

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 23, 1999

PRESENT:

Deputy Mayor Larry Uteck
Councillors: Bill Dooks
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Sheila Fougere
Russell Walker
Bill Stone
Ron Hanson
Stephen D. Adams
Barry Barnet
Bob Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

REGRETS:

Mayor Walter Fitzgerald
Councillors: Gordon R. Snow
Bruce Hetherington

STAFF MEMBERS:

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

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1. **INVOCATION**

The meeting was called to order at approximately 6:00 p.m. Councillor Mitchell, at the request of Deputy Mayor Uteck, led his colleagues in the recitation of the Invocation.

PRESENTATION - 1999 CIAU MEN'S BASKETBALL CHAMPIONS - SAINT MARY'S UNIVERSITY HUSKIES

On behalf of Regional Council, Councillor Greenough acknowledged the Saint Mary's Huskies Mens Basketball team and extended congratulations to them for winning the 1999 CIAU Canadian Basketball Championship on March 21, 1999.

MOVED by Councillors Greenough and McInroy that congratulations be extended to the team members, Coach Ross Quackenbush, Deputy Mayor Uteck (SMU Athletic Director), and Saint Mary's University for an exciting and thrilling championship victory. MOTION PUT AND PASSED UNANIMOUSLY.

On behalf of the team, Coach Ross Quackenbush expressed thanks and gratitude to the residents of the Halifax Regional Municipality for their support and to Regional Council for honouring the team this evening. Coach Quackenbush introduced the following members of the team, while Deputy Mayor Uteck presented them with a token of appreciation on behalf of Halifax Regional Municipality:

Wayne Hinds, Paul Bromby, Cory Janes, Kurt Henry, Kevin Miller, Lloyd Thomas, Cyril Smith, Patrick Toulouse, Colin Allum, Jonah Taussig, Ryan McClintock, Nelson Carvery, and John Landry. The following members were unable to attend this evening: Nathan Anderson, Les Barry, and Ryan Demone.

ACKNOWLEDGEMENT

At a later point in the meeting, Deputy Mayor Uteck acknowledged the presence of Councillor-Elect Graham Read, District 17 Purcell's Cove - Armdale, noting the Councillor will be officially sworn in during the March 30, 1999 Regional Council meeting.

2. **PROCLAMATIONS**

2.1 **Hunger Awareness Week**

On behalf of Deputy Mayor Uteck, Councillor Kelly proclaimed March 22-28, 1999 as Hunger Awareness Week in the Halifax Regional Municipality.

2.2 Information Rights Week

On behalf of Deputy Mayor Uteck, Councillor Rankin proclaimed March 22-28, 1999 as Information Rights Week in the Halifax Regional Municipality.

3. APPROVAL OF THE MINUTES - FEBRUARY 23 & MARCH 9, 1999

MOVED by Councillors Sarto and McInroy that the minutes of February 23 and March 9, 1999 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were requested to be deleted from the agenda:

- 10.1.2 Councillor Kelly - HRM Crackfilling Project
- 10.2.11 Administrative Order Number 15 Respecting License Fees (By-Law B-400, Alarm By-Law) (to be circ)
Motion - Councillor Stone

The following item was requested to be deferred to March 30, 1999:

- 11.1 Motion - Councillor Hetherington
"To reduce the supplementary school funding in Dartmouth by ten (10) percent."

The following items were requested to be added to the agenda:

- 12.1 Councillor Barnet - Recommendations from the Halifax Regional Water Commission Sub-Committee on Harbour Clean Up
- 12.2 Property Matter - 5419 and 5425 Portland Place
- 12.3 Legal Matter - Claim Settlement - Yuk Ling Wong v. HRM
- 12.4 Land Matter - Maitland Street, Cornwallis Street and Brunswick Street
- 12.5 Legal Matter - Amended Claim Settlement - Carmichael v. HRM
- 12.6 Councillor Kelly - Taxation of New P3 Schools

With respect to the request to defer Item 11.1 Motion - Councillor Hetherington, Councillor Greenough noted there were four Dartmouth Councillors present who are unanimously opposed to such a reduction in supplementary school funding. Therefore, to reduce anxiety in the school community, the Councillor suggested this matter should be addressed this evening.

MOVED by Councillors Greenough and Cunningham that Item 11.1 Motion - Councillor Hetherington, not be deferred and that the matter be addressed this evening. **MOTION DEFEATED.**

MOVED by Councillors Blumenthal and Downey that the Order of Business, as amended, be approved. **MOTION PUT AND PASSED.**

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTION OF RECONSIDERATION

6.1 Councillor Barnet - Charges for Street Improvements 1999/2000

- The following motion was passed on March 9, 1999, and Councillor Barnet served a Notice of Motion of Reconsideration at that time:

“Moved by Councillors Cooper and Hetherington that the current standard costs under Schedule “A” of By-Law Number S-400, Respecting Charges for Street Improvements, remain the same for 1999-2000. MOTION PUT AND PASSED.”

Councillor Barnet requested Council’s support in following a previously adopted philosophy of only charging residents the exact amount for services received. The Councillor noted the motion adopted on March 9, 1999 would, in this case, require some constituents to pay a higher amount than the Municipality is actually paying for that service.

MOVED by Councillors Barnet and Adams that the following motion adopted on March 9, 1999, be reconsidered:

“Moved by Councillors Cooper and Hetherington that the current standard costs under Schedule “A” of By-Law Number S-400, Respecting Charges for Street Improvements, remain the same for 1999-2000.

MOTION DEFEATED.

The original motion adopted at the March 9, 1999 Council session stands.

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Presentations

9.1.1 Request for Support, Wash House - Halifax Regional Scouts Canada, Camp Management Board - James Robertson, Chair

- Correspondence from James Robertson, Chair, Camp Management Board, Scouts Canada, Greater Halifax Regional Council, regarding the above, was before Council for consideration. A submission regarding the project was also circulated to Council

Mr. Robertson addressed Council seeking support in providing funding toward the construction of a new wash house facility at the Scouts Canada Regional Camp at Miller Lake. Mr. Robertson reviewed the written submission that was circulated to members of Council, which provided information regarding the Camp Program.

Councillor Barnet noted he circulated a letter to Council approximately eight months ago which indicated that this was an on-going project in the community and requested Council's support. The Councillor stated he would like to reissue that request for support of this project, noting the Camp is a regional issue as campers from across the Municipality utilize the facility. Councillor Barnet suggested a financial contribution could be adopted through the Discretionary Capital Budget account, noting Mr. Ken Meech, Chief Administrative Officer, has indicated this would be an appropriate use of these funds.

Councillor Hendsbee suggested this request could be directed to the Grant Committee for consideration, or another possible source of funding could be through the Councillors' Discretionary Grant Funding.

In response to a question from Councillor Cunningham, Mr. Robertson stated Scouts Canada is a United Way agency, however this project does not receive any direct funding from the United Way.

MOVED by Councillors Cunningham and Greenough that this matter be referred to the Grant Committee for consideration.

Councillor Greenough suggested this matter could also be referred to staff to explore the possibility of providing service in kind to reduce the costs of the project. Mr. Meech replied this could be done in conjunction with the motion on the floor.

MOTION PUT AND PASSED.

Deputy Mayor Uteck thanked Mr. Robertson for his presentation.

9.1.2 Request for Support - Atlantic Regional Firefighter Combat Challenge - Rodney Misener

- Correspondence from Mr. Rodney Misener, Halifax Regional Firefighter, regarding the above, was before Council for consideration.

Mr. Misener addressed Council seeking financial support in the form of a grant to assist with the costs of hosting the Atlantic Regional Firefighter Combat Challenge. Mr. Misener explained the components of the event, which were detailed in his correspondence previously circulated to members of Council. Mr. Misener noted the total budget for this event is \$12,000 and the grant request is for \$7,500. The remaining balance will be obtained through corporate sponsorship.

Deputy Mayor Uteck suggested this request should also be referred to the Grant Committee. Councillor Hendsbee noted the possibility of providing funding through the Councillors' Discretionary Grant Funding is another option that could be considered.

MOVED by Councillors Hendsbee and Greenough that this matter be referred to the Grant Committee for consideration. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Uteck thanked Mr. Misener for his presentation.

9.1.3 Registration Fee (Alarm By-Law) - Paul Taylor, Taylor Made Security

- Correspondence from Mr. Paul Taylor, Taylor Made Security, regarding the Alarm By-Law Registration Fee, was before Council for consideration.

Mr. Paul Taylor addressed Council with respect to the Alarm By-Law, in particular, objecting to the \$50 registration fee, stating it will handicap security businesses in the Municipality. With respect to the \$50 increase in the fine, Mr. Taylor stated he did not believe this will act as a deterrent, nor will the \$50 registration fee.

Mr. Taylor stated the alarm companies can, upon request, provide updated information on a regular basis and work with the Municipality to ensure the Police are informed of proper contacts and addresses. He requested that Council consider this as an alternative to the \$50 registration fee.

With respect to the fine, Mr. Taylor stated examples of false alarm by-laws of cities across Canada and North America can be obtained through the Internet. He stated most of those that have established a \$50 fine have not been successful, and have since been amended. Mr. Taylor stated there are two proven methods to reduce false alarms which are as follows: auto cancellation and verification. He suggested if the Municipality required these

methods to be implemented, the false alarm problem would be virtually eliminated. Mr. Taylar noted there is also software available which can address the false alarm issue in a more economical manner. He also suggested proper training of alarm system installers can help reduce the problem.

In closing, Mr. Taylar requested that Council take this information into consideration and work with the industry to eliminate the registration fee.

Deputy Mayor Uteck thanked Mr. Taylar for his comments.

9.1.4 Betterment Charges - Brenda Drive, Hammonds Plains

- Correspondence from Dan and Sherry Ferguson, Susan Joudrey, John and Karen Ryan, Lloyd and Sally Abbott, and Frank and Lisa Cousineau, regarding the above, was before Council for consideration.

Mr. Dan Ferguson, 103 Brenda Drive

Mr. Ferguson addressed Council regarding this issue and requested that the betterment charges be waived based on the fact that his right to be petitioned was bypassed, and the fact that Council recognizes there are problems with the process and has chosen to address this issue in the future. A copy of Mr. Ferguson's presentation was provided for the record.

Mr. Ferguson also spoke on behalf of Mr. John Ryan, 88 Brenda Drive, and Ms. Susan Joudrey, 87 Brenda Drive, who were also in opposition to the betterment charges. Copies of their comments were provided for the record.

Ms. Selma Abbott, 96 Brenda Drive

Ms. Abbott addressed Council regarding the betterment charges for Brenda Drive. She questioned why the residents were not petitioned as is the proper procedure to be followed. Ms. Abbott also questioned the logic in having the charges levied on only 6 of 46 property owners on Brenda Drive. A copy of Ms. Abbott's comments was provided for the record.

Mr. Frank Cousineau, 100 Brenda Drive

Mr. Cousineau addressed Council regarding the matter, stating the six residences affected would have responded in the negative if they had been petitioned regarding this paving. By not being petitioned, Mr. Cousineau stated his right to provide an opinion was taken away. He also stated he believes he was not represented in this issue.

Ms. Barbara Brennan, 238 Evergreen Court

Ms. Brennan addressed Council regarding the Brenda Drive paving issue, stating the process followed was unfair, and she would have voted against the project had she been properly petitioned. Ms. Brennan stated her property includes a narrow strip along Brenda Drive, which has not been developed, nor is it her intention to do so. In closing, Ms. Brennan requested that the betterment charges for Brenda Drive paving be withdrawn.

In response to the comments of the residents, Councillor Rankin explained the reasoning for his motion to proceed with the project without petitioning, noting Council previously approved a by-law which enabled such a process to be followed at the time of the Brenda Drive paving project. The Councillor noted Council has since amended that process with a requirement that residents be petitioned in the future.

Based on the judgement at the time of the Brenda Drive paving, Councillor Rankin stated he stands by his decision. The Councillor noted his decision was also made due to the uncertainty of available funding for this project in the future. As time was of the essence, the decision was made to proceed without petitioning. Councillor Rankin noted if Brenda Drive was not paved at that time, there would be a 600 foot dirt road gap on the street, and he believed, if not the present owners, future owners would demand paving of this gap at some point. Based on these circumstances, Councillor Rankin stated he received understanding of his decision from the residents at a Kingswood Ratepayers Association meeting in 1997. In closing, Councillor Rankin stated his action was based on what he believed to be the best interest of the community. However, he suggested the matter should be referred to staff for a report to examine the issue.

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

Deputy Mayor Uteck advised the residents the staff report would be before Council in two weeks time, and the matter would be deliberated at that time. In response to concern expressed by Mr. Cousineau regarding the due date of the first payment installment of the betterment charge of March 31, Mr. Meech stated staff can arrange for the first installment due date to be extended, if necessary.

9.2 Petitions

There were no petitions submitted.

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor Barnet - Overnight Parking Ban

Councillor Barnet noted over the last several weeks there has been a great deal of discussion in the media and community regarding HRM Police issuing parking tickets in areas served by the RCMP.

Councillor Barnet stated there is the perception in the community that there is a plan to move HRM Police into the RCMP jurisdiction area. The Councillor noted the community he represents has complete faith in the service provided by the RCMP. With respect to the overnight parking tickets, Councillor Barnet stated residents are expressing concern that tickets are being issued at times when no storms have been predicted for weeks.

Councillor Barnet requested that, from this point on, there be clear direction that the RCMP police the area currently governed by the RCMP, and that any parking tickets issued, or action taken as a result of illegal parking, be done so by the RCMP.

Deputy Mayor Uteck noted this was a topic of discussion by the Board of Police Commissioners several weeks ago and it is his understanding that it has been resolved. Based on recent conversations with parties involved, Councillor Barnet stated it is his understanding that it has not yet been resolved, and, therefore, put forward the following motion.

MOVED by Councillors Barnet and Adams that Council request reaffirmation by HRM Police Chief McKinnon and RCMP Superintendent Ferguson that all issues regarding this jurisdictional area have been resolved. MOTION PUT AND PASSED UNANIMOUSLY.

In response to a question of Councillor Blumenthal, Mr. Meech stated staff is working towards establishing a memorandum of understanding between all of the parties involved. After this is discussed with the Board of Police Commissioners, staff will bring it forward for Council's consideration.

Responding to a suggestion of Councillor Adams to lift the parking ban as of this evening, Mr. Kulvinder Dhillon, Director, Engineering and Traffic Services, advised an advertisement would need to be placed in the newspaper regarding the new date, and this would only leave a couple of days difference as the ban will be lifted on March 31, 1999. Therefore, the Traffic Authority has made the decision to leave the ban on until that time.

10.1.2 Councillor Kelly - HRM Crackfilling Project

At the request of the Councillor, this item was deleted from the agenda during Approval of the Order of Business, as staff is currently working on this project.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Tender 99-176 Dartmouth Sportsplex Pool Controls

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

MOVED by Councillors Cunningham and Schofield that:

- 1. Tender 99-176 Dartmouth Sportsplex Pool Controls be awarded to the low bid of \$88,719.05 (including taxes) from Bremner's Plumbing and Heating.**
- 2. The Budget be increased by \$45,497.00. This amount to be paid to HRM by the Dartmouth Sportsplex. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 Tender 99-178 Devonshire Arena Roof Repairs

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

MOVED by Councillors Blumenthal and Stone that Tender 99-178 Devonshire Arena Roof Repairs be awarded to the low bid of \$59,066.10 (including taxes) from Coastal Restoration & Masonry Limited. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Tender 99-007 - Hot Dense Grade Asphaltic Material, F.O.B. Plant

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

MOVED by Councillors Sarto and Greenough that Council award Tender 99-007 to the two (2) lowest evaluated bidders meeting HRM Streets, Roads Division's requirements:

**Dexter Construction \$51.50 /tonne (HST extra)
Ocean Contractors Ltd. \$53.50 /tonne (HST extra)**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 Tender 99-003, Clothing, Metro Transit Operations

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

MOVED by Councillors Blumenthal and Fougere that Council award Tender 99-003, Clothing, Metro Transit Operations, to Atlantic Police & Security Supply Ltd., for clothing and services as outlined within the terms and conditions of Tender 99-003. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5 Award of Tender 99-008 - Supply and Delivery of Ready-Mix Concrete

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

MOVED by Councillors Downey and Greenough that Council award Tender 99-008 to Dartmouth Ready-Mix Ltd., the lowest bidder meeting specifications. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.6 Computer Equipment Maintenance (Project Genesis & GIS)

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

MOVED by Councillors Cooper and Mitchell that:

- 1. Staff be authorized to enter into a three year maintenance agreement for SUN hardware and operating system software maintenance with SUN Microsystems of Canada totalling \$225,719.49 plus HST; billed annually, and that**
- 2. The purchase order for this agreement be issued prior to April 1, 1999 which will allow an overall reduction of 5% or \$11,285.97.**

Responding to questions of Councillor Kelly, Mr. Chuck Keith, Director, Information Services stated the maintenance cost per unit is approximately \$11,000 - \$12,000 per year which is similar to what HRM pays for maintenance costs for the other service. With respect to a possible three year maintenance contract, Mr. Keith advised that companies are reluctant to enter into such agreements as it is quite expensive. Councillor Kelly suggested in the future, these costs should be factored into tenders to ensure the best deal is obtained. The Councillor also expressed concern with sole sourced tendering, which is the case in this situation.

MOTION PUT AND PASSED.

10.2.7 By-Law Procedure - Amendments to Administrative Order Number One

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

MOVED by Councillors Greenough and Stone that Council approve the amendments to Administrative Order Number One attached as Appendix "A" of the staff report dated March 10, 1999.

Responding to a question of Councillor Hendsbee, Mr. Wayne Anstey, Municipal Solicitor, stated there will now be three weeks before First and Second Reading, whereas in the past there was only two weeks. He clarified that the notice being proposed to be reduced from ten to seven days is the internal notice for a member of Council to give Notice of Motion for First Reading. The notice to the public will actually be longer than it was previously. Mr. Anstey stated it is his understanding that a staff report will still come forward, in respect to substantive by-laws, and Council will have the opportunity to debate the matter in principle and decide on the form it wishes to put forward. After that time, Notice of Motion will be put forward for First Reading. Mr. Anstey noted there will no longer be a requirement for Third Reading, and, in the majority of cases, no necessity for Ministerial approval.

Councillor Walker stated First Reading should permit the opportunity for Councillors to ask questions of staff, and clarification can come back to Council at Second Reading. Mr. Anstey stated the intent of the process of having a staff report before the formal process commences was to address this concern. Councillor Walker stated he still believes there should be some opportunity at First Reading to ask questions and suggested he may bring this matter forward at some time in the future.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8 Proposed Paving Projects for Subdivision Streets

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

MOVED by Councillors Adams and Sarto that Council approve Appendix "A", "List of Streets Inside the Core Area for New Paving in 1999/00."

Councillor Walker expressed concern regarding Ritcey Court, noting only 53 percent of those petitioned were in favour. The Councillor suggested everyone on the street should be notified of the paving. Mr. Kulvinder Dhillon, Director, Engineering and Traffic Services,

replied that staff can notify the residents affected advising them that Council has approved the paving project.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 Preston Area Boundaries

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

MOVED by Councillors Hendsbee and Schofield that:

1. **Council, recognizing that the practice of altering and creating community boundaries for purpose of service delivery planning can have serious impacts on community self identity, require that boundaries changed or created for purposes of service planning and delivery be called General Service Areas, not Community Boundaries.**
2. **Council approve the development of guidelines for any and all initiatives that plan, develop, and modify General Service Areas as outlined in the report, so that communities at risk of being affected by such initiatives can be informed, and consulted before, during and after the process. Staff is encouraged to partner with other service providers, such as the provincial and federal government in developing such guidelines. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.10 Dog Registration Program - April 1, 1999 to March 31, 2000, Deputy Registrar Fees

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

MOVED by Councillors Hendsbee and Dooks that in the 1999/2000 dog registration program, Halifax Regional Council adopt the fee schedule for payment to Deputy Registrars as scheduled in Appendix A of the staff report dated March 8, 1999.

Councillor Harvey expressed concern with the decrease in the number of dog registrations since 1995 at which time 16,669 dog tags were sold. The best year since that time has been over 400 dog tags short. In 1997-98, only 7,600 dog tags were sold resulting in one-third of the 1995 revenue. Councillor Harvey stated he has increasing difficulty in explaining to his constituents why they should pay the dog fee when fewer and fewer people have been doing so.

Councillor Blumenthal questioned if sufficient measures are being taken to collect dog registration fees.

Councillor Hendsbee stated the Municipality needs to be more assertive to ensure all dogs are registered. The Councillor suggested the Council may need to determine in the near future if more service should be provided to the pet owners in return for the registration, such as the establishment of dog parks. Councillor Hendsbee suggested cat control is also an issue that Council will need to address to ensure both dog and cat owners are treated in the same manner.

In response to questions of Councillor Walker, Mr. Reg Ridgley, Acting Director of Finance, stated the purpose of the program is to partially offset the costs of the contracts with the SPCA and Harbour Cities Veterinary Hospital for apprehending loose dogs. The net cost to HRM is approximately \$275,000 per year.

Councillor Walker questioned the need for a dog registration program.

MOVED by Councillors Walker and Kelly that this matter be referred back to staff for a report to include the exact cost figures of the program, as well as information regarding the costs if a fine structure was implemented as an alternative to a dog registration program.

Councillor Hendsbee suggested a summary of complaint information from Animal Control should be included in this report, if the information has not previously been provided to the Councillors. The Councillor also suggested the issue of micro-chipping should be reconsidered. Councillor Walker also requested that the report address the logic of having a dog registration program.

MOTION PUT AND PASSED.

10.2.11 Administrative Order Number 15 Respecting License Fees (By-Law B-400, Alarm By-Law)

- Correspondence from Bruce Thornhill, Canadian Alarm & Security Association, and Karen Saltarelli, regarding the above, was circulated to Council.

This item was deleted from the agenda during Approval of the Order of Business.

10.2.12 Parking - Infraction Ticket Project

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

MOVED by Councillors Adams and Barnet that:

- 1) The Mayor be instructed by Council to write a letter to the Premier of Nova Scotia and the Minister of Business and Consumer Services, expressing frustration and disappointment over the Province's refusal to cooperate in a joint initiative with HRM that represented an opportunity for the Government of Nova Scotia to assist the Halifax Region's finances with no cost to the Province.**
- 2) The letter should state that Halifax Regional Council seriously questions the sincerity of the Government of Nova Scotia in its encouragement of Halifax Regional Municipality and other municipal units to participate in partnerships for joint cost-saving and efficiencies, based on HRM's recent two-year Parking-Infraction Ticket project with the Province.**
- 3) It should be pointed out that HRM contributed upwards of \$300,000 in staff time and Capital costs towards this project.**
- 4) It should also be stated that the decision by the Provincial Cabinet not to expand the Refusal To Do Business system to municipal parking tickets will mean an estimated loss to HRM over the next three years of between \$607,000 and \$1.1 million.**

Councillor Blumenthal spoke in support of the motion, expressing concern with the treatment of the Municipality by the Provincial Government.

Councillor Hendsbee suggested, if it is possible, an information report should be obtained regarding who has outstanding tickets, to be published in an advertisement.

In response to a question of Councillor Kelly, Mr. Meech stated it is anticipated there will now be a substantial reduction in projected revenue in this year's fiscal budget. However, it is assumed there will be some additional revenues in other areas, and staff will come back to Council with some advice as to how this loss in revenue will be recovered. Ms. Mary Ellen Donovan, Senior Solicitor, noted there are some financial benefits to be achieved through the new parking ticket system recently put in place.

Councillor Downey suggested the possibility of offenders losing points through the Motor Vehicle Act should be explored. Ms. Donovan stated she would anticipate reluctance on the part of the Registry of Motor Vehicles to implement this. Ms. Donovan noted Mr. Gordon Gillis, Deputy Minister of Justice, recently sent correspondence to the Municipality on this subject, and did offer that the Province may be prepared to re-examine this in the future.

Responding to a question of Councillor Greenough, Ms. Donovan stated the project consisted of two components, one being the improvement in obtaining conviction on the front end of the enforcement system, and this was approved by Cabinet on March 10, 1999. Ms. Donovan explained how this improved enforcement system will now operate.

Councillor Greenough asked what amount of money is expected to be earned by Section 2 of the Summary Proceedings Amending Act of 1995. Ms. Donovan replied it would be in the range of \$225,000 - \$375,000 annually.

In response to a question of Councillor Sarto, Ms. Donovan stated an important feature of the new system is the fact that there will be increased court costs payable to the offender in the amount of \$20.00 once 60 days from the date of issuance of the ticket have elapsed.

Responding to a question of Councillor Stone, Ms. Cathy Osborne, Finance, stated there are 41,000 outstanding tickets issued to approximately 250-300 people, totalling \$1.1 million. She noted there are collection difficulties for those tickets belonging to people outside the area and vehicles for which Motor Vehicles has no information. For those tickets related to businesses, a long process is required to track these down. Staff is currently examining developing a cost benefit plan to collect some of these outstanding fines.

Councillor Hendsbee suggested Council may need to revise the fine structure and to explore the possibility of obtaining the ability to impound or tow vehicles that have outstanding tickets. The Councillor suggested there should also be broader flexibility for those issuing parking tickets and the possibility of contracting out to a collection agency for outstanding tickets should be explored. Councillor Hendsbee also suggested a reciprocal agreement with the Province could be explored in terms of expired vehicle registrations and safety inspections.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Hetherington - Reduction of Supplementary School Funding in Dartmouth

- Correspondence from Elaine Charlong, Psychologist, Education Centre (Dartmouth), Junior High Support Program, regarding the above, was circulated to Council.

This matter was deferred to March 30, 1999 during the Approval of the Order of Business.

11.2 Councillor Adams

MOVED by Councillors Adams and Cooper that Council request staff to revisit the 'suburban zone' designation, the intent being to explore Ferguson's Cove, Kinsac, Upper Sackville, Beaver Bank, Hammonds Plains Road, Kearney Lake Road, and Montague Road, and to provide costing analysis and objective (supporting and contrary to) a new designation. **MOTION PUT AND PASSED UNANIMOUSLY.**

12. ADDED ITEMS

12.1 Councillor Barnet - Recommendations from the Halifax Regional Water Commission Sub-Committee on Harbour Clean Up

Councillor Barnet brought this item forward on behalf of Councillor Hetherington. The Councillor stated the following resolution is being put forward by the Water Commission clarifying Council's position with respect to the Water Commission being able to solicit a change to Bill 63 to allow them to participate in the bidding process:

Whereas:

1. On May 26, 1998, Council passed a motion authorizing the Halifax Regional Water Commission to get involved in the Halifax Harbour Solutions Project;
2. On September 30, 1998, Halifax Regional Municipality issued its Request for Qualifications for interested bidders on the Halifax Solutions Project;
3. On October 13, 1998, Halifax Regional Municipality issued Addendum No. 1 to the RFQ. In order to comply with Addendum No. 1 and continue its involvement in the Project, the Halifax Regional Water Commission must amend its incorporating statute: the *Halifax Regional Water Commission Act*;
4. Bill 63 was introduced into the Legislature in November of 1998 and was given First and Second Reading. It has passed the Committee on Private and Local Bills and the Committee of the Whole House. Bill 63 now awaits third reading, and, if passed, royal assent:

NOW THEREFORE BE IT RESOLVED that Council supports the passage of Bill 63 and encourages the Provincial Legislature to bring Bill 63 to the floor for third reading at the earliest opportunity.

MOVED by Councillors Barnet and Rankin that Council support the preceding resolution.

Deputy Mayor Uteck suggested it may be appropriate to refer the matter to staff for a report in one week to provide legal and structural guidance. Councillor Barnet noted the Water Commission is only asking Council to confirm what it has already done. Mr. Meech advised that circumstances have changed and there is no chance of this being dealt with in the upcoming sitting of the Provincial Legislature. Therefore, it would not be a problem to defer this matter for a week to provide staff the opportunity for review. Councillor Barnet agreed to the referral.

MOVED by Councillors Barnet and Rankin that this matter be referred to staff for a report in one week. MOTION PUT AND PASSED.

12.2 Property Matter - 5419 and 5425 Portland Place

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

MOVED by Councillors Downey and Mitchell that the recommendation adopted In Camera be ratified. MOTION PUT AND PASSED. (Councillor Kelly voted against the motion.)

12.3 Legal Matter - Claim Settlement - Yuk Ling Wong v. HRM

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

MOVED by Councillors Walker and Stone that the recommendation adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Land Matter - Maitland Street, Cornwallis Street and Brunswick Street

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

MOVED by Councillors Downey and Sarto that the recommendation adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Amended Claim Settlement - Carmichael v. HRM

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

MOVED by Councillors Greenough and Stone that the recommendation adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

12.6 Councillor Kelly - Taxation of New P3 Schools

Councillor Kelly requested that this matter be referred to staff for a report with respect to the P3 Schools as it relates to the taxation ability of HRM, and what potential revenue loss HRM can expect, or what other ability, such as grants in lieu, may be achieved. The Councillor stated it is his understanding that the Province is going to make these schools tax exempt.

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

13. NOTICES OF MOTION

13.1 Councillor Stone - Administrative Order Number 15

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 30th day of March 1999, I propose to place before Council for adoption as a policy pursuant to the Municipal Government Act Administrative Order Number 15, the License, Permit & Application Fees Administrative Order, the immediate purpose of which is to adopt fees charged for planing approval processes, including applications pertaining to Municipal Planning Strategy amendments, Land Use By-Law amendments, Development Agreements and amendments to same, Subdivision By-Law amendments and Minor Variances, such fees to reflect revenue projections as approved under the 1999/2000 Operating Budget, and, in addition, will provide a vehicle to facilitate the adoption and amendments of license, permit and application fees pursuant to other By-Laws.

13.2 Councillor Adams - Amendment to By-Law T-100

TAKE NOTICE that at the regular meeting of the Halifax Regional Council to be held on April 6, 1999, I intend to introduce a motion to change the HRM Taxi and Limousine Committee By-Law T-100 to reduce the number of members required for a quorum from 8 members to 6 members.

13.3 Councillor Rankin - Administrative Order Number 16

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, the 30th day of March 1999, I propose to introduce for adoption by Council as a policy pursuant to Section 49(1)(b) of the Municipal Government Act Administrative

Order 16, the purpose of which is to set charges for the use of solid waste management facilities operated by the Halifax Regional Municipality and as provided for by Section 17 of the Solid Waste Resource Collection and Disposal By-Law.

13.4 Councillor Dooks - Amendments to MPS for Planning Districts 14 and 17

On behalf of Councillor Snow, Councillor Dooks served the following Notice of Motion:

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, the 30th day of March 1999, I intend to introduce a motion to request HRM planning staff to investigate amendments to the MPS for Planning Districts 14 and 17 (Waverley-Enfield) and/or Subdivision By-Law to permit the creation of two additional lots from those lands situated to the south of the Lakeview, Windsor Junction, Fall River Community Centre and the CB McGuire Road in Windsor Junction.

14. ADJOURNMENT

**MOVED by Councillors Barnet and Kelly that the meeting adjourn at 8:45 p.m.
MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Greenough reminded members of Council that the meeting of the Program and Service Review Committee scheduled for Wednesday, March 24, 1999 has been rescheduled for April 7, 1999.

Vi Carmichael
Municipal Clerk