

HALIFAX REGIONAL MUNICIPALITY

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HALIFAX REGIONAL COUNCIL

June 11, 1996

PRESENT:

Mayor Walter Fitzgerald  
Councillors: Bill Dooks  
Gordon R. Snow  
David Hendsbee  
Ron Cooper  
Harry McInroy  
Jack Greenough  
Condo Sarto  
Bruce Hetherington  
Clint Schofield  
John Cunningham  
Jerry Blumenthal  
Graham L. Downey  
Larry Uteck  
Howard Epstein  
Russell Walker  
Bill Stone  
Ron Hanson  
Stephen Adams  
Barry Barnet  
Bob Harvey  
Peter Kelly  
Reg Rankin  
Jack Mitchell

STAFF MEMBERS:

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

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**MOVED by Councillors Rankin and Hetherington to ratify actions (Human Resources matter) taken in camera.**

**Motion put and passed.**

The Mayor read three proclamations declaring the following:

Amyotrophic Lateral Sclerosis (ALS) Awareness Month (June)  
Nova Scotia Special Olympic Week (the week of June 10, 1996)  
Bicycle to Work Week (June 17 - 22, 1996)

**1. INVOCATION**

The Mayor opened the meeting with an invocation.

Mayor Fitzgerald acknowledged Ms. Diane MacQuarrie, recently retired Director of the Regional Library, was honoured for her achievements in Library Science at the Canadian Library Association conference in Halifax last week. Also, Councillor Stone was re-elected to the National Board of Directors of the Federation of Canadian Municipalities at the annual conference.

**2. APPROVAL OF MINUTES: MAY 21, 27, AND 28, 1996**

May 21, 1996 - Council Session  
May 27, 1996 - Public Hearing  
May 28, 1996 - Council Session

**MOVED by Councillors Mitchell and Greenough that the minutes of May 21, 27, and 28, 1996 be approved as circulated.**

Councillor Hanson asked for clarification if the Mover and the Seconder of the Motion to approve the minutes were in attendance at all three meetings. This was verified by the Mayor.

**MOTION PUT AND PASSED UNANIMOUSLY.**

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

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

Councillor Walker - Definition of Unsightly Premises Ordinance

Councillor Dooks - Farm Acreage

Councillor Kelly - Information Item #3: Memorandum from Commissioner of Regional Operations dated June 4/96 re: Overhead Highway Signage - Bedford Highway/Kearney Lake Road Interchange

- Information Item #11: Memorandum from Commissioner of Community Services dated May 29/96 re: Public/Private Partnership - Recreation Facilities Project No. EV1.51

Councillor Rankin - Solid Waste Disposal Service Agreement - Cumberland County

Councillor Kelly - Central Urban Core Road Exchange

Councillor Adams - Requested that Item 11.2.1 Composition of Taxi Commission and Item 11.2.2 Composition of Hotel Standard Committee be moved up on the agenda as he had to leave the meeting at 7:00 p.m. to attend a community meeting.

Councillor Walker - Traffic Infiltration of Community Neighbourhood

Councillor Epstein - Merkel House

Councillor Blumenthal - Social Services

**MOVED by Councillors Stone and Downey 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. **MOTION OF RESCISSION - None**

7. **CONSIDERATION OF DEFERRED BUSINESS - None**

As requested by Councillor Adams, his motions were dealt with at this point in the meeting.

11.2 **Councillor Adams**

11.2.1 **Composition of Taxi Commission**

- ! Proposed By-law T-100 Respecting a Regional Taxi and Limousine Committee, along with an explanatory note, was distributed to Council.
- ! A letter dated June 7, 1996 for the United Cab Drivers Association of Halifax, regarding the Appointment of a Taxi Commission for HRM, was distributed to Council.

Councillor Adams noted that there was a correction to the text of the amendment to the by-law. Item 2(e) should read one (1) limousine driver and not (4) four. Therefore, the total number of members on the Commission would be 15 (fifteen) and not 18 (eighteen).

**MOVED by Councillors Adams and Hetherington that the Composition of the Taxi Commission be amended to include: three Councillors, three Citizens-at-Large, four brokers (owner or manager) (these to include one from Dartmouth, one from the County, and two from Halifax), four drivers (these to include one from Halifax, one from UCDA (Halifax), one from Dartmouth, and one from the County), and one limousine, and that By-law T-100 be given First Reading with Second Reading to be held on June 25, 1996.**

Mr. Anstey noted that the quorum will also have to be changed to eight (8) members. This was agreed to by Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

11.2.2 **Composition of Hotel Standard Committee**

- ! An explanatory note regarding the proposed amendment to Halifax City Ordinance 116, Respecting Taxi and Limousines, was distributed to Council.

Councillor Adams explained the proposed amendment to the Halifax City Ordinance would add a representative of a 24 hour taxi dispatch firm to the Hotel Standard Committee.

**MOVED by Councillors Adams and Kelly the First Reading of the Amendment to the Halifax City Ordinance 116, Respecting Taxi and Limousines, to include a representative of a 24 hour dispatch firm to the Committee. Second Reading of the Amendment will be held at Council on June 25, 1996.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8. PUBLIC HEARINGS**

**8.1 Heritage Property By-law: Second Reading**

- ! A brief entitled "Presentation of Submissions to the Regional Municipal Council Regarding Proposed By-Law H-200", and a Scoring System for Heritage Properties, distributed to Council from Heritage Trust of Nova Scotia.

First Reading of the Heritage Property By-law was passed on May 14, 1996 and it was now before Council for Second Reading.

Mayor Fitzgerald asked for members of the public who wished to speak on the Heritage Property By-Law to come forward.

**Mr. Paul A. Erickson, Vice President, Heritage Trust of Nova Scotia**

Mr. Erickson noted he is a past Chairman of the former City of Halifax Heritage Advisory Committee. On behalf of Heritage Trust, Mr. Erickson thanked Council for giving them extended time to consider the proposed By-law H-200. Mr. Erickson explained the importance of preserving heritage properties. Mr. Erickson stated that Heritage Trust of Nova Scotia commends HRM Council for early consideration of a Heritage By-law. However, they respectfully submitted that the By-law could be strengthened and in some ways improved. For this reason, they prepared a brief that outlined their concerns and makes specific recommendations for change. The brief was then presented by the attorney for Heritage Trust of Nova Scotia, Mr. Raymond F. Larken.

**Mr. Raymond F. Larken, Attorney, Heritage Trust of Nova Scotia**

Mr. Larken reviewed each of the recommendations included in their report and requested that these be incorporated into the Proposed By-law H-200. He also submitted a proposed selection criteria for heritage properties.

Councillor Harvey thanked Heritage Trust of Nova Scotia for their detailed examination of the By-law. He felt it would be a better By-law if these recommendations were to be incorporated.

Discussion followed concerns raised by some Councillors regarding the nomination process of Heritage Advisory Committee members and the reporting procedure for this Committee. Mr. Larken stated they felt by having the Mayor responsible for nominating members, it would give the Committee an independent status as well as provide the Mayor with a leadership role. In reply to a question from Councillor Hendsbee regarding the possibility of the Heritage Advisory Committee reporting to a sub-committee of Council, Mr. Meech explained that this was a part of the process the Committee Advisory Committee was struck to review. However, under the Heritage Act it refers to the Heritage Advisory Committee reporting directly to Council so there may not be any discretion in this matter.

Overall, Council felt the recommendations outlined by Mr. Larken were reasonable.

(Councillor Adams left the meeting at 7:00 p.m.)

**Elizabeth Pacey, Heritage Canada**

Ms. Pacey noted that she is the Nova Scotia representative on the Board of the Heritage Canada Foundation. She addressed Council regarding the Proposed By-law on behalf of the Heritage Canada Foundation. Ms. Pacey explained the importance of detailed legislation regarding heritage properties and the evaluation process. She asked that Council not change the evaluation criteria as suggested in the proposed Section #12 of Heritage Trust of Nova Scotia's brief as it would throw the whole Registry into chaos. Instead, she recommended the existing selection criteria be added to the Proposed By-law.

On behalf of the Heritage Canada Foundation, Ms. Pacey asked that Council support the recommendations proposed by Heritage Trust of Nova Scotia.

**Tom Creighton, Halifax Heritage Advisory Committee**

Mr. Creighton noted that at the time of amalgamation he was the Vice-Chairman of the Halifax Heritage Advisory Committee. In the fall of 1995, the Halifax Heritage Advisory Committee sought permission from HRM staff to create a sub-committee made up of two representatives from each of the existing municipalities and one staff person, Mr. Dan Norris. This Committee worked with the premise that they would give advice to staff and the new Council to make a smooth transition into a new heritage system for the Halifax Regional Municipality. Mr. Creighton stated that this sub-committee worked extensively on the proposed by-law; and, at one time had many of the recommendations proposed by Heritage Trust of Nova Scotia included but they were eventually removed by staff.

Mr. Creighton stated they have a major concern regarding geography and that geography should have a major part in the structuring of a Heritage Advisory Committee. In the short term, he asked that each of the four former Heritage Advisory Committees be represented on the new Committee to ensure continuity and to provide knowledge and advice. In the long term, Mr. Creighton stated that both urban and rural areas of the HRM need to be represented.

In closing, Mr. Creighton, on behalf of the sub-committee, asked Council to consider these suggestions in the implementation of setting up a Heritage Advisory Committee.

Mayor Fitzgerald thanked Mr. Creighton for his presentation.

**Mr. John MacLeod, Dartmouth Heritage Advisory Committee**

Mr. MacLeod noted that he is a resident of the former City of Dartmouth, a member of the Dartmouth Heritage Advisory Committee and a member of the Joint Heritage Sub-committee. Mr. MacLeod explained the appointment process of members to the Heritage Advisory Committee used in Dartmouth.

Mr. MacLeod commented on the importance of having a guarantee of representation of HRM staff on the Committee. He also outlined the benefit of having members of the architectural and engineering profession on the Committee and how this proved to be very useful in Dartmouth.

Mr. MacLeod noted that there is no Section 11 in the By-law.

With regards to the evaluation criteria, Mr. MacLeod stated the scale system should be appropriate for all areas of the HRM. In Dartmouth, the criteria was useful but they found

Council was more interested if the Committee could defend their recommendation for registration.

In response to an earlier question raised by Councillor Hendsbee asking if there was a program to preserve trees that have special significance, Mr. MacLeod noted that the Department of Natural Resources has such a program.

The Mayor thanked those who made presentations and asked if there was anyone else from the public wishing to speak on this matter. No one came forward.

**MOVED by Councillors Epstein and Walker that the vote on Second Reading of the Heritage By-law be deferred for two weeks, pending a report from staff attempting to incorporate the suggestions made by Heritage Trust of Nova Scotia.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Presentations**

**9.1 Bedford Days '96 - Lucie Goucher**

! A letter and schedule of events from the Bedford Days '96 Committee regarding their festival was distributed to Council.

Ms. Lucie Goucher, Co-Chair, Bedford Days '96 outlined the events scheduled for Bedford Days '96. Ms. Goucher extended an invitation to the Mayor, all members of Council and their constituents to attend the festival. Ms. Goucher presented Mayor Fitzgerald with a Bedford Days '96 sweatshirt. Mayor Fitzgerald thanked Ms. Goucher and congratulated the Bedford Days Committee for their work and wished them well for the festival.

Councillor Kelly thanked the Bedford Days Committee as well for the fantastic job they did in organizing this event with a small number of people.

**MOVED by Councillors Kelly and Greenough that Council accept the invitation to take part in the Bedford Days '96 festival.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

### **Petitions**

- ! A petition from all the residents of Louis Court, Dartmouth, regarding the access road to 244, 248 and 252 Crichton Avenue which runs off Lyngby Avenue in behind Louis Court, was passed to the Municipal Clerk by Councillor Cunningham.
- ! A petition from concerned residents regarding a request for a sidewalk on Gregory Drive, Dartmouth, was passed to the Municipal Clerk by Councillor Sarto.

At this point in the meeting, Councillor Blumenthal acknowledged the presence in the gallery of the former Mayor of Dartmouth, Gloria McCluskey, to which Council responded with a round of applause.

## **10. REPORTS**

### **10.1 Chief Administrative Officer**

#### **10.1.1 Supplemental Road Condition Report - HRM Inventory**

A supplementary report from Mr. George McLellan, Commissioner of Regional Operations, relative to the status of the road infrastructure to be taken over from the Province was before Council.

**MOVED by Councillors Barnet and Hetherington that the Supplementary Report entitled Supplemental Road Condition Report - HRM Inventory be received and tabled.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.1.2 Councillor Hetherington - Fee Structure for Minor Baseball (supplementary report)**

A supplementary report from Mr. Richard Cameron, Acting Commissioner of Community Services, regarding a fee structure for minor baseball was before Council.

Councillor Hetherington thanked staff for bringing this report forward so quickly. Councillor Hetherington reported that he reviewed staff's recommendation with members of the baseball associations and they are satisfied with it.

**MOVED by Councillors Hetherington and Greenough that the Minor Sports Groups currently paying a user fee for usage of lighted outdoor facilities be charged a standard \$10 per hour fee for utility consumption and annual maintenance cost to system.**

**MOTION PUT AND PASSED UNANIMOUSLY**

**10.1.3 Request to Purchase Halifax Regional Municipal-Owned Lands - Dartmouth Avenue**

A report from Mr. George McLellan, Commissioner of Regional Operations, regarding a request from Mr. Dan Tonet to purchase HRM owned lands located at Dartmouth Avenue, was before Council for their consideration.

**MOVED by Councillors Kelly and Blumenthal that Halifax Regional Council approve the sale of the Dartmouth Avenue site to Mr. Dan Tonet for the sum of \$39,000.**

Councillor Blumenthal noted that the first time he became aware of this request was when he received the report before Council. He asked that, in the future, the Councillor of the area involved in an issue be informed before any reports such as this (land sale) are received by Council. This was agreed to by Council.

In response to a question from Councillor Kelly regarding funds received from the sale of land, Mr. Anstey explained this is governed by the Municipal Affairs Act. Proceeds from sale of land would go into a capital reserves section of special reserve funds. The authorization of the Minister of Municipal Affairs is required to spend these funds.

Mayor Fitzgerald stated he felt this process should be examined and questioned why the Minister of Municipal Affairs should tell HRM how these funds can be spent. He suggested that, in future, proceeds from sale of land should be put in a general category determined by Council, and the money directed as they best see fit. It was agreed by Council that the Municipal Solicitor should look into this process and report back to Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Sarto inquired about a list of surplus land in Halifax Regional Municipality. Staff replied that a list of surplus land in the former City of Dartmouth is available. This list has been distributed to real estate agencies in the region, and inquiries are being received.

**MOVED by Councillors Sarto and Greenough that the Municipal Solicitor provide Council with a consolidated list of surplus properties in the Halifax Regional Municipality.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4 Hubbards Heritage Society - Four Month Lease Units 12 and 13, Building 3, Hubbards Square**

A report from Mr. Tom Rath, General Manager, Business Parks was before Council recommending the authorization of a lease between HRM and the Hubbards Heritage Society.

Councillor Mitchell explained that there are two separate groups looking after the Art Centre component. One being the Art Gallery and the other the Halifax Festival of Arts. He requested that in 1997, if the building is not sold, the Halifax Festival of Arts have the first opportunity to use this building. Mayor Fitzgerald stated that he felt Council could only deal with this year and bring it forward again next year if the building is not sold. Councillor Mitchell agreed but asked that his request be put on record.

**MOVED by Councillors Mitchell and Hetherington that Regional Council authorize a lease agreement between Halifax Regional Municipality (the Municipality) and the Hubbards Heritage Society (the Society) for Units No. 12 and 13 of Building No. 3 at Hubbards Square subject to the following business terms and conditions:**

- 1. The term is for a period of four (4) months commencing on the 15th day of June 1996, to the 15th day of October 1996.**
- 2. The Premises are to be used solely for operation of a heritage centre and art gallery by the Society. Any change in use by the Society results in immediate termination of this lease and eviction of the Society from the Premises within five (5) days following written notification from the Municipality.**
- 3. Given the not-for-profit status of the Society and the benefits of the operation of the Heritage Centre and Art Gallery to the Hubbards community, and under the authority vested in Halifax Regional Municipality, the minimum rent for the Premises is \$10, which is hereby recognized as being paid by the society and received by the Municipality.**

- 4. The Society shall be responsible for the cost of all utilities and all operating costs associated with the Premises, during the Term of the Lease.**
- 5. The Society will not do or omit or permit to be done or omitted on the Premises anything which shall cause the rate of insurance upon the Building to be increased and if such rate of insurance shall be increased by reason of anything done or omitted or permitted by the Society to be upon the Premises, the Society shall on demand pay to the Municipality the amount of such increase.**
- 6. The Society will indemnify and save harmless the Municipality against and from any and all claims, including without limiting the generality of the foregoing, all claims for bodily injury or property damage, arising from the conduct of any work or by or through any act or omission of the Society or any assignee, subtenant, agent, contractor, servant, employee, invitee or licensee of the Society and against and from all costs, counsel fees, expenses and liabilities incurred in or about any such claim or any action or proceeding brought thereon; provided that the Society shall not be liable to the Municipality in respect of any loss, injury or damage required to be insured by the Municipality.**
- 7. The Municipality will keep in force throughout the Term, fire insurance to include standard extended coverage endorsement from time to time in respect of the Premises and other fixed improvements, excluding the Society's property in the Premises; and comprehensive general liability insurance.**
- 8. The Society will provide and maintain in force at its own expenses during the Term public liability insurance for the benefit of the Municipality and the Society, in amounts not less than one million dollars (\$1,000,000.00) per occurrence in respect of injury or death to one or more persons or property damage. The Society will further provide at its own expense and maintain during the Term actual cash value insurance in respect of fire and such other perils covering the Society's property and such insurance shall include the Municipality as named insured and shall provide that any proceeds recovered shall be payable to the Municipality or the Society as their interest may appear.**

9. **The Premises are being leased on an “as is” basis with all improvements to be the responsibility of and at the expense of the Society.**
10. **The Municipality gives permission to the Society, at the Society’s own risk and expense, to take early possession of the premises.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS**

**11.1 Retail Store Hours - Third Reading**

- ! Letters regarding the proposed Retail Store Hours By-law from the following were distributed to Council:
- Halifax Store Hours Petition (Bayers Road Shopping Centre, Park Lane, West End Mall, Halifax Shopping Centre)
  - Sample of fax received from 175 various store owners (originals available for viewing in Municipal Clerk’s Office)
  - Letter dated June 3, 1996 from Cobblestone Clothing and Home Decor Inc.
  - Fax dated June 10, 1996 for Board of Directors of behalf of the Independent Food Store Association
  - A letter dated June 11, 1996 from Mr. John Keizer, Manager, Corporate Affairs, Sobeys Inc.

**MOVED by Councillors Hetherington and Cooper that By-law R-100, Retail Store Hours, be given Third Reading.**

Councillor Hanson suggested Third Reading be deferred until Council obtains confirmation regarding the relationship between management of the malls and retailers. It is his understanding that there are talks currently taking place between the two groups to reach some kind of compromise.

Councillor Blumenthal reviewed the correspondence distributed to Council which was received from various stores expressing opposition to the proposed By-law. He agreed with Councillor Hanson’s suggestion to defer this for two weeks only. Councillor Blumenthal requested that the Municipal Clerk be directed to send a letter to the managers of all malls in the Halifax Regional Municipality. The letter will inform them that Third Reading of By-law R-100 regarding Retail Shopping Hours has been deferred for two weeks to give the managers an opportunity to meet with the store owners to try and come up with a compromise regarding retail shopping hours. A copy of the letter received from the Halifax Shopping

Centre dated June 11, 1996 addressed to the Mayor and Members of Council should be attached to this letter. Councillor Blumenthal stated he could not pass this proposed By-law until he sees some terms in writing from mall management and retailers.

Mayor Fitzgerald stated that some type of decision has to be made on this issue as it has been going on for too long. He accepted the motion on the basis that this be deferred for two weeks only.

**MOVED by Councillors Hanson and Blumenthal that Third Reading of the Retail Shopping Hours By-law be deferred for two weeks so Council can get clarification as to the relationship between management of malls and retailers.**

**MOTION PUT AND PASSED.**

Councillor Barnet stated, for the public's information, that the 175 faxes received today were identical in format and faxed from the same number.

It was reiterated that the two week delay is for mall management to work with retailers to reach some type of an agreement on this issue.

**11.2 Councillor Adams**

**11.2.1 Composition of Taxi Commission**

This item was dealt with earlier in the meeting.

**11.2.2 Composition of Hotel Standard Committee**

This item was dealt with earlier in the meeting.

**12. ADDED ITEMS**

**12.1 Councillor Walker - Definition of Unsightly Premises Ordinance**

! The section of the Halifax Regional Municipality Act regarding Dangerous or Unsightly Premises was distributed to Council.

Councillor Walker asked for clarification from the Municipal Solicitor with respect to the inadequacies of the Unsightly Premises Act. Councillor Walker explained that he has been dealing with a particular property relating to this ordinance for four years. As far as he was

concerned, all the proper steps were taken, but now he is told it has been held up because the legislation is inadequate or doesn't have "enough teeth", yet he can find nothing wrong with it. Councillor Walker stated that the residents are upset, this has gone on long enough and the situation is totally unacceptable. Mr. Anstey explained that there is a difference in the way the authorities are set up in the Halifax Regional Municipality Act and the way they were set out in the City Charter. He volunteered to review this particular situation and come back with a report to Council.

Councillor Barnet shared Councillor Walker's concerns. He noted that the Act requires that there be a standing committee of Council to deal with unsightly premises issues. Council does not have a standing committee at this time. He stated this is something that must be dealt with quickly. Mr. Anstey stated he felt a standing committee is unrealistic for a municipality the size of HRM. He suggested that the Building Inspector should be given certain authority to issue orders himself, which was the case in the former City of Halifax. The problem in the case Councillor Walker is referring to was the order was issued by the Building Inspector who did not have the authority to do so. The order has to come from Council. Councillor Barnet agreed with giving such authority to the Building Inspector. However, in the meantime to resolve the problem, he suggested that a standing Committee be set up until such time that the Act can be amended to allow the Building Inspector to issue the orders.

Councillor Mitchell stated that he is also dealing with nineteen similar issues.

It was agreed that in two weeks time, the Municipal Solicitor will bring forward a recommendation on what action needs to be taken to alleviate the problems with the Dangerous or Unsightly Premises Act.

## **12.2 Councillor Dooks - Farm Acreage**

Councillor Dooks requested that Council allow a representative from the farming community to come in for a 10 minute discussion regarding farm acreage at the June 18, 1996 Council Session. Council approved this request.

**12.3 Councillor Kelly - Information Item #3: Memorandum from Commissioner of Regional Operations dated June 4/96 re: Overhead Highway Signage - Bedford Highway/Kearney Lake Road Interchange**

An information report from Mr. George McLellan, Commissioner, Regional Operations, regarding the Overhead Highway Signage - Bedford Highway/Kearney Lake Road Interchange, was before Council.

Councillor Kelly asked staff for some direction on what they are going to do with regards to this issue. Mr. Dhillon replied that staff is recommending that the sign not be changed. Councillor Kelly stated that this is not fair to the people involved. In response to a question from Councillor Epstein, Councillor Stone stated that he took a copy of the report before Council to Ms. Blackler. It was her preference that this not be on the agenda tonight as she is preparing a response to the information report. Councillor Kelly had no problem with this, and it was agreed to defer this until such time that the property owner, Ms. Blackler, has a opportunity to report back to Council.

**12.4 Councillor Kelly - Information Item #11: Memorandum from Commissioner of Community Services dated May 29/96 re: Public/Private Partnership - Recreation Facilities Project No. EV1.51**

An information report from Mr. Dan English, Commissioner of Community Services, regarding Project No. EV1.51, Public/Private Partnership - Recreation Facilities was before Council, as an added item.

In response to a request from Councillor Kelly for an overview of the report, Commissioner Dan English made the following points:

- ! The three facilities were chosen due to their different nature.
- ! Information learned through Phase 1 will come back to Council before they proceed with Phase 2. This information will be applied to other facilities in the future if it is appropriate.

Councillor Kelly noted there are other projects being considered for possible public/private partnering. As part of his MBA Program, Councillor Kelly is doing a study on the facilities in District 21, and he would like to bring this to Council upon its completion.

**12.5 Councillor Rankin - Solid Waste Disposal Service Agreement - Cumberland County**

- ! A letter dated June 11, 1996 from Mr. Gerald Read, Warden, Municipality of the County of Cumberland regarding the Solid Waste Disposal Service Agreement was distributed to Council.
- ! A fax from Cox Downie, Barristers and Solicitors, dated June 11, 1996, regarding the Solid Waste Disposal Service Agreement was distributed to Council.

A supplementary report from Mr. George McLellan, Commissioner of Regional Operations, regarding the Solid Waste Disposal Service Agreement - Cumberland County, was before Council, as an added item.

Councillor Rankin reviewed the principal differences between Draft #25, which was approved by Council on May 28, 1996, and Draft #28 which was distributed to Council at the June 10, 1996 Capital Budget meeting. Councillor Rankin noted that the minimum average B-Train trailer load has been reduced from 36 tonnes to 31.5 tonnes.

**MOVED by Councillors Rankin and Mitchell that Council approve the amendments to the Solid Waste Disposal Service Agreement as outlined in the Supplementary Report - Solid Waste Disposal Service Agreement - Cumberland County, dated June 10, 1996, and the background information from Cox Downie, dated June 11, 1996, as well as allowing some degree of latitude for clerical/technical changes in the event these are necessary before execution.**

(Councillor Hanson left the meeting at 8:20 p.m.)

In response to questions raised by Councillor Kelly the following points were made:

- ! The contract specifically requires that Department of Environment guidelines are followed. If the designs and buildings do not meet these guidelines there would be an interruption, however, problems are not anticipated.
- ! The matter of tonnage has been agreed to be 31.5 tonnes.
- ! Conditions involving financing and anticipated provincial grants have been resolved.
- ! If timeframe indicated in 7.01 of the agreement is not met, the BFI group will take over from there.

**MOTION PUT AND PASSED.**

A ten minute recess was taken at 8:30 p.m.

Councillors Snow and Stone left the meeting after the recess.

### **12.6 Councillor Kelly - Central Urban Core Road Exchange**

A staff report from Mr. Brian Smith, Acting Commissioner of Regional Operations, regarding the Central Urban Core Road Exchange was before Council, as an added item.

Councillor Kelly raised the issue of having reciprocal clauses added to the Agreement and made the following motion.

**MOVED by Councillors Kelly and Dooks that staff negotiate with the Province to add reciprocal clauses to the Central Urban Core Road Exchange Agreement for the protection and benefit of the Halifax Regional Municipality, giving the Municipality the same rights as the Province if either side fails to maintain the roads as provided for in the Agreement.**

Discussion followed regarding the probability of the Province agreeing to adding these clauses to the Agreement. Staff and several members of Council felt it was worth a try. Councillor Barnet spoke against the motion as he felt the taxpayers expect HRM to spend money on their responsibilities and not the Province's. He suggested that the provincial electorate be left to decide if the Province is doing a good job in looking after their roads.

**MOTION PUT AND PASSED.**

Councillor Harvey inquired about the transferring of pension plans for provincial workers coming to the Municipality. Mr. Quinn replied that pension transfer agreements between HRM and the Province have not been worked out yet. If possible, the pensions will be brought forward and integrated. Mr. Quinn has been told by Finance that this issue should be resolved within a year. Mr. Meech added that a number of municipalities had reciprocal pension transfer agreements in the past so it is not a new idea. He noted that the Social Services staff are in a similar position.

Councillor Rankin asked if any consideration has been given to solid waste employees. Commissioner McLellan replied they have raised this with Local 108 and asked for their participation in current discussions that will determine how these employees can be moved around in a proactive way to keep them employed.

**MOVED by Councillors Rankin and Mitchell that Council accept the report on the Central Urban Core Road Exchange with the exception of Clause #8 relative to the bilateral agreement.**

Mayor Fitzgerald left the meeting at 9:05 p.m. and Deputy Mayor Greenough assumed the Chair.

Councillor Hendsbee stated he had concerns with some of the terms of the contract. In response to questions he raised, the following points were made:

- ! There is no transfer equipment in the agreement.
- ! It is a standard agreement across the Province that there is no cost sharing for purchasing of land for road widening.
- ! There have been approximately 8.2 kilometers of subdivision streets accepted by the Department of Transportation and Communication since April 1, 1995. Mr. Quinn agreed to provide a list of these streets for Councillor Hendsbee.
- ! There is no Municipal involvement in roads outside of the core area and will not be until April 1, 1998 or until 20 kilometers is met.
- ! In response to a request from Councillor Hendsbee to put \$500,000 in the capital budget for street paving, Mr. Meech suggested that HRM undertake to negotiate an agreement with the Province and determine how much money will be made available for street paving.

Questions were raised by Councillors Cooper and Hendsbee regarding clause 1(a)(I). Mr. Quinn stated that it was their understanding that the area must be continuous but would seek clarification on this.

**MOTION PUT AND PASSED.**

### **12.7 Councillor Walker - Traffic Infiltration of Community Neighbourhoods**

A report from the Mayor's Task Force on Traffic Infiltration of Community Neighborhoods had been approved at a special meeting of the former Halifax City Council on March 20, 1996. Councillor Walker requested that the Task Force be invited to make a presentation regarding this report to the HRM Council.

**MOVED by Councillors Walker and Epstein that the Mayor's Task Force on Traffic Infiltration of Community Neighborhoods make a presentation to Council at the June 18, 1996 session of Council.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.8 Councillor Epstein - Merkel House**

Councillor Epstein called on Mr. Austin French to give an update on Merkel House which was raised at an earlier Council meeting. Mr. French reported that the owner of Merkel House will be making written application to the Heritage Advisory Committee on June 18, 1996 to apply for an extension of his demolition permit which expires on July 20, 1996. This issue will probably be brought to Council on June 18, 1996.

**12.9 Councillor Blumenthal - Social Services**

Councillor Blumenthal stated he is very upset with the Province regarding negotiations with Social Services. He is receiving complaints from constituents regarding provincial staff not returning their phone calls. Councillor Blumenthal stated he has encountered the same problem.

**MOVED by Councillors Blumenthal and Downey that Council request Social Services to come before Council with a Social Services status report.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICE OF MOTION**

Councillor Dooks gave notice that at the June 18, 1996, Council meeting, he intends to introduce the following motion:

**THAT Council direct staff in bringing forward the Operating Budget for the 1996/97 fiscal period, to make provision therein for the exemption from taxes of farm property continuing and that Council resolve not to impose a farm acreage tax pursuant to Section 46(3) of the Assessment Act for the 1996-97 fiscal period.**

**14. ADJOURNMENT**

**MOVED by Councillors Sarto and Blumenthal that the meeting adjourn at 9:30 p.m.  
MOTION PUT AND PASSED UNANIMOUSLY.**

Meeting adjourned.

Vi Carmichael  
Municipal Clerk