

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES October 3, 2000

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor John Cunningham
Councillors: Stephen Streach
Keith Colwell
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Clint Schofield
Jerry Blumenthal
Graham L. Downey
Sue Uteck
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
David Merrigan
Bob Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

ABSENT WITH
REGRETS:

Councillors: Gordon R. Snow
Bruce Hetherington
Stephen D. Adams

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

Table of Contents

1.	INVOCATION	4
2.	PROCLAMATIONS	4
3.	APPROVAL OF MINUTES - September 19, 2000	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS OR DELETIONS	4
5.	BUSINESS ARISING FROM THE MINUTES	5
6.	MOTIONS OF RECONSIDERATION - NONE	5
7.	MOTIONS OF RESCISSION - NONE	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	PUBLIC HEARINGS	5
9.1	Street Closure and Sale of Land - Maple Street, Bedford Administrative Order SC-24 - Motion - Councillor Kelly	5
10.	CORRESPONDENCE, PETITIONS & DELEGATIONS	6
10.1	Petitions	6
10.1.1	Councillor Merrigan - Pathway, Sackville Drive	6
10.1.2	Councillor Blumenthal - Option House, 5522 Duffus Street . . .	6
10.1.3	Councillor Fougere - Correctional Facility	6
10.1.4	Councillor Kelly - Rail Transit	6
10.2	Presentations	6
10.2.1	20/20 Presentation	6
11.	REPORTS	7
11.1	MEMBERS OF COUNCIL	8
11.1.1	Councillor Fougere	8
i)	Sidewalk Replacement and Street Re-paving	8
ii)	Tree Trimming	8
11.1.2	Councillor Walker - Harbour City Housing Assistance in Purchasing North Mews	9
11.1.3	Councillor Merrigan - Bridge, Upper Sackville	9

11.2	CHIEF ADMINISTRATIVE OFFICER	9
11.2.1	Tender 00-384 Paving of Chip Sealed Streets	9
11.2.2	Shipyards Layoffs (Info Item, Sept. 26 th)	10
11.2.3	Noise By-Law Exemption Application - Sperry & Partners Limited (set date for Public Hearing - Oct. 17 th)	10
11.2.4	Nova Scotia Department of Transportation and Public Works/Halifax Regional Municipality Cost Sharing Agreement for the Construction of Access Ramps to/from Highway 102/Joseph Howe Drive	11
11.2.5	Playground Equipment - Old Penhorn School	11
11.2.6	Proposed License Over HRM Parcel OLR-M1 - Scott & Valerie Conrad	12
11.2.7	Case 00283 - Request to Amend the MPS and LUB for Eastern Passage/Cow Bay, to Consider the Construction of a Golf Course and Tourist Cottage Development Adjacent to Silver Sands Beach in Cow Bay	12
11.2.8	Case 00261 - Request for an Amendment to the Bedford MPS - 700 Kearney Lake Road (at Blue Mountain Drive)	13
13.	ADDED ITEMS	14
13.1	Mayor Fitzgerald - Richard Homburg - Properties in District 9 (oral)	14
13.2	Councillor Rankin	14
i)	Traffic Signalization - Intersection of Lucasville Road and Hammonds Plains Road	14
ii)	Request to move In Camera item #5 (Aid to Municipality for Pavement Upkeep) to regular Council agenda for discussion	15
13.3	Councillor Sarto - 3 Wildwood Boulevard Guard Rail	16
13.4	Councillor Cooper - Salmon River Subdivision Water	16
13.5	Councillor Blumenthal - Lack of Parking Regulation Enforcement, Halifax's North End	16
13.6	Councillor Colwell - Area Rate, Supplementary Funding	16
13.7	Councillor Kelly - CN Track Removal	17
13.8	Report - Sole Source Purchase of As Used Rescue Vehicle - Oyster Pond & Area Volunteer Fire Department	18
13.9	Property Matter - 11 Alderney Drive	18
13.10	Legal Matter - Area Rate Funds, District 23	18
14.	NOTICES OF MOTION - NONE	19
15.	ADJOURNMENT	19

MINUTE OF SILENCE

Before the commencement of the meeting, a Minute of Silence was observed in memory of the Right Honourable Pierre Elliot Trudeau, former Prime Minister of Canada, who passed away on September 28, 2000.

1. INVOCATION

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

2. PROCLAMATIONS

3. APPROVAL OF MINUTES - September 19, 2000

MOVED by Deputy Mayor Cunningham and Councillor Blumenthal that the minutes of September 19, 2000, be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

4. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS OR DELETIONS

The following items were added to the agenda:

- 13.1 Mayor Fitzgerald - Richard Homburg - Properties in District 9 (oral)
- 13.2 Councillor Rankin:
 - i) Traffic Signalization - Intersection of Lucasville Road and Hammonds Plains Road
 - ii) Request to move In Camera item #5 (Aid to Municipality for Pavement Upkeep) to regular Council agenda for discussion
- 13.3 Councillor Sarto - 3 Wildwood Boulevard Guard Rail
- 13.4 Councillor Cooper - Salmon River Subdivision Water
- 13.5 Councillor Blumenthal - Lack of Parking Regulation Enforcement, Halifax's North End
- 13.6 Councillor Colwell - Area Rate, Supplementary Funding
- 13.7 Councillor Kelly - CN Track Removal

- 13.8 Report - Sole Source Purchase of A Used Rescue Vehicle - Oyster Pond & Area Volunteer Fire Department
- 13.9 Property Matter - 11 Alderney Drive
- 13.10 Legal Matter - Area Rate Funds, District 23

Councillor Blumenthal requested that Information Item #3 Correspondence from the Solicitor General of Canada dated September 21, 2000 re: Petition Opposing the Construction of a Community Residential Facility be added to the October 10, 2000 Regular Agenda.

Councillor Mitchell requested that Item 13.10 be moved up on the agenda.

MOVED by Councillor Blumenthal and Deputy Mayor Cunningham that the Order of Business, Additions and Deletions, be adopted, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING FROM THE MINUTES

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

9. PUBLIC HEARINGS

**9.1 Street Closure and Sale of Land - Maple Street, Bedford
Administrative Order SC-24 - Motion - Councillor Kelly**

- A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

Ms. Brenda MacPherson, Real Estate Officer, presented the staff report to Council.

Mayor Fitzgerald called three times for members of public wishing to speak either in favour of or against the street closure. Hearing none, the following motion was put on the floor:

MOVED by Deputy Mayor Cunningham and Councillor Kelly that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillors Kelly and Mitchell that Halifax Regional Council approve Administrative Order SC-24, Respecting the Closure of a Portion of Maple Street, Bedford, subject to the closing of the Agreement of Purchase and Sale for conveyance of Parcel "A" to Michael Meisner. **MOTION PUT AND PASSED UNANIMOUSLY.**

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Petitions

10.1.1 Councillor Merrigan - Pathway, Sackville Drive

Councillor Merrigan submitted correspondence from a resident expressing concerns about a pathway from Sackville Drive to the new P3 Elementary School in Middle Sackville. The Councillor requested that the correspondence be referred to staff for a report.

10.1.2 Councillor Blumenthal - Option House, 5522 Duffus Street

Councillor Blumenthal served a petition containing approximately 33 signatures of residents opposing the establishment of an Option House situated at 5522 Duffus Street and requesting that it be immediately terminated. The Councillor requested that a letter be sent to the Minister of Community Services regarding the concerns expressed.

10.1.3 Councillor Fougere - Correctional Facility

Councillor Fougere served a petition containing approximately 224 names (bringing the total to 1056) of residents opposing the plan to build a halfway house in their neighbourhood. The Councillor requested that this petition be forwarded to the Solicitor General of Canada.

10.1.4 Councillor Kelly - Rail Transit

Councillor Kelly served a petition containing approximately 112 signatures of residents in support of rail transit. The Councillor noted he will be addressing this issue further later in the meeting (see Item 13.7).

10.2 Presentations

10.2.1 20/20 Presentation

Mr. Clay Coveyduck and Joanne Linzey, Co-Chairs, HRM 20/20 Organizing Committee, presented the Committee's final report "HRM 20/20: Vision and Values" to Council, copies of which were circulated to Council.

Mr. Coveyduck expressed thanks to Mayor Fitzgerald, Members of Council, and the participants in the project.

Mayor Fitzgerald also thanked the participants of the project and expressed appreciation to the HRM 20/20 Organizing Committee for its work and report.

MOVED by Councillors Kelly and Cooper that Regional Council:

- 1. Adopt the Statement of Vision and Values produced by the HRM 20/20 public consultation process;**
- 2. Direct staff to integrate Council's Business Strategies with the HRM Vision and Values and report on ways and means of implementing the other recommendations of the HRM 20/20 working committee;**
- 3. Strive to achieve the Vision articulated by HRM 20/20 by integrating its strategic directions with HRM business planning, municipal policy development and regional planning initiatives. MOTION PUT AND PASSED UNANIMOUSLY.**

At this point in the meeting, Council agreed to deal with item 13.10 Legal Matter - Area Rate Funds, District 23.

13.10 Legal Matter - Area Rate Funds, District 23

- This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

In response to concerns recently raised in the public regarding expenditures of discretionary capital funding, Councillor Mitchell read a prepared statement, copies of which were circulated to Council, regarding his involvement with the Terence Bay Coastal Communities Co-Operative.

Councillor Greenough read a prepared statement, copies of which were circulated to Council, stating the questions the public wants answered are: 1) Were the funds in question used appropriately? 2) Was there a Conflict of Interest on the part of Councillor Mitchell? Therefore, the Councillor put forth the following motion:

MOVED by Councillors Greenough and Rankin that independent outside auditors be hired to examine the expenditures and supporting documentation charged to District

23 recreation area rate, capital funds, and discretionary funds; to determine compliance with HRM policies and provincial legislation; to advise of any recommendations regarding further action required; and, without restricting the generality of the foregoing, to specifically recommend as to whether Council should request an inquiry pursuant to the Municipal Conflict of Interest Act. **MOTION PUT AND PASSED UNANIMOUSLY.**

11. **REPORTS**

11.1 **MEMBERS OF COUNCIL**

11.1.1 **Councillor Fougere:**

i) **Sidewalk Replacement and Street Re-paving**

Councillor Fougere expressed concern regarding sidewalk replacement and street re-paving, and requested that the matter be referred to staff for a report to respond to the following questions 1) Is there a plan being followed? 2) If so, what is it? 3) If not, why not, and when will there be one put in place?

Councillor Read stated he has received similar questions from residents, noting it is difficult to explain why a sidewalk in terrible condition is not replaced, while others, in better condition, are being done.

Councillor Kelly requested that the staff report indicate when the report he requested a few months ago, regarding the priority list of sidewalk replacement and street re-paving projects, will be brought forward, so the public will know when they can expect this work to be done.

Councillor Blumenthal spoke in support of the request for a staff report, and suggested that basing these projects on deficiency ratings would be the fairest way to deal with this issue.

Councillor McInroy expressed concern with replacements of complete concrete sidewalk slabs when only a corner may be damaged, and supported the request for a staff report.

Council agreed to refer the matter to staff for a report.

ii) **Tree Trimming**

Councillor Fougere expressed concern with the maintenance and care of the thousands of mature trees lining the streets of the Municipality. The Councillor stated that, since amalgamation, the amount of care required has increased, yet the amount of staff and

equipment needed to provide this care has not increased to meet the need. The Councillor stated this is forcing staff to act on a complaint driven reactive basis rather than on a preventative basis, and the inadequate maintenance of these trees is creating problems with street lighting, sight lines, general tree health and resident safety.

Therefore, Councillor Fougere requested a staff report to address a long term plan for the care and maintenance of mature trees in HRM, to ensure the health of the trees and the safety of the residents, and to address how assistance can be provided to HRM staff, in terms of complement and proper equipment, to perform the job asked of them.

Councillor Blumenthal expressed thanks to staff for the work they are doing with the available resources, noting this is an important issue and some trees are in very poor condition.

Councillor Sarto requested that dealing with overgrown trees be viewed as a priority.

Councillor Schofield asked that overgrown trees blocking sidewalks be addressed.

Councillor Stone requested that the rose bushes on Dunbrack Street be trimmed due to visibility problems they are creating.

Council agreed to the request for a staff report.

11.1.2 Councillor Walker - Harbour City Housing Assistance in Purchasing North Mews

- Correspondence from K. B. Raju, Chair, Board of Directors, Harbour City Homes, dated September 25, 2000 regarding Harbour City Homes purchase of North Mews housing project, was before Council for its consideration.

MOVED by Councillors Walker and Downey that the correspondence from Harbour City Homes be referred to Special Projects for a report to Council in one week, if possible.

Deputy Mayor Cunningham stated he believes this is a provincial responsibility, but if a land swap is possible, he would support the Municipality examining it.

Responding to a question of Councillor Schofield regarding the vacancy rate of North Mews, Councillor Walker stated it is 2 percent.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Councillor Merrigan - Bridge, Upper Sackville

Councillor Merrigan expressed concern regarding the unsafe condition of the bridge in Upper Sackville, and requested that a letter be sent to the Minister of Transportation requesting that the safety concerns respecting this bridge be addressed. Council supported the request.

11.2 CHIEF ADMINISTRATIVE OFFICER

11.2.1 Tender 00-384 Paving of Chip Sealed Streets

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Fougere and Uteck that Council award Tender No. 00-384, Paving of Chip Sealed Streets, to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$350,750.00, and a Total Project Cost of \$403,365.00, with funding authorized as per the Budget Implications Section of the staff report. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.2 Shipyards Layoffs (Info Item, Sept. 26th)

- Correspondence from Premier John F. Hamm dated September 13, 2000, in response to a letter from Mayor Walter Fitzgerald dated August 24, 2000, regarding shipyard layoffs, was before Council for its information.

Councillor Blumenthal requested that the Chief Administrative Officer arrange for an HRM representative to attend the upcoming national forum, referred to in the correspondence from the Premier, to be held in St. John's in the fall, to develop a consensus report for action by the Prime Minister with respect to a National Shipbuilding Policy. Council agreed to the request.

Councillor Blumenthal also requested that Mayor Fitzgerald write a letter to the HRM shipyards, on behalf of the residents of the north end, to see if something can be done regarding the noise created by the horn. Council agreed to the request.

11.2.3 Noise By-Law Exemption Application - Sperry & Partners Limited (set date for Public Hearing - Oct. 17th)

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Deputy Mayor Cunningham and Councillor Greenough that a Public Hearing be scheduled for October 17, 2000 to consider Banook Shores' application for exemption from the provisions of HRM By-Law 200 Respecting Noise, and that Council render a decision on this application pursuant to any matters raised at the Public Hearing. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Cunningham expressed concern with the time it takes to approve these requests, noting it is his understanding the need to work past 9:30 p.m. to perform concrete pouring is a general practice during construction of such major buildings.

MOVED by Deputy Mayor Cunningham and Councillor Blumenthal that staff be directed to prepare a report to determine if there is a more expeditious manner to deal with similar requests in the future, such as exceptions to the By-Law.

Councillor Sarto shared the Deputy Mayor's concerns, and suggested these exemption requests could be handled by the Community Councils.

Councillor Kelly stated the By-Law is there to protect the residents, and stated he would not be in favour of any changes to this protection. The Councillor suggested the problem can be resolved by good planning on the part of the development community.

Councillor Greenough spoke in support of reviewing the By-Law to see if there could be some type of exception for this type of work.

MOTION PUT AND PASSED.

11.2.4 Nova Scotia Department of Transportation and Public Works/Halifax Regional Municipality Cost Sharing Agreement for the Construction of Access Ramps to/from Highway 102/Joseph Howe Drive

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Responding to a question of Councillor Walker, Mr. Rick Paynter, Acting Director, Public Works and Transportation Services, noted the date in Item 2 (a) (1) should be March 31, 2001 and not March 31, 2000, as stated in the report. Also, on Page 5, in Section 3 - Termination of the Agreement, the date should reach March 31, 2001 and not November 15, 2000, as stated in the report. M. Paynter stated these corrections will be made to the agreement before it is signed.

Councillor Stone spoke in support of the agreement.

MOVED by Councillors Walker and Stone that Council authorize the Mayor and the Municipal Clerk to sign the Agreement and accept the increased cost sharing proposal for the Access Ramps to/from Highway 102/Joseph Howe Drive. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.5 Playground Equipment - Old Penhorn School

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Sarto and Greenough that Council approve a withdrawal in the amount of \$30,000 from Account No. Q101 - Sale of Land Account, for the replacement of the play equipment lost due to the demolition of the Penhorn School.

Councillor Sarto noted he originally brought this request forward in mid-July, and expressed concern that it is now just coming forward. The Councillor stated the work will probably now not be completed until 2001, and the community is waiting for this playground equipment. Councillor Sarto requested that the installation of this equipment be expedited as soon as possible.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2.6 Proposed License Over HRM Parcel OLR-M1 - Scott & Valerie Conrad

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillors Cooper and Schofield that Council authorize the Mayor and Municipal Clerk to execute a license agreement with Scott and Valerie Conrad allowing for a residential driveway on terms as discussed in the report dated September 20, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.7 Case 00283 - Request to Amend the MPS and LUB for Eastern Passage/Cow Bay, to Consider the Construction of a Golf Course and Tourist Cottage Development Adjacent to Silver Sands Beach in Cow Bay

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. Mitch Dickey, Planner, presented the staff report to Council.

Councillor McInroy noted this is a sensitive and important area of land to the community of Cow Bay, and there are a number of areas of concern that will be addressed through the public participation program, to which the Councillor stated he is looking forward.

MOVED by Councillors McInroy and Cooper that Halifax Regional Council:

- 1. Request staff to initiate the process to consider amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Eastern Passage/Cow Bay for the purpose of a golf course and tourist cottage development, and**
- 2. Request staff to follow the public participation program as approved by Council in February 1997. MOTION PUT AND PASSED UNANIMOUSLY.**

11.2.8 Case 00261 - Request for an Amendment to the Bedford MPS - 700 Kearney Lake Road (at Blue Mountain Drive)

- A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. Angus Schaffenburg, Planner, presented the staff report to Council, which recommended that Council not approve the request to initiate the process to consider amending the Bedford Municipal Planning Strategy and Land Use By-Law for the property situated at 700 Kearney Lake Road.

Mr. Schaffenburg responded to questions of Councillor Kelly.

Councillor Kelly stated he would prefer Council to pursue Alternative 2 of the staff report dated September 1, 2000, to proceed to a Public Hearing.

MOVED by Councillors Kelly and Mitchell that Council authorize a plan amendment process to discuss Mr. DiBenedetto's request, and a lot in a similar situation immediately across Blue Mountain Road (known as 710 Kearney Lake Road.) Should Council decide that the property of Mr. DiBenedetto has merit for consideration of a plan amendment, then this additional property should be considered at the same time. This would be a site specific amendment for the two properties.

Speaking in support of the motion, Councillor Greenough stated there is merit in the proposal with respect to the size of the three proposed lots. The Councillor noted these are very large lots and should be able to easily handle an on-site sewage system.

Speaking against the motion, Councillor Read stated he supports the staff recommendation, noting the issue should be discussed in a broader context, rather than site specific. The Councillor suggested there should be broad review of the MPS before such changes are made.

Also speaking against the motion, Councillor Uteck stated she supports the staff recommendation, noting this area needs further study.

Speaking in support of the motion, Councillor McInroy noted there is a natural and physical boundary of the Kearney Lake Road, and the case could be made that these lots are in isolation of the other RR zoned lots in the area. Councillor Mitchell supported Councillor McInroy's comments and the motion on the floor.

Councillor Rankin spoke in support of the motion, noting one aspect of the negotiation would be recreation land.

Councillors Streach, Sarto and Cooper also spoke in support of the motion.

MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Mayor Fitzgerald - Richard Homburg - Properties in District 9 (oral)

Mayor Fitzgerald reported that he met with Mr. Richard Homburg and members of staff and toured the District 9 properties in question. The Mayor expressed concern with the condition of a number of these properties and the by-law violations, and stated the Municipality needs to take immediate action. Mayor Fitzgerald suggested, if the lawsuit was dropped, the Municipality could work with Mr. Homburg in an attempt to reach a suitable agreement.

Councillor Schofield stated he can support the action taken by the Homburg Group if it solves the problem in the area. The Councillor noted there are a number of organizations in District 9, such as the District 9 Citizens Association, that he would like to see involved in resolving this issue. Councillor Schofield stated it is necessary to complete Robert Burns Drive in the next couple of years as it is part of the plan to correct this area. With respect to the by-laws, the Councillor stated changes need to be made so as properties cannot remain in such poor condition for two years. Councillor Schofield stated such changes would help the area greatly.

Councillor McInroy noted there have been long outstanding issues regarding unsightly premises in District 5, and expressed concern that these may be lost sight of as the District

9 issue is currently consuming most staff resources. The Councillor suggested the Municipality needs to upgrade its abilities in terms of By-Law Enforcement.

Mayor Fitzgerald stated he would prefer to work with those involved to resolve the problems, rather than dealing with a lawsuit.

Councillor Blumenthal spoke in support of strengthening the regulations with respect to unsightly premises.

Councillor Uteck noted the former City of Halifax only permitted a boarded up building to remain that way for a maximum of six months, and suggested this may be something the Municipality may want to consider.

Council agreed to permit staff to explore the possibility of negotiating with Mr. Richard Homburg in an attempt to reach an agreement with respect to the properties in District 9.

13.2 Councillor Rankin:

i) Traffic Signalization - Intersection of Lucasville Road and Hammonds Plains Road

Councillor Rankin requested a staff report on the possibility of HRM cost-sharing with the Provincial Government on the installation of traffic signals for the intersection of Lucasville Road and Hammonds Plains Road. The Councillor stated this is a serious safety concern for the residents of the area, and the Province has a joint responsibility with the Municipality to resolve it.

MOVED by Councillors Rankin and Mitchell that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

(Mayor Fitzgerald left the meeting at 7:55 p.m., and Deputy Mayor Cunningham assumed the Chair.)

ii) Request to move In Camera item #5 (Aid to Municipality for Pavement Upkeep) to regular Council agenda for discussion

- An In Camera discussion report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Councillor Rankin stated the Aid-to-Municipalities Program for pavement upkeep is not working, noting at no time was it expected there would be no provision for pavement. The Councillor stated it is a huge burden to resolve this issue.

MOVED by Councillors Rankin and Mitchell that Council authorize staff to negotiate, with the support of Council, to restore funding for subdivision roads outside the urban core, and that a copy be sent to the Minister of Transportation and to former Councillors Hendsbee, Dooks and Barnet, who are current Members of the Legislative Assembly. If this is not successful, Councillor Rankin asked that the matter be brought back to Council.

Speaking in support of the motion, Councillor Mitchell noted District 23 had only one road paved since this agreement has been in place.

Also speaking in support of the motion, Councillor Merrigan stated the Municipality needs to send a strong message to the Province. The Councillor further stated that people who do not live in the core area should not be treated in a secondary manner, and suggested information needs to be given to the public to let them know the Province is letting them down, not the Halifax Regional Municipality, as the Province is not providing the necessary funding.

Councillor Colwell noted some residents in his area are willing to pay 100 percent for paving, and he supported the motion on the floor.

MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Councillor Sarto - 3 Wildwood Boulevard Guard Rail

With the use of photographs, Councillor Sarto illustrated a safety problem at civic number 3 Wildwood Boulevard, where a recent accident resulted in a vehicle crashing into the home on this property.

MOVED by Councillors Sarto and Greenough that this matter be referred to staff for a report to examine the possibility of having a guard rail placed at 3 Wildwood Boulevard for safety reasons. MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Councillor Cooper - Salmon River Subdivision Water

- An Information Report prepared for Councillor Cooper, regarding Salmon River Subdivision Water, was before Council for its information.

Councillor Cooper presented the Information Report to Council and put forth the following motion:

MOVED by Councillors Cooper and Greenough that the issue of Salmon River Subdivision Water be forwarded for infrastructure consideration on an urgent basis by Council. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Councillor Blumenthal - Lack of Parking Regulation Enforcement, Halifax's North End

Councillor Blumenthal expressed concern that there are only two vehicles in the North End area to monitor the one hour parking regulation, and requested that there be increased parking regulation enforcement due to numerous complaints being received. The Councillor suggested Commissionaires could be hired on a commission basis to assist with this matter. Councillor Blumenthal also suggested consideration should be given to putting up special signs, such as is the case in Boston, regarding no parking for street cleaning.

(Mayor Fitzgerald returned to the meeting at 8:20 p.m. and assumed the Chair.)

13.6 Councillor Colwell - Area Rate, Supplementary Funding

Councillor Colwell suggested that the Halifax Regional School Board be asked to attend the October 10th meeting of Regional Council to provide a detailed breakdown as to where the funding provided by the 3.5 cent area rate has been spent.

Mayor Fitzgerald agreed to write a letter to the Halifax Regional School Board inviting them to attend the October 10th Council session to respond to the following questions of Councillor Colwell:

- 1) The names of the schools where the money was spent.
- 2) An itemized list of exactly what was purchased.
- 3) The exact dollar value of each item.

Councillor Blumenthal suggested if the School Board is not going to be accountable with respect to supplementary funding, then the residents should not vote to support it.

Councillor Walker questioned if it was feasible to request the School Board to supply this information at this time, as the 3.5 cent area rate was only levied in September. The Councillor questioned if the School Board has even received this money yet. If not, Councillor Walker asked how they can be expected to account for where it is being spent by October 10th. In response, Mr. Ken Meech, Chief Administrative Officer, stated he was not certain if the money has been allocated, but suggested the School Board should be able to identify where it intends to spend it.

Councillor Read echoed Councillor Walker's concerns.

Councillor Colwell stated the schools are already spending the money even if they do not actually have it yet. The Councillor stated, under the area rates, he is entitled to ask for the information, and that is all he is requesting.

Councillor Harvey recalled that Council was provided a list, by category, of expenditures when the 3.5 cents was approved. The Councillor stated it was his understanding that the funding was used to save a number of positions that were proposed to be cut. Councillor Harvey stated this is the information he expects the School Board to bring forward.

13.7 Councillor Kelly - CN Track Removal

Councillor Kelly expressed concern that there appears to be some confusion as to what was agreed upon between HRM and CN with respect to the track removal.

MOVED by Councillors Kelly and Streach that the matter be referred to staff for a report, for the October 10th meeting of Regional Council, to clarify what was agreed upon between CN and HRM with respect to the CN track removal and what tracks are being removed and which ones are staying, and to also involve Senator Bernie Boudreau's Office to advise them as to what is taking place and to obtain their understanding as well. Further, to advise CN not to take any action on any track until HRM receives clarification as to what is taking place, and that Council be given the opportunity to respond to the information when it is provided.

Mr. Meech stated he did not have the specifics as to how much track is to be removed, noting CN made its decision that they were not willing to wait any longer. However, he agreed to get a report relative to the details discussed and what track will be removed. Mr. Meech noted that Council had requested staff to come back with a Terms of Reference with a broader scope than just commuter rail, but to include transportation issues in the region. Mr. Meech suggested the most critical issues need to be identified to ensure the Municipality gets the best return on its funding. Mr. Meech noted an application has been submitted to the Green Fund for financial assistance for a study focussed on transit to a large degree.

Councillor Read spoke in support of the motion, stating steel wheels on steel rails is the most efficient mode of transportation.

Closing the debate, Councillor Kelly stated it was always understood that commuter rail would be a part of an integrated transportation system, and was never envisioned to be the only solution. The Councillor stated the purpose of the motion is to achieve clarity as to what CN plans to do.

MOTION PUT AND PASSED UNANIMOUSLY.

13.8 Report - Sole Source Purchase of As Used Rescue Vehicle - Oyster Pond & Area Volunteer Fire Department

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was circulated to Council.

MOVED by Councillors Streach and Colwell that Regional Council authorize the purchase of a used 1996 Ford Rescue Vehicle from Tri-Star Industries Limited at a cost of \$41,000.00 plus H.S.T.

Mr. Meech and Councillor Streach responded to questions of Councillor Walker.

MOTION PUT AND PASSED UNANIMOUSLY.

13.9 Property Matter - 11 Alderney Drive

- This matter was discussed earlier during an In Camera Session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Deputy Mayor Cunningham and Councillor Schofield that Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the sale of 11 Alderney Drive to Alderney Real Estate Appraisals Limited, subject to the terms and conditions set out in the September 20, 2000 staff report. Further, that the September 20, 2000 staff report not be released to the public until, and if, the recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.

13.10 Legal Matter - Area Rate Funds, District 23

This item was addressed earlier in the meeting (see Page 7).

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

MOVED by Deputy Mayor Cunningham and Councillor Greenough that the meeting adjourn at 8:40 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk