

HALIFAX REGIONAL COUNCIL
MINUTES
DECEMBER 17, 1996

PRESENT: Deputy Mayor Jack Greenough
Councillors Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
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
Robert Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

ABSENT: Mayor Walter Fitzgerald

STAFF MEMBERS: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

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1. **INVOCATION**

Deputy Mayor Greenough called the meeting to order at 6:10 p.m. with the Invocation.

2. **PROCLAMATIONS - NONE**

3. **APPROVAL OF MINUTES - December 3, 1996**

MOVED by Councillors Hendsbee and Hetherington to adopt the Minutes of December 3, 1996.

Councillor Hendsbee suggested “and Chebucto” be deleted from page 20 - second paragraph under 14.1

MOVED by Councillors Hendsbee and Hetherington to adopt the Minutes of December 3, 1996, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

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

13.1 Councillor Cooper requested Cole Harbour High School be added to the agenda.

13.2 In Camera Item - Legal Matter - Acadia School

13.3 In Camera Item - Land Matter - Compensation under Expropriation Act - 455 Herring Cove Road.

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

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

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. **PUBLIC HEARINGS**

9.1 **Fire Prevention Ordinance F-100 - Second Reading**

C Fire Prevention Ordinance F-100 was before Council for Second Reading.

MOVED by Councillors Hendsbee and Cunningham to give Second Reading to Fire Prevention Ordinance F-100.

Mr. Robert Bowser, Fire Services, provided Council with a brief background noting there is a need for uniform fire prevention regulations within the Region.

Deputy Mayor Greenough opened the floor to the public.

MR. PETER WHALEN

Mr. Whalen advised he was against the By-Law.

Following three calls for further comments from the floor, the following Motion was made:

MOVED by Councillors Rankin and Schofield to close the Public Hearing portion of the Meeting. MOTION PUT AND PASSED UNANIMOUSLY.

A vote on the Main Motion took place.

MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Wayne Anstey suggested Council pass Third Reading this evening as well, excluding Section 2.7.1.3(3).

MOVED by Councillors Hetherington and Hendsbee to pass Third Reading, to Fire Prevention Ordinance F-100, excluding Section 2.7.1.3(3). MOTION PUT AND PASSED.

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

10.0 **PETITIONS**

Councillor Uteck passed a petition pertaining to a smoking room at Joseph Howe Manor to the Clerk with the request that it be forwarded to the Province.

10.1 **PRESENTATIONS**

10.1.1 Downtown Halifax Business Commission - Kate Carmichael

Ms. Kate Carmichael, Executive Director, Downtown Halifax Business Commission, presented Deputy Mayor Greenough with a framed collection of pewter ornaments depicting historic buildings in the Halifax area. Deputy Mayor Greenough expressed his gratitude and noted same would hang in the Mayor's Office.

10.1.2 Community and Race Relations Committee - Terms of Reference and Draft Policy (reference item 11.6.1)

Ms. Cassandra Dorrington, Chair, Interim Race Relations Committee, addressed Council noting there is a need to discuss and understand diversity. Further, she encouraged Council to adopt the policy when the matter is discussed under agenda item #11.6.1.

Deputy Mayor Greenough thanked Ms. Dorrington for her presentation.

10.1.3 Downtown Halifax Business Commission - Kate Carmichael (reference item 11.7.3)

Ms. Kate Carmichael, Executive Director, Downtown Halifax Business Commission, addressed Council, referencing agenda item 11.7.3 - Downtown Parking Facility - noting that the Commission would support either public or private parking, as an interim measure. Further, she requested a time line for expressions of interest.

Deputy Mayor Greenough thanked Ms. Carmichael for her presentation.

Councillor Barnet left his place at the meeting at 6:30 p.m.

10.1.4 Septemberfest Committee

Mr. Randy Baker and Mr. John Verlinden, Co-Chairs, Septemberfest Executive Committee, addressed Council with an overview of the recommendations as noted in the report.

Deputy Mayor Greenough thanked Mr. Baker and Mr. Verlinden for their presentation.

MOVED by Councillors Cunningham and Stone to refer this matter to staff for a report to be developed for January, 1997.

Other questions / suggestions that arose included: should the event continue, keeping in mind this type of an event identifies a community; when should it be held; determine if the name "Septemberfest" can continue to be used; should the event "move" around the region. It was agreed that the report from staff should include a response to these questions / suggestions.

10.1.5 CUPW - Wendy Vandersteen (Loss of Admail Jobs)

Ms. Wendy Vandersteen, 1st VP, Nova Local, CUPW, addressed Council, noting that the Federal government's position to terminate admail jobs affected approximately 300 positions in this Region. Further, she felt the newspaper industry will take over the work involved. She requested Council support a prepared Resolution.

MOVED by Councillors Epstein and Mitchell:

WHEREAS the Federal Liberal Government has directed Canada Post Corporation to divest itself of the "economy admail" section of its operations; and

WHEREAS this decision has resulted in the abrupt termination of 300 jobs in our community; and

WHEREAS this mass firing creates a human cost that is devastating; and

WHEREAS the infrastructure of the economy admail delivery section continues to exist until December 31, 1996; and

WHEREAS customers and business alike are satisfied with the present system of delivery of admail; and

WHEREAS there are many residential areas in the Dartmouth / Halifax / Lower Sackville /Bedford areas that are served by Community Mail Boxes right beside residential areas that get door to door delivery mail service;

THEREFORE, be it resolved that the Halifax Regional Council requests that the Federal Liberal government rescind its decision to terminate admail jobs in this community; and

BE IT FURTHER resolved that the profits of the Corporation be used to expand services such as door to door delivery. MOTION PUT AND PASSED.

10.1.6 Snow Removal for Seniors - Spencer House - Deborah Dostal (reference item 11.4.1)

Ms. Deborah Dostal, Director of Spencer House Senior Centre, addressed Council, providing background information on the program. Over the years, there has been a concern regarding recruitment of volunteers to implement the program.

Deputy Mayor Greenough thanked Ms. Dostal advising this matter will be considered during discussions under agenda item 11.4.1 - Grant Committee Report #6.

10.1.7 Metro Food Bank

Ms. Diane Swinemar, Executive Director, Metro Food Bank, addressed Council, providing background information on the type of service the Food Bank provides and the number of families in need. At the present time, the organization is seeking the donation of a new facility, approximately 2800 square feet in size. Further, she advised the organization may approach Council in the future, requesting a tax exemption. At this point in time, moral support from Council was required.

Deputy Mayor Greenough thanked Ms. Swinemar for her presentation and commended her work. Council expressed its appreciation through applause.

10.2 **Correspondence**

10.2.1 Endorsement of Resolution - City of Brampton re Level of Funding for
Community Programming

C A Resolution from the City of Brampton pertaining to level of funding for community programming was before Council for discussion.

**MOVED by Councillors Hendsbee and Harvey to table the Resolution. MOTION
PUT AND PASSED.**

11. **REPORTS**

11.1 **Members of Council**

11.1.1 Bayview/Flamingo Traffic Calming Task Force - Councillor Stone

C A memorandum from Councillor Stone, pertaining to this matter, was before Council for discussion.

Councillor Stone expressed concern respecting the Calming Policy and the manner in which it is implemented. He suggested the whole community is not involved. Further, he expressed concern regarding accessibility and maneuverability of fire, police and ambulance service. Councillor Stone requested a staff report to include a recommended public hearing process and a definition of "whole community."

Deputy Mayor Greenough suggested this matter be referred to staff and the Traffic Calming Task Force.

MOVED by Councillors Stone and Cooper this matter be referred to staff for a report with said report to include a recommendation for a public hearing process, a definition of “whole community,” and reference to accessibility of emergency vehicles.

Councillor Cooper suggested this Policy be critiqued over time and that he would be monitoring the process very closely.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Request for Presentations re Tax Structure - Councillor Rankin

Councillor Cooper requested deferral of this item until January, 1997.

11.2 **COMMITTEE OF THE WHOLE**

11.2.1 Resolution of Committee of the Whole - Tax Rate Structure

Deputy Mayor Greenough advised this would be discussed in depth under agenda item 11.7.5.

MOVED by Councillors Harvey and Kelly to adopt the recommendation made in Committee of the Whole that staff be requested to forward a report to Council on December 17, 1996 regarding where and when in early January, 1997 public participation sessions will be held respecting the tax structure; further, that the School Board be invited to make a presentation; and, that copies of the Proposed Tax Structure Reform report be made available to the public as soon as possible.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3 **NORTHWEST COMMUNITY COUNCIL**

11.3.1 Application No. PA-SA-001-96-CD - Amendment to the Sackville Municipal Planning Strategy to Allow Larger Home Based Businesses Within the Rural Residential Area

C A memorandum from Councillor Bob Harvey, Chair, Northwest Community Council, was before Council for discussion.

MOVED by Councillors Harvey and Rankin that Application No. PA-SA-001-96-CD, Amendment to the Sackville Municipal Planning Strategy, be moved on to a full public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 **GRANT COMMITTEE**

11.4.1 Grant Committee Report #6

C A memorandum from Councillor Hendsbee, Chair, Grant Committee, was before Council for discussion.

MOVED by Councillors Hendsbee and Schofield that Council:

1. **approve recommendation of \$100,000 annual grant to Dartmouth General Hospital in accordance with the previous commitment agreement between the City of Dartmouth and the Dartmouth General Hospital;**
2. **approve a grant of \$5,000 for the Seniors' Snow Shovelling Assistance Program offered by Spencer House Senior Centre, and encourage expansion of program to serve all areas of HRM;**
3. **approve a grant of \$3,000 to Black History Month Association.**

Councillor Rankin expressed concern with recommendation #2 as he felt there were other areas that required support. With respect to recommendation #1, he suggested that HRM was inheriting a financial liability.

In response, Ms. Barb Nehiley, Policy and Planning, advised that recommendation #1 replaced the commitment of the former City of Dartmouth. Further, Council is being requested to approve this allocation for this year only.

Councillor Hendsbee advised that the Grant Committee anticipates an annual report in future years, however, as this was a transitional year, flexibility of Council was required.

MOTION PUT AND PASSED.

11.5 **HALIFAX TRANSIT ADVISORY COMMITTEE**

11.5.1 Consideration of Reduced Fares for Charter Buses

- C A memorandum prepared by Rev. David Boston, Chair, Halifax Transit Advisory Committee, was before Council for discussion.

**MOVED by Councillors Kelly and Hetherington to refer this matter to staff.
MOTION PUT AND PASSED.**

11.6 **COMMUNITY AND RACE RELATIONS / HUMAN RIGHTS ADVISORY
COMMITTEE**

11.6.1 Policy and Terms of Reference

- C A memorandum from Ms. Cassandra Dorrington, Chair, Community & Race Relations / Human Rights Advisory Committee, was before Council for discussion.

The Committee was recommending that Council:

1. adopt the proposed Community and Race Relations Policy, in principle, as presented;
2. establish a "Community and Race Relations" Committee using the proposed Terms of Reference guidelines as presented by the Interim Community and Race Relations Committee;
3. mandate the aforementioned committee to develop an action plan, inclusive of time lines and responsibilities, to implement those activities as outlined in the proposed Community and Race Relations Policy.

Following a discussion by Council, the following Motion was put on the floor:

MOVED by Councillors Blumenthal and Snow to:

1. **approve the proposed Community and Race Relations Policy, in principle, with final approval of Council being deferred to a later date;**
2. **agree that two additional Members of Council sit on the Committee, along with Councillor Blumenthal;**
3. **forward the working policy and procedures, as a reference, to the**

Committee Advisory Committee.

In response to an enquiry from Councillor Kelly if there will be fair representation across HRM, Deputy Mayor Greenough advised this would be addressed in the report.

MOTION PUT AND PASSED UNANIMOUSLY.

11.7 **CHIEF ADMINISTRATIVE OFFICER**

11.7.1 Acceptance of Private Road

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Snow and Hanson to approve the policy for acceptance of private roads by Halifax Regional Municipality being that the roads are required to be upgraded to HRM standard at the abutters' cost as a condition of acceptance.

A lengthy discussion ensued on the required width of streets and that less than 50 feet is unacceptable. Further, any requests to change the width above 66 feet, would require a change in legislation.

Information Item #10 - Snow Service - Private Roads - was discussed in conjunction with this matter.

Councillor Rankin enquired of Mr. Kulvinder Dhillon regarding those private roads in Lakeside and Eastern Passage that are currently under contract for snow removal and whether they could be considered for acceptance less than 50 ft. and in addition, be candidates for capital assistance. Mr. Dhillon responded that submissions could be made for consideration.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Harvey enquired if three streets in District 19 could be maintained for this winter i.e .Quarry Road, Springfield Lake Road and Station Road. Council discussed maintaining all 15 streets (as noted on Appendix "A" attached to the Information Report, including the aforementioned streets), not covered under the Agreement, for one year only.

Councillor Barnet resumed his place at the meeting.

MOVED by Councillors Barnet and Hetherington that all 15 streets (as noted on Appendix "A" of the information report) not covered under the Agreement, be maintained for one year only. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.2 Availability of Staff Providing a Report on Generalized ERIP for all HRM

C A memorandum from Mr. David Keefe, Manager - Payroll, Pension and Benefits, was before Council for discussion.

MOVED by Councillors Uteck and Blumenthal to table the report.

In speaking to the Motion, Mr. Ken Meech, Chief Administrative Officer, advised this does not influence the decision as it pertains to the Rehabilitation Centre - this deals with the balance of the members of the pension plan.

MOTION PUT AND PASSED.

11.7.3 Downtown Parking Facility

C A memorandum prepared for Mr. Dan English, Commissioner of Community Services, was before Council for discussion.

MOVED by Councillors Downey and Uteck to:

- 1. approve the demolition of buildings in 1997 by the Municipality as shown on Map 1 and include approximately \$200,000 for this work in the 1997 Capital Budget;**
- 2. authorize staff to negotiate the acquisition of 1568 Hollis Street;**
- 3. authorize staff, prior to the municipality constructing a surface parking lot, to call for expressions of interest for redevelopment of land bounded by Granville, Sackville, Hollis and Salter Streets as shown on Map 2 for a mixed use development including a large parking component. Inclusion of the Tex Park portion of this block will be subject to discussions with the current leaseholder;**
- 4. include approximately \$275,000 in the 1997 Capital Budget for construction of the surface parking lot by the municipality in the event there is not**

sufficient interest in this project by the private sector.

In speaking to the Motion, Councillor Epstein opposed the Motion suggesting this matter be referred back to staff to consider selling the land.

Councillor Uteck, in response to Councillor Epstein's comments, noted that Council should support staff's recommendation as the need for a parking lot has been proven. Further, abandoned buildings are not desired by the municipality.

Councillor Kelly felt sufficient information had not been provided in the staff report, particularly as it pertains to a cost comparison analysis.

Mr. Simpson McLeod, Manager, Real Estate and Facilities, suggested Councillor Kelly's latter comment was correct, however, if HRM attempts to rent the respective buildings, this would not guarantee revenue.

In response to an enquiry from Councillor Kelly, Mr. Bill B. Campbell, Manager, Planning Services, advised staff can only negotiate with the owners of 1568 Hollis Street.

Mr. Campbell further stated there is a lack of short term parking in the Business District and that the locale is losing parking areas due to development. In response, Councillor Stone suggested Council has an obligation to the Downtown Business District to adopt staff's recommendation.

A recorded vote took place.

Those who voted in the affirmative were Deputy Mayor Greenough and Councillors Dooks, Snow, Hendsbee, Cooper, McInroy, Sarto, Schofield, Cunningham, Blumenthal, Downey, Uteck, Walker, Stone, Hanson, Barnet, Harvey, Rankin and Mitchell.

Those who opposed were Councillors Epstein and Kelly.

Absent for the vote were Councillors Hetherington and Adams.

MOTION PUT AND PASSED (19 for - 2 opposed - 2 absent for the vote).

11.7.4 Mandatory Paving Boundary

C A Supplementary Report prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Walker and Schofield that the former Halifax County By-Law, Schedule "Q", be amended by adding within its Subdivision By-Law the Beaver Bank and Upper Sackville areas as shown on Appendix "A" of staff report dated 28 August 1996. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.5 Proposed Public Review Sessions - Tax Structure Reform

C A memorandum prepared for Mr. Larry Corrigan, Commissioner of Corporate Services, was before Council for discussion.

MOVED by Councillors Cunningham and Hendsbee that:

1. **Halifax Regional Council hold four public review sessions during the second and third weeks of January, in the communities of Musquodoboit Harbour (or other Eastern District community), Sackville, Cole Harbour and Halifax;**
2. **All members of Regional Council attend each meeting.**

The following amendment to the main Motion was then placed on the floor:

MOVED by Councillors Rankin and Mitchell to amend the Motion to include a meeting in the Tantallon area. MOTION PUT AND PASSED.

A lengthy discussion ensued as to whether Council was ready to make public presentations on the proposed tax structure. Further, it was suggested that information should be made available to the public prior to any public presentations taking place. It was also suggested that other areas be included for meetings.

Councillor Mitchell suggested that staff should produce options.

Concern was raised by Council on the timing of the suggested meetings dates.

Councillor Hetherington suggested each Councillor should look after their own presentations, in their own districts, rather than the entire Council attending each meeting. He further suggested that the matter be debated further in the Regional Council Chamber.

Councillor Blumenthal agreed with Councillor Hetherington.

Councillor Stone suggested that residents submit their comments in writing.

Deputy Mayor Greenough suggested it was important to hear from the public in this regard.

Councillor Dooks expressed concern that Council would host public meetings but may not take into consideration, comments received.

Councillor Rankin suggested that two or three options should be made available to the public. Further, he suggested that the public sessions be postponed for the time being.

The Main Motion, as amended, was placed before Council:

MOVED by Councillors Rankin and Mitchell that:

- 1. Halifax Regional Council hold five public review sessions during the second and third weeks of January, in the communities of Musquodoboit Harbour (or other Eastern District community), Sackville, Cole Harbour, Halifax and Tantallon;**
- 2. all members of Regional Council attend each meeting.**

A recorded vote was requested.

Those who voted in the affirmative were Deputy Mayor Greenough and Councillors Hendsbee, McInroy, Walker, Hanson, Adams, Barnet, Harvey, Kelly, Rankin and Mitchell.

Those who voted in the negative were Councillors Dooks, Snow, Cooper, Sarto, Hetherington, Schofield, Cunningham, Blumenthal, Downey, Uteck, Epstein and Stone.

MOTION DEFEATED (11 for - 12 against).

(To confirm the above action taken by Council respecting the above noted item, a review of the audio tapes of Council proceedings was undertaken and the action so verified).

Another Motion was put on the floor.

MOVED by Councillors Rankin and Hetherington to meet in Committee of the Whole in January, 1997 to review the Tax Structure Reform Report once again and provide an opportunity for staff to present this proposal and other options to Council. MOTION PUT AND PASSED.

11.7.6 Tender #95511D, Dartmouth Cove Outfall Consolidation & Hazelhurst Street Reconstruction of Road and Watermain Replacement

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Hetherington and Schofield to:

1. **Approve the transfer of \$1,411,000 from the Dartmouth Pollution Control Fund to the Dartmouth Cove Outfall Consolidation Project (Account No. 83013);**
2. **Award Tender #95511D, for Dartmouth Cove Outfall Consolidation and Hazelhurst Street Reconstruction to Ocean Contractors Limited at a bid price of \$4,844,386.48 and a total project Cost of \$5,571,000 with funds from Account Nos. 83013 and 95404;**
3. **Approve cost sharing with the Halifax Regional Water Commission on Hazelhurst Street Reconstruction with the HRWC share at \$103,500;**
4. **Approve additional funds for engineering services to CBCL Ltd. estimated at \$170,000 (included in item #1 above).**

MOTION PUT AND PASSED UNANIMOUSLY.

11.7.7 Easement Acquisition - Dartmouth Cove Outfall Extension Project

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Hetherington and Schofield that Council approve the acquisition of the following easements, subject to the terms and conditions as indicated in the staff report dated December 3, 1996, for a total of \$65,350:

1. **Easement D-1439 and D-1440 as indicated on the plan, D-1439 measuring approximately 78 square meters, D-1440 measuring approximately 137 square meters from TDL Group Ltd. for the amount of \$12,500 (twelve thousand five hundred dollars) as settlement in full plus applicable taxes. Such easements are detailed on Servant Dunbrack McKenzie & McDonald**

survey plan, plan #14-738-3, dated 23 July 1996;

2. **Easement D-1443 as indicated on the plan measuring approximately 1102 square meters from Mr. Don Lawrence for the amount of \$2,350 (two thousand three hundred fifty dollars) as settlement in full plus applicable taxes. Such easement is detailed on Servant Dunbrack McKenzie & McDonald survey plan, plan #14-738-1A;**
3. **Easements D-1441, D-1444 and D-1458 as indicated on the plan, D-1441 measuring approximately 1012 square meters, D-1444 measuring approximately 764 square meters, and D-1458 measuring approximately 312 square meters from the Waterfront Development Corporation Ltd. for the amount of \$29,100 (twenty-nine thousand one hundred dollars) as settlement in full plus applicable taxes. Such easements are detailed on Servant Dunbrack McKenzie & McDonald survey plan, plan #14-738-A, dated 23 July 1996, plan #14-738-2, dated 23 July 1996 and plan #14-738-7, dated 6 September 1996;**
4. **Easement D-1445 as indicated on the attached plan measuring approximately 102 square meters from secunda Marine Services Limited for the amount of \$1,400 (one thousand four hundred dollars) as settlement in full plus applicable taxes. Such easement is detailed on Servant Dunbrack McKenzie & McDonald survey plan, plan #14-738-2, dated 23 July 1996; and**
5. **Easements D-1451 and D-1452 as indicated on the attached plan. D-1451 measuring approximately 667 square meters, D-1452 measuring approximately 10 square meters from Scotia Scuba Limited for the amount of \$20,000 (twenty thousand dollars) as settlement in full plus applicable axes. Such easements are detailed on Servant Dunbrack McKenzie & McDonald survey, plan #14-738-4, dated 6 September 1996.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.7.8 Land Lease: Block AM, Barrington St.

- C A memorandum prepared for Mr. George McLellan, Commissioner, Regional Operations, was before Council for discussion.

Staff was recommending that Council authorize the Mayor and Municipal Clerk to execute

an amendment to HRM's land lease for Block AM, Barrington Street, to permit the use of the site for private market housing.

Following a discussion, the following Motion was placed on the floor:

MOVED by Councillors Downey and Blumenthal to refer this matter to staff for a report on the following: why an agreement with the Housing Authority was not entered into - to take this over; can CMHC manage the property; and regarding bridge traffic pattern, can this be addressed as this particular block of land may be affected by the installation of a bridge traffic lane. Further, that this be brought back to Council in January, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.9 5450 Cornwallis Street - Construction Association Building

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Downey and Uteck to accept the offer of \$81,300 from Stewart, McKelvey Stirling Scales on behalf of a private interest to purchase its land situated at 5450 Cornwallis Street currently under lease to the Construction Association of Nova Scotia, and authorize the Mayor and Municipal Clerk to execute a purchase and sale agreement incorporating terms of the sale. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.10 Starr Manufacturing Ltd. - 26 - 86 Prince Albert Road

C A memorandum prepared for Mr. Dan English, Commissioner of Community Services, and Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Cunningham and Schofield to authorize the acquisition of the Starr Manufacturing Ltd. property at 26-86 Prince Albert Road for the purchase price of \$225,000 plus applicable taxes and adjustments, and subject to the terms indicated in the staff report; further, to authorize an expenditure of \$25,000 from a capital budget account to be determined, for structural stabilization and for winterization of mechanical systems. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.11 Needham Centre Preschool Day Care Program

- C A memorandum prepared for Mr. Dan English, Commissioner of Community Services, was before Council for discussion.

Staff was recommending that, effective April 1, 1997, the Needham Centre preschool day care program be discontinued.

Correspondence from Mr. Ian Scott pertaining to this matter was distributed to Council.

MOVED by Councillors Blumenthal and Epstein to defer this matter until January 21, 1997, to permit ample time for those affected, to review the staff report.

In speaking to the Motion, Councillor Hendsbee enquired as to how other preschools are reacting to private takeovers.

MOTION PUT AND PASSED UNANIMOUSLY.

11.7.12 Award of Tender No. 96-312 - Sidewalk Renewals

- C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Sarto and Blumenthal to award Tender 96-312, Sidewalk Renewals, to Ocean Contractors Limited, for a Total Bid Price of \$104,500 and a total project cost of \$120,000; and to authorize funding from Capital Account No. 97432 for the various sidewalk locations. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.13 Award of Tender No. 96-311 - Sidewalk Renewals

CONFLICT OF INTEREST

Councillor Peter Kelly removed himself from the discussions due to a perceived Conflict of Interest by Council, as the contractor is a relative.

MOVED by Councillors Hetherington and Hanson to award Tender 96-311, Sidewalk Renewals, to G & R Kelly Enterprises Limited for a total bid price of \$95,538.10 and a total project cost of \$110,000; further, to authorize funding from Capital Account No. 97432 for the various sidewalk locations. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Kelly resumed his participation in discussions.

11.7.14 Request for Proposals 96-370 - Fire Station Location Study in the Core Area

C A memorandum prepared for Mr. Gary Greene, Commissioner of Fire Services, was before Council for discussion.

MOVED by Councillors Sarto and Schofield to authorize the award of the Request for Proposal for a Fire Station Location Study to the successful proponent, Porter Dillon Limited, at an upset price of \$66,315 plus applicable taxes. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.15 Request for Proposals - 96-372 - Two (2) New Fire Response Vehicles and related optional equipment

C A memorandum prepared for Mr. Gary Greene, Commissioner, Fire Services, was before Council for discussion.

MOVED by Councillors Sarto and Cooper to award the Request for Proposals - 96-372 - Two (2) New Fire Response Vehicles - to the successful proponent, Superior Emergency Vehicles Ltd., for Two (2) Vehicles with the option to purchase an additional 2 - 3 vehicles in the 1997-98 calendar year, subject to acceptable terms. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.16 Hurricane Hortense - Storm Damage Restoration Work - Cow Bay

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors McInroy and Hanson to authorize assignment of the \$168,000 cost to restore the Cow Bay causeway clean-up and repair other hurricane related damage to the Prospect Road project Capital Budget Account #95-467. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.17 Lease Renewal of the Paulo and Pedro Cafe Limited at the Captain William Spry Community Centre

C A memorandum prepared for Mr. Dan English, Commissioner of Community Services, was before Council for discussion.

MOVED by Councillors Adams and Sarto to authorize the Mayor and Clerk to execute a lease renewal agreement with the Paulo and Pedro Cafe Limited operated by Peng-Leong Sam and Hang-Pou Ngan to occupy 400 square feet of space in the Captain William Spry Community Centre, incorporating the terms included in the staff report dated December 6, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.18 Lease Renewal for Family Services Association of Halifax Regional Municipality at the Captain William Spry Community Centre

C A memorandum prepared for Mr. Dan English, Commissioner of Community Services, was before Council for discussion.

MOVED by Councillors Adams and Sarto to authorize the Mayor and Clerk to execute a lease renewal agreement with Family Services Association of the Halifax Regional Municipality to occupy 213 square feet of space in the Captain William Spry Community Centre, incorporating terms included in the staff report dated December 5, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.19 Kearney Lake Patrol

C A memorandum prepared for Chief Vince MacDonald, Police Services, was before Council for discussion. Staff did not support the need for a special constable for lake patrol on Kearney Lake.

MOVED by Councillors Walker and Sarto to refer this matter back to staff for a report with said report to include the costs involved to provide the services of a special constable for the months of July and August.

Councillor Mitchell stated he will bring forth the issue of seadoos on salt water, at a later date.

MOTION PUT AND PASSED.

11.7.20 Pedestrian Underpass Mile 11.03 Bedford Subdivison - Highway No. 7, Bedford, N.S.

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Kelly and Rankin to:

- (a) approve a budget of \$10,000 to engage an engineering consulting firm to determine the probable cause of the premature failure for the pedestrian underpass. Funds are available in Capital Account No. 95465.
- (b) staff to negotiate with CN for cost sharing for the repair / reconstruction of the pedestrian underpass.

MOTION PUT AND PASSED UNANIMOUSLY.

11.7.21 Award of Tender No. 96-239, East St. Margaret's School Ballfield Expansion, Indian Harbour, District #23

- C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Mitchell and Rankin to:

- (a) authorize the transfer of funds from Capital Account No. 91300, Morton's Lake Sports Park (Kingswood Subdivision) in the amount of \$70,000 to Account No. 91231;
- (b) authorize the transfer of funds from Capital Account No. 91268, Graves Oakley Park Complex, in the amount of \$19,000 to Account No. 91231;
- (c) authorize funding from Capital Account No. 91231 in the amount of \$130,000; and
- (d) award Tender 96-239, East St. Margaret's School Ballfield Expansion, Indian Harbour, to Turf Master Landscaping for a Total Bid Price of \$113,803 and a Total Project Cost of \$130,000.

MOTION PUT AND PASSED UNANIMOUSLY.

11.7.22 Community Service - Metro Transit

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

Operations, was before Council for discussion.

MOVED by Councillors Sarto and Hendsbee that Council:

- (a) approve the continuation of Community Transit service to Beaver Bank / Sackville and Porters Lake beyond March 31, 1997 subject to normal budgeting provisions; and**

- (b) refer future service requests for Community Transit services to Community Councils for review with Metro Transit and recommendation.**

At the request of Council, Mr. Robin West, an employee of Metro Transit and Business Agent for the Amalgamated Transit Union, addressed Council. He stated he was requested over six months ago to permit (in violation of the Collective Agreement) the Beaver Bank Transit/Sackville and Porter's Lake transit service to be provided in-house, under the assumption that Metro Transit and the Union would work out an agreement on community service as a whole. However, there have been no negotiations on the aforementioned transit service. Since that time, six letters under his signature have been forwarded to Halifax Regional Municipality with no response to date. There have been no negotiations with the Amalgamated Transit Union up until this point in time. Further, he is looking for a commitment from Council that it wishes to be involved with community transit as a whole, and not route by route.

Deputy Mayor Greenough thanked Mr. West for his presentation.

Councillor Hendsbee suggested Council offer a commitment this evening. Further, he would like to see a transfer of fares available.

In response to an enquiry from Councillor Cooper on the aforementioned negotiations, Mr. Ken Meech, Chief Administrative Officer, advised a report could be compiled for a future meeting of Council.

Councillor Blumenthal stated, for the record, he would not be supporting the Motion.

MOTION PUT AND PASSED.

11.7.23 Amendments to HRM Act - HRM/RDF Project

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

Operations, and Mr. Wayne Anstey, Municipal Solicitor, was before Council for discussion.

Staff was recommending that arrangements be made to introduce, before the Nova Scotia Legislature, a Private Members Bill to amend the HRM Act to incorporate changes to the Act as contained in Appendix 'A' of the staff report dated December 12, 1996.

Mr. Anstey stated that as of late today, discussions are continuing between the Department of Municipal Affairs (DMA) and Mr. Crooks, Cox Downie (outside counsel) on the exact wording of the amendments, although DMA appears to be in agreement with the principles involved.

He proposed that staff's recommendation be approved, incorporating the following two principles: (1) the necessity to clarify the application of the Planning Act and municipal land use planning legislation to the Solid Waste Disposal facilities; and (2) the ability of the municipality to fully utilize public-private partnership opportunities for financing the construction of the facilities.

MOVED by Councillors Snow and Dooks to adopt staff's recommendation incorporating the two principles as noted in the staff report dated December 12, 1996; further, that staff review the exact wording of the amendments. MOTION PUT AND PASSED.

11.7.24 Halifax Regional Council Building

C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Uteck and Cunningham to authorize the expenditure of an additional \$112,000 maximum to permit the completion of the renovations to Halifax City Hall, for a total project cost of \$612,000 and that no allocation of additional capital funds is required.

Various Members of Council expressed concern over the required additional costs.

Councillor Blumenthal stated that the project was not carried out correctly in the first place. The costs involved should be included as part of the transitional costs and amortized over a ten year period. He noted, for the record, he could not support the Motion.

Councillor Kelly also noted, for the record, that he was against the Motion on the floor.

MOTION PUT AND PASSED.

11.7.25 Tender 96-409 -Sackville Sports Stadium

- C A memorandum prepared for Mr. George McLellan, Commissioner of Regional Operations, was before Council for discussion.

MOVED by Councillors Harvey and Rankin to authorize the award of the tender for the Sackville Sports Stadium - pool and locker room renovations - to the successful tenderer, TAG Enterprises Limited, in the amount of \$136,000 plus applicable taxes. MOTION PUT AND PASSED UNANIMOUSLY.

11.7.26 Kinsmen & Kinnette Club of Canada - Placement of Ad

- C An Information Report, prepared for Mr. Larry Corrigan, Commissioner of Corporate Services, was distributed to Council for discussion purposes.

MOVED by Councillors Cunningham and Epstein to not place an ad in the Club's 77th Anniversary Issue of KIN Magazine. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS

12.1 Councillor David Hendsbee

It was agreed to go In Camera to discuss the following Motion at the end of the meeting:

WHEREAS in the past week, two of HRM's Community Councils; namely the Marine Drive, and Valley & Canal (on November 27/96) and Northwest (on November 28/96) approved motions whereby they support the siting of a tire recycling plant within their respective geographical territories; and

WHEREAS the establishment of a such a facility would add additional industrial development opportunities for the HRM area; as well as further assist our municipality with the goal to divert tires from the waste stream;

BE IT RESOLVED that the HRM be supportive of Tire Recycling Atlantic Canada Company (TRACC) in consideration of the siting of its tire recycling facility within the metro region as long as it meets and/or exceeds all Provincial Environmental Regulations, Municipal Land Use Zoning By-Laws and Development Agreement requirements.

13. **ADDED ITEMS**

13.1 Cole Harbour High School Incident

Councillor Cooper stated the recent incident at Cole Harbour High School was a distressing situation and that this is no longer an internal Regional School Board issue. He also expressed concern with the communication problem the police on the scene experienced.

MOVED by Councillors Cooper and Hetherington to refer this matter to staff for a report, with same to be brought back to Council in January, 1997.

Councillor Hendsbee suggested that discipline measures are required; further, he anticipated that Mr. Brad Barton, Co-ordinator - Race Relations, Cross Cultural Understanding and Human Rights (RCH), Halifax Regional School Board, will work with HRM in this regard.

Councillor Hendsbee requested the report reference the apparent communication problem, and how many HRM police were involved. He suggested the RCMP and HRM Police Services evaluate the situation.

Councillor Schofield, a member of the Police Commission, stated a verbal report on the incident had been received by the Commission on December 16, 1996 from the RCMP and that the Commission was pleased with the report.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Acadia School

MOVED by Councillors Stone and Hetherington to increase the budget for the Acadia School Project by \$42,000 for the purpose of bringing this building up to Building Code requirements with additional funding to come from a debenture issue with the understanding that staff will initiate negotiations or mediations with Dineen Construction Ltd. for recovery of some of these additional costs and payments will be withheld to cover the disputed amount. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Harvey and Hetherington to increase the budget for the Acadia School Project by \$119,000 to replace the existing Wheelchair Lift with an elevator. MOTION PUT AND PASSED.

MOVED by Councillors Hetherington and Cooper that the documents pertaining to Acadia School, be released for public view. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Land Matter - Compensation under Expropriation Act - 455 Herring Cove Road

MOVED by Councillors Adams and Blumenthal that Regional Council pay compensation to the owners of 445 Herring Cove Road, Halifax, for expropriation of lands, injurious affection, legal fees and appraisal costs in respect of the front lands claim in the amount of \$28,525.00 and backlands claim in the amount of \$8,760.61 for a total compensation amount of \$37,285.61 and that full releases be obtained. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Hetherington and Cooper that the documents pertaining to the Land Matter - Compensation under Expropriation Act - 455 Herring Cove Road, be released for public view. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Hendsbee and Hetherington, to move In Camera. MOTION PUT AND PASSED UNANIMOUSLY.

The public session resumed at 10:45 p.m.

12. **MOTIONS CON'T**

12.1 Councillor Hendsbee

This matter was discussed In Camera and after having discussed Councillor Hendsbee's Motion, the following Motion was placed before Council:

MOVED by Councillors Cooper and Hetherington that the recommendation adopted In Camera, be ratified by Council. MOTION PUT AND PASSED UNANIMOUSLY.

14. **NOTICES OF MOTION** - NONE

15. **ADJOURNMENT**

MOVED by Councillors Hendsbee and Barnet to adjourn the meeting at 10:50 p.m.

MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk