

**CITY COUNCIL
26 JANUARY 1995**

These immediate priorities included: an increase in electronic information resources; short term improvements to the branches; and, planning initiatives for the Main Library; and,

- (c) utilize the study and its recommendations as a basis for evaluating future operating and capital budgets.

Motion passed.

Expropriation Settlement for B-4, 2 Kelvin Grove

MOVED by Alderman Walker, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee:

- (1) George and Lody Tannous be paid \$25,055.68 as Settlement for the expropriation of Parcel B-4, with the exception of compensation for legal costs which will come before Council at a future date.
- (2) Council authorize the expenditure of funds in the amount of \$5,000 for the purpose of retaining the services of a litigation expert in connection with the Taxing Master's review of compensation for legal costs.
- (3) Funds be made available from Account No. 91506, Bedford Highway Widening Project.

Motion passed.

Property Tax Exemption - Section 227 City Charter

A supplementary staff report dated 23 January 1995 was submitted.

MOVED by Alderman Walker, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee:

- 1. Council adjust the present program to include divorced persons.
- 2. Council confirm the minimum income level at \$25,500 and the exemption of \$370 for the 1995

taxation year with a minimum tax payable of \$100.00.

Motion passed.

Spryfield Lions Aquatic Centre

This matter was forwarded to Council pending a further staff report.

A staff report dated 26 January 1995 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Pottie that Council delay consideration for two weeks to allow for additional discussion and research. Motion passed.

Appointment of Systems Consultant

This matter was forwarded to Council without recommendation pending a report from staff.

A supplementary staff report dated 19 January 1995 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the McDermott Group Inc., a management consultancy group based in Toronto but with a local presence, be appointed as the consultant of choice to assist the City in its computer selection process, at an initial Phase I cost of \$24,000 with following phases, as subsequently approved by staff, to be billed at daily rates as contained in the submission of 15 January 1995. Motion passed.

Tax Concession and Grants Recommendations - Proposed Changes

A staff report dated 19 January 1995 was submitted.

Reiterating his remarks at the last Committee of the Whole Council meeting, Alderman Downey expressed concern about the six organizations which were refused grants by the Tax Concessions and Grants Committee. The Alderman made reference to the staff report of January 19 noting that there is \$10,000

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remaining in the tax concessions and grants budget. Alderman Downey expressed the wish that Council allocate \$3000 from these funds for the six organizations in question.

Following a discussion, it was MOVED by Alderman Walker, seconded by Alderman Stone that:

1. City Council approve the 1994/95 grant recommendation to the Uniacke Square Tenants' Association in the amount of \$6,000 (of which \$3,000 will come from the Social Planning Department Budget);
2. City Council authorize notification to the Cotton Tree Partnership and the Halifax Seniors Council that they were unsuccessful in their request for assistance this year.

Motion passed.

MOVED by Alderman Downey, seconded by Alderman Epstein that Council approve the following grants with funds to be approved from the Tax Concessions and Grants account:

Brunswick Street United Church Inner City
Camp Program (\$500.00)
George Dixon Horseshoe Club (500.00)
Gordon B. Isnor Senior Citizens Association (\$500.00)
Halifax Metro Welfare Rights (\$500.00)
Halifax Super Tiger Cats Floor Hockey Team (\$500.00)
Sunrise Manor Association (\$500.00)

After a further discussion, the motion was put and defeated.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on 18 January 1995 as follows:

Case No. 6997: Peninsula North Area 5: Outstanding Issue #3 - Block Bounded by North Street, Fuller Terrace, Black Street and Northwood Terrace

MOVED by Alderman Epstein, seconded by Alderman Blumenthal that, as recommended by the Planning Committee, Council withdraw the proposed Plan amendment and inform the Planning Advisory Committee. Motion passed.

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**Report from Planning Advisory Committee Re: Case
No. 6663: Amendments to the Municipal Planning
Strategy and Land Use Bylaw for the Spring Garden
Road Commercial Area**

MOVED by Alderman Carmichael, seconded by Alderman Pottie that, as recommended by the Planning Committee, a public hearing date be scheduled to consider the adoption of the municipal planning strategy and land use bylaw amendments for the Spring Garden Road Commercial Area, which are contained in Appendices A and B of the 22 December 1994 report from the Planning Advisory Committee.

Motion passed.

The City Clerk advised that the recommended date for a public hearing was **Wednesday, 22 March 1995** at 7:30 p.m. in the Council Chamber.

U-1 (Low Density University) Zone Review

MOVED by Alderman Carmichael, seconded by Alderman Walker that, as recommended by the Planning Committee, this matter be forwarded to the Planning Advisory Committee for further report and advice.

Motion passed.

**Case No. 7035: Lot Modification Development
Agreement - 32 Frederick Avenue**

MOVED by Alderman Maher, seconded by Alderman Hanson that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a lot modification development agreement to permit the subdivision of the property at 32 Frederick Avenue into 32 and 32A Frederick Avenue and the construction of a semi-detached dwelling at 32A Frederick Avenue on the lands of Ms. Mally Metlege.

Motion passed.

It was agreed that the recommended date for a public hearing would be set for **Wednesday, 22 February 1995, 7:30 p.m.** in the Council Chamber.

MOTIONS

**Motion Alderman Epstein Re: Solid Waste
Costs (Change Payment for Solid Waste Disposal
to Per Tonne Basis) - Ordinance 162 - FIRST READING**

At the last meeting of City Council held on 12 January 1995, Alderman Epstein gave Notice of Motion that he intended to introduce for First Reading at this time a motion to amend Ordinance 162 respecting solid waste. The purpose of this amendment would be to adopt a tonnage basis for payment of solid waste disposal costs.

MOVED by Alderman Epstein, seconded by Alderman Blumenthal that the following motion be deferred to the next City Council meeting pending receipt of a staff report:

BE IT ENACTED by the City Council of the City of Halifax, as follows:

1. Ordinance Number 162, the "Regional Solid Waste Disposal system Ordinance," is amended to add a section 2A, immediately following Section 2, as follows,

2A. The cost-sharing formula for the design, construction and operation of a regional solid waste management system, conferred upon the Metropolitan Authority, shall be on the basis of the proportion of the tonnage of solid waste generated within the City of Halifax and dealt with by the Metropolitan Authority, bears to the aggregate of the whole tonnage of solid waste generated by the participating municipalities that have passed by-laws conferring responsibility for solid waste on the Metropolitan Authority, and dealt with by the Metropolitan Authority;

2. This by-law shall be effective upon adoption of similar by-laws by the other participating municipalities.

Motion passed.

QUESTIONS

Question Alderman Stone Re: Bedford Basin Look-Off

Alderman Stone asked that staff look into the feasibility of establishing a look-off from the Bedford Basin

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at the City parking lot next to the Rockingham Bakery on the Bedford Highway opposite Civic No. 276.

Question Alderman Stone Re: Hartlen Catering's Service

Alderman Stone made reference to a letter Council received on January 10 from Hartlen's Catering Service regarding the catering services for the City of Halifax. He noted that some concerns were expressed regarding the methods and procedures with respect to these services.

Alderman Stone asked for a staff report addressing these concerns and a copy of the reply which was sent to Mr. Hartlen.

Question Alderman Crowley Re: Taxi Stands - Metro Centre

Alderman Crowley noted that she had received comments from guests who had attended the Canadian Figure Skating Championships pertaining to the lack of taxi stands outside the Metro Centre. She noted that visitors questioned why there were no stands at the Metro Centre particularly and advised that this was a particular concern when people were leaving the Metro Centre late at night. Alderman Crowley asked that this matter be pursued.

Question Alderman Crowley Re: Front Yard Parking

Alderman Crowley made reference to the problem of illegal front yard parking particular in the MacDonald and Quinn Streets areas. She emphasized that the City of Halifax should take a stronger position on exploring and monitoring the number of people who are violating this particular act. The Alderman asked that staff investigate the situation.

Question Alderman Uteck Re: Concerns from Residents in the Mitchell Street Area

Alderman Uteck advised that he has received numerous complaints from residents respecting the industrial operations taking place at the Ace Towing property on Mitchell Street. He noted that he had attended a Resident's Association meeting where various problems were put forward by the surrounding residents. As a result, Alderman Uteck asked that staff investigate and report on the following:

1. concerns and problems identified by the residents which include:
 - (a) excessive noise for 24 hours a day;
 - (b) visual pollution of the area;
 - (c) physical blocking of traffic on Mitchell Street by towing vehicles, garbage bins (dumpsters);
 - (d) fumes from vehicles and heating facilities;
 - (e) overflow of the towing business onto Mitchell Street;
 - (f) general environmental contamination from industrial activities associated with the towing business; and
 - (g) heavy truck traffic and running of diesel engines at all hours.

2. initiate a review of the industrial zoning in and around the Mitchell Street area with the intent of changing the long-term use of the area to be more compatible with the adjacent residential neighbourhood.

Question Alderman Uteck Re: Preservation or Maintenance of Privacy in R-2A Zonings

Alderman Uteck requested that, in light of the recent proposals for development on Tower Road, South Park Street, and Fenwick Street, staff look into developing a policy or report on the preservation or maintenance of privacy standards in R-2A Zonings. He noted that this issue has surfaced a number of times at all the public hearings that he has attended adding that a great many residents throughout Halifax, and particularly in his Ward, are questioning the rights they have in respect to development policy.

Question Alderman Blumenthal Re: Residential Parking Permits

Alderman Blumenthal requested that staff prepare a report in time for the next regular meeting of the Committee of the Whole Council (scheduled for Wednesday, 8 February 1995)

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concerning the feasibility of amending Ordinance 179, the Residential Parking Permit Ordinance, to allow residential parking permits to be issued to the residents of Kane Street.

NOTICES OF MOTION

**Notice of Motion Alderman Epstein
Re: Gambling Casinos**

A staff report dated 26 January 1995 was submitted.

Alderman Epstein gave notice of motion that at the next meeting of City Council to be held on 16 February 1995 he intended to move the recommendation contained in the staff report of 26 January 1995 that:

1. Staff commence initial research, specifically through a scan of Canadian cities and other similar size North American cities, with respect to existing impact analysis;
2. Carry out a detailed costing of an impact analysis study;
3. Develop a strategy for the City of Halifax which outlines a process to manage the impact of casino establishments. (This recommendation is dependent upon carrying out #2)

Alderman Epstein also gave notice of motion that at the next meeting of City Council to be held on 16 February 1995 he intended to move:

"That Council of the City of Halifax rescind an earlier motion and declare that it does not wish to have any gambling casino established in the City, and opposes the exclusion by the Provincial Government of municipal jurisdiction over the proposed casino."

Alderman Epstein gave further notice of motion that at the next meeting of City Council to be held on 16 February 1995 he intended to move a recommendation that:

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"The Council of the City of Halifax hereby repudiates the Agreement of Purchase and Sale for the land known generally as Area "P", which Agreement was entered into by resolution of City Council on July 11, 1994, by way of Option to 2334412 Nova Scotia Limited."

**Notice of Motion Alderman Uteck Re:
Amendment to Ordinance 116 - Accessible Taxis**

Alderman Uteck gave notice of motion that at the next regular meeting of City Council to be held on 16 February 1995, he proposes to introduce a motion of rescission concerning second reading of the amendment to Ordinance 116 as it relates to accessible taxis which was passed by City Council on 12 January 1995.

ADDED ITEMS

Appointments

A report from His Worship Mayor Fitzgerald dated 26 January 1995 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Blumenthal that the following appointments be approved:

Advisory Committee on Concerns of Ageing

Pauline Henderson, Ward 1
Louise Bates, Ward 5
Iola Beaman, Ward 7
Daisy Goodall, Ward 8
Mona Guillemette, Ward 10
Joan Pace (Citizen at Large)

Terms to expire 31 January 1997

Art Allocation Committee

Barry Russell
Fred Barrow
Michael Parnell
Deborah MacDonald
Ernest Bishop

Terms to expire 31 January 1997

**Downtown Halifax Business
Improvement District Commission**

David H. Reardon
Leila Gashus
Sue Kapsales
Liz Crocker
Fred Were
Tom Brennan
Perry Gordon

Terms to expire 31 January 1997

Board of Harbour City Homes

Peter Driscoll
Nancy Kitchen

Terms to expire 31 January 1997

Forum Commission

Derek Piers
Robert Hamilton
George Findlay

Terms to expire 31 January 1997

**Halifax Advisory Committee on Status
of Persons with Disabilities (5-Star Committee)**

George Johnson
Cynthia Street
Earl J. MacKenzie

Terms to expire 31 January 1997

Halifax-Hakodate Committee

Cheryl Sacamano
David Ing
Greg Jones

Terms to expire 31 January 1997

Halifax Industrial Commission

Peter McDonough
Allan Conrod
Andrew Miller
Robert Baillie
Chang S. Kang

Terms to expire 31 January 1997

Halifax Recreation Committee

Jerome Singleton
Marie March
Kevin Heisler
Albert James

Terms to expire 31 January 1997

Heritage Advisory Committee

Dr. D. S. Chehil
Tom Creighton
Gary W. Newman
Michael Seaman

Terms to expire 31 January 1997

Lakes and Waterways Advisory Committee

Henry Tan
Colleen Mercer Clarke
Richard Scott
Martin Willison
Anne E. Maltzahn
Lise A. Cohrs

Terms to expire 31 January 1997

Halifax Regional Library Board

Agnes Napier
H.A.J. Wedderburn
Sandra Cox-Wright
Flora Lee

Terms to expire 31 January 1997

Mainland South Community Centre

Brett Woodbury
Ian Robinson
Sandra Cox-Wright

Terms to be extended to 30 April 1995

Natal Day Committee

Cynthia Sullivan
Graham Bowser
Douglas MacDonald

Terms to expire 31 January 1997

Planning Advisory Committee

James L. Chipman
Steve Riles

Terms to expire 31 January 1997

Point Pleasant Park Commission

Linda Moreash

Term to expire 31 January 1997

Spring Garden Road Business
Improvement District Commission

David Nicholson
David Jamieson
Nan Armour
Greg Silver
Susan Boutilier
January 1997

Terms to expire 31

Taxi Commission

Ernest Hawes
Robert Richards
Lorne Baccardax

Terms to expire 31 January 1997

Tourism Halifax Committee

Brian Miller
Irvine Carvery
Collette Flinn
Susan Hayes

Terms to expire 31 January 1997

Transit Advisory Committee

Reverend David Boston

Term to expire 31 January 1997

Heritage Advisory Committee

Alderman Kate Carmichael

Term to expire 8 November 1995

Municipal Reform Steering Committee

Alderman Russell Walker

Term to expire 8 November 1995

Citizens Advisory Committee Re: Amalgamation

Gavin Giles

Term to expire upon completion of mandate

Alderman Blumenthal questioned whether there was a policy stating that City employees had a conflict of interest with respect to serving on boards and commissions.

In response, the City Manager advised that the present policy document deals with conflicts of interests. He added that this policy which was written in 1987 can be interpreted so that members of staff should not be sitting on boards and commissions. The City Manager advised that an updated policy has been drafted and will provide further

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clarification particularly as it applies to pecuniary benefits to the individuals and other activities by staff.

Alderman Epstein also raised a question with respect to conflict of interest in terms of citizen appointments to various committees, boards and commissions. He noted a concern particularly with respect to lawyers who are in active practice sitting on some committees that might advise Council with respect to land use and zoning. Alderman Epstein explained that either the lawyers themselves or their partners might well be involved in potential conflicts and therefore they may have to exclude themselves from these discussions. The Alderman suggested that this would cause an interference with their full effectiveness on the committee.

Alderman Epstein went on to note that, on the other hand, the City attempted to put such people on committees because of their expertise. He suggested that the difficulty could apply to accountants and persons involved in the real estate business, etc. Alderman Epstein asked for a staff report on whether such policies exist in other municipalities and whether there might be some guidelines for Council to adopt to assist with appointments next year.

Alderman Carmichael asked that the report also investigate the matter of spouses who are interested in serving on boards and commissions but who are not considered because of a perceived conflict of interest. The Alderman noted that some members of Council have spouses who are interested in the City and want to serve on various boards and commissions.

Motion passed.

Mainland Common - Location of Indoor Soccer Facility

A staff report dated 24 January 1995 was submitted.

MOVED by Alderman Blumenthal, seconded by Alderman Walker that Council:

- (i) reaffirm its resolution of 17 August 1994, and authorize staff to enter into a lease arrangement with Soccer Nova Scotia to establish an indoor sportsfield facility on Site "C" (Mainland Common) as Phase I of the consultant recommended fieldhouse facility;
- (ii) provide a repayable interest-free grant not exceeding \$100,000, under Section 202(1)(b) or

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203(1) of the City Charter, to Soccer Nova Scotia, to assist with additional construction costs on Site "C".

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

**Support to Non-Profit Organizations
Operating Facilities Which are of Public Benefit**

A staff report dated 24 January 1995 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Uteck that Council request its Tax Concession and Grants Committee to extend its mandate, whereby the Committee would evaluate requests for municipal tax reduction by non-profit organizations providing activities of general public benefit, and that the Tax Concessions and Grants Committee should annually recommend to Council the extent and amount by which taxes should be reduced for each qualifying organization.

Motion passed.

**Appointment of Consultant - Grand Parade
Upgrading - Project No. 95-17**

A staff report dated 25 January 1995 was submitted.

At the request of Council, Mr. Peter S. Connell, P.Eng., Director of Engineering and Works, addressed Council and provided a brief overview of the preliminary plans for the Grand Parade upgrading which will be attached to the specifications for the hiring of a consultant.

In response to a question concerning timing, the City Manager suggested that, if Council were prepared to accept this tender without the formal approval of cost sharing by other levels of government, staff could proceed with the design portion of the project. He noted that staff would subsequently come back to Council before any tender was awarded and would continue to seek cost sharing by other levels of government.

Following a further questioning of staff, it was moved by Alderman Pottie, seconded by Alderman Walker that:

1. Council approve the appointment of Environmental Design and Management Limited, to undertake the design, preparation of required drawings and tender

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documents for the Upgrading of Grand Parade, in accordance with the Terms of Reference, and as outlined in their proposal, for an estimated fee of \$58,000.00, including G.S.T.

2. Council authorize payment to the Consultant from Account No. 02004 Grand Parade Upgrading.

Motion passed.

**Appointment of Consultant - Granville Mall
Upgrading - Project No. 95-08**

A staff report dated 25 January 1995 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Uteck
that:

1. Council approve the appointment of Reinhart L. Petersmann Landscape Architects Ltd., to undertake the design, preparation of required drawings and tender documents for the Upgrading of Granville Mall Phase I, in accordance with the Terms of Reference, and as outlined in their proposal, at an estimated cost of \$35,000.00, including G.S.T.
2. Council authorize payment to the Consultant from Capital Account No. 02005 Granville Mall Upgrading.

Motion passed.

There being no further business to be discussed, the meeting was adjourned at approximately 9:35 p.m.

HIS WORSHIP MAYOR WALTER FITZGERALD
CHAIRMAN

EDWARD A. KERR
CITY CLERK

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MINUTES

MEETING: HALIFAX CITY COUNCIL
SPECIAL MEETING

PLACE: COUNCIL CHAMBER
HALIFAX CITY HALL

DATE: 8 FEBRUARY 1995

TIME: 6:30 P.M.

MEMBERS PRESENT: HIS WORSHIP MAYOR WALTER FITZGERALD
ALDERMAN KATE CARMICHAEL
ALDERMAN GRAHAM DOWNEY
ALDERMAN HOWARD M. EPSTEIN
ALDERMAN JERRY S. BLUMENTHAL
ALDERMAN PATRICK POTTIE
ALDERMAN RON HANSON
ALDERMAN RALPH P. MAHER
ALDERMAN RUSSELL WALKER
ALDERMAN MARY ANN CROWLEY
ALDERMAN BILL STONE

ABSENT: DEPUTY MAYOR STEPHEN ADAMS
ALDERMAN LARRY UTECK

STAFF: BARRY B. COOPERSMITH, CITY MANAGER
WAYNE ANSTEY, Q.C., CITY SOLICITOR
EDWARD A. KERR, CITY CLERK

**CITY COUNCIL
SPECIAL MEETING
8 FEBRUARY 1995**

**Case No. 5911: Extension of Completion
Date, Halifax Water Commission Development
Agreement (Cowie Hill)**

The above-noted matter had been referred to this special meeting of Halifax City Council from a meeting of the Committee of the Whole Council held earlier in the day.

MOVED by Alderman Hanson, seconded by Alderman Downey that, as recommended by the Planning Committee, City Council amend the existing agreement to grant a three-year extension to the time limit for completion of development of Parcel HWC-29 Cowie Hill.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 6:35 p.m.

HIS WORSHIP MAYOR WALTER FITZGERALD
CHAIRMAN

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MINUTES

MEETING:

HALIFAX CITY COUNCIL
REGULAR MEETING

PLACE:

COUNCIL CHAMBER
HALIFAX CITY HALL

DATE:

16 FEBRUARY 1995

TIME:

8:05 P.M.

MEMBERS PRESENT:

HIS WORSHIP MAYOR WALTER FITZGERALD
DEPUTY MAYOR STEPHEN ADAMS
ALDERMAN LARRY UTECK
ALDERMAN KATE CARMICHAEL
ALDERMAN GRAHAM DOWNEY
ALDERMAN HOWARD M. EPSTEIN
ALDERMAN JERRY S. BLUMENTHAL
ALDERMAN PATRICK POTTIE
ALDERMAN RON HANSON
ALDERMAN RALPH P. MAHER
ALDERMAN RUSSELL WALKER
ALDERMAN MARY ANN CROWLEY
ALDERMAN BILL STONE

STAFF:

BARRY B. COOPERSMITH, CITY MANAGER
WAYNE ANSTEY, Q.C., CITY SOLICITOR
EDWARD A. KERR, CITY CLERK

PROCLAMATION - ROTARY WEEK

His Worship read from a proclamation officially designating the week of 20-25 February 1995 as "Rotary Week" in the City of Halifax.

MINUTES

Minutes of a regular meeting of Halifax City Council held on Thursday, 26 January 1995, as well as those from special meetings held on Wednesday, 4 January, Wednesday, 18 January and Wednesday, 8 February, were approved as circulated on a motion by Alderman Blumenthal, seconded by Alderman Walker.

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

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

20.1 Spryfield Lions Aquatic Centre

20.2 Appointment of Design Consultant -
Sewer Outfall Extension

It was generally agreed that Item 10.19, "Halifax Summit Expenditures," would be dealt with as the next matter of business following the approval of the agenda.

The agenda, as amended, was approved on a motion by Alderman Stone, seconded by Alderman Uteck.

Halifax Summit Expenditures - UPDATE

A report dated 14 February 1995 entitled "Operating Budget - Halifax Summit" was submitted from the Director of Recreation. The following pieces of information were also distributed to members of Council during the deliberation of this item:

- "Halifax Fire Department - Proposed G-7 Operating Budget"

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- "Halifax Summit Marketing Plan"
- "Promotions Budget Summary"
- A list of proposed Summit-related projects, indicating the necessity for joint funding
- "Halifax Summit - Alternate Operating Budget (No Cost-Sharing)"

Mr. Richard Cameron, Director of Recreation and Municipal Coordinator for the Halifax Summit, introduced various members of the Summit Planning Team, each of whom gave a brief presentation concerning their particular involvement in the planning process. Speakers included Mr. William D. Campbell, Development and Planning; Inspector David Murphy, Halifax Police Department; Assistant Chief Bernie Elliott, Halifax Fire Department; Ms. Joan MacDonell, Recreation Department; Ms. Lynn Ledwidge, Tourism Halifax; Mr. Art Sampson, Point Pleasant Park; and Mr. Lou Coutinho, Works Division.

Members of the team subsequently responded to questions from various members of Council.

Following a brief discussion, it was moved by Alderman Epstein, seconded by Alderman Maher that Council adopt the proposed "Alternate Operating Budget" for the Halifax Summit totalling \$1,119,000 with the provision that a further \$71,000 (additional fire protection services for Summit Square) be added.

Speaking on the motion, Alderman Pottie commented that while he was prepared to support the expenditure of the \$1,119,000, he did not feel that the additional \$71,000 for fire services was warranted. The Alderman went on to point out that this extra protection is a requirement of the Federal Government and should therefore be provided by them using resources from the Dockyard.

Deputy Mayor Adams advised that he would be supporting the motion, but asked that in the event that negotiations regarding cost-sharing from the other levels of government is indeed successful, the wording of tonight's resolution not prohibit the City from revising the Summit budget and/or the projects to be included in it.

It was subsequently moved by Alderman Hanson, seconded by Alderman Blumenthal that the motion be amended by

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16 FEBRUARY 1995**

deleting reference to the additional \$71,000 for special fire protection services. The amendment to the motion was put and passed.

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

MOVED by Alderman Stone, seconded by Alderman Crowley that City Council authorize that funds identified in the Halifax Summit capital budget can be spent in advance of the approval of the City's capital budget.

The City Manager advised that these expenditures refer only to the eight (8) projects indicated as "No" (not being contingent on the receipt of joint funding) on the material previously distributed. Mr. Coopersmith went on to point out that Alderman Stone's motion, if approved, will represent an amendment to the City's Capital Budget which has already been approved.

Speaking in support of the motion, Alderman Pottie clarified that the following capital projects will be included in the proposed budget: (1) sidewalk renewals; (2) street resurfacing; (3) downtown core repair and upgrade; (4) paving renewal - Barrington Street (Cogswell - Cornwallis); (5) paving renewal - Hollis Street; (6) City Club/Khyber Building; (7) Lower Water Street pedway; and (8) the Sackville Landing park.

The motion was put and passed.

MOVED by Alderman Stone, seconded by Deputy Mayor Adams that, further to the motion approved earlier in the discussion, the City Manager be authorized to proceed (without borrowing) with the expenditure of the Halifax Summit's operating budget in the amount of \$1,119,000. The motion was put and passed.

DEFERRED ITEMS

**Case No. 6719: Peninsula North
Area 7 - Proposed Plan**

This matter had been deferred from the last regular meeting of Halifax City Council held on Thursday, 26 January 1995.

A supplementary report, dated 2 February 1995, was submitted from the Director of Development and Planning.

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16 FEBRUARY 1995**

MOVED by Alderman Maher, seconded by Alderman Walker that Council adopt the plan for Area 7 of Peninsula North as was recommended by the Planning Advisory Committee in its report of 12 October 1994 and as considered during the public hearing held on 18 January 1995.

The City Clerk noted that Deputy Mayor Adams as well as Aldermen Carmichael and Pottie had been absent from the 18 January public hearing and should therefore abstain from the voting.

The motion was put and passed with Deputy Mayor Adams, and Aldermen Carmichael and Pottie abstaining.

**Case No. 6718: Peninsula North
Area 6 - Proposed Plan**

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 26 January 1995.

An Information Report, dated 13 February 1995, was submitted from the Director of Development and Planning.

MOVED by Alderman Downey, seconded by Alderman Epstein that, as requested by staff, the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 2 March 1995. The motion to defer was put and passed.

MOTIONS OF RESCISSION

**Motion Alderman Uteck - Rescission of
Council Resolution of 12 January 1995 Re:
Amendment to Ordinance 116 (Accessible Taxis)**

Notice of Motion with regard to the above-noted matter had been given by Alderman Uteck during a regular meeting of Halifax City Council held on Thursday, 26 January 1995.

MOVED by Alderman Uteck, seconded by Alderman Carmichael that Second Reading of the proposed amendments to Ordinance 116, the Taxi and Limousine Ordinance, regarding "accessible taxis," which had been approved during a regular meeting of Halifax City Council on Thursday, 12 January 1995, be rescinded. The motion was put and passed.

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16 FEBRUARY 1995**

**Motion Alderman Epstein - Rescission of
Council Resolution of 3 March 1994 Re:
Motion of Support for Gambling Casinos
(Proposed New Motion)**

A Notice of Motion of Rescission with regard to the above-noted item had been given by Alderman Epstein during a regular meeting of Halifax City Council held on Thursday, 26 January 1995.

A private and confidential memorandum dated 9 February 1995 was submitted from the City Solicitor.

MOVED by Alderman Epstein, seconded by Alderman Blumenthal that the Council of the City of Halifax rescind its motion of 3 March 1994 and declare that it does not wish to have any gambling casino established in the City, and opposes the exclusion by the Provincial Government of municipal jurisdiction over the proposed casino.

In putting forward this motion, Alderman Epstein acknowledged that the Provincial Government has already passed legislation permitting the establishment of gambling casinos in Nova Scotia. He emphasized, however, that it is his personal belief that many Haligonians are strongly opposed to this legislation, and asked that his counterparts on Council support their constituents by officially declaring their opposition.

A discussion ensued during which the City Solicitor responded to questions from various members of Council.

At the request of Alderman Pottie, it was agreed that the motion put forward by Alderman Epstein be dealt with in three components as follows:

(1) MOVED by Alderman Epstein, seconded by Alderman Blumenthal that the Council of the City of Halifax rescind its motion of 3 March 1994, which stated:

(1) That Halifax City Council write to the Minister of Municipal Affairs and the Premier of Nova Scotia to communicate its strong support for the development of a tourist destination resort casino for the Halifax-Dartmouth metropolitan area; and that

(2) the Government of Nova Scotia proceed with such a development without delay.

The motion was put and defeated with four (4) members of Council voting in support and eight (8) against as follows:

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FOR: Aldermen Carmichael, Epstein, Blumenthal, and Walker (4)

AGAINST: Deputy Mayor Adams; and Aldermen Uteck, Downey, Pottie, Hanson, Maher, Crowley, and Stone (8)

(2) MOVED by Alderman Epstein, seconded by Alderman Blumenthal that Halifax City Council declare that it does not wish to have any gambling casino established in the City.

The motion was put and passed with eight (8) members of Council voting in support and four (4) voting against as follows:

FOR: Aldermen Uteck, Carmichael, Epstein, Blumenthal, Pottie, Maher, Walker, and Crowley (8)

AGAINST: Deputy Mayor Adams; and Aldermen Downey, Hanson, and Stone (4)

(3) MOVED by Alderman Epstein, seconded by Alderman Blumenthal that Halifax City Council opposes the exclusion by the Provincial Government of municipal jurisdiction over the proposed casino.

The motion was put and passed with eleven (11) members of Council voting in support, and one (1) against as follows:

FOR: Deputy Mayor Adams; and Aldermen Uteck, Carmichael, Epstein, Blumenthal, Pottie, Hanson, Maher, Walker, Crowley and Stone (11)

AGAINST: Alderman Downey (1)

Motion Alderman Epstein - Rescission of Council Resolution of 28 June 1994 Re: Agreement of Purchase and Sale (Area "P")

Notice of Motion with regard to the above-noted matter had been given by Alderman Epstein during a regular meeting of Halifax City Council held on Thursday, 26 January 1995.

A private and confidential report dated 9 February 1995 was submitted from the City Solicitor.

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MOVED by Alderman Epstein, seconded by Alderman Blumenthal that the Council of the City of Halifax hereby repudiates the Agreement of Purchase and Sale for the land known generally as Area "P," which agreement was entered into by resolution of City Council on 11 July 1994 by way of Option to 2334412 Nova Scotia Limited.

Speaking on the motion, Alderman Epstein suggested that by voting as it had in (2) of Item 7.2 above (namely, "that Halifax City Council does not wish to have any gambling casino established in the City"), Council has clearly indicated its belief that the City should not sell land for the purposes of building a casino.

Following a lengthy discussion, the motion was put and defeated with three (3) members voting in support and nine (9) opposed as follows:

- FOR:** Aldermen Carmichael, Epstein and Blumenthal (3)
- AGAINST:** Deputy Mayor Adams; and Aldermen Uteck, Downey, Pottie, Hanson, Maher, Walker, Crowley, and Stone (9)

PETITIONS AND DELEGATIONS

**Petition Alderman Stone Re:
Bedford Highway Improvements - Phase 2**

Alderman Stone submitted a letter containing the signatures of approximately 38 residents of Sherwood Park, requesting that consideration be given to installing a crosswalk at the Torrington Drive intersection with the Bedford Highway and to maintaining the 50 kph speed limit through this area from the Rockingham business district to the intersection of the Kearney Lake Road.

In this same context, Alderman Stone asked that consideration be given to the installation of traffic lights at the Torrington Drive/Bedford Highway intersection (i.e., the entrance to Sherwood Park).

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**Petition Alderman Carmichael Re: Opposition
to the Elimination of Parking - Quinpool Road**

Alderman Carmichael submitted a package containing numerous petitions from the merchants of Quinpool Road and their customers in opposition to the recommendation put forward by the UMA study; namely, that parking along Quinpool Road be eliminated.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 8 February 1995 as follows:

Residential Parking Permits

MOVED by Alderman Blumenthal, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council approve in principle the amending of Ordinance No. 179, respecting Residential Parking Permits, to provide that the holders of such permits may be exempt from parking restrictions which are in effect for 30 minutes or an hour in the morning and/or the afternoon. The motion was put and passed.

Award of Tender #94-194: Equipment Replacement

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council award Tender #94-194 for two (2) articulated municipal tractors to Saunders Equipment Ltd., Fredericton, New Brunswick at the lowest bid price and at a total cost of \$161,069.66 including G.S.T. (funds to be provided from Equipment Reserve Account Number 26104-8300-80000). The motion was put and passed.

Retail Store Hours

MOVED by Alderman Blumenthal, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council schedule a public meeting to consider proposed amendments to Ordinance 121 intended to repeal the regulation of retail store opening hours. The motion was put and passed.

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A discussion ensued regarding an appropriate date for the requested public meeting, with Alderman Pottie expressing the view that it should be held in early April on a Tuesday evening, preferably in a setting larger than the Council Chambers.

It was agreed that the City Clerk would make recommendation to Council in this regard at a later date.

Tender No. 90-89: Equipment Replacement

MOVED by Alderman Stone, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the amount of \$12,733.00 for the purchase of 170 parking meter mechanisms be charged against the "Modify Parking Meter Housing" Account No. 91531. The motion was put and passed.

**Award of Tender #95-20:
Removal of Quinpool Road Tree Wells**

MOVED by Alderman Epstein, seconded by Alderman Carmichael that, as recommended by the Finance and Executive Committee:

- (1) Council award Tender No. 95-20 for the removal of tree wells along the north side of Quinpool Road (Monastery Lane to Quingate Place) for materials and services listed at the unit prices quoted, for a total bid price of \$27,288.00 and a total project cost of \$31,400.00 to Dexter Construction Co. Ltd.;
- (2) Council authorize funding from Capital Account No. 91692 ("Quinpool Road - Remove Tree Wells"); and
- (3) Council approve the transfer of funds from Account No. 92999 ("Unused Funds") to Account No. 91692 ("Quinpool Road - Remove Tree Wells").

The motion was put and passed.

**Coastal 2000 - A Consultation
Paper (City of Halifax Comments)**

MOVED by Alderman Epstein, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council endorse the comments prepared by staff (attached as

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Appendix "A" to the 30 January 1995 report) as the City of Halifax comments to the Province of Nova Scotia on "Coastal 2000 - A Discussion Paper." The motion was put and passed.

**Award of Tender No. 94-170: Re-Roofing
- Chocolate Lake Recreation Centre**

MOVED by Alderman Hanson, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council award Tender No. 94-170, Re-Roofing - Chocolate Lake Recreation Centre, to the low bidder, Allied Roofing, Masonry & Construction Ltd., at the tender price of \$72,999.00 and a total project cost of \$76,000.00. The motion was put and passed.

**Award of Tender No. 95-16: New Paving -
Lower Water Street (Morris Street to Terminal Road)**

NOTE: This item had been addressed during Council's deliberations concerning Item 10.19, "Halifax Summit Expenditures," with it being agreed that the project not be undertaken at this point in time.

MOVED by Alderman Stone, seconded by Alderman Blumenthal that the report dated 26 January 1995 from the Director of Engineering and Works, together with an Information Report of 13 February 1995, be tabled. The motion to table was put and passed.

**Expropriation -
Civic Nos. 465 and 469 Herring Cove Road**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the Utility and Review Board award in the amount of \$136,050 plus interest at a rate of 6 percent; legal fees owing to the firm of Armsworthy Lynch in the amount of \$3,391.48; \$40,000 on account of fees owing to the firm of Patterson Kitz; appraisal fees owing to the firm of Turner Drake in the amount of \$31,432.76; and estimation fees in the amount of \$674.10 owing to Alpha Foundations, all be paid by the City to the firm of Patterson Kitz in trust for Joseph Arab in settlement of all claims arising out of the expropriation of Parcels H-158 and H-131, Herring Cove Road and construction related thereto; the

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balance of any outstanding costs and fees relating to the expropriation to be paid after review by the taxing master. The motion was put and passed.

Recreation Services International (RSI) Inc.

MOVED by Alderman Stone, seconded by Deputy Mayor Adams that, as recommended by the Finance and Executive Committee, without undertaking a detailed study, staff be asked to comment within the month with respect to the program presented today by Recreation Services International. The motion was put and passed.

Presentation - Mr. Kevin Gildart Re: Loss of Business (Bedford Highway Improvements)

The above-noted matter had been referred to this meeting of Halifax City Council, pending receipt of a further staff report.

A private and confidential report dated 14 February 1995 was submitted from the Director of Corporate and Legal Affairs, together with an Information Report dated 15 February from the Director of Engineering and Works.

MOVED by Alderman Stone, seconded by Alderman Walker that City Council approve the recommendation as contained in the private and confidential report dated 14 February 1995 from the Director of Corporate and Legal Affairs.

A discussion ensued with various Aldermen putting forward the view that Mr. Gildart, as the owner of First Choice Hyundai, is entitled to some kind of compensation from the City of Halifax because of the loss of business incurred as a result of improvements to the Bedford Highway. Alderman Blumenthal, in particular, strongly recommended that staff be asked to survey other Hyundai dealerships in the local area as a means of ascertaining the degree of loss suffered by Mr. Gildart's business.

It was therefore moved by Alderman Pottie, seconded by Alderman Blumenthal that the matter be deferred for a one-month period to allow staff an opportunity to conduct further research into this matter.

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In putting forward this motion, Alderman Pottie suggested that other Hyundai dealerships in Halifax and Dartmouth may well have experienced a higher than normal increase in business as a direct result of the difficulties experienced by First Choice relating to the Bedford Highway improvements.

The motion to defer was put and passed.

**Downtown Parking Facility: Granville, Hollis
and Salter Streets (Acquisition of Land)**

This matter had been forwarded from a special meeting of Committee of the Whole Council held earlier in the evening.

It was agreed that Council will hold a meeting with the Downtown Business Improvement District Commission and other interested members of the public to review the alternatives outlined in the staff report of 16 February 1995 for the enhancement of short-term parking in the southern portion of the Central Business District, prior to resolving how to proceed on this matter.

It was further agreed that this meeting be scheduled for WEDNESDAY, 22 FEBRUARY 1995 at 5:00 p.m. in the Council Chamber, Halifax City Hall.

Transit Fares - Senior Citizens

MOVED by Alderman Blumenthal, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, City Council send a request to the Metropolitan Authority asking that Metro Transit fares for senior citizens not be increased for the coming budget year. The motion was put and passed.

Nolan v. the City of Halifax

This matter had been referred to Council without recommendation pending receipt of a report from the City Solicitor.

A private and confidential report dated 13 February 1995 was received from the Director of Corporate and Legal

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Affairs, together with two pieces of correspondence dated 15 February and 16 February respectively from Mr. Robert E. Nolan.

After consulting with the City Solicitor, Alderman Pottie suggested (and it was so agreed) that the private and confidential report dated 13 February 1995 from the Director of Corporate and Legal Affairs entitled "Nolan v. City of Halifax (Alderman Pottie)" be **declassified** and made available on an as-requested basis to interested members of the public.

MOVED by Alderman Pottie, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 February 1995. The motion to defer was put and passed.

**Ordinance 185, Respecting Burglary
and Robbery Alarm Systems**

MOVED by Alderman Pottie, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the correspondence dated 31 January 1995 from the President of the Canadian Alarm and Security Association be referred to staff for review and report. The motion was put and passed.

Halifax Natal Day/Buskers Festival

Following is the recommendation from the 8 February meeting of the Finance and Executive Committee:

THAT the City Manager's Office be asked to contact the organizers of the Buskers Festival to ascertain whether their 1995 event could be scheduled for a later point in August, and further, that a report on this matter be submitted to the next regular meeting of Halifax City Council **scheduled for Thursday, 16 February 1995.**

An Information Report dated 15 February 1995 was submitted from Mr. Lewis M. Rogers, Director of Tourism Halifax, in addition to the following correspondence:

- Letter dated 14 February 1995 from Mr. William Lydon, Chair of the Halifax International Buskers Festival
- Letter received on 16 February 1995 from Ms. Gloria Schiebel for the Halifax Natal Day Committee

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MOVED by Alderman Pottie, seconded by Alderman Crowley that the City Manager's Office be requested to arrange a meeting as quickly as possible with representatives of the Halifax Natal Day Committee and the Halifax International Buskers Festival aimed at reaching a mutually-acceptable solution to the scheduling of these events for 1995. The motion was put and passed.

Grand Parade (Proposed Renovations)

NOTE: This item had been addressed during Council's deliberations concerning Item 10.19, "Halifax Summit Expenditures," with it being agreed that the project not be undertaken at this point in time.

MOVED by Alderman Stone, seconded by Deputy Mayor Adams that the Information Report dated 13 February 1995 from the Director of Engineering and Works, together with the 16 February report from the Heritage Advisory Committee, be tabled. The motion to table was put and passed.

Halifax Housing Authority - Recreation Program

The above-noted matter had been referred from the 8 February meeting of the Finance and Executive Committee, pending receipt of a recommendation from the City Manager.

An Information Report dated 14 February 1995 was received from the Office of the City Manager.

It was agreed that the City of Halifax contribution (approximately \$35,000) to the revamped recreation program operated by the Halifax Housing Authority be deemed to be approved; and further, that the Minister responsible for this program be so advised.

Halifax Summit Expenditures - UPDATE

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

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on 8 February 1995 as follows:

Repairs to Fairview Overpass

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

- (1) Council transfer the already approved \$15,000 from the Bedford Highway Improvements Account No. 91506 to a new Account No. 91700, Fairview Overpass Repairs;
- (2) Council increase gross funding in the amount of \$10,000.00 in Account No. 91700 with no increase in net funding;
- (3) Council approve the appointment of **Beasy Nicoll Engineering Ltd.** to carry out the additional site investigations, associated testing and preparation of necessary engineering drawings and tender documents for the Fairview Overpass as requested by the Department of Transportation and Communications.

The motion was put and passed.

**Upgrading of Bedford Highway, Phase II
- SET DATE FOR PUBLIC HEARING (STREET CLOSURE)**

MOVED by Alderman Stone, seconded by Alderman Downey that, as recommended by the Committee on Works, Council set a date for a public hearing to close a section of Kearney Lake Road as shown on Plan No. TT-50-32407 and as outlined in the staff report of 26 January 1995. The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 22 MARCH 1995** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Composting Project - Earth Cycle Opportunities

MOVED by Alderman Hanson, seconded by Alderman Epstein that, as recommended by the Committee on Works, Council authorize the City Manager to enter into a License Agreement

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for a nominal consideration of \$1.00 with the Earth Cycle Opportunities Society to establish a food and paper composting pilot project at the Parks and Grounds Mainland Maintenance Facility, 375 Cowie Hill Road, for a period not to exceed nine months, effective the date of Council's approval under the terms and conditions substantially in conformance with the License Agreement attached to the staff report dated 2 February 1995. The motion was put and passed.

Local Improvement Rates (1995-97)

Following is the recommendation from the 8 February meeting of the Committee on Works:

THAT City Council approve local improvement rates for 1995-97 as set out in Appendix "A" of the staff report dated 31 January 1995.

MOVED by Alderman Hanson, seconded by Alderman Walker that Halifax City Council approval Local Improvement Rates for 1995-97, as depicted on Appendix "A" of the 31 January 1995 staff report, excluding Item #8, "Paving Renewals," and Item #9, "Sidewalk Renewals." The motion was put and passed with Alderman Stone voting in opposition.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on 8 February 1995 as follows:

Ruinous Buildings:

- (1) Civic No. 2380 Gottingen Street
- (2) Civic Nos. 2372-75 Creighton Street
- (3) Civic No. 2384 Gottingen Street

The above-noted matter had been referred to this meeting of Halifax City Council, pending receipt of staff comments concerning the renovation plans submitted by the Prevost family.

MOVED by Alderman Downey, seconded by Alderman Epstein that the matter be forwarded to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 February 1995. The motion to defer was put and passed.