

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES January 7, 1997

PRESENT:

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

ABSENT:

Councillors Bruce Hetherington (Regrets)
Larry Uteck
Ron Hanson (Regrets)

STAFF MEMBERS:

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

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1. **INVOCATION**

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

2. **PROCLAMATIONS - None**

3. **APPROVAL OF MINUTES - None**

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

Council agreed to add the following items, as circulated, to the agenda:

13.1 Appointments

13.2 Tender - 96-401, North Preston Fire Hall

13.3 Tender - 96-436, Bedford Fire Station, Project Package #3

13.4 Request for Funding - White's Transit - Chebucto Community Council

MOVED by Deputy Mayor Greenough and Councillor Sarto that the Order of Business and Additions and Deletions be approved, 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 - None**

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS - None**

11. **REPORTS**

11.1 **MEMBERS OF COUNCIL**

11.1.1 Resolution - Transportation Association of Canada - Councillor Kelly

- ! A memorandum from Councillor Kelly regarding the Endorsement of “A New Vision for Urban Transportation” was before Council for discussion. Circulated with Councillor Kelly’s memorandum, were briefing documents from the Transportation Association of Canada.

As the appointed member of the Urban Transportation Council, Councillor Kelly was requested to bring forward for HRM’s consideration the endorsement of “A New Vision for Urban Transportation.”

**MOVED by Councillors Kelly and Mitchell that Council endorse the Transportation Association of Canada’s briefing titled “A New Vision for Urban Transportation.”
MOTION PUT AND PASSED UNANIMOUSLY.**

11.1.2 Farrell Hall - Councillor Schofield

- ! A memorandum from Councillor Schofield requesting funding to install air exchanging equipment for Farrell Hall was before Council for consideration.

Councillor Schofield stated he has a letter from the Hon. Sandy Jolly, Minister of Business and Consumer Services, committing \$20,000 to this project as well as background information from the Farrell Benevolent Society. Councillor Schofield requested Council to approve funding to match the commitment by the Province, and that this funding be transferred from the capital funding in place to purchase land for Robert Burns Drive which has not happened yet. With respect to the balance of \$16,000 required for this project, Councillor Schofield suggested the Federal Government be requested to contribute this amount. Mayor Fitzgerald advised this issue should be referred to staff for a report to determine its feasibility.

MOVED by Councillor Schofield and Deputy Mayor Greenough that the request for funding for Farrell Hall be referred to staff for a report and the Federal Government be requested to provide the balance of \$16,000 required for this project. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Natal Day Committees - Councillor Schofield

- ! A memorandum from Councillor Schofield regarding concerns expressed by residents of District 9 on the decision to amalgamate the Natal Day Committees was before Council for discussion.

Councillor Schofield relayed concerns expressed by residents regarding the amalgamation of the Natal Day Committees. Councillor Schofield stressed the

importance of community and volunteer spirit. He noted approximately forty residents come forward each year to volunteer their time to serve on the Dartmouth Natal Day Committee, and he did not think they would be as eager to serve on one committee for the two communities. Deputy Mayor Greenough suggested subcommittees of the main committee could primarily act in the same fashion as did the previous committees. He agreed with Councillor Schofield that the independence of the community needs to continue and the residents should be given an active part in planning their Natal Day celebration.

Mr. Andrew Cox, Coordinator, Festivals and Events, explained the process of how the decision to have one committee was made. After holding several focus groups, it was determined one committee with equal representation was the best approach without taking away the autonomy of the communities.

Councillor Blumenthal stressed the importance of dealing with this issue quickly as a great deal of time is required to organize the Natal Day events.

Mayor Fitzgerald suggested an ad hoc committee of a few Councillors, chaired by Deputy Mayor Greenough, could get together to meet with Mr. Cox to address the concerns raised by Councillor Schofield. Council agreed to this suggestion with the following Councillors volunteering to sit on this committee: Deputy Mayor Greenough (Chair), Councillors Schofield, Sarto, Cunningham, Blumenthal and Hendsbee.

11.1.4 Heritage Housing Co-Operative Ltd. - Councillor Schofield

! A memorandum from Councillor Schofield regarding the Heritage Housing Co-operative Ltd. requesting that Council ask the Province to honour its commitment to insure the Co-operative's mortgage, was before Council for discussion.

Councillor Schofield referred to Project Agreement/Management and Operations dated 23 March 1987 between the Minister of Housing of the Province of Nova Scotia, The City of Dartmouth and Heritage Housing Co-operative Limited, which states the Province would insure the Co-operative's mortgage. Councillor Schofield stated the Province's failure in this regard could result in the loss of a \$200,000 investment by the municipality. Councillor Schofield also expressed concern with the potential loss of seven subsidized housing units in Highfield Park.

Councillor Rankin stated HRM has a moral obligation to see what can be done to prevent the imminent foreclosure.

MOVED by Councillors Rankin and Schofield that this issue be referred to Legal Services for a report regarding the legal aspect of the Province not insuring the

loan; in addition, that every effort be made to bring the Provincial Department of Housing, Heritage Housing Co-operative and HRM together to deal with this issue as soon as possible in light of the imminent mortgage foreclosure. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.1.5 Soccer Nova Scotia Indoor Facilities - Councillor Stone

! A memorandum from Councillor Stone regarding the proposed construction of these facilities on the Mainland Common was before Council for discussion.

Councillor Stone noted a request to grant the Soccer Nova Scotia Indoor Facilities tax exempt status was referred to the Grants Committee in May 1996. This issue has not yet been resolved, and Councillor Stone stressed the importance of dealing with this immediately as the project is contingent upon Soccer Nova Scotia having tax exempt status. He noted HRM granted a tax exempt status to the St. Margaret's Bay Arena in June 1996 under similar circumstances.

MOVED by Councillors Stone and Walker that Soccer Nova Scotia Indoor Facilities be granted tax exempt status.

Mayor Fitzgerald suggested this Motion be deferred to the next meeting pending a report from Mr. Meech regarding this issue.

On a point of clarification, Councillor Rankin noted the granting of tax exempt status for the St. Margaret's Bay Arena was not a change in the status quo as they were already exempt, and this was just a continuation of what was already in place.

Mr. Meech noted a by-law will be required to grant tax exempt status. Therefore, he suggested a by-law could be drafted along with some background information and this be forwarded to Council for its consideration.

Councillor Hendsbee expressed concern with making decisions in isolation of preparing a tax exemption policy. The Grants Committee has such a policy drafted for Council's consideration, and it will be forwarded once the Committee has made a final review of it.

In response to a question from Councillor Walker inquiring how long the by-law process will take, Mr. Anstey replied the earliest time frame would be four weeks. Councillor Walker expressed concern with the timing of dealing with this issue as it has been ongoing for two and a half years. There is a chance HRM could lose a million dollar facility which is of no cost to HRM and provides a service not provided elsewhere. Councillor Stone added the comment that Soccer Nova Scotia will not build this facility based only on the "possibility" of having tax exempt status.

Councillor Adams supported Councillor Stone's motion. Further, he suggested tax exemption should be extended to any non-profit organization that has a facility that would cost HRM more to operate itself than the amount of taxes that would be forgiven.

Deputy Mayor Greenough suggested the tax exempt status be approved in principle subject to the drafting of the appropriate by-law.

No vote was taken on the motion on the floor. The following motion was then placed on the floor.

MOVED by Deputy Mayor Greenough and Councillor Stone that Council approve the granting of tax exempt status to Soccer Nova Scotia Indoor Facilities in principle, subject to the drafting of the appropriate by-law.

Councillor Harvey expressed concern in dealing with tax exempt status requests individually rather than through a report from the Grants Committee. Councillor Hendsbee concurred with the comments made by Councillor Harvey noting he has spoken to Mr. Blair Blakeney, Community Policy and Planning, with respect to meeting with the Grants Committee to re-evaluate policies dealing with tax exemption of recreation facilities. He suggested Council should not make any decisions regarding tax exemption until the report from the Grants Committee is received.

Councillor Cunningham agreed with the concern expressed by Councillors Harvey and Hendsbee with respect to dealing with requests individually.

Councillor Blumenthal, however, expressed concern that there is an urgent need to deal with this issue so Soccer Nova Scotia can proceed with this project. He emphasized the benefits of such a facility to the youth of the municipality.

Mr. Meech noted HRM may not have the legal capacity to grant permanent tax exemption status. Mr. Anstey added a by-law to grant tax exempt status would need to be reviewed by Council every three years. Therefore, the maximum period for which a tax exempt status could be given is three years. With respect to the motion on the floor, Mr. Anstey advised approving the tax exempt status in principle does not have any legal effect as the by-law is still required.

MOTION PUT AND PASSED.

11.2 CAT BY-LAW COMMITTEE

11.2.1 Recommendations - Cat By-Law Committee

! A report prepared by Renate Usmiani, Chair, on behalf of the Cat By-Law

Committee detailing the Committee's recommendations, and a Minority Report - Cat By-Law Committee, prepared by Dr. Alexander Frank, Member, Cat By-Law Committee, were before Council for discussion.

Mayor Fitzgerald and Councillor Walker expressed appreciation to the Committee for their work on this issue.

MOVED by Councillors Walker and Hendsbee that staff be requested to formulate a by-law based on the recommendations of the Committee and to provide a report on the costs of implementing the by-law; further, once the by-law is prepared it is to be sent back to the Cat By-Law Committee for review and then forwarded to Council to set a public hearing date. MOTION PUT AND PASSED UNANIMOUSLY.

11.3 CHIEF ADMINISTRATIVE OFFICER

11.3.1 Award of Tender No. 96-247 - John Martin School Ballfield Lighting

! A report prepared for George McLellan, Commissioner of Regional Operations and Dan English, Commissioner of Community Services, regarding the award of Tender No. 96-247 - John Martin School Ballfield Lighting, was before Council for discussion.

In response to a question from Councillor Schofield asking for explanation of the fifteen percent contingencies, Mr. John Sheppard, Manager, Environment Services, replied this is standard practice. Councillor Schofield inquired if a fence will be built around the diamond should money be left in the contingency fund. Mr. Sheppard replied this was not intended at this point.

MOVED by Councillors Schofield and Hendsbee that:

- 1) Council award Tender 96-247, John Martin School Ballfield Lighting to Silco Contracting Limited for a total bid price of \$83,250.00 and a total project cost of \$96,000.00.**
- 2) Council authorize the transfer of funds from Capital Account No. 91329, Vocational School Ballfield Drainage in the amount of \$12,000.00 to Account No. 91276.**
- 3) Council authorize funding from Capital Account No. 91276, John Martin School Ballfield Lighting in the amount of \$96,000.00.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.2 Award of Tender No. 96-318 - 1) C.P. Allan High School 2) Sackville High Sportsfield Upgrading

! A report prepared for George McLellan, Commissioner of Regional Operations and Dan English, Commissioner of Community Services, regarding the award of Tender No. 96-318, was before Council for consideration.

MOVED by Councillors Barnet and Kelly that:

- 1) Council authorize funding from Capital Account No. 91249, in the amount of \$29,000.00, C.P. Allan High School and Capital Account No. 91313, in the amount of \$29,000.00, Sackville High Sportsfield Upgrading for a total amount of \$58,000.00.**
- 2) Council award Tender No. 96-318, C.P. Allan High School and Sackville High Sportsfield Upgrading to Turf Masters Landscaping for a total bid price of \$50,294.00 and a total project cost of \$58,000.00.**

In response to a question from Councillor Kelly, Mr. Blakeney replied staff have been advised this work will bring the fields back to a high standard. Parks and Recreation worked in consultation with Regional Operations and are satisfied with the results of the scope of work.

Responding to a question from Councillor Hendsbee inquiring what steps have been taken with respect to cooperation with the schools, Mr. Blakeney replied staff consulted with the schools on these two projects and have been assured the schools will abide by the scheduling over which HRM has control.

In discussion of this item, Councillor Sarto requested that future staff reports indicate all tenders received as well as explanations of those that did not meet the qualifications of the tender. Also, Councillor Kelly requested a staff report as to what degree the contingencies previously set up have been used as it will have an effect on next year's budgeting process.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.3 Fisherman's Market - Waterfront Development Corporation Access

! A report prepared for George McLellan, Commissioner of Regional Operations, regarding Fisherman's Market: WDC Access, was before Council for discussion.

MOVED by Councillors Downey and Blumenthal that Halifax Regional Municipality grant a license to the Waterfront Development Corporation providing for rights of access to and from the Fisherman's Market Building across lands of the Halifax Regional Municipality indicated as a cul-de-sac in Appendix "B" of the staff report, and that the Mayor and Municipal Clerk be authorized to execute an agreement on behalf of the HRM according to terms and conditions as outlined in the staff report.

In response to a question from Councillor Cooper inquiring about the location of Lot WD-5, Mr. Austin French, Superintendent, Real Estate Services, replied it is to the south of the jib lot shown in Appendix "B" of the staff report. The screened outdoor storage area is about 10,000 square feet. The rights of access will be used to provide access to the loading area.

Responding to a question from Councillor Kelly, Mr. French replied the recommendations included in the motion of Halifax City Council on 20 March 1996 were approved by Mr. Bill Hayward.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.4 Land Lease - Block AM, Barrington Street (supplementary report)

! A supplementary report prepared for George McLellan, Commissioner of Regional Operations, recommending the execution of an amendment to HRM's land lease for Block AM, Barrington Street, to permit the use of the site for private market housing, was before Council for discussion.

Councillor Downey stated at the last Council meeting he requested that this item be deferred so questions he raised could be answered. However, he stated the answers are not contained in the supplementary report. He noted the former City of Halifax was locked into a 50 year lease with respect to this property. Councillor Downey stated there are 29 rent supplemented units included in this property and to turn this over to a private developer is a wrong move. He requested the Province be asked to take over the management of this property and that the Metropolitan Housing Authority be permitted to manage the properties. Councillor Downey expressed concern with the possibility of no more supplementary housing being provided in this area.

MOVED by Councillors Downey and Blumenthal that this item be deferred pending written clarification from CMHC regarding the Province taking over the management of this property.

Mr. French replied that the question raised by Councillor Downey was put to CMHC. Their response was that by going through this action of amending the lease, it would

actually expedite this being brought to the Province's attention. It is their desire to have the lease amended before the property is offered for sale. Once this is done, the sale of the property would be offered to the Province, the Municipality and then to the private sector in that order. Mr. French's understanding is the rental supplement program will remain in place whether or not this particular facility remains a non-profit housing co-operative. The units would be applied elsewhere or within this facility once it is open.

Councillor Schofield agreed with Councillor Downey and also expressed concern with the loss of subsidized units.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.5 Acquisition of Land for Municipal Walkway - Huntingdon Dr., Cole Harbour

! A report prepared for George McLellan, Commissioner of Regional Operations, recommending Council accept a donation of a portion of land from Chestnut Realty Ltd., located on Huntingdon Drive, Cole Harbour, for the purpose of completing a public walkway, was before Council for discussion.

MOVED by Councillor Kelly and Deputy Mayor Greenough that Council accept a donation of a portion of land, as indicated in the staff report, from Chestnut Realty Ltd., located on Huntingdon Drive, Cole Harbour, for the purpose of completing a public walkway. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - None

13. ADDED ITEMS

13.1 Appointments

! A memorandum from Mayor Fitzgerald recommending appointments to the following Committees and Commissions: CAO Review Committee, Halifax Dartmouth Port Development Commission, Regional Taxi and Limousine Commission and the Shubenacadie Canal Commission, was before Council for discussion.

MOVED by Deputy Mayor Greenough and Councillor Sarto that the following appointments be approved:

CAO Review Committee: Councillors Reg Rankin, Howard Epstein and Bill Dooks (Two year terms expiring December 31, 1998)

**Halifax Dartmouth Port Development Commission: Thomas J. Hayes
(3 year term expiring January 31, 2000)**

**Regional Taxi and Limousine Commission: Bruce Chisholm
(Term to expire November 1, 1997)**

**Shubenacadie Canal Commission: Deborah Billard and Keith Manchester
(Terms to expire December 31, 1997)**

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Tender - 96-401, North Preston Fire Hall

! A report prepared for Gary Greene, Commissioner of Fire Services, recommending the awarding of Tender - 96-401, North Preston Fire Hall to Dartec Developments Limited, was before Council for discussion.

MOVED by Councillors Hendsbee and Dooks that Council authorize the award of the Tender 96-401, North Preston Fire Hall - Addition, to the successful tenderer, Dartec Developments Limited, in the amount of \$108,457.00 (including taxes).

MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Tender 96-436, Bedford Fire Station, Project Package #3

! A report prepared for Gary Greene, Commissioner of Fire Services, regarding the awarding of Tender 96-436, Bedford Fire Station, Project Package #3, was before Council for discussion.

MOVED by Councillors Sarto and Schofield that Council authorize the award of the tenders for the Bedford Fire Station to the following:

ELECTRICAL: Gardner Electric Ltd. for a total bid price (excluding GST) of \$191,900.00

MECHANICAL: Bremner's Plumbing & Heating Ltd. for a total bid price (excluding GST) of \$277,092.00

APPARATUS

EXHAUST: Bremner's Plumbing & Heating Ltd. for a total bid price (excluding GST) of \$64,179.00

MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Request for Funding - White's Transit - Chebucto Community Council

! A report from Chebucto Community Council requesting funding for White's Transit, which included staff reports dated September 17, 1996 and December 24, 1996, a petition in favour of the recommendation as well as correspondence regarding the proposal, was before Council for discussion.

MOVED by Councillors Stone and Adams that Regional Council approve assistance to be provided to operate White's Transit until April 1, 1997 at which time arrangements will be made to maintain the service.

Councillor Adams noted this issue was before Chebucto Community Council at a meeting held on January 6, 1997, at which time the above recommendation was made. Councillor Adams stated a lot of people in this area rely on the service provided by White's Transit, and he requested Council approve financial assistance until April 1, 1997. Councillor Blumenthal stated he would like to know what the position of Metro Transit and its union is on this issue.

Councillor Stone stated the purpose of the recommendation is only to provide the continuance of this service until April 1, 1997 when Council deals with the tax structure and area rates to determine how it can support this type of transit.

Mayor Fitzgerald advised this issue would have to be referred to staff to determine if there is available funding and to report back to Council at the next meeting. Councillor Blumenthal requested the report also include Metro Transit and its union's position on this issue.

Councillor Barnet expressed concern with providing subsidies to private businesses.

No vote was taken on the motion on the floor. The following motion was then put on the floor.

MOVED by Deputy Mayor Greenough and Councillor Stone that this issue be referred to staff for a report to determine if there is funding available to provide assistance to White's Transit until April 1, 1997 at which time arrangements will be made to maintain this service.

In response to questions from Councillor Adams regarding Metro Transit, Mr. McLellan replied the return of revenue relative to actual expenses is in excess of sixty percent. However, it varies from route to route.

Mr. McLellan noted, as Councillor Barnet mentioned earlier, HRM has offered Mr. White the opportunity to utilize one of its vehicles which would be less expensive. The

staff report provided to Chebucto Community Council indicates if HRM were to operate this service it probably would be more expensive. However, Mr. McLellan noted, the issue is where does this kind of subsidy for a private operator fit. He suggested, if this request for funding is referred back to staff, it should be looked at in terms of the upcoming budget. He noted the recommendation from Chebucto Community Council does not suggest where the money might be located. At budget time, Regional Operations will reintroduce its approach as to how standards and criteria will be put in place for paratransit operations to deal with requests of this nature.

Councillor Adams noted the funding being requested is not a great amount and it will benefit the community. He stated he would like to know the cost for Metro Transit to provide the exact same service currently provided by White's Transit.

Councillor Rankin noted there was a motion passed previously that stated any services beyond Metro Transit would have to be covered by an area rate.

MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

14.1 Councillor Schofield

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on January 21, 1997, I intend to introduce a motion to give First Reading to an Amendment to Ordinance 113 of the Former City of Halifax and By-law N-200 of the Former City of Dartmouth to facilitate the improvements to the Angus L. Macdonald Bridge.

14.2 Councillor Stone

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on January 21, 1997, I intend to introduce a motion to move First Reading of a by-law, the purpose of which will be to grant tax exempt status to the Soccer Nova Scotia Indoor Soccer Facility to be located in the Mainland Common.

14.3 Councillor Epstein

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on January 21, 1997, I intend to introduce a motion to amend Administrative Order No. 9 to add District 12 as a member of the Halifax Peninsula Community Council.

15. ADJOURNMENT

MOVED by Deputy Mayor Greenough and Councillor Blumenthal that the meeting adjourn at 7:40 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Vi Carmichael
Municipal Clerk**