

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
May 28, 1996

PRESENT:

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

Absent with regrets

Mayor Walter Fitzgerald
Councillors David Hendsbee
Ron Cooper
Gordon R. Snow
Howard Epstein

STAFF MEMBERS:

Ms. Val Spencer, Acting Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

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Deputy Mayor Greenough read two Proclamations: Occupational Health & Safety Week - June 3 - 9, 1996 and World Oceans Day - June 8, 1996.

1. **INVOCATION**

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

2. **APPROVAL OF MINUTES** - NONE

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

The Clerk requested three items be added to the agenda:

- Councillor Walker - Resolution - Mayor
- Councillor Rankin - Resignation from Board - Ocean View Manor
- Resolution - Halifax Regional Municipality Council Meeting Schedule.

Councillor Peter Kelly requested the following items be added to the agenda:

- Information Item #7 - Camden Street Flooding
- Staff Report - Voice Mail

Councillor Bill Dooks requested the following item be added to the agenda:

- Farm Acreage - District 1

Councillor Rankin advised a report had been circulated for agenda item 10.2 - Solid Waste Resource Advisory Committee Report.

MOVED by Councillors Blumenthal and Hetherington to approve the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

4. **BUSINESS ARISING OUT OF THE MINUTES** - NONE

5. **MOTIONS OF RECONSIDERATION** - NONE

6. **MOTIONS OF RESCISSION** - NONE

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Councillor Dooks - Canada Post**

Councillor Dooks requested the Solicitor prepare a report on the appropriate mailing address to be utilized by residents who reside in Halifax Regional Municipality.

8. **PUBLIC HEARINGS** - NONE

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS,
PRESENTATIONS**

Petitions

- C A Petition from residents of Atlantic, McLean, Brussels and South Bland Streets requesting rezoning of CN Property, was provided to the Clerk.

Councillor Uteck passed a Petition to the Clerk from residents of Atlantic, McLean, Brussels and South Bland Streets requesting zoning for the CN property adjacent to these aforementioned streets be rezoned from C3 to R-2 in order to be compatible with the zoning adopted for those streets in 1990.

- C A Petition from concerned residents regarding the current speed limit on Main St., Dartmouth was provided to the Clerk.

Councillor Sarto passed a Petition to the Clerk from concerned residents requesting a reduction in the speed limit on Main Street, Dartmouth. He also advised that a copy of the Petition would be forwarded to the Department of Transportation and Communication.

He requested a staff report on a possible speed reduction - from 80 kms/hr to 60 kms/hr on Main Street, Dartmouth to the location where low residential/commercial density commences. Further, that staff report on the number of accidents at the corner of Main and Brigadoon over the past number of years, and make recommendation as to how improvements can be made at this intersection in light of the number of accidents that have occurred.

- C Councillor Hanson advised that a Petition regarding store hours had been provided to the Clerk and that this matter would be dealt with under item 11.2.

Delegations

9.1 Sheet Harbour Board of Trade

Councillor Dooks introduced guests from the Sheet Harbour Board of Trade and invited Mr. Reg Dooks, President, to address Council.

Mr. Reg Dooks, through the use of overheads, provided a Community Profile outlining history, lifestyle, transportation, labour skills and market conditions, prevailing wage rates, health care facilities, education facilities, research institutions, and the Industrial Port and Industrial Park.

A brief question and answer period took place with Mr. Dooks advising that the Board of Trade was seeking support from Council in attracting industry to the area by assisting in raising awareness, interest and opportunity.

In response to an enquiry from Council, Deputy Mayor Greenough advised that staff would have Mr. Mike MacDonald, Interim Chair, Greater Halifax Partnership, contact Mr. Reg Dooks. Councillor Dooks advised that Mr. MacDonald was not able to attend the meeting this evening.

Deputy Mayor Greenough thanked Mr. Dooks for his presentation.

Deputy Mayor Greenough advised that Councillor Snow had to leave prior to the Council Meeting commencing due to an injury.

10. REPORTS

10.1 Solid Waste Resource Advisory Committee (SWRAC) Report

Councillor Reg Rankin, Chairman, Solid Waste/Resource Advisory Committee, made reference to an April 23, 1996 Motion of Council:

“That Halifax Regional Council declare the Municipality of Cumberland County as the preferred vendor, that Halifax Regional Council authorize staff to initiate detailed contract discussions with Cumberland region municipalities for the purpose of establishing a solid waste export contract for a two year period, effective January 1, 1997, with an option for additional months - to a total maximum of thirty-six months; and that Halifax Regional Council request the Cumberland region municipalities initiate all regulatory and community approval related activities required to execute the waste export contract.”

As a result of a meeting of SWRAC held May 27, 1996, it is recommended that Council accept the waste export contract as distributed to Council, subject to acceptance by the contractor, including a new clause dealing with “Change of Law” which was attached as Appendix “B.”

A brief discussion ensued on the fact that the price remains at \$79.91 per tonne and that this figure includes tolls.

MOVED by Councillors Rankin and Schofield to accept the waste export contract as presented, subject to acceptance by the contractor, including a new clause dealing with "Change of Law" attached as Appendix "B."

In response to enquiries from Council, Mr. Anstey advised the contract had been reviewed as it was being negotiated and at the final version stage. Further, he was satisfied that the contract covers all items to protect the interests of Halifax Regional Municipality.

Mr. George McLellan, Commissioner of Regional Operations, responded to comments from Council noting the total waste mix is in excess of 260,000 tonnes. It is staff's desire to reach a level of 150,000 tonnes.

Mr. McLellan further advised only two groups responded to the tender call. This was due to the fact they have to meet capital commitments and require a range of incomes to work with. He also noted if Halifax Regional Municipality is aggressively successful with its diversion, a penalty must be paid, however, in this sense, a penalty is fitting.

Council was advised this agreement is a temporary resolution and that another report will be prepared by SWRAC on a permanent location.

MOTION PUT AND PASSED.

10. **REPORTS** Con't

10.2 **Chief Administrative Officer**

10.2.1 **Councillor Hetherington - Fee Structure - Minor Baseball**

A report prepared for Mr. Dan English, Commissioner of Community Services, stated that a staff report had been requested by Councillor Hetherington on the standardization of fees for Minor Baseball organizations.

It was staff's recommendation this report be deferred until October, 1996. This will permit time for staff to further discuss this issue with all facility users and prepare a recommendation for Council.

Councillor Hetherington expressed concern with deferring this matter until the fall. Further, there was no consistency in fees within the same District.

MOVED by Councillors Hetherington and Schofield to waive all Minor Baseball fees for this year only.

No vote was taken on this Motion.

A lengthy discussion ensued on the fee structures at the current time and how inconsistent they were.

Mr. Bob Nauss, Superintendent of Facilities, Eastern Region, advised that \$4500 is brought in as revenue in Dartmouth alone, during the summer months. Further, if this Motion is passed this evening, other minor sport groups may approach Council in the future for consideration of waivment of fees.

It was noted that a shortfall in the budget could result should Minor Baseball fees be waived.

MOVED by Councillor Blumenthal to defer further discussion on this matter pending additional information from staff.

No vote was taken on this Motion.

Mr. Nauss advised that the age group of youth involved in minor sports range from 5 years of age to 19 - 20 - 21 years of age and that all fall under the Minor system. All Associations have been advised that the status quo will be maintained for this year. Further, Mr. Nauss noted there are other costs involved in the overall system such as repairs, etc.

Councillor Stone suggested that youth under the age of 12 - 13 years of age should not have to pay a fee for use of the lights. He suggested information be obtained on setting a fee for age groups - those that require lights should pay for them.

In response to a comment from Councillor Kelly that additional information was required prior to making a decision this evening, Mr. Nauss advised a staff report could be ready within two weeks.

Councillor Hetherington felt it was unfair to charge minor baseball teams a fee as it was too costly for the organizations.

MOVED by Councillors Blumenthal and Downey to defer further discussion on this matter for two weeks pending a staff report on "User Fees - All Minor Sport Groups Using Athletic Fields." MOTION CARRIED.

10.2 **CHIEF ADMINISTRATIVE OFFICER**

10.2.2 **Space Allocation for HRM Council Building - Recommendation**

C A report prepared for Mr. George McLellan, Commissioner of Regional

Operations, was distributed to Council.

A report prepared for Mr. George McLellan, Commissioner of Regional Operations, noted that previous staff reports had been distributed to Council on February 22 and April 19, 1996. On April 30, 1996, Council approved the permanent location for the Council Chambers to be in Halifax City Hall and authorized Fowler Bauld and Mitchell to proceed with the preparation of final design drawings, outline specification and cost estimates.

MOVED by Councillors Hetherington and Mitchell that Council approve the plans for the Halifax Regional Municipality Council Building (formerly Halifax City Hall), as prepared by Fowler Bauld and Mitchell Ltd.;

that work start immediately on the implementation of the proposed alterations with a view to having these works completed as expeditiously as possible, on the understanding that total project costs shall not exceed \$500,000, inclusive of all fees and expenses;

that Fowler Bauld and Mitchell Ltd. be appointed to complete the preparation of construction drawings and specifications, as required; and

that the Chief Administrative Officer be authorized to appoint a Construction Manager to ensure the timely and efficient execution of this project.

Concern was raised by various Members of Council in that the impact on the Budget for renovation costs should be determined prior to approving this Motion.

Mr. Simpson MacLeod, Real Estate and Facilities, addressed Council advising that staff wish to move quickly with the next phase as there is a relationship of functions as it pertains to staff relocating. Council was advised that renovations to the former Halifax City Hall will be complete by September, 1996, however, various Departments will be able to move into the building prior to that time.

Councillor Uteck advised he would like to see twenty-three work stations for Councillors in the building rather than the three depicted on the floor plan.

In an effort to put the matter into perspective, Mr. George McLellan, Commissioner of Regional Operations, addressed Council reviewing how staff arrived at the recommendation now before Council. He reiterated the fact that staff was asked by Council to return with further details, however, it was not staff's intent to bring this additional information forward as part of Capital Budget deliberations. Council did agree that the former Halifax City Hall would be the formal seat of government. Accordingly, this step is a logical sequence.

Council was also advised it was important to have the entire management team, including the Clerk's Office, in City Hall.

MOVED by Councillors Uteck and Downey to amend the floor plan to permit the number of workstations to match the number of Councillors - twenty-three (23).

In speaking to the Motion, Mr. Simpson MacLeod advised that the Councillors' Office was designed to be shared by Councillors who would require the space. It was noted that not all Councillors will require space at City Hall as they have offices elsewhere. In other words, staff are attempting to meet the various needs of Council.

The Motion to Amend the Main Motion was defeated.

Another Motion was put on the floor.

MOVED by Councillors Kelly and Barnet to defer further discussions pending Capital Budget deliberations. MOTION DEFEATED.

The MAIN MOTION WAS PUT AND PASSED.

RETAIL STORE HOURS

MOVED by Councillors Stone and Adams to discuss 11.2 - "Retail Store Hours - Second Reading" - at this point in the meeting. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.2 Retail Store Hours - Second Reading

Deputy Mayor Greenough called for comments from the public on the matter of Retail Store Hours - Second Reading. First Reading was given at the May 7, 1996 Meeting of Regional Council.

Deputy Mayor Greenough called for speakers in favour of repealing former City of Halifax Ordinance #121, the Retail Shop Closing Ordinance.

Ms. Kate Carmichael - Downtown Halifax Business Commission

Ms. Kate Carmichael addressed Council noting she supports a proposal to extend shopping hours across the region. She further noted that a regional approach was necessary for the delivery of product and service to the customer. Council was advised that the reality of today is to support the stipulation that would allow Halifax to compete with Dartmouth and Bedford.

Ms. Carmichael further advised there had not been sufficient time to conduct a poll of the downtown area, particularly recently. However, early in 1995 a poll was undertaken on

Sunday Shopping, which reflected 86% of retailers of the downtown core, preferred

to chose their own store hours.

Deputy Mayor Greenough reiterated the matter before Council, that being to consider repealing former City of Halifax Ordinance # 121, the Retail Shop Closing Ordinance.

Mr. Carlo Weickert - Owner/Dealer Canadian Tire Clayton Park
- Chairman, Metro Halifax Canadian Tire Dealer Group

C A copy of Mr. Weickert's presentation dated May 28, 1996, was passed to the Clerk

Mr. Weickert spoke on behalf of three Canadian Tire stores located within the area of the former City of Halifax, in favour of repealing former Ordinance #121, the Retail Shop Closing Ordinance. As a new municipality, Mr. Weickert felt it was important that residents should live under one set of rules and regulations, thereby enabling equality. Council was advised of statistical information as it pertained to Canadian Tire historical data. It was determined that the former City of Halifax had a great disadvantage in relationship to other communities in that residents had to shop outside the community on certain days of the week as Halifax shops were closed.

Although currently shops in Halifax must be closed certain times of the week, they are still expected to pay similar fees and taxes as other shops outside of the former City of Halifax. Further, Mr. Weickert suggested that taxpayers were confused as to which stores were open on any given day or time. Should store hours be extended, it was suggested that part time positions would increase, stores could compete on a level playing field, and it would prove convenient for all residents, not simply a few. One disadvantage could be an increased workload on small store operators.

Ms. Judith Cabrita, Managing Director - Tourism Industry Association of Nova Scotia (TIANS)

Ms. Cabrita addressed Council noting that Tourism is everybody's business in that monies are spent on food, beverages, lodging and gasoline. TIANS has long had a policy as it pertains to store hours in that stores should have the ability to select their own hours. Further, she felt government should not be involved and that store hours should be market driven. One of the top activities of the tourism industry is shopping, accordingly, decisions should not be made for visitors as to when and where they can spend their money.

In closing, Ms. Cabrita stressed that TIANS feels there should be a freedom of choice in a market driven society.

Mr. Peter Malloy, Newton Ave. - Bolands, IGA

Mr. Malloy addressed Council noting a level playing field in shopping hours was a necessity. Accordingly, he would like to see a uniform policy on store hours.

Mr. Paul Sandiford - Atlantic Wholesalers

Mr. Sandiford addressed Council noting he supported repealing Ordinance #121 and is against Sunday Shopping. Further, he would like to see shopping hours regulated and suggested 10 p.m. closing time six days a week.

In response to an enquiry from Council, Mr. Wayne Anstey, Municipal Solicitor, advised that in essence, if Council approves Second and Third Reading of this By-Law to Repeal Ordinance #121, there will be no regulations on store hours in the former area of the City of Halifax as is the case in the former City of Dartmouth, County of Halifax and Town of Bedford.

Mr. Les Griffiths- Zellers

Mr. Griffiths addressed Council advising he supported the change to the by-law. At the moment, there was a disadvantage for many shoppers in the former City of Halifax as those who would normally shop in Halifax were forced to travel outside the area to shop. By not repealing Ordinance #121, customers were being forced to spend their money elsewhere. Although his employees were not asked specifically if they support this particular change in the by-law, they have always requested more hours.

Blaise Morrison - Leasing/Centre Manager, Halifax Shopping Centre

Mr. Morrison addressed Council noting that tourists and visitors are confused with retail shopping hours as they currently exist. He reiterated earlier comments by those who stated that a level playing field was a necessity. Further, he noted by right of a tenancy lease, individual stores within a mall must accept the rules and regulations that the mall sets down - some rules can be negotiated, however, the regulations will have to be lived with.

Mr. Chris Chisholm - City Centre Atlantic

Mr. Chisholm addressed Council noting he agreed with Ms. Cabrita. Businesses should have the freedom of choice as to when they will open. Further, he invites retailers to work their own hours. Tourism and business is extremely important to a community. Within the next two to three years, Mr. Chisholm felt that the Sunday Shopping issue will be placed back on the lap of municipal government. He also noted that Council should not override a

contract between a tenant and a store.

Deputy Mayor Greenough called for speakers against repealing former City of Halifax Ordinance #121, the Retail Shop Closing Ordinance.

Mr. Blake Hausser - West End Mall - Small Business Owner

Mr. Hausser made reference to a petition listing small store owners from three malls requesting the right of small business owners to close on Monday, Tuesday or Saturday evenings without being penalized by mall owners. Mr. Hausser was concerned that approximately 100 jobs could be in jeopardy. Further, malls should not dictate store hours.

Mr. Kurt Bulger, Chairman, Spring Garden Road Business Association

Mr. Bulger addressed Council noting he would like to see all businesses on a level playing ground as small retailers cannot afford to stay open all week. Further, Mr. Bulger enquired if the other metro communities want to continue having the ability to remain open six days per week.

Mr. Jim Emerson, Portland Estates, Dartmouth

Mr. Emerson addressed Council noting he owns a business in Mic Mac Mall and the Halifax Shopping Centre. Should his stores remain open on Monday, Tuesday and Saturday evenings, it would cost additional monies, i.e. rent. Further, Mr. Emerson suggested that single parents would be forced to work and pay for sitters. In closing, he advised that small businesses will not survive if this By-Law receives Second and Third Reading, only malls.

After three calls, there were no further comments from the public.

MOVED by Councillors Schofield and Hetherington, to close the public portion of the meeting. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Greenough asked for comments from Council.

In response to an enquiry from Councillor Downey, Police Chief Vince MacDonald advised it would be fair to say that shoplifting would present itself if increased shopping hours were realized. However, as to whether this would dictate additional policing staff, this would have to be determined.

MOVED by Councillors Hetherington and Barnet that Council give Second Reading to By-Law R-100, the Repeal of Former Municipal By-Laws and Ordinances By-Law.

Comments and concerns expressed by Members of Council include the following:

Councillor Cunningham stressed that business is tough in this day and age. However, he felt that extended hours would not over burden businesses as there were many students able to work for minimum wages. He agreed that government should not be involved in the matter of shopping hours and that businesses should look after this issue themselves. As the metro area was now one municipality, he enquired as to why residents of the new unit should have to travel to another area within the municipality in order to shop.

Councillor Barnet stated this was a good opportunity for businesses. He also noted that Landlords and tenants will have to work out their own problems. Further, he did not foresee a significant change in crime as a result of stores remaining open for longer hours. Councillor Barnet also felt there will be additional opportunities for staff to obtain extra hours.

Councillor Schofield advised that although he was concerned for the small business owner, he would be supporting the Motion. He enquired if this Council had the authority to deal with Sunday Shopping. In response, Mr. Wayne Anstey, Municipal Solicitor, advised that uniform store hours was a Provincial responsibility.

Councillor Stone agreed this was not an easy issue. Further, he noted that when this matter was discussed by the former City of Halifax Council, one argument at the time was "there isn't enough business to go around." If this was the case, the other former metro units would have discovered the same thing. Residents want to shop six days a week and they don't want to go outside of their areas to do so. Further, tourism dollars would be significant if the Repeal passed, therefore, this Council cannot afford to let this opportunity pass.

Councillor Hetherington noted this was a close debate but that Council is not in the business of determining store hours; this was a responsibility of a tenant association. Council should repeal this by-law.

Councillor Blumenthal advised he was worried about the fate of small businesses should this Repeal be passed. Further, he was concerned with the fact that mall managers determine store hours.

Councillor Sarto advised that low increase in wages, freezing of wages and reorganization were all part of today's economy. Further, should this Motion pass, Council will be creating a negative impact. He was also concerned that store overheads will increase and that stores in malls will become empty.

Councillor Adams advised this is not an easy issue and that he would not be supporting the Motion. He envisioned full time employees being forced to work part time thereby realizing cuts in pay. Further, he does not want the responsibility of putting small retailers

out of business. Councillor Adams also felt there should be subtle differences between each community and that the same rules and regulations do not have to be in place for the whole region.

Councillor Walker advised there is no level playing field and that the malls are dictating the hours of smaller businesses. He made reference to a petition and expressed concerned these people will lose their jobs if this Repeal is passed. Further, he expressed disappointment that the downtown core did not undertake a poll on the matter of store hours.

Councillor Blumenthal expressed concern in that larger operations could replace those smaller businesses who were finding it difficult to stay open six days per week. Further, he was concerned that full time employees would end up in part time positions with no benefits. Although he was sympathetic with shoppers, employees must be protected. Only those businesses who do well will support this Motion.

Councillor Kelly expressed concern over freedom of choice as to whether to open or not - particularly for small businesses. Further, he suggested that Council needs to support both the small businesses and larger operations in any way it can. In response, Mr. Wayne Anstey, Municipal Solicitor, advised that Council does not have the ability to interfere with contracts. Councillor Kelly suggested this Council request the Province to protect small businesses and give them the choice as to whether they will open.

MOTION PUT AND PASSED.

Deputy Mayor Greenough advised that Third Reading will take place June 11, 1996.

Council took a five minute recess at this point in the meeting.

10. **REPORTS Con't**

10.2.3 **Insurance Proposals**

A report from Mr. Larry Corrigan, Commissioner of Corporate Services stated the purpose of this report was to award the insurance for the Halifax Regional Municipality effective June 1, 1996.

Mr. Peter Ross, Manager of Procurement, addressed Council and with the use of overheads provided an overview of the Insurance Program. Highlights included Evaluation Criteria; Selection of Brokers; Proposals Received; Proposal Comparison Cost; Comparison of Premium vs Deductible; Growth of Reserves; Benefits of a Reserve Fund; New Program Enhancements and Recommendations.

A lengthy question and answer period took place on various aspects of this matter including the potential for self insurance and, creating a municipal pool to save funds.

MOVED BY Councillors Hetherington and Adams that the insurance for the Halifax Regional Municipality be awarded as follows for the years 1996 - 97 and it be renewable thereafter, in one year extensions to a maximum of five years, subject to terms acceptable to the Halifax Regional Municipality:

Alexander and Alexander (Reed Stenhouse) - General Liability, Umbrella Liability, Crime, Automobile, Property, Machinery and Marine.

Johnson and Higgins Ltd. - Municipal Errors and Omissions.

Further, it is recommended that our insurance consultants, Melanber Inc., and staff, negotiate with Alexander and Alexander, and Johnson and Higgins Ltd. for Excess Umbrella Liability of \$25 million and award this section based upon the best coverage for the cost associated with this coverage. This insurance is for extraordinary claims above our primary and excess insurance and will bring our total insurance coverage to \$35 million dollars, the same limit as previously maintained by the City of Halifax. It is estimated that the cost of this coverage would be between \$40,000 and \$50,000;

Further, it is recommended that the insurance program continue to be funded at the current level and that an insurance reserve be established.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 **Para Transit**

A staff report from Mr. George McLellan stated that staff had been requested to prepare a report on possible arrangements for continuing former Halifax County para-transit operations to the residents of Beaver Bank/Sackville and Porter's Lake.

MOVED by Councillors Uteck and Blumenthal to approve the continued operation of para-transit service by Metro Transit effective June 1, 1996 for the service currently provided by Beaver Bank Transit Ltd.;

that the cost of this service would be recovered through area rates as established by the Community Council for each area. This service would be operated using existing buses, equipment and employees of Beaver Bank Transit;

that by December 15, 1996, staff would develop a long-term policy for para-transit services to areas without a population density to support a full transit service.

This policy would be available to incorporate into the 1997/98 fiscal year budget.

In response to an enquiry from Councillor Barnet, Mr. Brian Smith, Director of Transit, advised of the following:

- C it will not be difficult to accommodate existing staff;
- C an amount of \$140,000 has been included in the 1996/97 Operating Budget to reflect continuation of this service;
- C Community Council to establish an area rate for transit system.

Councillor Barnet suggested the establishment of a Transit Advisory Committee to provide advice on transit service to Council.

Councillor McInroy advised he will be supporting the Motion and requested the record indicate he supports area rates.

Mr. George McLellan, Commissioner of Regional Operations, addressed Council noting there is no policy in place stating this has to be funded through an area rate. In fact, this recommendation directs itself to a general rate and not an area rate. Although it is staff's intent that area rates would work in this regard, Council may decide to go to a general rate.

Councillor Barnet advised that area/general rates should not be decided this evening. Council was simply voting on whether para-transit service should continue.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5 **Tender 96-118, Lake Safety Patrol on Dartmouth Lakes**

A staff report prepared for Police Chief Vincent MacDonald stated that tenders were advertised for Lake Safety Patrol on Dartmouth Lakes.

MOVED by Councillors Hetherington and Cunningham that the tender for the Lake Safety Patrol be awarded to M.F.R. Rescue Limited for the tendered amount of \$34,500 plus GST. Funding for this contract at last year's level (\$30,000) is included in the proposed Operating Budget for the Halifax Regional Police Service.

A general discussion ensued on whether this service should be area rated and Councillor Kelly suggested that Kearney Lake should receive the same treatment.

MOTION PUT AND PASSED UNANIMOUSLY.

11. **MOTIONS**

11.1 **Burning By-Law - Second Reading**

First Reading of the Burning By-Law was approved during the May 14, 1996 Council Session.

Deputy Mayor Greenough called for comments from the public. There were no comments.

MOVED by Councillors Mitchell and Adams to move out of the public portion of the meeting. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Rankin and Hetherington that Council give Second and Third Reading to By-Law B-100 Respecting Open Air Burning. MOTION PUT AND PASSED UNANIMOUSLY.

12. **ADDED ITEMS**

12.1 **Councillor Walker - Resolution - Mayor**

ON MOTION of Councillors Walker and Stone, that Council grant leave to His Worship Mayor Fitzgerald to be absent from the Regular Council Meetings of May 14, 21 and 28 pursuant to Section 16(3) of the Halifax Regional Municipality Act.

In speaking to the Motion, Councillor Adams advised that Mayor Fitzgerald simply requires rest.

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 **Councillor Rankin - Resignation from Board - Ocean View Manor**

Councillor Rankin advised in a memorandum that he was resigning as a member of the Board of Directors, Ocean View Manor, effective May 28, 1996.

MOVED by Councillors Mitchell and Sarto, to accept Councillor Rankin's resignation as a member of the Board of Directors, Ocean View Manor, effective May 28, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Rankin advised that Mr. Rupert (Buck) Giffin, was being suggested as his replacement.

MOVED by Councillors Rankin and Mitchell to appoint Mr. Rupert (Buck) Giffin, as a member of the Board of Directors, Ocean View Manor. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 **Councillor Peter Kelly - #7 - Information Item - Camden St. Flooding**

MOVED by Councillors Kelly and Barnet, that this matter be brought forward for discussion purposes prior to the Capital Budget being approved.

Ms. Val Spencer, Acting Chief Administrative Officer, advised that same should be discussed this evening, as there was no Council Meeting next week. In response, Councillor Kelly advised staff that same can be discussed during Capital Budget discussions.

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 **Councillor Peter Kelly - Voice Mail**

Councillor Kelly requested a report on the need and actual cost for voice mail. He has received numerous complaints from individuals not being able to reach a "human voice."

12.5 **Councillor Dooks - Farm Acreage**

Councillor Dooks addressed Council advising that District 1 - Eastern Shore - Musquodoboit Valley - has approximately 17,781 acres of Farm Acreage. In the past, the Province has provided a rebate in the amount of \$2.08 per acre. However, this process is not to continue.

Councillor Dooks requested that correspondence be forwarded to the Department of Agriculture, expressing Council's extreme displeasure in this regard; further, that a copy be forwarded to the Hon. Sandy Jolly, Minister of Municipal Affairs.

MOVED by Councillors Dooks and Mitchell that correspondence be forwarded to the Department of Agriculture, expressing Council's extreme displeasure in the fact that the Province will not be providing a tax rebate for Farm Acreage as in the past; further, that a copy be forwarded to the Hon. Sandy Jolly, Minister of Municipal Affairs. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Dooks also requested a staff report determining how this will impact on the municipality.

12.6 **Halifax Regional Municipality Council Meeting Schedule**

MOVED by Councillors Hetherington and Walker to approve the meeting schedule of Council. MOTION PUT AND PASSED UNANIMOUSLY.

12.7 **Draft Agreement - Transportation Services Responsibility Exchange Between the Province of Nova Scotia (Department of Transportation and**

Communications - DOTC) and Halifax Regional Municipality (HRM)

Mr. George McLellan, Commissioner of Regional Operations, addressed Council noting there was now a tentative agreement in place which had been received the day before from DOTC.

MOVED by Councillors Kelly and Barnet to extend the meeting beyond the hours of 11:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

A brief discussion ensued in that Council requires ample time to read through the agreement prior to making a decision.

MOVED by Councillors Uteck and McInroy to defer further discussions for two weeks. MOTION PUT AND PASSED UNANIMOUSLY.

13. **NOTICES OF MOTION**

13.1 **Councillor - Adams - Composition of Taxi Commission**

That the Composition of the Taxi Commission be amended to include the following:

- Three Councillors
- Three Citizens at Large
- Four Brokers (owner or manager)
 - 1 from Dartmouth
 - 1 from County
 - 2 from Halifax
- Four Drivers
 - 1 from Halifax
 - 1 from UCDA (Halifax)
 - 1 from Dartmouth
 - 1 from County
- Four Limos

13.2 **Councillor Adams - Composition of Hotel Standard Committee**

That the composition of the Hotel Standard Committee, struck by the former City of Halifax Council, be amended to include 24 hour dispatch.

14. **ADJOURNMENT**

MOVED by Councillors Hetherington and Blumenthal to adjourn the meeting at 11:20 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
MUNICIPAL CLERK

Items which were distributed during the May 28/96 Council Meeting:

- 1) Petition re Zoning of CN Property - Atlantic, McLean, Brussels and South Bland Streets
- 2) Petition re Concerns & Motorists - Main/Brigadoon
- 3) Letters/Petitions re Retail Store Hours dated May 27 and 28/96
- 4) Memorandum - Alternate Disposal Site - Interim Solution dated May 17/96 - Councillor Rankin
- 5) Memorandum - Halifax Regional Council Building dated May 27/96 - G. McLellan
- 6) Presentation - Retail Store Hours - Mr. Carlo Weickert
- 7) Memorandum re Resolution - Mayor dated May 28/96 - Ms. Margaret Soley
- 8) Correspondence re Ocean View Manor dated May 24/96 - Councillor Reg Rankin
- 9) Halifax Regional Council Meeting Schedule
- 10) Notices of Motion - Taxi Industry - Councillor Stephen Adams

Item distributed May 27, 1996

- 1) Draft Agreement (DOTC and HRM) and Staff Report dated May 27/96 - George McLellan