

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL

June 25, 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

TABLE OF CONTENTS

1.	<u>INVOCATION</u>	4
2.	<u>APPROVAL OF MINUTES: JUNE 11, 1996 (REGULAR) & JUNE 11, 1996 (CAPITAL BUDGET)</u>	4
3.	<u>APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS</u>	4
4.	<u>BUSINESS ARISING OUT OF THE MINUTES - None</u>	4
5.	<u>MOTIONS OF RECONSIDERATION - None</u>	4
6.	<u>MOTIONS OF RESCISSION - None</u>	4
7.	<u>CONSIDERATION OF DEFERRED BUSINESS</u>	5
7.1	<u>Nominations - Emergency Measures Advisory Committee</u>	5
7.2	<u>Nominations - Board of Atlantic Winter Fair</u>	5
7.3	<u>Retail Store Hours - Third Reading (deferred from June 11)</u>	5
7.4	<u>Heritage By-law - Second Reading (deferred from June 11)</u>	7
7.5	<u>Composting Alternatives - Councillor Kelly</u>	7
8.	<u>PUBLIC HEARINGS</u>	8
8.1	<u>By-law T-100, Respecting a Regional Taxi and Limousine Committee - Second Reading</u>	8
8.2	<u>Amendment to Section 43, Halifax Ordinance 116, the Taxi and Limousine Ordinance - Second Reading</u>	12
9.	<u>CORRESPONDENCE, PETITIONS AND DELEGATIONS</u>	13
9.1	<u>Canada Day Committee - Carol Dobson</u>	13
10.	<u>REPORTS</u>	13
10.1	<u>Chief Administrative Officer</u>	13
10.1.1	<u>Leachate Treatment Plant Facilities Upgrade Tender No. 96-1114</u>	
10.1.2	<u>Toe Drain & Gas Collection Highway 101 Landfill Tender 96-1154</u>	
10.1.3	<u>Taxation of Farm Acreage</u>	14
10.1.4	<u>Quit Claim Deed - Lot L-5B</u>	14
10.1.5	<u>Request to Lease Lands - Archbishop's Residence Property</u>	15
11.	<u>MOTIONS</u>	15
11.1	<u>Councillor Blumenthal</u>	15

11.1	<u>Councillor Walker</u>	17
12.	<u>ADDED ITEMS</u>	17
12.1	<u>Councillor Harvey - Sewer Back-up Policy</u>	17
12.2	<u>Councillor Barnet - Request for Staff Report on Establishing Mobile Home Advisory Committee on Municipal Issues</u>	17
12.3	<u>Councillor Hendsbee - Seniority of County Staff Transferred to Social Services</u>	17
12.4	<u>Gravel Road Upgrading - Tender No. 96-351</u>	18
12.5	<u>Powerfest</u>	19
13.	<u>NOTICES OF MOTION</u>	19
13.1	<u>Councillor Hendsbee</u>	19
14.	<u>ADJOURNMENT</u>	20

1. INVOCATION

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

2. APPROVAL OF MINUTES: JUNE 11, 1996 (REGULAR) & JUNE 11, 1996 (CAPITAL BUDGET)

MOVED by Deputy Mayor Greenough and Councillor Hetherington that the minutes of June 11, 1996 (Regular) and June 11, 1996 (Capital Budget), be approved as circulated.

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 Harvey - Sewer Back-up Policy

Councillor Barnet - Request for Staff Report on Establishing Mobile Home Advisory Committee on Municipal Issues

Councillor Hendsbee - Seniority of County Staff Transferred to Social Services

Gravel Road Upgrading - Tender No. 96-351

Councillor Adams - Powerfest '96

The following item was requested to be deleted from the agenda:

Councillor Walker - Motion regarding an Ordinance Regulating Cats (defer to July 2, 1996)

MOVED by Deputy Mayor Greenough and Councillor Schofield 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 Nominations - Emergency Measures Advisory Committee

A memorandum from Mayor Fitzgerald nominating Councillors Cunningham, Rankin and Snow to the Emergency Measures Advisory Committee, was before Council.

MOVED by Deputy Mayor Greenough and Councillor Hetherington that Councillors Cunningham, Rankin and Snow be appointed to the Emergency Measures Advisory Committee, for a one (1) year term.

MOTION PUT AND PASSED UNANIMOUSLY.

7.2 Nominations - Board of Atlantic Winter Fair

Mayor Fitzgerald requested that this item be deferred to next week.

MOVED by Councillor Hetherington and Deputy Mayor Greenough that Nominations - Board of Atlantic Winter Fair be deferred until July 2, 1996.

MOTION PUT AND PASSED UNANIMOUSLY.

7.3 Retail Store Hours - Third Reading (deferred from June 11)

By-law R-100, The Repeal of Former City of Halifax Ordinance 121, The Retail Shop Closing Ordinance, passed Second Reading on May 28, 1996 and was before Council for Third Reading.

MOVED by Councillors Hetherington and Barnett that By-law R-100, The Repeal of Former City of Halifax Ordinance 121, The Retail Shop Closing Ordinance, be given Third Reading.

Councillor Blumenthal requested a Recorded Vote be taken.

Councillor Walker stated, for the record, that in the letter received today from the Halifax Shopping Centre, most of the respondents in favour of the By-law were from Head Office and not from the local area.

Councillor Stone handed an unsolicited petition to the Municipal Clerk from approximately 1,785 citizens encouraging Council to allow the Halifax stores to open Monday, Tuesday and Saturday evenings.

(Councillor McInroy arrived at 6:10 p.m.)

Councillors speaking in favour of the Motion made the following points:

- ! It is not Council's place to regulate store hours. This issue needs to be addressed by the industry and will be determined by the marketplace.
- ! The proposed By-law would no longer set restrictions on store hours nor does it state specific hours when stores would be required to be open.
- ! The By-law provides an opportunity for increased tourism dollars and jobs for students.
- ! The general public is being forgotten in the debate of the By-law.
- ! By restricting store hours, the wrong message is being sent to business locating in the Region.

Councillors speaking against the Motion made the following points:

- ! Mall management and store owners did not reach a compromise during the two week deferral.
- ! Concern was expressed regarding the effect the By-law would have on small businesses.
- ! The store owners should have the option of choice if they want to open or not.
- ! Council is moving too quickly on this issue.
- ! Store hours should not change until the economy improves.
- ! More background information from the business community should have been provided.
- ! The small independent operators will be hurt the most if the By-law passes.
- ! Mall hours may have been a factor in stores choosing to locate their businesses there.

A Recorded Vote was taken with the following results:

FOR: Mayor Fitzgerald, Deputy Mayor Greenough, Councillors Hendsbee, McInroy, Hetherington, Schofield, Cunningham, Uteck, Stone, Barnet, Harvey

AGAINST: Councillors Dooks, Snow, Cooper, Sarto, Blumenthal, Downey, Epstein, Walker, Hanson, Adams, Kelly, Rankin, Mitchell

MOTION DEFEATED.

Deputy Mayor Greenough noted that this will not affect store hours in Dartmouth, Bedford and the County areas and that the status quo will be maintained. Mayor Fitzgerald stated he would take this under advisement and will meet with the Municipal Solicitor and the Chief Administrative Officer and come back with a ruling next week.

(Councillor Walker left the meeting at this time.)

7.4 Heritage By-law - Second Reading (deferred from June 11)

! A letter from Heritage Trust Nova Scotia, regarding By-law H-200, was circulated to Council.

The Second Reading of By-law H-200, Respecting the Establishment of a Heritage Advisory Committee and a Civic Registry of Heritage Properties, was deferred from June 11 pending a Staff Report on the recommendations for changes to the By-law from Heritage Trust of Nova Scotia. This report was now before Council.

MOVED by Councillors Snow and Epstein that By-law H-200, Respecting the Establishment of a Heritage Advisory Committee and a Civic Registry of Heritage Properties, be given Second Reading.

Mayor Fitzgerald reviewed the changes made to the By-law since June 11, 1996. In response to a question from Councillor Schofield, Councillor Epstein replied the Chairman of the Ad Hoc Committee has seen the report and he was not aware of any problems. He also noted Council has received a letter from Heritage Trust of Nova Scotia and they are pleased with the amendments.

In response to questions from Councillor Kelly regarding terms and appointments, Mr. Anstey replied these are issues that are being examined by the Committee Advisory Committee to bring forward recommendations for all committees, to be implemented by Council as policy.

Councillor Kelly asked if the provincially and federally registered buildings fall under this By-law as well. Mr. Anstey replied that they do not as they come under their own designation. The procedure to have these buildings registered municipally would be for the Heritage Advisory Committee to recommend this to Council.

In response to a question from Councillor Cooper, Mr. Anstey replied that all the amendments in the By-law were agreed to in their discussion with the Heritage Trust Nova Scotia group.

MOTION PUT AND PASSED.

Third Reading of the By-Law H-200 will be held on July 2, 1996.

7.5 Composting Alternatives - Councillor Kelly

Councillor Kelly requested this be referred to staff for a report on the potential of public-private partnering and possible alternatives to composting to reduce the amount of composting in the landfill.

8. PUBLIC HEARINGS

**8.1 By-law T-100, Respecting a Regional Taxi and Limousine Committee -
Second Reading**

- ! A letter from the United Cab Drivers Association of Halifax to the Mayor and Members of Council, regarding the appointment of a Regional Taxi and Limousine Committee and Hotel Standard Committee, was circulated.

By-law T-100, Respecting a Regional Taxi and Limousine Committee, passed First Reading on June 11, 1996 . It was now before Council for Second Reading.

Councillor Hetherington questioned if the proposed composition might be considered a conflict of interest. Mr. Anstey replied it is not unusual to have special interest groups on advisory committees. Councillor Adams explained the By-law is an interim measure to provide representation for the drivers in the former municipalities of Halifax County and Dartmouth. Otherwise, they have no recourse to appeal a suspension. This Committee would be in place until a new Committee can be formed.

MOVED by Councillors Adams and Hetherington that By-law T-100, Respecting a Regional Taxi and Limousine Committee be given Second Reading.

Mayor Fitzgerald called for members from the public to speak regarding the proposed By-law.

Mr. Mike Briand, Taxi Driver

Mr. Mike Briand, Taxi Driver, spoke against the By-law stating the proposed Committee is too one-sided. He felt the Halifax Taxi Commission was controlled by the brokers and did not work for the benefit of the cab drivers. He also stated all three zones should be frozen to prevent a Halifax driver from picking up passengers in either the County or Dartmouth and vice versa. Mr. Briand also expressed concern about the lack of communication to the drivers about meetings. He suggested the cab drivers should be informed, in writing, of issues affecting them as they would like to be informed. Councillor Adams stated meeting notices were posted in the offices and put over the two-way radio.

Mr. Leo Greenwood, President, Dartmouth Taxi Association

Mr. Greenwood stated he was accepted to serve on the Halifax Taxi Commission and will do so if the Commission remains in place. However, regarding the composition of the proposed Committee, Mr. Greenwood felt that Dartmouth had the best system with Councillors and three citizens-at-large comprising the Committee. Members of the taxi and limousine industry were not members of the Committee but were allowed to attend public meetings and have input, but the final decisions were made by the Committee. Mr.

Greenwood stated he has no problem with a Dartmouth cab driver picking up a customer in Halifax who wants to return to Dartmouth using a Dartmouth cab, and he cannot understand why Halifax would have a problem with this. However, he agreed they should not be going to a different municipality picking up and dropping off passengers within that municipality.

In response to a question from Councillor Sarto, Mr. Greenwood stated he did not see any positive merits for the industry from the proposed composition of the Committee.

Mr. David Godsoe, Chairman, Limousine Association of Halifax and Halifax County

Mr. Godsoe stated he believes the Committee should be made up of citizens-at-large and members of Council. He also expressed concern about the lack of communication about meetings regarding taxi and limousine issues.

Mr. Darshan Virk, United Cab Drivers Association

Mr. Virk noted that the Dartmouth Taxi Commission had 5 members while Halifax had 13. He stated he had nothing but praise for how the taxi industry was handled in Dartmouth. One of the reasons for this was the composition of the taxi commission. Mr. Virk read from former City of Halifax minutes of September 30, 1993 when then Deputy Mayor Walter Fitzgerald stated the Halifax Taxi Commission was not functioning effectively and perhaps should be abolished. It was also stated at that meeting that the excessive size and composition of the Commission slows the decision making process considerably. Mr. Virk read from a petition signed by approximately 300 taxi drivers and owners stating they felt the Halifax Taxi Commission has failed to represent the taxi industry accurately and encouraging that it be dissolved and replaced with a commission consisting of non-industry members.

Mr. Virk also expressed concern with the lack of communication regarding meetings.

In closing, Mr. Virk stated the Committee should consist of four Councillors and three citizens-at-large. He also stated meetings should not be held unless the industry is given advance notice.

Councillor Barnet asked Mr. Virk if he would support the deregulation of the taxi industry, to which Mr. Virk replied in the negative as this did not work in the United States.

Regarding notification of meetings, Councillor Adams clarified that two in camera meetings recently held regarding license limitation were for information purposes on his behalf as he was new to the Taxi Commission in November 1995. There were no decisions made at these meetings.

Mr. Bob Richards, Taxi Driver, Member of Halifax Taxi Commission

Mr. Richards spoke in favour of the By-law. He felt the Taxi Commission does a good job and is a great representation of the taxi industry in Halifax. Regarding notification of meetings, Mr. Richards stated the UCDA does not support the Commission and tells their membership to stay away from the meetings. He asked for Council's support for the Taxi Commission as the HRM has to try to include representatives from all areas.

Mr. John Bell, Owner, Celebrity Taxi

Mr. Bell stated he just found out about the Taxi Commission a couple of months ago. He asked Council to take time in setting up this committee and to get input from the industry. Mr. Bell stated he did not see why a company broker should be on the Commission as they are not regulated by the Commission, however, the people being regulated should be represented.

Rev. Wayne Campagna, Taxi and Limousine Driver

Rev. Campagna stated he was a member of the Halifax Taxi Commission, and it was an honour and privilege to serve on this Commission and give input. It was his thought the principle of the proposed By-law was to set up a Commission that will report to Council as an advisory board.

Mr. Peter Kelly, Taxi Driver

Mr. Kelly expressed concern with the lack of communication about meetings. In closing, Mr. Kelly stated that the Committee should consist of Councillors and citizens.

Mr. Bruce Chisholm, Taxi Driver

Mr. Chisholm expressed concern with UCDA speaking on behalf of all 750 drivers in the Region on the composition of the proposed Committee. He suggested the Committee should consist of eight taxi drivers (two from each area) with no brokers on the Committee. Mr. Chisholm praised the way the taxi industry was handled in Dartmouth.

Regarding concerns expressed with lack of advertisement of meetings, Councillor Adams stated he would like to initiate a monthly letter to be given to every driver in Halifax to tell them about scheduled meetings regarding the taxi industry.

In closing, Mr. Chisholm stated the taxi drivers should have more say in what happens with the industry.

Brian Jardine, Sunshine Limousine

Mr. Jardine stated he would like to see the Committee made up of unbiased qualified people. He felt the limousine industry has not had much say to date in the rules brought in by the City of Halifax.

Independent Airport Taxi Driver

This speaker stated the taxi industry is not a trustworthy industry, therefore, there needs to be an unbiased impartial group looking after their interests.

At this point in time, Mr. Greenwood indicated a desire to speak for the second time. A vote was taken with the result of 10 against and 8 for. Therefore, Mr. Greenwood was not permitted to speak for a second time.

Mayor Fitzgerald called three times for any other speakers, with none coming forward.

A recess was taken at 8:50 p.m.

The meeting resumed at 9:05 p.m.

Councillor Adams requested that Third Reading be scheduled for July 9, 1996 as he will be out of town on July 2, 1996. Council was in agreement with this request.

In debate of the Motion, the setting of a time frame for this interim committee was discussed.

MOVED by Councillors Hetherington and Sarto and that the Motion be amended to set a time frame of the first week November 1996 for a new By-law establishing a new Commission to be before Council.

Mr. Anstey stated his concern with the amendment setting a definite life of the Committee is that if Council does not agree with the new By-law in November, there will be a void with no means to deal with appeals. He suggested that Council request a report instead of a new By-law by November 1996.

In light of the comments made by the public this evening, discussion followed regarding setting a different committee composition at this time instead of waiting until November. Mr. Anstey stated it would be appropriate to respond to the public input and amend the proposed By-law.

Councillor Hetherington, with the consent of Councillor Sarto, withdrew his Amendment.

Discussion followed regarding the most appropriate composition.

MOVED by Councillors Blumenthal and Hetherington that the Motion be amended to change the composition of the Committee to consist of Three (3) Councillors, one each from the Eastern, Western and Central areas; and Four (4) Citizens-at-Large, two from Halifax County area, one from Dartmouth, and one from Halifax.

It was noted that there will need to be some other incidental changes in the By-law for issues such as a quorum. The properly worded By-law will be provided to Council for Third Reading on July 9, 1996.

Councillors Harvey and Adams expressed concern with this substantial change to the By-law not being readvertised.

AMENDED MOTION PUT AND PASSED.

8.2 Amendment to Section 43, Halifax Ordinance 116, the Taxi and Limousine Ordinance - Second Reading

The Amendment to Section 43, Halifax Ordinance 116, the Taxi and Limousine Ordinance, passed First Reading on June 11, 1996 and was now before Council for Second Reading.

MOVED by Councillors Adams and Hetherington that Council give Second Reading to Amendment to Section 43, Halifax Ordinance 116, the Taxi and Limousine Ordinance.

Mayor Fitzgerald called for members of the public wishing to speak on this amendment.

Mr. Darshan Virk, United Cab Drivers Association

Mr. Virk spoke on the amendment stating there is already a broker on the Committee, that being Mr. Bob Richards. He suggested if there is another member to be added, it should be a UCDA member. Councillor Adams replied the UCDA did not want the Hotel Standards Committee set up and submitted a petition stating so.

Mr. Mike Briand, Taxi Driver

Mr. Briand stated he felt there should not be a broker on the Hotel Standards Committee as it would cause too much of a conflict.

Mayor Fitzgerald called three times for any further speakers. No one came forward.

MOTION PUT AND PASSED.

Councillor Adams asked that Third Reading be given at this meeting.

MOVED by Councillors Adams and Hetherington that Council give Third Reading to the Amendment to Section 43, Halifax Ordinance 116, the Taxi and Limousine Ordinance.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

Presentation

9.1 Canada Day Committee - Carol Dobson

! A Halifax Regional Municipality Canada Day 1996 brochure was circulated to Council.

Ms. Carol Dobson, Canada Day Committee, invited members of Council to take part in the scheduled Canada Day events which she outlined. Ms. Dobson presented Mayor Fitzgerald with a Canada Day T-shirt.

Councillor Hendsbee suggested in the future that Canada Day events in the whole municipality be brought together and jointly advertised.

Mayor Fitzgerald thanked Ms. Dobson and the Committee for their work and wished them well.

Petitions

Councillor Blumenthal passed the Municipal Clerk a petition from 346 citizens requesting the #3 Manor Bus Route be changed to go to the Bayers Road Shopping Centre.

10. REPORTS

10.1 Chief Administrative Officer

10.1.1 Leachate Treatment Plant Facilities Upgrade Tender No. 96-112

A report from George McLellan, Commissioner of Regional Operations, recommending that a tender contract be awarded to TAG Enterprises Limited for the Leachate Treatment Plant Facilities Upgrade at the Highway 101 Landfill, was before Council.

MOVED by Councillors Barnet and Hetherington that Regional Council authorize the award of a tender contract for Leachate Treatment Plant Facilities Upgrade at the Highway 101 Landfill, near Upper Sackville to the low tenderer TAG Enterprises Limited.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Toe Drain & Gas Collection Highway 101 Landfill Tender 96-115

A report from George McLellan, Commissioner of Regional Operations, recommending that a tender contract be awarded to Richum Construction Ltd. for the toe drain and gas collection system at the Highway 101 Landfill.

MOVED by Councillors Barnet and Sarto that Regional Council authorize the award of the tender contract for the toe drain and gas collection system at the Highway 101 Landfill, Upper Sackville to the lowest bidder, Richum Construction Ltd.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Taxation of Farm Acreage

Councillor Dooks requested Taxation of Farm Acreage be deferred until next week. Council was in agreement with his request.

10.1.4 Quit Claim Deed - Lot L-5B

A report from Wayne Anstey, Director of Administrative and Legal Services, recommending that the Mayor and Municipal Clerk be authorized to execute a quit claim deed to Shell Canada for Lot L-5B, was before Council.

MOVED by Councillors Barnet and Hetherington that the Mayor and Municipal Clerk be authorized to execute on behalf of the Municipality a quit claim deed to Shell Canada Limited for Lot L-5B, MacDonald Street, Dartmouth.

In response to a question from Councillor Kelly regarding surveys, Mr. Anstey replied that the surveys were done previously and this involves no cost to the Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.5 Request to Lease Lands - Archbishop's Residence Property

A report from George McLellan, Commissioner of Regional Operations, recommending that a lease agreement be executed between the Halifax Regional Municipality and the Waegwoltic Boat Club for approximately 7,200 square feet subject to the terms and conditions found in the report.

MOVED by Councillors Greenough and Dooks that Council authorize the Mayor and the Municipal Clerk to execute a lease agreement between the Halifax Regional Municipality and the Waegwoltic Boat Club for the parcel shown in Map 1 (Staff Report dated June 17, 1996 from George McLellan) measuring approximately 7,200 square feet subject to the terms and conditions found in Appendix "A".

Councillor Uteck requested that it be stressed that this is not a permanent structure and is only temporary. Mr. Austin French briefly reviewed the terms and conditions of the agreement. He noted that there will not be any cutting down of major trees.

In response to a concern raised by Councillor Epstein as to what the Waegwoltic Boat Club will do at the end of the five years as an alternative, Mr. French replied there is a possibility they could explore constructing some elevated parking on their site. However, he was uncertain how they will deal with the problem in the long term.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Blumenthal

WHEREAS the number of crimes committed by our youth is on the rise in Canada, and there are deficiencies in the federal government's Young Offenders Act. The Young Offenders Act does not have a mandated mechanism for victims to compensate them for the damage that a young person might do to the victim's property.

AND WHEREAS parents are the most important factor in a child's life ensuring proper discipline and supervision for their children; and family is the most important factor in teaching and developing appropriate youth behaviour;

AND WHEREAS the Province of Manitoba has recently introduced parental responsibility legislation designed to make parents accountable for the deliberate

destruction or damage of property by their children, and provides a way for the victim to recover the costs of the damage that the child has done;

AND WHEREAS the legislation would provide victims of property crimes easier access to Small Claims Court to sue parents or guardians for damages of up to \$5,000;

AND WHEREAS parents who show they have made reasonable efforts to supervise their child and prevent damage or loss could ask the court to consider their efforts as mitigating circumstances;

IT IS MOVED BY COUNCILLOR JERRY BLUMENTHAL, SECONDED BY COUNCILLOR DOWNEY that the Halifax Regional Municipality urges the Provincial and Federal governments to make changes to the legislation affecting the youth, namely the Young Offenders Act; and to encourage the adoption of parental responsibility legislation.

Councillor Blumenthal stated that youth crime and vandalism is becoming an increasing problem, and the current laws seem unable to hold these youths responsible or accountable for their acts. The youth have to get the message that the law will not tolerate these actions.

Councillor Epstein indicated there were legislative provisions in place that might address the point being raised by Councillor Blumenthal. One provision allowed anyone harmed by another charged under the Young Offenders Act could sue the parents of that child. Also, he thought there were powers available to the sentencing judge to make the parents responsible to compensate a victim. He asked that staff be requested to provide information on this.

MOVED by Councillors Epstein and Cunningham that this issue be referred to staff to provide a report to determine if the problems with the Young Offenders Act are a result of an absence of legislative powers or a result of these powers not being exercised.

Councillor Harvey stated he would prefer to see society work in a preventative manner. He felt that making parents responsible for youth crime would treat low income parents more harshly. Councillor Stone suggested the report should also look at alternatives to charging the parents that would deal with the person committing the crime. Councillor Blumenthal added the report should look at ways to help the victims as well.

MOTION PUT AND PASSED UNANIMOUSLY.

(Councillor Hetherington left the meeting at 10:30 p.m.)

11.2 Councillor Walker

Councillor Walker's motion regarding First Reading for an Ordinance Regulating Cats in the Halifax Regional Municipality was deferred to July 2, 1996.

12. ADDED ITEMS

12.1 Councillor Harvey - Sewer Back-up Policy

Councillor Harvey reported on phone calls he has received regarding sewer back-up. He inquired about a sewer back-up policy and requested that this matter be referred to staff for a report describing such a Policy. Councillor Cooper noted recent legislation was enacted in several municipalities stating the municipalities are not responsible for sewer back-up, unless it can be proven that it was a direct action of the Municipality that caused the back-up. He asked that the report provide information on this as well.

12.2 Councillor Barnet - Request for Staff Report on Establishing Mobile Home Advisory Committee on Municipal Issues

Councillor Barnet stated there are approximately 1750 mobile homes in his District. There are a number of issues that are standard to mobile home parks across the Municipality, and he believes a small ad hoc committee could solve some of these issues. Therefore, he asked for a Staff Report to develop an ad hoc committee on mobile home issues. He would like to see the committee derived from the mobile home owners themselves.

12.3 Councillor Hendsbee - Seniority of County Staff Transferred to Social Services

! Copies of a letter to Councillor Hendsbee from Trudy LaPierre, regarding the seniority of Halifax County Staff transferred to Social Services, were circulated to Council.

Councillor Hendsbee raised concerns with the lack of recognition of seniority of County Staff transferred to the provincial Social Services Department.

MOVED by Councillors Hendsbee and Snow that the Halifax Regional Municipality send a letter to the Nova Scotia Government Employees Union as well as the Government of Nova Scotia, with the support of Council, in regards to the seniority problem, requesting to have the seniority of staff transferred to Social Services recognized by the Government. If the Union is not prepared to recognize the seniority, the Government should be requested to examine ways to compensate for the years of service the past employees have given to the residents of the Halifax Regional Municipality.

CONFLICT OF INTEREST

Councillor Epstein declared a Conflict of Interest and withdrew himself from the discussions as he is a member of a provincial government board that deals with labour relations which includes the Nova Scotia Government Employees Union.

Mr. Meech suggested that a meeting scheduled with the MLAs may be a good time to raise this issue.

Councillor Sarto reported that he has had calls from some of the affected employees, and he echoed Councillor Hendsbee's concern. Deputy Mayor Greenough also spoke supporting the Motion. He suggested a letter should be sent to the NSGEU requesting them to examine the position they have taken.

Councillor Cooper asked for report from staff through the Human Resources Department examining the chronology of events in this whole transfer process. He suggested they look at past records and prepare a confidential report for Council.

Councillor Hendsbee also asked that if a satisfactory agreement is not reached, that the affected staff be offered to voluntarily participate with the HRM pension plan and benefit plan.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Epstein resumed his place at the meeting.

12.4 Gravel Road Upgrading - Tender No. 96-351

! A report from George McLellan, Commissioner of Regional Operations, regarding Gravel Road Upgrading - Tender No. 96-351, was circulated.

Moved by Councillors Sarto and Greenough that Regional Council approve the \$265,000 plus \$11,670 in the "Street Grading Account" and authorize the award of Tender Number 96-351 for Gravel Road Upgrading to the low bidder Dexter Construction Company Limited for the bid amount of \$276,670.

In response to questions from Councillor Cooper, Mr. Quinn replied if there are savings from these projects they will do the full gravel upgrade on the Shopping List Roads in the order shown in the report. If there is not sufficient money saved in the contract, they will receive some gravelling, patching and grading at a lesser level. They also have a contract in place for dust control.

In response to a question from Councillor Hendsbee regarding the priority list, Mr. Quinn replied that the list was received by HRM staff from the previous municipalities based on the assessment of needs. Regarding the provincial employees transferred to the Municipality, Councillor Hendsbee suggested they should receive the same consideration that the HRM is requesting for Social Service staff regarding seniority.

MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Powerfest

- ! A brochure regarding Powerfest was distributed to members of Council by Councillor Adams.

Councillor Adams requested a staff report as to the options available for Front Street Marketing for funding from HRM. Councillor Adams requested this information be provided as soon as possible due to the short time period before the event. He asked that the report detail what avenues the promoter can take to obtain funding and what HRM may be able to provide. Councillor Adams suggested one alternative may be a repayable loan or something along that line.

ON A POINT OF INFORMATION, Councillor Hendsbee stated the Grants Committee is aware of this request and some questions arose when they discussed it earlier in the day. One option for funding suggested was a repayable loan which may be partially or completely forgiven if the event does not pay off. Councillor Hendsbee asked Council to give the granting authority to the Grants Committee regarding the application due to the timeliness of this matter. Mayor Fitzgerald replied as much as he supports the application, he could not recommend this right now.

Councillor Hendsbee also stated a need to know the status of the Air Show funds, and asked that staff be directed to identify the location of these funds and report back to Grants Committee before their next meeting. It was the consensus of Council that staff would be asked to come back to the Grants Committee with the information regarding the Air Show funds as soon as possible.

Councillor Epstein suggested the report being requested by Councillor Adams should also include information from the Tourism Department as to the projected numbers of people who would attend the event.

13. NOTICES OF MOTION

13.1 Councillor Hendsbee

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on July 2, 1996, I intend to introduce the following motion:

WHEREAS school playgrounds and fields play an intricate part in providing recreation facilities for our various neighbours and communities;

AND WHEREAS due to the state of disrepair of some of these school playgrounds and fields are in desperate need of safety improvements;

AND WHEREAS the school boards will be faced with diminishing budgetary resources;

BE IF THEREFOR RESOLVED THAT the school board should emphasize its resources to education; and,

BE IF FURTHER RESOLVED THAT the Halifax Regional Municipality negotiate with the school board to fully takeover the maintenance, repairs and upgrading of these playgrounds and fields; and

BE IF FURTHER RESOLVED THAT some of the HRM supplementary funding for education be earmarked for the care and upkeep of these playgrounds and fields.

14. ADJOURNMENT

MOVED by Councillor Sarto and Deputy Mayor Greenough that the meeting adjourn at 11:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk