HALIFAX REGIONAL COUNCIL May 7, 1996

PRESENT: Mayor Walter Fitzgerald

Deputy Mayor Jack Greenough

Councillors: Bill Dooks

Gordon R.Snow David Hendsbee Ron Cooper Harry McInroy Condo Sarto

Bruce Hetherington Clint Schofield John Cunningham Jerry Blumenthal Graham L. Downey

Larry Uteck Howard Epstein Russell Walker

Bill Stone Ron Hanson Stephen Adams Barry Barnet Bob Harvey Peter Kelly Reg Rankin Jack Mitchell

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer

Mr. Wayne Anstey, Municipal Solicitor

Ms. Vi Carmichael, Municipal Clerk

Ms. Jane Nauss, Assistant Municipal Clerk

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Mayor Walter Fitzgerald read two Proclamations proclaiming the following:

Canada Health Day - May 12, 1996 Census Week - May 12 - 18, 1996

1. **INVOCATION**

Mayor Fitzgerald called the meeting to order at 6:00 p.m. with an Invocation.

2. **APPROVAL OF MINUTES** - APRIL 23, 1996

MOVED by Councillors Hetherington and Snow to adopt the minutes from April 23, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Clerk advised of the following additions to the Agenda:

- Councillor Walker Community Council
- Councillors Hendsbee and Schofield Motion to make Public Notice of opportunity to apply for municipal grants with a May 31, 1996 deadline.

Councillor Hendsbee requested that agenda item 10.2.3 be discussed at the beginning of the agenda.

Councillor Adams requested that agenda item 11.2 (a and b) be discussed following item 10.2.3.

Councillor Schofield requested the addition of "Community Council."

Councillor Kelly requested the following:

- addition of "Interim Committees";
- addition of Information Item "Update Bedford Local of MAPP" to the regular agenda
- addition of "Status Sheet."

Councillor Epstein requested the addition of "Merkel House, Brunswick St."

MOVED by Councillors Blumenthal and Hetherington to approve the Order of Business, as amended.

- 4. **BUSINESS ARISING OUT OF THE MINUTES** None
- 5. **MOTIONS OF RECONSIDERATION** NONE
- 6. **MOTIONS OF RESCISSION** NONE
- 7. **CONSIDERATION OF DEFERRED BUSINESS** NONE
- 8. **PUBLIC HEARINGS** NONE
- 9. CORRESPONDENCE, PETITIONS AND DELEGATIONS, PRESENTATIONS
- 9.1 Petition

MOVED by Councillors Harvey and Uteck to receive a petition from Sackville Heights Junior High School in support of Shakespeare by the Sea. MOTION PUT AND PASSED UNANIMOUSLY.

- 10. **REPORTS**
- 10.2 **Chief Administrative Officer**
- 10.2.3 Motion Extension of Interim Tax Due Date

As requested earlier, this item was moved up on the agenda.

Circulated with this item was correspondence from Messrs. Paul LaSavage and William Wilson.

Councillor Hendsbee advised he had received numerous telephone calls on the matter of Interim Tax Due Date and correspondence from Messrs Paul LaSavage and William Wilson which outlined concerns in this regard. With former Halifax County taxes now due earlier than anticipated, Councillor Hendsbee expressed concern that those on a fixed income would suffer.

MOVED by Councillors Hendsbee and Harvey to extend the due date for the Interim Taxes to June 1, 1996 or make an allowance for those who require extra time to pay their taxes.

A brief discussion ensued on the fact that Council should be lenient in this transition year, and extend the due date. It was noted, however, that should an extension to the due date be permitted, it should be in effect for the entire Region and not simply the former Halifax County area. Councillor Walker requested a staff report on the issue of due dates.

In closing, Councillor Hendsbee requested Council show compassion to those who are

not used to this transition period.

MOTION DEFEATED.

MOVED by Councillors Hanson and Mitchell, to retain May 21, 1996 as the due date for the interim tax billing. MOTION PUT AND PASSED.

11. MOTIONS

As requested earlier, this item was moved up on the agenda.

11.2(a)

Report - Number of Taxi Vehicles, Drivers and a Comparison of the Taxi Industry Rules and Regulations in Halifax and Dartmouth

- Circulated with this item was a memorandum dated May 6, 1996 from Mr. George McLellan, Commissioner of Regional Operations.
- C Also circulated with this item was correspondence dated May 7, 1996 from the United Cab Drivers Association of Halifax.

Sgt. Scott Burbridge, Inspector of Taxi Licenses, was in attendance to respond to any questions from Council. It was determined that as of this date, there were 616 drivers and 537 vehicles; 40 - 50 drivers were not active in the industry; and, there is a mix of drivers who own their own vehicles.

11.2(b)

Amendment to Taxi and Limousine Ordinance #116 - Third Reading

MOVED by Councillors Adams and Hetherington to pass Third Reading to an amendment to the former City of Halifax Ordinance Number 116, the Taxi and Limousine Ordinance.

"Be it enacted by the Council of the Halifax Regional Municipality as follows:

City of Halifax Ordinance 116, the Taxi and Limousine Ordinance is amended by adding immediately following Section 14A, the following Section which states:

14B As soon as may be practical following the enactment of this Section, a

taxi school shall be held pursuant to Section 15(d) open to a maximum of

40 applicants, and notwithstanding subsection (1) of Section 14A, a taxi driver's license shall be issued to any applicant who successfully completes the course of instruction and examination and otherwise complies with the provisions of Section 15."

A lengthy discussion ensued on the fact that it could take twelve years to bring the number of vehicles on the road down to an appropriate level and that an appropriate level will never be reached as the rules will always be changed. It was also noted that this issue keeps coming before Council. It was suggested there are either not enough drivers or the vehicle owners are charging too high a rental fee.

Other comments pertained to the fact that a portion of the taxi industry wishes the school to open due to the fact that it will create educated drivers who will promote tourism in the area, and provide an opportunity for people to be educated at the beginning of their careers. Further, it was noted that existing drivers would be able to upgrade themselves. As a result of the Public Hearing on this matter held on April 23, 1996, it was determined that those within the industry cannot agree as to whether the school should re-open.

MOTION PUT AND PASSED.

At 7:50 p.m., Councillor Hendsbee left the meeting.

- 10. **Reports** (con't)
- 10.1 Solid Waste/Resource Advisory Committee
- 10.1.1 Transportation Plan

In a report from Councillor Reg Rankin, Chairman, Solid Waste/Resource Advisory Committee, a recommendation from the April 25 Committee meeting was being brought forward for Council's consideration.

MOVED by Councillors Rankin and Mitchell, to adopt the recommendation of the Solid Waste/Resource Advisory Committee that a letter be written to Policy and Planning to determine what steps should be taken to fit the transportation plan into the whole strategy of planning for the area surrounding the proposed landfill site at Site A. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.1 <u>Capital Budget: Priority Projects</u>

A staff report from Commissioner George McLellan, Regional Operations, outlined various

Capital Budget items which may require approval prior to the actual budgeting process. The projects noted were broken down into four categories namely; Equipment; Real Estate and Facilities; Operations, and Sewers and total \$4.99 million with a total Capital Budget approximating \$100 million.

A lengthy discussion ensued on the fact that the Department of Transportation / Communication (DOTC) has offered Halifax Regional Municipality (HRM) equipment which is worthless and that other DOTC equipment has been removed and relocated by DOTC to other areas in the Province. Council was advised that HRM will be using private contractors more frequently than DOTC.

In response to an enquiry from Councillor Kelly, Mr. K. Dhillon, Director, Engineering Services, advised that the concept of including sewer and storm water in the Fort Sackville Road Pumping Station Project (\$140,000) would be considered, however, costs for the project may increase.

A brief discussion ensued on the walkway between former Dartmouth City Hall and Alderney Gate. The stairs in the area cover a concrete slab, further, a soil embankment is giving way and pushing out the slabs. The problem could be repaired for \$20,000 - \$30,000. However, of greatest concern is leakage in the storage rooms which are located under the walkway. It was noted that the entire problem needs to be rectified and not in piecemeal.

In response to a concern expressed by Councillor Epstein in that "Compost Compound Burnside Park" (\$30,000) had not been discussed by the Solid Waste/Resource Advisory Committee (SWRAC) level. It was the consensus of the meeting that further discussion on this project be deferred pending discussions by the SWRAC which is meeting Wednesday afternoon. Further, it was noted that discussions on agenda item #10.2.5 - "June 1st - Provincial Bans - Leaf and Yard Waste" - be deferred pending discussions at the SWRAC level as well.

In response to a concern raised by Councillor Kelly, Mr. George McLellan, Commissioner of Regional Operations, advised that the matter of the composting operator in District 21 being advised not to continue, would be discussed by SWRAC on Wednesday, May 8, 1996.

A discussion ensued on the condition of roads in the area of Halifax Regional Municipality (HRM) and the fact was reiterated that the Province has offered HRM ineffective equipment to look after bad roads.

In an attempt to clarify comments from Council, Mr. George McLellan reviewed existing facilities in Dartmouth and their status; advised that area rates had not been considered when determining the Capital Budget items; and that HRM anticipates providing a high level of service when it comes to roads. Further, it was noted that the previous service was

a response to failure rather than preventative maintenance.

In response to an enquiry from Councillor McInroy, Mr. McLellan advised that although it was Council's discretion as to what decision would be made this evening, if the former Dartmouth City Hall walkway was not repaired, it would be an increased liability for this municipality.

Mayor Fitzgerald advised this municipality should be entitled to a percentage of highway and gasoline taxes imposed by the government to assist Halifax Regional Municipality in the maintenance of roads.

MOVED by Councillors Stone and Mitchell to approve the short list of Capital Budget items listed under the categories of Real Estate and Facilities; Operations, and Sewers, with the exception of Compost Compound Burnside Park - \$30,000 - which is to be deferred pending discussions by the Solid Waste/Resource Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.

Further information on the Equipment aspect of the priority listing will be brought back to Council for clarification.

Mr. Ken Meech, Chief Administrative Officer, advised that with respect to the Service Exchange with the Province, the agreement has not as yet been executed. Under this Agreement, it is intended that Halifax Regional Municipality will take over all streets with the exception of the 100 Series roads. Further, the transfer of former DOTC employees to HRM was not part of the initial discussions.

Mayor Fitzgerald enquired if a map depicting the affected roads could be prepared by staff.

10.2.2 Debenture Issue

A staff report from Mr. Larry Corrigan, Commissioner of Corporate Services, outlined the fact that both the former Town of Bedford and Halifax County Municipality arranged for funding for two Capital projects:

Bedford \$2,200,000 Halifax County 6,365,000

As the closing date for this debenture closes May 14, 1996, approval by this Council was now required.

MOVED by Councillors Greenough and Sarto that the Mayor and Municipal Clerk be authorized to sign the Issuing Resolution, the Agreement between Halifax Regional Municipality and the Nova Scotia Municipal Finance Corporation and the debenture itself to enable Halifax Regional Municipality to issue a debenture in the amount of \$8,565,000; further

that the Mayor and Municipal Clerk be authorized to sign the Renewal of Temporary Borrowing Resolutions as follows:

Tallahasse School \$ 165,000 Water (Bedford Watermain By-Pass) \$1,600,000.

In response to concerns raised by Council, Mr. Ron Singer, Director of Finance, addressed Council noting this was strictly an administrative requirement of the Department of Municipal Affairs. As the Capital projects of the aforementioned former units are complete, finalization of financing is now required. Further, the Amalgamation Coordinator had approved all those projects that required his approval. Accordingly, there was now no alternative for Halifax Regional Council but to approve this debenture issue. Once approved, the funds will be made available within ten days.

In response to an enquiry from Council, Mr. Singer advised that a report providing background information on this matter can be prepared. Further, Mr. Singer advised that in the year 2006, Halifax Regional Municipality may be able to pay off the amount owing.

Mr. Meech, Chief Administrative Officer, advised that the Tallahasse School project is similar to that which was built in Bedford and which is proposed in Porter's Lake.

MOTION PUT AND PASSED UNANIMOUSLY.

- 10.2.3 This agenda item was discussed earlier in the meeting.
- 10.2.4 Weir Property Upper Sackville

A staff report from Mr. George McLellan, Commissioner of Regional Operations, stated this matter originated from the former County of Halifax Council authorizing the purchase of the Weir property, located in Upper Sackville.

MOVED by Councillors Barnet and Harvey that the Resolution respecting the Weir property, Upper Sackville, of Halifax County of 18 February, 1996 be adopted and amended to include the following:

- (1) A purchase price of \$90,000, including legal and survey costs
- (2) A portion of the Multi-purpose Centre constructed on the Weir Property be dedicated in memory of Mr. Charles Weir, Senior.

 MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5

June 1, 1996 Provincial Bans Leaf and Yard Waste

This matter was discussed under Agenda Item 10.2.1 and it was the consensus of Council to defer further discussion pending comments from the Solid Waste/Resource Advisory Committee.

10.2.6

Retail Store Hours By-Law - First Reading

Councillor Hetherington had served Notice of Motion on April 23, 1996 to repeal former City of Halifax Ordinance #121, the Retail Shop Closing Ordinance.

MOVED by Councillors Sarto and Schofield to pass First Reading to By-Law R-100, the Repeal of Former Municipal By-Laws and Ordinances By-Law with the Second Reading to take place May 28, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7

Burning By-Law - First Reading

In a staff report from Commissioner Gary Greene, Fire Services, it was noted that Councillor Rankin had requested staff prepare an amendment to Halifax County By-Law #69 - The Burning By-law.

MOVED by Councillors Rankin and Mitchell to pass First Reading to By-Law B-100 Respecting Open Air Burning; further that staff be instructed to advertise that Council intends to give Second Reading on May 21, 1996.

In speaking to the Motion, Councillor Kelly advised there was no mention in the staff report of the former Town of Bedford Burning By-Law.

In response to a concern raised by Council, Mr. Wayne Anstey, Municipal Solicitor, advised that it was possible to have different by-laws in effect throughout the Region. Councillor Kelly noted if that is the case, then all Districts should have input with respect to the establishment of by-laws.

MOVED by Councillors Kelly and Dooks to defer First Reading on this matter pending further review by the Municipal Solicitor.

It was also noted that District Numbers for Halifax Regional Municipality should be depicted on Schedule A as attached to the draft by-law.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8

Resolution - Trust Funds

In a staff report from Mr. Larry Corrigan, Commissioner of Corporate Services, it stated that the Legislative Counsel for the Nova Scotia House of Assembly was requesting Halifax Regional Council to ratify a Resolution of former Halifax City Council authorizing the transfer of dormant trust funds to the Halifax Foundation.

MOVED by Councillors Snow and Barnet that Regional Council ratify the following Resolution passed by the former Halifax City Council on March 28, 1996:

- (1) Council authorize the transfer of \$272,453.72 dormant trust funds currently held by the City of Halifax and identified as the Larry O'Connell Picnic for Orphans Trust, the J.M. Foote Trust, the Cogswell Military Drill Trust, and the George Hart Trust, all amounts as of March 31, 1996, to the Halifax Foundation.
- (2) Council approve the attached legislation (Attachment A), or as necessarily amended, for presentation to the Legislative Assembly to effect the transfer of these funds to the Halifax Foundation.

Councillor Cooper expressed concern that this item had only been distributed to Council this evening and it was his opinion that Council required additional time to review the staff report.

MOVED by Councillors Cooper and Dooks to defer discussions on this matter to the next meeting of Council. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS (con't)

11.1 Civic Holiday By-Law - Second Reading

The proposed Civic Holiday By-Law had received First Reading during a Council Meeting held April 23, 1996 and was before Council this evening for Second Reading.

MOVED by Councillors Hetherington and Mitchell to pass Second Reading to By-Law H-100, the Civic Holiday By-Law.

A point was raised by Council to remove 2 (d) iv - "a shop for the retail sale of motor vehicles" from the proposed by-law.

MOVED by Councillors Cooper and Sarto to amend By-Law H-100 by striking 2(d)

iv - "a shop for the retail sale of motor vehicles" from the proposed Civic Holiday By-Law.

Following three calls from Mayor Fitzgerald for comments from the gallery on the proposed by-law, the public portion of the discussion ceased.

MOTION PUT AND PASSED UNANIMOUSLY.

A lengthy discussion ensued on whether the entire day should be set aside as a holiday or simply a portion.

MOVED by Councillors Kelly and Blumenthal to amend the Main Motion by deleting "except between the hours of twelve noon and six o'clock in the afternoon." from clause 4 of the proposed by-law.

A brief discussion ensued on whether the public should have another opportunity to address Council on the proposed by-law prior to Second Reading. Also, a lengthy discussion ensued on whether the public and small businesses actually depend on the type of business which results from holiday shoppers.

The Second Amendment to the Main Motion was defeated.

A vote was then taken on the Main Motion.

MOTION PUT AND PASSED.

11.3 Councillor Harvey - that the Parkland adjacent to the main Sackville Fire Station at the corner of Glendale Drive and Metropolitan Drive be named "Glen Slauenwhite-Volunteer Firefighters' Park"

Councillor Harvey addressed Council noting he had served Notice of Motion on this matter during the April 30, 1996 Council Meeting; further, that Councillor Barnet was prepared to second the Motion.

MOVED by Councillors Harvey and Barnet, that the Parkland adjacent to the main Sackville Fire Station at the corner of Glendale Drive and Metropolitan Drive be named "Glen Slauenwhite - Volunteer Firefighters' Park. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Hetherington suggested that staff develop a policy as it pertains to street naming.

12. **ADDED ITEMS**

12.1 Councillor Walker - Community Council

Councillor Walker addressed Council requesting a report from the Municipal Solicitor respecting a Community Council for Districts 11, 14, 15, 16, 17 and 18. Further, that Districts 12 and 13 be invited to join.

12.2 <u>Councillors Hendsbee and Schofield - Motion to make Public Notice of Opportunity to apply for municipal grants with a May 31, 1996 deadline</u>

Councillor Schofield addressed Council noting that the Grants Committee wishes to have a public notice regarding the Submission of Municipal Grant applications and a stated deadline of May 31, 1996.

MOVED by Councillors Schofield and Hendsbee to make public notice of an opportunity to apply for municipal grants with a May 31, 1996 deadline. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Councillor Schofield - Community Council

Councillor Schofield addressed Council requesting the Municipal Solicitor to prepare an Administrative Order for the creation of a Community Council comprised of Districts 4 - 10.

Councillor Stone requested, and all Council agreed, that the Solicitor prepare policy and procedure guidelines for Community Councils.

12.4 a)

Councillor Kelly - Ad Hoc Advisory Committee on Advisory Committees

Councillor Kelly addressed Council on the matter of Interim Committees and made reference to a memorandum distributed to Council this evening recommending that specific pre-existing advisory committees be re-instated to continue through until December 31,1996.

MOVED by Councillor Kelly and Deputy Mayor Greenough that as an interim measure, the Committee recommends that the following pre-existing advisory committees be re-instated, by invitation to the former members as required, to continue until December 31, 1996, and to provide advice directly to the Committee and Council on future changes to these types of committees:

- a) Persons with Disabilities
- b) Human Rights / Community Relations
- c) Healthy Dartmouth
- d) Canada Day / Natal Day
- e) CED / BIDC (if not otherwise incorporated)

- f) Tourism Halifax / Visitor and Conventions (if not otherwise incorporated)
- g) Access-A-Bus / Sackville Transit / Accessible Taxis
- h) Citizens on Recycling
- I) Public Transportation / Taxi and Limousine / Hotel Standards.

Further, it is the Ad Hoc Committee's intention that the previous participation of elected officials in these specific groups be reviewed and that participation be limited to one Councillor, wherever practical.

Councillor Blumenthal suggested the Motion be amended to include Metro Area Senior Citizens Advisory Committee.

Councillor Kelly advised that both senior and youth groups had been discussed by the Committee and that he was currently waiting to be contacted by the Senior's Advisory group.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 b)

Councillor Kelly - Information Item - Update - Bedford Local of Municipal Association of Police Personnel (MAPP)

Councillor Kelly requested this matter be referred back to staff for further information as Bedford Town Council had approved the contract on March 28, 1996.

12.4 c)

Councillor Kelly - Status Sheet

Councillor Kelly addressed Council requesting that a Status Sheet be prepared and distributed to Council - as part of the Council Package to keep track of ongoing items of discussion.

MOVED by Councillors Kelly and Adams for staff to develop a status sheet to be distributed to Council as part of the Council Package - on at least a monthly basis. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 <u>Councillor Epstein - Merkel House - Brunswick St.</u>

Councillor Epstein addressed Council advising that the owner of a heritage property - Merkel House, Brunswick St., - has given an indication that the property is to be demolished. Accordingly, Councillor Epstein requested staff prepare a report, on an urgent priority basis, outlining options available to Halifax Regional Municipality to retain the property, taking into consideration the possibility of purchasing the property or

exchange of land.

MOVED by Councillors Epstein and Downey that staff prepare a report, on an urgent priority basis, outlining options available to Halifax Regional Municipality to retain the property, taking into consideration the possibility of purchasing the property or exchange of land. MOTION PUT AND PASSED UNANIMOUSLY.

13. **NOTICES OF MOTION**

13.1 Councillor Epstein served Notice of Motion that at the next Regular Meeting of Halifax Regional Council to be held on May 14, 1996, he proposed to move First Reading of a Heritage Property By-Law, the purpose of which is to establish a Heritage Advisory Committee to administer the provisions of the Heritage Property Act and to establish a Heritage Property Registry for the Halifax Regional Municipality.

14. **ADJOURNMENT**

MOVED by Councillors Downey and Hetherington to adjourn the meeting at 9:30 p.m.

Vi Carmichael MUNICIPAL CLERK

<u>Items which were distributed during the May 796 Council Meeting:</u>

- a) Memorandum dated May 6, 1996 from Mr. G. McLellan, Commissioner of Regional Operations re Taxi Registration
- b) Correspondence dated May 7, 1996 from the United Cab Drivers Association of Halifax
- c) Correspondence dated May 1, 1996 from Messrs. Paul LaSavage and William Wilson
- d) Memorandum dated May 7, 1996 from Councillor Kelly