputy Mayor advised that he would like all the pertinent information available for the next Committee

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of the Whole so that Council would be able to make a decision at that time.

Further to this, Alderman Holland requested that the Director of Tourism contact various community organizations such as the Rotary Club, Kiwanis Club, Kinsmen, and Lions Club, and report back to Council on whether these groups would be interested in "taking on" the Festival as one of their projects.

The motion to defer was carried.

Call for Proposals - Recruitment of City Manager

At the request of the City Clerk, this item was added to the agenda.

A staff report dated 29 April 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that the proposal of **Westcott Thomas** be accepted and that they be retained to act as the City's consultant in the recruitment of a City Manager for the City of Halifax under the terms and conditions set forth in that proposal.

Motion carried.

Appointment of Acting Director - Social Planning Department

At the request of the City Clerk, this item was added to the agenda.

A staff report dated 29 April 1993 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Robert J. Britton be appointed to the interim position of Acting Director of Social Planning effective immediately.

Motion carried.

**Award of Tender 93-92: Removal and Disposal of Excess
Waste from the Bar Screen and Grit Chamber at the
Roache's Pond Pumping Station**

At the request of the City Clerk, this item was added to the agenda.

A staff report dated 29 April 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Jeffrey that authority be granted to place this

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order with Tag Enterprises for a two (2) year period at a cost of \$81,016.00 (**Goods and Services tax is extra**); with funds being made available in the account number 22902.849 titled Sundry Expense - Roache's Pond Pollution.

The motion was carried with Alderman Adams voting against.

Proposed 1993-95 Capital Budget

At the request of the City Clerk, this item was added to the agenda.

An information report dated 29 April 1993 was submitted.

The Acting City Manager advised that during the budget deliberations of 27 April 1993, Council agreed to proceed in approving a number of high priority projects in the 1993/94 capital budget up to a maximum of 75 percent. He briefly reviewed the report and advised that the total estimated cost of works proposed is \$7,138,000.00.

Deputy Mayor Fitzgerald advised he was prepared to move a motion which would permit the top priority capital budget items to get underway. He noted that Council would be approving approximately 75 percent and this allows some flexibility to make changes.

Noting that Council still has some flexibility with respect to approving capital budget items, Alderman Meagher advised that he would second the motion and in doing so he requested that other capital budget items such as the ones he raised earlier in this evening's meeting be kept in mind.

Alderman Jeffrey referred to the item he raised earlier this evening in Question Period with respect to replacing \$70,000 in the capital budget which he had previously withdrawn, for the project on Dutch Village Road, and he requested that this item be included in the motion, **to which it was agreed.**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that the following capital projects of the 1993/94 Capital Budget be approved:

1.	New Sidewalks	\$ 200,000.00
2.	Sidewalk Renewals (80% or over).....	1,901,000.00
3.	New Paving	625,000.00
4.	Traffic Improvements	225,000.00
5.	Sewer Development	450,000.00
6.	Sewers General	805,000.00
7.	Recreation Projects	<u>2,642,000.00</u>

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Subtotal	\$6,848,000.00
Cap 9, Item 4 - Police Station - Fence Driveway Area	\$ 60,000.00
Cap 61, Item 16 - Granville Mall Upgrading	100,000.00
Cap 64, Item 56 - Transit Shelters - Various Locations	75,000.00
Cap 64, Item 62 - WTCC/Metro Centre Replace Roof	<u>55,000.00</u>
Subtotal	\$290,000.00
* Dutch Village Road as requested by Alderman Jeffrey (Substituted for Walkway - Percy Street & Joseph Howe Drive)	70,000.00
Total	\$7,208,000.00

Motion carried.

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

HER WORSHIP MAYOR MOIRA DUCHARME
CHAIRMAN

*K/sm

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**SPECIAL COUNCIL
CAPITAL & OPERATING BUDGET
MINUTES**

Council Chamber
Halifax City Hall
4 May 1993
4:00 P. M.

A special meeting of Halifax City Council was held at this time to consider the approval of the Halifax School Board's Budget, as well as the approval of the Capital and Operating Budgets.

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

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

ALSO PRESENT: Wayne Anstey, Q.C., Acting City Manager; City Clerk; and other members of staff.

HALIFAX DISTRICT SCHOOL BOARD

The Acting City Manager noted that there were a number of questions that were asked at the last budget meeting. Therefore, he advised that the School Board was requested to attend today's meeting as it was indicated by some of the Aldermen that they would like to address some questions to the Board.

A table showing the Halifax District School Board's Management share of the total budget was circulated along with a copy of the Board's Budget for the fiscal year ending March 31, 1994.

The following representatives of the Halifax District School Board addressed Council at this time and responded to various questions: Ted Marriott, Chairman; Dr. Gordon Young, Director of Education; and Wayne Stroud, Coordinator of Finance.

Responding to a concern raised by Alderman Holland as to whether the Board is prepared to look into and review the management, Mr. Marriott confirmed that, as a Board, they are prepared to look at the total operation including the management. He reiterated that the Board is prepared to look into the total operation to try to make sure that they

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are operating as efficiently and as effectively educationally as they can.

During the questioning of the School Board representatives, **Alderman Meagher entered the meeting.**

After a short discussion, it was MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that City Council approve the budget of the Halifax District School as presented with the same amount of discretionary funding as last year in the amount of \$832,775.00.

A questioning ensued with further questions being addressed by the School Board representatives.

Her Worship Mayor Ducharme retired briefly from the meeting with Deputy Mayor Fitzgerald assuming the seat of the Chair.

MOVED in amendment by Alderman Holland, seconded by Alderman Hanson that the motion be amended to increase the amount of mandated funding by \$60,000.00.

The Acting City Manager clarified that the original budget submitted by the City Manager had a mandatory funding of \$25,060,320.00. In essence, he explained that the \$832,775.00 was to bring the discretionary funding up from the recommended level to the same level as last year. Mr. Anstey added that the effect of the combined motions would mean with the new mandatory funding, plus the same level of discretionary funding as last year, a net effect of \$60,000 more funding was being provided than last year.

The amendment was put and passed.

Her Worship Mayor Ducharme returned to the meeting with Deputy Mayor Fitzgerald taking his usual seat on Council.

During a further questioning, Dr. Young indicated that the School Board could provide statistics with regard to the number of school drop-outs each year.

After a short discussion, the motion, as amended, was put and passed.

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CAPITAL BUDGET

An information report dated 4 May 1993 was submitted regarding the recommendation on the level of capital program. As well, an information report dated 4 May 1993 was submitted in response to the requests of Council raised at the capital budget meeting of 27 April 1993.

The Acting City Manager noted that as staff perceives the discussions that have gone to date there are a number of individual items which have been raised by Aldermen and then there were some general questions raised about the total level of the capital program. He suggested that Council deal with the individual items first.

As explained in the information report of 4 May, Mr. Anstey noted that Alderman Jeffrey had requested that the walkway proposed for Percy Street be deleted from the budget and replaced with Dutch Village Road (New Sidewalk, (s) C&G, Parking Meters, LIP) for \$70,000. He explained that it would appear to staff that the Percy Street item in the amount of \$50,000 had already been deleted. Mr. Anstey advised that staff is recommending rather than including the item in the capital budget, the Dutch Village Road project be added to the list of first priority items that will be done as funds become available.

A discussion ensued and Alderman Jeffrey indicated that he could agree with the item for Dutch Village Road being added to the list of priority items and urged that the item be given a high priority and be carried out in 1993.

In response, Mr. B.G. Smith, Director of Finance, advised that staff anticipates doing virtually the entire priority listing.

Alderman Stone expressed concern with respect to adding items to the priority listing. He noted that his priority was not to add items to the list, but to reduce the tax rate. He went on to ask whether it was possible to use some of the savings to reduce the tax rate instead of adding more projects.

Mr. Smith explained that what is proposed with these savings is to use funds that become freed up during the year as a result of lower than anticipated tenders in the capital budget and items not being proceeded with which are presently in the budget. He added that he would recommend using this money for the capital program and expressed the view that he did not believe the capital budget was the way to further reduce the tax rate at this time. Mr. Smith further commented that it was not possible at this time to estimate what savings there would be with respect to tenders.

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After a short discussion, it was MOVED by Alderman Stone that the money from the savings in the capital budget resulting from the tendering process be applied to reduce the tax rate.

There was no seconder to Alderman Stone's proposed motion.

The discussion continued with Alderman Adams referring to the capital budget, under sewers general, cap 67, item 17. He noted that there was also another \$100,000 for 94/95 which was earmarked for a survey of the storm sewer for Leiblin Park and asked that this item be added to the list of priority items.

Alderman Crowley referred to the sidewalk renewals which are 75 percent deficient and over in her Ward and suggested that these be included in this year's budget. She noted that it was her understanding from staff that the item with respect to the Sussex Bridge did not have to be dealt with at this time and that this money could be used for these sidewalks.

Mr. Bill Sullivan, Chief Engineer, addressed Council and clarified that the replacement of the Sussex Street Bridge can be deferred for one year. However, he advised that he would like to have the item reviewed by a consultant to determine the urgency of repair relative to next year.

It was therefore the general consensus that the sidewalks with a deficiency rating of 75 percent and upward be included in the 1993/94 capital budget with funds to be used from the Sussex St. Bridge.

Alderman Hanson asked that the item with respect to Fenwood Road, storm sewer - \$200,000, be considered for 1994/95 rather than later years. He also requested that the Williams Lake Road, storm sewer - \$235,000, be considered for 1994/95 from later years. As well, the Alderman asked that Mountain Road, new paving - \$450,000, be included in 1994/95 from 1995/96. He noted that he had submitted a petition from the residents on Mountain Road in support of the new paving project.

MOVED by Alderman Hanson, seconded by Deputy Mayor Fitzgerald that Council approve the 1993/94 Capital Budget, the priority listing, and sidewalks with a deficiency rating of 75 percent upwards.

Alderman Adams noted that in the past he has raised concern about the dangerous situation which exists for individuals trying to cross the Herring Cove Road at Clovis

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Street. He asked that some of the funds, from the deferment of the Sussex Street bridge, be used for the installation of an RA5 crosswalk device in this area. Alderman Adams also asked that St. Michael's Avenue be considered for a sidewalk. The Alderman, in referring to such areas as the Central School playground, indicated that he would further request that consideration be given to upgrading playground equipment for schools, preferably in the Spryfield area.

Referring to the 4 May information report with respect to the reassessment of the deficiency rating for CAP 32 Item 239 Merkel Street, Alderman O'Malley noted that she has reviewed this sidewalk and that, in her opinion, it is in a very dilapidated condition. In talking with the residents who live on the southside of this street, the Alderman indicated that she was informed by one resident who has lived in the area for over 25 years that he could not recall this sidewalk ever being renewed. Alderman O'Malley asked for a report on when this sidewalk was last renewed and when the deficiency rating of 60 percent was last reviewed.

Mr. Smith indicated that staff will be coming back to Council at a future date with a new list of priority items possibly at the next meeting of City Council.

After a further short discussion, the motion was put and passed.

At approximately 6:30 p.m. the meeting adjourned for a recess.

The meeting resumed at approximately 7:10 p.m. with the following members being present: Her Worship Mayor Ducharme, Chairman; Deputy Mayor Fitzgerald; and Aldermen Holland, Downey, O'Malley, Pottie, Hanson, Jeffrey, and Crowley.

Also present: Wayne Anstey, Q.C., Acting City Manager; City Clerk; and other members of City staff.

OPERATING BUDGET

The Acting City Manager reviewed a number of outstanding items with respect to the operating budget.

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Street. He asked that some of the funds, from the deferment of the Sussex Street bridge, be used for the installation of an RA5 crosswalk device in this area. Alderman Adams also asked that **Herring Cove Road at St. Michael's Avenue be considered for an RA5 overhead crosswalk device.** The Alderman, in referring to such areas as the Central School playground, indicated that he would further request that consideration be given to upgrading playground equipment for schools, preferably in the Spryfield area.

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Mr. Smith indicated that staff will be coming back to Council at a future date with a new list of priority items possibly at the next meeting of City Council.

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Also present: Wayne Anstey, Q.C., Acting City Manager; City Clerk; and other members of City staff.

OPERATING BUDGET

The Acting City Manager reviewed a number of outstanding items with respect to the operating budget.

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Buskers' Festival

Mr. Anstey noted that the first item that was outstanding was the Buskers' Festival grant in the amount of \$20,000. He advised that there was some information requested by Council and that a report had been submitted dated 28 April 1993. As well, he noted that a subsequent information report dated 3 May 1993 was also submitted. As Council is aware, Mr. Anstey indicated that staff is recommending that, if Council wanted to approve this grant, rather than make the direct grant at this time to the Buskers' Festival, a budgetary provision be made in the budget of Tourism. He added that the Tourism Department would then have some control over the actual allocation of the money and could make sure that the money was spent for the appropriate expenditures.

A discussion followed with Alderman Holland indicating that he had no difficulty with the grant being added to the Tourism Department budget and agreed that Tourism staff should control and monitor the funds. However, he advised that he did have a problem with respect to having not received the audited statements as requested by Council. Alderman Holland went on to advise that while he supported the Buskers Festival, he had concern with respect to the control of funds and expenses being incurred. The Alderman agreed that the grant should be added to the Tourism Department's budget for Tourism staff to monitor it and make sure all of the money is accounted for. He emphasized that Council should make sure that this is treated as a "not-for-profit" organization.

Concurring with the concerns raised by Alderman Holland, Alderman O'Malley referred to the reports from Hemming & Company attached to the information report of 3 May 1993. She noted that audited statements could not be provided and that the information for the 1992 year was not endorsed by Mr. Hemming. Alderman O'Malley also expressed concern about spending taxpayers' money to fund a group that obviously has an agenda to make a profit.

Mr. B.G. Smith, Director of Finance, addressed the matter noting that he also had difficulty in the past obtaining audited statements. He noted that this was because of the amount of cash being received into the festival and that it was very difficult to monitor all of the financial action that was going on. Mr. Smith advised that he did discuss this matter very recently with Mr. L. Rogers, Director of Tourism. He added that he and Mr. Rogers came to the conclusion that perhaps the best way to look at this matter is for Council to try and not be too concerned about the internal affairs of the organization, but try to look at

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and assess how much the festival as an entity is worth to the City and the amount of tourism it generates.

Alderman Pottie addressed the matter and agreed that the money should be controlled by the staff of the Tourism Department, as well as the Director of Finance, and that it would have to be stipulated what the money was to be used for before being allocated to the organization.

The discussion continued and it was MOVED by Alderman Holland, seconded by Alderman Pottie that City Council approve a grant in the amount of \$20,000.00 for financial assistance to the Buskers' Festival, to be added to the budget of the Tourism Department, and monitored and controlled by the Director of Finance and the Director of Tourism.

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

Industrial Commission Secretary

Alderman Pottie noted that in response to a concern he had, he received a letter from the Director of Tourism stating quite clearly that this position will not become a permanent position in the staff establishment and will be reviewed from year to year as the Industrial Commission submits its budget to City Council. He added that it was his understanding the position will be approved for 1993 and will again be reviewed in 1994. The Alderman indicated that he had no further difficulty with this item and was satisfied with the information from the Industrial Commission.

Camp Hill Medical Centre/New Infirmary

A private and confidential report dated 14 April 1993 was submitted.

Mr. B.G. Smith, Director of Finance, addressed the matter and briefly reviewed the present status of this item as outlined in the above noted confidential report.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, conditional upon the Director of Finance being able to work out an agreement with the other recipients of the monies, Council approve \$100,000 per year over ten years to the New Infirmary, which would require an increase in the Capital Grant Guideline from \$215,000 per annum to \$315,000 per annum, and further that the Grace

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and assess how much the festival as an entity is worth to the City and the amount of tourism it generates.

Alderman Pottie addressed the matter and agreed that the money should be controlled by the staff of the Tourism Department, as well as the Director of Finance, and that it would have to be stipulated what the money was to be used for before being allocated to the organization.

The discussion continued and it was MOVED by Alderman Holland, seconded by Alderman Pottie that City Council approve a grant in the amount of \$20,000.00 for financial assistance to the Buskers' Festival, to be added to the budget of the Tourism Department, and monitored and controlled by the Director of Finance and the Director of Tourism.

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

Industrial Commission Secretary

Alderman Pottie noted that in response to a concern he had, he received a letter from the **Executive Director of the Halifax Industrial Commission** stating quite clearly that this position will not become a permanent position in the staff establishment and will be reviewed from year to year as the Industrial Commission submits its budget to City Council. He added that it was his understanding the position will be approved for 1993 and will again be reviewed in 1994. The Alderman indicated that he had no further difficulty with this item and was satisfied with the information from the Industrial Commission.

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MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that, conditional upon the Director of Finance being able to work out an agreement with the other recipients of the monies, Council approve \$100,000 per year over ten years to the New Infirmary, which would require an increase in the Capital Grant Guideline from \$215,000 per annum to \$315,000 per annum, and further that the Grace

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Hospital be asked to agree to extend the payment of that hospital's second grant, presently set at \$200,000 per year over five years, to a basis equal to the Infirmary grant at \$100,000 over ten years.

After a short discussion the Motion was put and passed.

Unfilled Staff Positions - Vacancies

An information report of 4 May 1993 was provided for Council.

It was agreed that this item be tabled.

Approval of List of Tentative Changes

A report dated 4 May 1993 was submitted with an attached list of additional changes.

The Acting City Manager briefly reviewed the additional changes as noted in the 4 May report.

MOVED by Alderman Holland, seconded by Alderman Hanson that the list of additional changes as attached to the staff report of 4 May 1993 be approved.

Motion passed.

Tax Rate Scenarios

A report dated 4 May 1993 providing information on the impact of 1993/94 proposed tax rates on sample properties was provided.

Operating Budget Approval

Mr. Smith advised that staff have now come back to Council with a rate of 2.5 percent increase over last year on commercial and 1.77 on residential. In order to achieve this, Mr. Smith advised that an additional \$340,000 is required which is less than previously indicated and which is

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within the amount of the Workers' Compensation figure which had been identified as possibly available. Mr. Smith explained that the Workers' Compensation figure is \$428,220 and that, taking \$340,000 from this amount, leaves \$68,220 which may be needed for supplementary insurance coverage.

MOVED by Alderman Crowley, seconded by Deputy Mayor Fitzgerald that City Council approve an increase of 1.77 percent in the residential property tax rate over last year and an increase of 2.5 percent over last year for the commercial property tax rate.

A discussion followed and Alderman Meagher suggested that consideration be given to increasing the property tax exemption to persons with an income of \$25,000 or less to persons with an income of \$27,000 or less. Alderman Meagher also suggested that the City should seriously look at providing tax relief to persons 60 years and older.

In response to a question from Alderman O'Malley, Mr. Smith indicated that he could provide information to Council on the number of assessments which have been appealed.

At approximately 8:10 p.m. Alderman Stone entered the meeting.

Following a further short discussion, the motion was put and passed with Aldermen Meagher, O'Malley, and Jeffrey voting in opposition.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that this meeting be recessed to Wednesday, 5 May 1993, at 5:30 p.m. in the Council Chamber.

Motion passed.

There being no further business to discuss, the meeting adjourned at approximately 8:30 p.m.

HER WORSHIP MAYOR DUCCHARME
AND
DEPUTY MAYOR FITZGERALD
CHAIRMEN

/MS

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**SPECIAL COUNCIL
SETTING OF 1993/94 TAX RATE & BUDGET
MINUTES**

Council Chamber
Halifax City Hall
5 May 1993
5:45 P. M.

A special meeting of Halifax City Council was held at this time **as a continuation of the Special Council meeting held on 4 May 1993.**

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

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

ALSO PRESENT: Wayne Anstey, Q.C., Acting City Manager; Barry S. Allen, Acting City Solicitor; City Clerk; and other members of staff.

Setting of 1993/94 Tax Rate & Budget

A copy of a report dated 5 May 1993 regarding the setting of the 1993/94 tax rate and budget was submitted.

1. MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that City Council ratify the decisions of the Committee of the Whole Council with respect to the 1993/94 Operating Budget, as per the summary of Revenue and Expenditures for 1993/94 (attached to the report on the Setting of 1993/94 Tax Rate & Budget).

Motion passed with Alderman Meagher voting in opposition.

2. MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that the Operating Budget for the period April 1, 1993 to March 31, 1994 be fixed at \$257,128,877.

Motion passed with Alderman O'Malley voting in opposition.

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3. MOVED by Alderman Downey, seconded by Alderman Meagher that the Mandatory Tax for education for the Halifax District School Board for the 12 month period April 1, 1993 to March 31, 1994 be set at \$25,060,320 and that discretionary funding for the Halifax District School Board be set at \$13,670,963 for a total of \$38,731,283 and that pre-retirement payments be held in a Reserve Fund by the City of Halifax on behalf of the Halifax District School Board. Funds budgeted for the Teachers' pre-retirement payments in the 12 month period 1993/94 in the amount of \$760,000 to be placed in the reserve and only be used in accordance with negotiated retirement allowances.

Motion passed.

4. MOVED by Alderman Meagher, seconded by Alderman Downey that the interest rate on all reserves be fixed at 4% for the period April 1, 1993 to March 31, 1994.

Motion passed.

5. MOVED by Alderman Pottie, seconded by Alderman Adams that City Council ratify the motion of the Committee of the Whole Council with respect to the content and amount of the 1993 to 1995 Capital Budget as per the attached summary and detail (attached to the report on the Setting of 1992/93 Tax Rate & Budget) with a gross of \$20,085,000 and a net of \$19,030,000.

Motion passed.

6. MOVED by Alderman Adams, seconded by Alderman Hanson that Halifax City Council appropriate \$58,000 from Capital Surplus to the 1993/94 Operating Budget.

Motion passed.

7. MOVED by Alderman Hanson, seconded by Alderman Macdonald that \$2,728,000.00 be appropriated from the Cumulative Net Operating Surplus to be applied to the 1993/94 Operating Budget.

Motion passed with Alderman Jeffrey voting in opposition.

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8. MOVED by Alderman Macdonald, seconded by Alderman Crowley that Halifax City Council appropriate \$225,000 from Sinking Funds Surplus to be applied to the 1993/94 Operating Budget.

Motion passed.

9. MOVED by Alderman Crowley, seconded by Alderman Macdonald that Halifax City Council appropriate \$324,000 from the Sale of Land Reserve to fund the purchase of Civic Arena Lands previously approved by Council to be applied to the 1993/94 Capital Budget.

Motion passed.

10. MOVED by Alderman Stone, seconded by Alderman Holland that the provisions of Section 41(2) to (9) inclusive, of the Assessment Act, shall not apply to the City of Halifax, with the result that there shall be no residential occupancy tax in the City of Halifax for taxation year April 1, 1993 to March 31, 1994.

Motion passed.

11. MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that the tax rate for the period April 1, 1993 to March 31, 1994 be set at \$3.8166. This rate shall be applied to:

- (a) The full assessed value of property of a business character and nature; and 0.376850 of a residential character and nature; and
- (b) Occupancy taxes as follows:
 - 1) The tax rate applied to 50% of the assessed value of the property of a business character or nature as determined by the Assessor under Section 7(1) of the Assessment Act.
 - 2) 25% of the assessed value of the properties as set out in Section 7(2)(a) of the Assessment Act, as determined by the Assessor.
 - 3) 75% of the assessed value of the properties as set out in Section 7(2)(b) of the Assessment Act, as determined by the Assessor.

Motion passed with Aldermen Jeffrey, O'Malley, Stone, and Meagher voting in opposition.

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12. MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that the Fire Protection Rate be set at 0.047 dollars of assessment for the period April 1, 1993 to March 31, 1994.

ADOPTED RATES:	1992/93	1993/94		\$ Increase
	Tax Rate	Tax Rate		Per \$100 of
	Per \$100 of	Per \$100 of	% Increase	Assessment
	Assessment	Assessment		
Residential	\$1.4595	\$1.4853	1.77%	\$0.03
Business Occupancy	\$3.7224	\$3.8166	2.53%	\$0.09
Commercial Property	\$3.7694	\$3.8636	2.50%	\$0.09
Fire Protection	\$0.0470	\$0.0470	0.00%	\$0.00
Split	0.379460	0.376850	-0.69%	(\$0.00)
Ratio Comm/Res	\$2.5827	\$2.6012	0.72%	\$0.02

Motion passed.

There being no further business to discuss the meeting adjourned at approximately 6:00 p.m.

HER WORSHIP MAYOR DUCHARME
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/M

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
13 May 1993
8:00 p.m.

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

The meeting was called to order and members of City Council and those in attendance in the public gallery joined in a recitation of the Lord's Prayer.

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

ALSO PRESENT: Mr. Wayne Anstey, Q.C., Acting City Manager; Mr. Barry Allen, Acting City Solicitor; City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of Halifax City Council, held on Thursday, 29 April 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley.

Raise the Flag Ceremony

Noting that each member of Council had a flag on top of their desk this evening, Her Worship advised that it was in recognition of the Raise the Flag Ceremony which will be held at the Grand Parade on Saturday 15 May 1993 commencing at 10:30 a.m. She added that this event is a celebration of the flag and of the Country.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Encroachment License - Civic #2411-19
Agricola Street
- 20.2 Award of Tender 93-31: Various Sidewalk
Renewals

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- 20.3 Award of Tender 93-02: Sidewalk Renewals
- 20.4 Award of Tender 93-112: Street Improvement Program - Robie Street - Cunard to Garrick and Robie Street - McCully to Almon
- 20.5 Award of Tender 93-103: Paving Renewal - Gottingen Street (Russell - Bloomfield)
- 20.6 Award of Tender 93-126: Removal of Municipal Fire Alarm Lines, Racks and Cables
- 20.7 Halifax Hilton
- 20.8 New City Hall Offices
- 20.9 Resignation - Alderman Patrick Pottie - Ward 6

It was agreed that item 20.9 would be dealt with first.

At the request of the City Clerk, Council agreed to delete the following item:

- 15.1 Case No. 6680 - Rezoning from R-2 to R-2P and Lot Modification: 75-75A Herring Cove Road (Request to defer to 9 June 1993 Committee of the Whole)

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

Resignation - Alderman Patrick Pottie - Ward 6

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

Her Worship noted that a letter of resignation dated 13 May 1993 by Alderman Pottie had been submitted and circulated to members of Council.

The City Clerk read the letter of resignation dated 13 May 1993 from Alderman Pottie which stated that, in accordance with the Halifax City Charter, Part III, Section 19, page 32, Alderman Patrick Pottie was resigning his seat for Ward Six effective immediately.

Alderman Pottie addressed members of City Council, advising that he was resigning for personal reasons and that his resignation would be effective immediately. In his remarks, Alderman Pottie indicated that he has enjoyed his term on City Council as Alderman for Ward Six for the past five years, and he added that he would not hesitate to offer

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for public service again in the City if the time was right. He then thanked all members of Council and advised that it has been a pleasure serving with them.

On behalf of City Council, Her Worship thanked Alderman Pottie for all his work on City Council.

Alderman Pottie retired from the meeting.

Deputy Mayor Fitzgerald addressed Council and expressed regret about Alderman Pottie's decision. He expressed his appreciation to Alderman Pottie for his work on City Council.

In light of this matter, Alderman Adams requested, and Council agreed, to recess for a brief period.

At 8:15 p.m. Council adjourned.

At 8:30 p.m. Council reconvened with the same members present with the exception of former Alderman Pottie.

DEFERRED ITEMS

**Motion Alderman Macdonald Re: 1987 City Council Resolution
Re: Widening of Alma Crescent, Titus Street and Dutch
Village Road**

This matter was deferred from the 29 April 1993 meeting of City Council.

Alderman Macdonald advised that this item dated back to 1987 and has been before Council for the past three to four months. Alderman Macdonald noted that over the past number of months he has spoken at great length on this matter and he advised that he would review the chronology of events in relation to this issue.

Alderman Macdonald then outlined the history of this issue and advised that Council should support it because the project meets all the objective criteria for roadway improvements and that it was recommended by the Task Force on City Traffic. In addition, Alderman Macdonald pointed out that it was a small project that is cost effective and he indicated that he felt that, for the improvement it would provide, the funding for the project was worthwhile.

Alderman Macdonald advised that he was prepared to move a motion that funds for the project be put in the 1994/95 capital budget. He added that he was requesting this for the 1994/95 budget and not earlier because of the tight fiscal constraints Council is under this year, and that

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secondly, waiting for one year would provide the Alderman of the area an opportunity to review the various aspects incorporated in the project with the residents of his ward.

MOVED by Alderman Macdonald, seconded by Alderman Holland that staff include 1.4 million dollars in the 1994/95 capital budget for completion of the widening of Alma Crescent, Titus Street and Dutch Village in accordance with design work already completed.

Alderman Jeffrey addressed the matter and spoke in opposition to the motion. He advised that for the past 13 years he has voted against this project because it would be detrimental to the area and it would not resolve the traffic problems.

Alderman Jeffrey referred to the property containing a strip mall on the corner of Titus Street and Main Avenue and advised that the last time the City widened this area it resulted in the street level being approximately two feet higher than the property. As a result, he noted that run off from the street goes on to this property. The Alderman pointed out that any further widening will only exacerbate this situation.

In addition, Alderman Jeffrey indicated that he always opposed this project because of the adverse affect it will have on the businesses, but especially because it will not solve the traffic problem. He advised that the traffic problem is a result of the Fairview overpass narrowing to one lane of traffic from two lanes on the Dutch Village Road. Alderman Jeffrey added that, for these reasons, he would not be supporting the motion.

Alderman Stone advised that he would also be voting against the motion. Concurring with Alderman Jeffrey's comments on the traffic problem, Alderman Stone advised that this project will not solve the situation, adding that it will only move traffic from Lacewood Drive to Titus Street. Alderman Stone advised that the traffic problem would be solved by providing a direct route from Lacewood Drive through Vimy Avenue to the Fairview Overpass.

Alderman Holland indicated that he supported the motion because he felt that the downtown area was being adversely affected because of a lack of good arterial access. He suggested that Council had to look at improving the access to the downtown and that this was one way to begin.

Alderman Crowley indicated that she was also concerned about the downtown core and felt that something had to be done to improve the situation. However, she advised that she felt this was only a "band-aid" solution and that a long term solution is what is required. The Alderman advised that she would not be supporting the motion.

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Following further discussion and staff responding to questions, the motion was put and defeated with three (3) members of Council voting for it and eight (8) voting against it as follows:

- FOR: Alderman Holland, Deputy Mayor Fitzgerald,
and Alderman Macdonald (3)
- AGAINST: Alderman Downey, Alderman Meagher, Alderman
O'Malley, Alderman Adams, Alderman Hanson, Alderman
Jeffrey, Alderman Crowley,
and Alderman Stone (8)

Alderman Jeffrey retired from the meeting.

MOTIONS OF RESCISSION

Motion Alderman Macdonald Re: Rescission of City Council
Motion of 25 March 1993 (Write-Off of Accounts - 1992)

This matter had been deferred from the 29 April 1993 meeting of City Council.

The Chairman indicated that the Acting City Solicitor has advised that this matter should more appropriately come back to Council as a Motion of Reconsideration. In this regard, it was suggested that at the next Council meeting Alderman Macdonald give notice of reconsideration.

Alderman Macdonald concurring with the Chairman's suggestion, adding that he had discussed this matter with the Acting City Solicitor.

PETITIONS AND DELEGATIONS

Petition Alderman Hanson Re: Residents Against Installation
of Curb and Gutter on the East Side of Colindale Street

Alderman Hanson submitted a petition containing 10 signatures from residents on Colindale Avenue dated 6 May 1993. He advised that the residents who signed the petition are **not** in agreement with the proposal to install a concrete sidewalk, curb and gutter on the east side of Colindale Street from McLennan Avenue to Redwood Avenue and concrete curb and gutter on the east side of Colindale Avenue from McLennan Avenue to somewhere on Colindale Avenue opposite Redwood Avenue.

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Alderman Hanson asked that this matter be forwarded to staff for review and comment.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 19 May 1993, as follows:

Report from Municipal Round Table on
the Environment and the Economy

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the report be tabled and that it be referred to staff for review and report back to Council at the earliest possible date.

In moving the motion, the Deputy Mayor advised that he hoped that when staff report back to Council that they include in the report suggestions with respect to implementation of the recommendations.

Motion carried.

Application for the Placement of Public Art -
Canadian Merchant Navy Association Inc.

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the monument proposed by the Canadian Merchant Navy Association Inc. be placed in Sackville Landing.

Motion carried.

The Subway - 1855 Hollis Street

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the supplementary staff report dated 28 April 1993 be tabled.

Alderman Adams noted that there was little that could be done at this point in time to assist the individuals involved. He requested that, to prevent this situation from occurring again, in the future when staff issue permits similar to this case, that something be included in the permit application to define the size and colour.

Motion carried.

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Floating Restaurant - Ferry Terminal

A supplementary staff report dated 11 May 1993 was submitted.

A letter dated 12 May 1993 from Elliott Richard, East Coast Charter Service, Halifax, N.S., was submitted.

A document entitled, Business Plan, May 1993, Historic Harbour Developments (TBI) was submitted by Kelly Mitton, President/CEO.

A letter dated 13 May 1993 from Kelly Mitton, President/CEO Historic Harbour Developments (TBI), 5845 College Street, #105, Halifax, N.S., was submitted.

Two separate memorandums, dated 13 May 1993, by Mr. William Mont, President - Apollo Venture Capital, Lord Nelson Hotel, P. O. Box 205, Halifax, N.S., were submitted.

Alderman Downey addressed the matter and advised that Mr. Mitton had requested to speak to Council on this matter, **to which Council agreed.**

Mr. Kelly Mitton addressed Council and advised that he was a businessman and resided at 411 Prince Street, Truro, Nova Scotia.

Mr. Mitton advised that he was requesting a deferment of the decision regarding the lease until the next regular City Council meeting. Mr. Mitton added that he felt Mr. Mont's venture has merit, however, he felt that the venture should not be a restaurant and it should not be on the Halifax Waterfront. He suggested that there were viable site alternatives that are appropriate for the vessel.

Mr. Mitton pointed out that he met with Mr. Mont earlier this evening and he had a brief opportunity to review the matter with him.

Referring to the staff recommendation of the supplementary report, Alderman Downey advised that it was not in keeping with the Committee of the Whole recommendation because the Committee of the Whole recommendation grants an extension of six months and the recommendation in the supplementary staff report grants an extension to the end of August.

Alderman Downey advised that he was prepared to move the recommendation of the supplementary report, however item (i) would be amended to extend the lease for six months.

MOVED by Alderman Downey, seconded by Alderman Adams that

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- (i) Council grant an extension of six months to the licensing arrangement for the dockage of the former ferry;
- (ii) any extension of the above licensing agreement shall require:
 - (a) the City of Halifax be added to the owner's insurance policy as an additional named insurer and that such an addition be subject to a condition survey of the former ferry by a fully certified marine surveyor;
 - (b) standards for the overall appearance and the upkeep of the vessel be prepared by staff in conjunction with the owner, and brought back to Council for approval.
- (iii) funds remain in the 1993-94 capital budget for the rebuilding of the seawall and boardwalk, as identified, and not be allocated for other purposes;
- (iv) staff prepare terms for the appointment of an engineering consultant to prepare all necessary drawings and specifications for the construction of a seawall and boardwalk between Ferry Terminal and Cable Wharf, with the understanding that construction will start in the fall of 1993; and
- (v) the engineering consultant be appointed early in June 1993, regardless of whether an agreement on an exchange of land between the City, the Fisherman's Market and the Waterfront Development Corporation has been arrived at by that date or not.

Alderman Holland addressed the matter and spoke against the proposal. In his comments, Alderman Holland noted that the Waterfront Development Corporation, Historic Properties, and the surrounding neighbours were against this proposal. Alderman Holland added that he felt it was not appropriate for the area in question.

Alderman Crowley indicated that she visited the site in question and, after reviewing the matter further, she could not support the motion because of her concern about the safety of the vessel, appropriate parking, and because it would compromise the integrity of the area.

A brief discussion ensued and the Acting City Manager advised that the recommendation of staff did not change, noting that staff don't believe the lease should be renewed at all for the reasons as stated in the original

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report. He added that, at the last Council meeting, it was apparent that Council may want to grant an extension, so the recommendation in the supplementary report is based on the premise that, if Council agrees to an extension, then August 31 is the maximum extension that staff recommends Council consider.

Following further discussion, the motion was put and resulted in a tie vote.

FOR: Alderman Downey, Alderman Meagher,
Alderman O'Malley, Alderman Adams,
Alderman Hanson (5)

AGAINST: Alderman Holland, Deputy Mayor Fitzgerald, Alderman
Macdonald, Alderman Crowley, and Alderman Stone
..... (5)

The Chairman voted against the motion and declared it defeated.

The City Manager advised that the last two recommendations in the staff report, items iv and v regarding the preparation of terms for the appointment of a consultant and the appointment of a consultant should be dealt with. He added that if the work is going to proceed then it would be helpful to have a positive motion with respect to these items and it would enable staff to get on with work regarding the seawall and boardwalk.

In light of the City Manager's comments, Deputy Mayor Fitzgerald suggested that this matter be deferred to the next Committee of the Whole for discussion. Noting that Council had received a number of letters, he advised that it would give Council the opportunity to look at the matter in more detail. In this regard, the Deputy Mayor added that he would like to see where the wall will be extended to and what other plans there may be for this area.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that this matter be deferred to the next Committee of the Whole, pending a report from staff.

Motion carried.

For clarification, the Chairman advised that the report from staff will deal with the Seawall and the plans that staff have for it.

Sale of 2308-10 Gottingen Street

MOVED by Alderman Downey, seconded Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, civic #2308-10 Gottingen Street be sold to Najat

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Chediac for \$55,000, and proceeds of the sale to be deposited in the sale of land account.

Motion carried.

Amendment to Ordinance 116, the Taxi and Limousine Ordinance Re: Shared-Ride Taxi Program

MOVED by Alderman Adams, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Notice of Motion be given with regard to the adoption of amendments proposed for Ordinance 116, the Taxi and Limousine Ordinance ("Share-Ride Service"), attached as Appendix "A" to the staff report of 22 April 1993 and as outlined in the supplementary staff report of 3 May 1993.

Alderman Adams indicated that he would be giving formal notice of motion later in the agenda.

Motion carried.

Expropriation - Hubley's Drive, Lands of Mr. and Mrs. Ernest Yarn

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the expropriation of the lands of Mr. and Mrs. Ernest Yarn as shown on Plan No. 00-15-27780 be abandoned.

Motion carried.

Expropriation of Easements - Thornhill Drive Sewer

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

A confidential supplementary staff report dated 7 May 1993 was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that the easements listed on Attachment "A" of the 29 April 1993 confidential staff report be expropriated and offers of compensation, based on appraisals as indicated, be made to the owners.

Motion carried.

Lease Extension - Halifax Developments Ltd.

A supplementary staff report dated 10 May 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to execute the Extension of Lease agreement on behalf of the City in the form as attached to the 27 April 1993 report.

Following a brief questioning of staff, the motion was carried.

Classified Advertising - Halifax Herald

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, authority be granted to formalize this contractual rate of \$1.07 for a one year period with the Halifax Herald Limited.

Motion carried.

Request for Proposals - Financial Services (Banking)

Alderman Meagher declared a conflict of interest on this issue and retired from the Council Chamber.

MOVED by Alderman Holland, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the proposal from the Bank of Nova Scotia be accepted for a three year period commencing 1 June 1993 at a cost of \$133,488.00.

Motion carried.

Award of Tender 913278: Stationery - City of Halifax and Halifax School Board

MOVED by Alderman Hanson, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the contract for stationery for the City of Halifax and the Halifax School Board be awarded to Mahon's Stationery, the lowest bidder meeting all specifications, for a two year period at an estimated yearly cost of \$27,923.76 and order requirements at the actual unit prices quoted.

Motion carried.

Federal Department of Supply and Services
/Federation of Canadian Municipalities
Agreement - Type A and J Patrol Vehicles

MOVED by Alderman Holland, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, authority be granted to purchase patrol vehicles (Type A & J) under the Federal Supply and Services/FCM Agreement with funds approved in current budgets when replacement units are required.

Motion carried.

Ratification of Existing Management Information
Services Staffing Agreements

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, staff be authorized to continue both undernoted contract service agreements in order to complete this project which will enable the more efficient delivery of social service programs:

1. Ongoing maintenance and support services in respect of the existing Social Services System. The total cost of \$12,000 has been budgeted within the 1993 Social Services Department budget and will be cost-shared at 50% for a net cost of \$6,000.
2. Project Manager services at a cost of \$59,500 in delivering a new Social Services System that will replace the existing 15 year old Social Services System. \$29,750 (50%) will be reimbursed by the Province and the remaining \$29,750 (50%) has been budgeted within the 1993 Social Services Department budget.

(funding for the above is available within account number 22620-2225).

Motion carried.

Summer 1993 Challenge/S.E.E.D. Program for Students

A supplementary staff report dated 6 May 1993 was submitted.

MOVED by Alderman Holland, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, interim funding be approved, should the need

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arise, during the term of this project, which is expected to run from 27 May 1993 to 3 September 1993.

Motion carried.

Busker's Festival

MOVED by Alderman O'Malley, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, in the future, prior to the Busker's Festival Organization approaching City Council for assistance, that City Council be provided with an audited financial statement for 1993.

Motion carried.

The Chairman noted that this information would be forwarded to the Busker's organization.

Land Exchange - Titus Smith School - 100 Leiblin Drive

Alderman Macdonald addressed the matter and advised that he had a revised "Land Exchange Proposal/Economics" to submit and he asked that it be circulated to City Council. He noted that, in accordance with Alderman Adams request at the last Committee of the Whole meeting, he deleted the comments referring to the owner of 100 Leiblin Drive.

Alderman Macdonald then proposed to move the motion from the Finance and Executive Committee which reads as follows:

that staff be requested to fulfil the directives of the 16 July 1992 Council resolution as follows:

That City staff be directed to acquire 100 Leiblin Drive in exchange for Industrial Park lands, at a value of approximately \$100,000, and other City property equivalent to approximately \$140,000;

providing that the lands of the former Titus Smith School not be considered as part of this exchange.

Alderman Adams advised that he was concerned that the motion did not have much flexibility because it was limiting the exchange to involve Industrial Park lands and other City lands only. Therefore, he advised that he could not support the motion as it reads, however he added that he would have no difficulty if the motion could be amended to read that "the City acquire 100 Leiblin Drive for \$240,000 worth of City property, . . .". Alderman Adams pointed out

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that the idea behind the original motion is for the City to acquire the property and he advised that, as it now reads, the motion could hinder this acquisition.

Alderman Macdonald indicated that he had no difficulty with Alderman Adams request and advised that he would change the motion to reflect this aspect.

At 10:10 p.m. Alderman Meagher entered the meeting.

MOVED by Alderman Macdonald, seconded by Alderman Holland that staff be requested to fulfil the directives of the 16 July 1992 Council resolution as follows:

That City staff be directed to acquire 100 Leiblin Drive in exchange for approximately \$240,000 worth of City lands; providing that the lands of the former Titus Smith School not be considered as part of this exchange.

Following further discussion, the motion was carried.

At 10.20 p.m. Her Worship retired from the meeting and Deputy Mayor Fitzgerald assumed the Chair.

Lands of Park Projects Limited (Rear of Herring Cove Road)

An information report dated 10 May 1993 was submitted.

A letter dated 12 May 1993 from Robert E. Nolan was submitted.

Alderman Adams indicated that he had not received a report on this matter, therefore, he would defer it to the next Committee of the Whole.

The Acting City Manager advised that an information report from the Solicitor was submitted, however, there was another report being prepared by staff on a question by Mr. Nolan.

Mr. Nolan addressed Council and indicated that he wished to speak at the Committee of the Whole when this item is addressed.

For Mr. Nolan's information, the Chairman advised that staff was gathering information on the matter and he pointed out that, if the report is not prepared by the next Committee of the Whole, then it will be dealt with at the following Committee of the Whole.

MOVED by Alderman Adams, seconded by Alderman Holland that this matter be deferred to a Committee of the Whole Council meeting when all the information is available.

Motion carried.

Position with respect to the Proposed Takeover of the Dartmouth Ferry by the Metropolitan Authority

MOVED by Alderman Holland, seconded by Alderman Meagher that this matter be deferred until such time as the Metropolitan Authority has approved the bylaws.

Motion carried.

REPORT - COMMITTEE ON WORKS

Council considered the report from a meeting of its Committee on Works, held on Wednesday, 5 May 1993, as follows:

Award of Tender #93-64: One 1993 Model Truck with Forestry Body (15,000 GVW)

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-64 for one 1993 model truck with forestry body (15,000 GVW) be awarded to Wood Motors, Halifax, N.S. at a price of \$39,088.17 (funds to be made available from Account Number 26104.8300.8000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering and Works").

The motion was put and passed.

Award of Tender #93-66: Two 1993 Model Cargo Vans (8,600 GVW)

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-66 for two 1993 model cargo vans (8,600 GVW) be awarded to Halifax Chrysler Dodge, Halifax, N.S., for a price of \$32,994.52 (funds to be made available in Account Number 26104.8033.8000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering and Works").

The motion was put and passed.

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Award of Tender #93-67: Repairs
to One Aerial Bucket Lift

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-67 for repairs to one aerial bucket lift be awarded to **John White Limited**, Halifax, N.S. for a price of \$14,766.00 (funds to be made available in Account Number 26104.8300.8000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering and Works").

The motion was put and passed.

Award of Tender #93-70: One 1993
Dump Truck with Steel Body (24,000 GVW)

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-70 for one 1993 dump truck with steel body (24,000 GVW) be awarded to **Burnside International**, Dartmouth, N.S. for a price of \$42,014.62 (funds to be made available in Account Number 26104.8300.8000 titled "Motor Equipment Asset - Equipment Reserve: Vehicles, Engineering and Works").

The motion was put and passed.

Award of Tender #93-101:
Paving Renewal - Retreat Avenue

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works:

- (1) the addition of concrete curb and gutter to the renewal of paving project proposed for Retreat Avenue be approved in accordance with Section 391 of the City Charter;
- (2) Tender #93-101 (Paving Renewal: Retreat Avenue, Dutch Village Road to End) be awarded to **Standard Paving Maritime Ltd.** for the project, materials and services listed and for the unit prices quoted (Alternative II) at a bid price of \$93,090.00 and a total project cost of \$111,708.00; and that
- (3) funding be authorized from Account Number 91418, "Retreat Avenue Paving Renewal."

The motion was put and passed.

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Downtown Capital Spending Program (Mainstreet)

MOVED by Alderman Holland, seconded by Alderman Meagher that, as recommended by the Committee on Works:

- (a) staff be authorized to proceed with the proposal call and, given the small size of the contract, appoint an urban design firm; and that
- (b) staff be authorized to reimburse the BIDC for an amount up to \$8,000 to cover the design study costs if the Mainstreet portion of the Capital Budget is approved by City Council.

The motion was put and passed.

Award of Tender #93-06: Osborne Street/Mayo Street - New Paving (Sunset Avenue to Withrod Drive)

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #93-06 (New Paving - Osborne Street/Mayo Street: Sunset Avenue to Withrod Drive) be awarded to **Dexter Construction Company Limited** for the project, materials and services listed and for the unit prices quoted at a total bid price of \$409,437.00 and a total project cost of \$492,000.00 (funds to be made available from Account Number 91352 (New Paving Account).

The motion was put and passed.

Award of Tender #93-01:
Various Sidewalk Renewals

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Committee on Works:

- (1) Tender #93-01 for the following sidewalk renewals be awarded to **Ocean Contractors** for the projects, materials and services listed and for the unit prices quoted at a total bid price of \$224,552.50 and a total combined project cost of \$270,000; and that
- (2) funds be made available from Account Numbers 92701, 92707, 92711, 92713, 92714 and 92717 ("Sidewalk Renewals):

Highland Avenue (Leeds - Normandy): East Side
Merson Avenue (Normandy - Drummond): East Side
Leaman Street (Normandy - Drummond): East Side

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Glebe Street (Novalea - Kencrest): North Side
Coburg Road (Oxford - Thornvale): South Side
Jubilee Road (Oxford - Preston): North Side

The motion was put and passed.

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

**Report from the Planning Advisory Committee Re:
Case No. 6687: Peninsula and Mainland Land
Use Bylaws - Housekeeping Amendments #6
(SET DATE FOR PUBLIC HEARING)**

A report, dated 5 May 1993, was submitted from Dr. Philip Pacey, Chairman of the Planning Advisory Committee.

MOVED by Alderman Meagher, seconded by Alderman Stone that, as recommended by the Planning Advisory Committee, a public hearing be scheduled to consider the amendments proposed for the Peninsula and Mainland Land Use Bylaws by the Planning Advisory Committee in its report dated 5 May 1993 (Case No. 6687 - Housekeeping Amendments #6).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 9 JUNE 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

REPORT - PLANNING COMMITTEE

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 5 May 1993, as follows:

**Case No. 6680: Rezoning from R-2 to R-2P/
Lot Modification, 75-75A Herring Cove Road**

This matter had been forwarded to Council without recommendation.

Alderman Hanson reported that he had recently met with the owner of the property in question and, at her request, was prepared to MOVE, seconded by Alderman Meagher that the matter be deferred to the **9 June 1993** meeting of Committee of the Whole Council.

The motion to defer was put and passed.

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Planning Appeal: 12-16½ Rockingstone Road

An Information Report, dated 6 May 1993, was received from Mr. Barry S. Allen, Acting City Solicitor.

MOVED by Alderman Hanson, seconded by Alderman Crowley that, as recommended by the Planning Committee, Halifax City Council accept the decision of the Nova Scotia Utility and Review Board dated 20 April 1993 in the matter of 12-16½ Rockingstone Road.

In the ensuing discussion, Alderman Stone made reference to the Information Report recently received from the Acting City Solicitor, emphasizing that, in staff's view, should Council agree **not** to pursue this appeal, "the Board may be encouraged to continue to substitute its own judgement for that of Council rather than do the job for which it was established . . ."

The motion was put and defeated.

It was subsequently moved by Deputy Mayor Fitzgerald, seconded by Alderman Adams that an appeal be undertaken of the decision of the Nova Scotia Utility and Review Board dated 20 April 1993 respecting 12-16½ Rockingstone Road.

The motion was put and passed.

[NOTE: At a later point in the meeting's agenda, Alderman Hanson gave Notice of Motion of Reconsideration with regard to this matter.]

**Case No. 6683: Development Agreement/
Lot Modification - 24 Tremont Drive
(SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Stone, seconded by Alderman O'Malley that, as recommended by the Planning Committee, a date for a public hearing be set to consider the application for a development agreement/lot modification at 24 Tremont Drive, lands of Ms. Wendy M. Luciano, to enable a resubdivision creating an additional buildable lot.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 9 JUNE 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

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Case No. 6679: Amendment to Development Agreement - Schedule "K," 30 Farnham Gate Road (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Stone, seconded by Alderman O'Malley that, as recommended by the Planning Committee, a public hearing date be set to consider an amending agreement to amend provisions of a previously approved and executed development agreement made pursuant to Section 68 of the Mainland portion of the Land Use Bylaw; and pursuant to Section 440 of the City Charter, said amending agreement to permit the location of a freestanding gas bar at 30 Farnham Gate Road as shown on plans numbered P200/19310-12.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 9 JUNE 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

Case No. 6463 - Amendment to Municipal Development Plan and Land Use Bylaw Re: Development on Private Roads

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Planning Committee, Council clarify its intentions in this matter by adopting the following motion:

That City Council's motion of 26 November 1992 regarding Case 6463 incorrectly identified amendments to the Municipal Development Plan and Land Use Bylaw as contained in Appendix "B" of the staff report of 5 June 1992. The actual amendments adopted by City Council are set forth in Appendix "A" of the 5 October 1992 report of the Chairman of the Planning Advisory Committee.

The motion was put and passed.

Case No. 6536 - Proposed Amendments to the Municipal Development Plan and Land Use Bylaw Re: Non-Conforming Structures and Uses

MOVED by Alderman Meagher, seconded by Alderman Stone that, as recommended by the Planning Committee, the following amendments to the Municipal Development Plan and land use bylaw be forwarded to the Planning Advisory Committee for review and recommendation:

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Policy 3.15 of the Implementation Section of the MDP be replaced by the following:

3.15 Pursuant to the authority of the Planning Act, the land use bylaw shall allow for the replacement of deteriorated portions of non-conforming structures or structures containing non-conforming uses. Such replacements shall not change the location of nor increase the size or area of the existing encroachment or non-conformity nor result in any increase in the habitable volume of the structure.

and further, that the peninsula and mainland portions of the bylaw be amended by including the following provision:

Section 16F(2) - Peninsula
14H(2) - Mainland

In the case of a non-conforming structure or a structure containing a non-conforming use, deteriorated stairs, decks, chimneys, fuel tanks and air conditioners may be replaced provided that:

(i) in the case of a non-conforming setback, such replacements do not change the location of nor increase the area of the existing encroachment;

(ii) in the case of a non-conforming lot coverage, the replacement does not increase the size of the non-conformity; and

(iii) that all other requirements of the bylaw are adhered to.

The motion was put and passed.

Case No. 6544: Proposed Development
Agreement - 1587-93 Argyle Street and 1580
Barrington Street (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Downey, seconded by Alderman Adams that, as recommended by the Planning Committee, a public hearing date be set to consider the entering into of a development agreement to permit construction of a theatre complex at 1581 and 1587-93 Argyle Street and 1580 Barrington Street, provided the development substantially complies with Plan Nos. P200/19286-89 and P200/19366 of Case No. 6544.

The motion was put and passed.

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The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 9 JUNE 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Case No. 6698 - Amendments to the Municipal
Development Plan and Land Use Bylaw Re:
Development Adjacent to Kearney Lake**

MOVED by Alderman Stone, seconded by Alderman Meagher that, as recommended by the Planning Committee, the amendments proposed for the Municipal Development Plan and land use bylaw, as outlined in Appendix "C" of the 26 April 1993 staff report, be referred to the Planning Advisory Committee for review and recommendation.

The motion was put and passed.

MISCELLANEOUS BUSINESS

**Award of Tender #93-50: Main Artery
Patching (2254 Tonnes of Asphalt)**

A staff report, dated 6 May 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that Council award Tender #93-50 to **Dexter Construction Ltd.** based on the lowest total bid price and at a revised estimated quantity of 2254 tonnes of asphalt and at a revised total upset price of \$336,000 as per Dexter's quoted unit price components; and that the work be charged to the following accounts:

- (a) Current Budget Account #669 for street upgrading to a maximum of \$256,000;
- (b) Future Settlement Account #146202 for the restoration of settled cuts to a maximum of \$60,000;
- (c) the overexpenditure of Account #669 to a maximum of \$10,000.00 for Halifax Water Commission utility cut repairs on a recovery basis to which the Halifax Water Commission has already agreed; and
- (d) Capital Project Account #91518, "Traffic Signal Loop Detectors," to a maximum of \$10,000.

The motion was put and passed.

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Appointment of Solicitor: City Manager Termination

A private and confidential report, dated 10 May 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that Council confirm the appointment of Mr. John McPherson of Patterson Kitz to defend the resolution of City Council terminating Mr. Donald F. Murphy as City Manager, and that Mr. McPherson be authorized to file any motions of appeal to the Labour Standards Tribunal which may be required.

The motion was put and passed.

QUESTIONS

Question Alderman Holland Re:
Air Travel Costs

Alderman Holland observed that he recently had had occasion to purchase an airline ticket for the purposes of travelling on City business, and was somewhat surprised to discover that the lowest price for this trip could not be obtained through the agency with whom the City of Halifax has its contract. Pointing out that it had been his understanding that contracts of this nature were intended to save the City money, the Alderman requested that staff comment on this situation.

Question Deputy Mayor Fitzgerald Re:
Halifax Welfare Rights

Deputy Mayor Fitzgerald made reference to recent media reports regarding a sit-in at the Halifax Welfare Rights Office on Gottingen Street and asked for a full report on the matter from the Acting City Manager.

The Deputy Mayor went on to indicate that it was his understanding that the City of Halifax contributes to the funding of this organization, and asked for information as to whether these contributions would continue, given the present situation.

Question Deputy Mayor Fitzgerald Re:
"Adopt A Basket" Program

Deputy Mayor Fitzgerald noted that he had been extremely pleased to learn of the Municipal Round Table's recommendations concerning litter control. In this context,

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the Deputy Mayor emphasized that he had been attempting for several years to initiate an "Adopt-A-Basket" campaign, and indicated that if the Round Table's recommendations on the matter were accepted, he hoped to be one of the first to receive a litter basket for adoption.

Her Worship indicated that the matter would be looked into.

Question Deputy Mayor Fitzgerald Re: Garden Plots

Deputy Mayor Fitzgerald made reference to the fact that, years ago, the City of Halifax had provided garden plots for urban dwellers on the site of the former City Prison. Commenting that, in his opinion, this had been a very worthwhile and enjoyable venture, the Deputy Mayor asked for information from staff as to whether there are garden plots of this nature available for use today.

**Question Deputy Mayor Fitzgerald Re:
Halifax Garden Festival 1993**

Deputy Mayor Fitzgerald made reference to the Halifax Garden Festival 1993 scheduled for May and June of this year. The Deputy Mayor emphasized that, in his view, the event will be well attended and commended staff on their efforts in this regard.

**Question Alderman O'Malley Re: Request from
the Advisory Committee on the Concerns of Aging**

Alderman O'Malley reported that during a meeting held on Tuesday, 11 May, members of the Advisory Committee of the Concerns of Aging had recommended that consideration be given to increasing the amount of the municipal tax exemption from \$25,000 to \$27,000. The Alderman went on to note that an increase of this nature may enable certain seniors to remain in their own homes, rather than being forced to relocate to subsidized housing.

Alderman O'Malley therefore asked that staff be requested to review this request and to submit a report on the matter to Council.

**Question Alderman O'Malley Re:
Street Light - Hennessey Place**

Alderman O'Malley reported that several months ago a utility pole had been replaced at the corner of Hennessey Place and Novalea Drive. The Alderman went on to note,

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however, that the new fixture does not include a light which presumably had been affixed to the old pole by the City of Halifax.

Alderman O'Malley advised that neighborhood residents have expressed concern that, without the light, the area is extremely dark; they are also concerned that, given the present situation, there is little in the way of a deterrent to individuals seeking to vandalize cars parked in these back lanes.

Under the circumstances, the Alderman asked that staff investigate the feasibility of replacing this light fixture as quickly as possible.

**Question Alderman Stone Re:
12-16½ Rockingstone Road**

Alderman Stone made reference to the item concerning 12-16½ Rockingstone Road which had been addressed at a previous point in the meeting's agenda, and asked that staff be requested to meet with the applicant as well as with the Alderman for the ward in question in an attempt to reach an acceptable solution for that site.

**Question Alderman Stone Re:
Property - Foot of Vimy Avenue**

Alderman Stone asked for information from staff as to the current status of that property located at the foot of Vimy Avenue for which an apartment building has been proposed. In putting forward this request, the Alderman also asked for an estimate of what it would cost were the City to acquire this property (as a vacant site).

**Question Alderman Stone Re:
Slip Lane - Vimy Bypass Functional Design**

Alderman Stone asked for information from staff as to the approximate reduction in the cost of the Vimy functional design road if the slip lane to Dutch Village Road was deleted (i.e., if the road only went straight instead of turning to the right).

**Question Alderman Hanson Re: Unsightly
Conditions - Areas Adjacent to CN Tracks**

Alderman Hanson reported that during a recent meeting of the Advisory Committee on the Concerns of Aging several residents had expressed concern regarding the condition of the areas lying immediately adjacent to the CN

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tracks, particularly in the vicinity of Roosevelt Drive, Churchill Drive, and the Bayers Road railway bridge.

The Alderman asked that staff contact CN representatives to ascertain if this situation could be addressed.

**Question Alderman Macdonald Re:
Single-Family Residences - Lacewood Drive**

Alderman Macdonald made reference to the single-family residences located adjacent to Lacewood Drive, and asked for information from staff as to an approximate cost if the City were required to purchase these properties to make way for a major traffic thoroughfare (namely, the Vimy Bypass).

**Question Alderman MacDonald Re:
Centennial Arena**

Alderman Macdonald made reference to the Fenco Shawinigan report, noting that the proposed route would appear to run very near to Granbury Place. In this context, the Alderman asked for information from staff as to the cost to the City if it were found necessary to reconstruct the Centennial Arena at another location (i.e., a site in the Mainland Common) and, in addition, an estimate of the time involved in this relocation process.

**Question Alderman Macdonald Re:
School Crossing Guards**

Alderman Macdonald briefly referred to the large number of reports which have been compiled at the request of various members of Council by the Chief of Police on the matter of school crossing guards. While commending staff for the work that has gone into these reports, the Alderman emphasized that responsibility for school crossing guards is now with an outside agency, and suggested that all future requests should be directed to them, rather than to the Halifax Police Department.

**Question Alderman Meagher Re: Litter
Receptacle - Corner of Oak/Oxford Streets**

Noting that he has made this request on a number of previous occasions, Alderman Meagher emphasized that he would very much appreciate having a litter basket placed at the corner of Oak and Oxford Streets adjacent to Cleveland Industries, where there is also a transit stop.

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**Question Alderman Meagher Re:
Condition of North Street**

Alderman Meagher expressed concern about what he termed the "deplorable" condition of North Street, from Windsor Street through to the Bridge, and asked for a report from staff as to when improvements to this street will be commenced.

**Question Alderman Meagher Re:
Police Foot Patrols - Quinpool Road**

Alderman Meagher asked that the Chief of Police be asked to consider the addition of police foot patrols on Quinpool Road particularly in the early hours (i.e., prior to 10:00 p.m.) on Thursday and Friday nights.

**Question Alderman Adams Re:
Snowplows - Protection for Curbs**

Alderman Adams spoke of the damage that is done annually by snowplows to City curbs and passed on a suggestion from a resident of Leiblin Park; namely, that staff consider using markers (similar to those used during the winter months to designate the location of fire hydrants) to indicate curb corners and therefore to offer a warning to snowplow operators.

**Question Alderman Adams Re:
Warning - Crosswalk Areas**

Alderman Adams made reference to a concept that is widely used in the United States, that of installing a "ripple effect" in the pavement immediately preceding toll-gate facilities as a caution to motorists. The Alderman went on to suggest that perhaps a similar method could be used to warn motorists of approaching crosswalk areas, particularly on major thoroughfares where traffic speeds are more likely to be excessive.

NOTICES OF MOTION

**Notice of Motion of Reconsideration:
Alderman Hanson Re: City Council Resolution of
13 May 1993 (Agenda Item 15.2 - "Planning Appeal:
12-16½ Rockingstone Road")**

Alderman Hanson gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for **Thursday, 3 June 1993**, he proposes to introduce a Motion of Reconsideration with regard to the 13 May 1993 resolution of

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Council concerning Agenda Item 15.2, "Planning Appeal: 12-16½ Rockingstone Road."

**Notice of Motion Alderman Adams Re: Proposed
Amendments to Ordinance 116, the Taxi Ordinance**

Alderman Adams gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for **Thursday, 3 June 1993**, he proposes to introduce for First Reading various amendments to Ordinance 116, the Halifax Taxi Ordinance.

The purpose of these amendments is to permit the operation of the following services: (a) shared-ride service for seniors; and (b) non-emergency taxi ambulances.

**Notice of Motion of Reconsideration Alderman
Macdonald Re: Write-Off of 1992 Accounts**

Alderman Macdonald gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for **Thursday, 3 June 1993**, he proposes to introduce a motion that Council approve the recommendation made during the Committee of the Whole meeting held on 22 March 1993 and at the meeting of Halifax City Council held on 25 March 1993, regarding the write-off of 1992 Accounts.

ADDED ITEMS

**Encroachment License: Civic
Number 2411-19 Agricola Street**

A staff report, dated 6 May 1993, was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that an encroachment license be approved for the construction of an encroaching awing on the building known as Civic No. 2411-19 Agricola Street.

The motion was put and passed.

Award of Tender #93-31: Various Sidewalk Renewals

A staff report, dated 10 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that Tender #93-31 for the following sidewalk renewals be awarded to **Ocean Contractors** for the projects, materials and services listed and for the unit prices quoted

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at a total bid price of \$111,435.00 and a total combined project cost of \$134,000.00:

Cambridge Street (W): Norwood - Pepperell
Pepperell Street (N): Oxford - Preston
Pepperell Street (N): Robie - Vernon

(funds to be authorized from Account Numbers 92700, 92720, 92721, "Sidewalk Renewals").

The motion was put and passed.

Award of Tender #93-02: Sidewalk Renewals

A staff report, dated 10 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that Items 1 and 4 of Tender #93-02 for the following sidewalk renewals be awarded to **Ocean Contracting Ltd.** at a bid price of \$35,393.50 (project cost - \$42,500):

Robie Street (W): Charles - Willow
Connolly Street (W): Bayers to Roslyn

and further, that Items 2 and 3 of Tender #93-02 for the following sidewalk renewals be awarded to **Armdale Construction Ltd.** at a bid price of \$49,477.65 (project cost - \$59,000):

Fern Street (E): May - End
Barrington Street (W): Hanover - Young

at a total combined project cost of \$101,500 (funds to be authorized from Account Numbers 92724, 72706, 92698, 92702, "Sidewalk Renewals," with a funding transfer of \$4,000 being authorized from Account Number 92702 to Account Number 92724).

The motion was put and passed.

Award of Tender #93-112: Street Improvement Program - Robie Street (Cunard to Garrick) and Robie Street (McCully to Almon)

A staff report, dated 6 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that Tender #93-112 for Street Improvements (Robie Street) be awarded to **Basin Contracting Ltd.** for the project, materials and services listed and for the unit prices quoted at a bid price of \$199,047.50 and a total project cost of

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\$238,857.00 (funding to be authorized from Account Number 91406, "Streets Improvement Program").

The motion was put and passed.

**Award of Tender #93-103: Paving Renewal
- Gottingen Street (Russell - Bloomfield)**

A staff report, dated 6 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that Tender #93-103 for a paving renewal of Gottingen Street (Russell - Bloomfield) be awarded to Basin Contracting Ltd. for the project, materials and services listed and for the unit prices quoted at a bid price of \$210,620.00 and a total project cost of \$252.744 (Alternative #2); and further, that funding be authorized from Account Numbers 91417 ("Paving Renewal") and 92693 ("Sidewalk Renewal").

The motion was put and passed.

**Award of Tender #93-126: Removal of
Municipal Fire Alarm Lines, Racks and Cables**

A staff report, dated 10 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that authority be granted to award Tender #93-126 for the removal of municipal fire alarm lines, racks and cables with K & H Line Construction for a payment of \$1.00 to the City of Halifax.

The motion was put and passed.

Halifax Hilton

A staff report, dated 12 May 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Adams that City Council receive a proposal for a casino at the Halifax Hilton from Revenue Hotels Ltd. and Hilton International at the Special Council meeting scheduled for WEDNESDAY, 9 JUNE 1993 at 7:30 p.m., the presentation to follow the Public Hearings scheduled for that night.

The motion was put and passed.

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New City Hall Offices

This matter had last been discussed at a regular meeting of Halifax City Council held on Thursday, 29 April 1993.

A staff report, dated 12 May 1993, was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that Council appoint the firm of Lincoln North and Co. Ltd., Toronto, to carry out an independent assessment of the cost projections of the proposal from the Canterbury Group Ltd. and from Halifax Developments Ltd., according to the terms of reference attached to the staff report of 12 May 1993, for a fee not to exceed \$8,000 (not including expenses and GST).

The motion was put and passed.

Resignation - Alderman Pat Pottie (Ward 6)

This matter had been dealt with earlier on in the agenda.

There being no further business to be discussed, the meeting was adjourned at approximately 11:00 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
DEPUTY MAYOR WALTER FITZGERALD
CHAIRMEN

SUBMITTED BY:
EDWARD A. KERR, CMC
CITY CLERK

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