

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 25, 1997

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Jack Greenough
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Harry McInroy
Condo Sarto
Bruce Hetherington
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

REGRETS:

Councillors Clint Schofield
Ron Cooper

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jane Nauss, Acting Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

TABLE OF CONTENTS

| | | |
|-------|---|----|
| 1. | INVOCATION | 4 |
| 2. | PROCLAMATION | 4 |
| 2.1 | National Records and Information Management Week - March 30 - April 5, 1997 | 4 |
| 3. | APPROVAL OF MINUTES - None | 4 |
| 4. | APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS | 4 |
| 5. | BUSINESS ARISING OUT OF THE MINUTES | 5 |
| 6. | MOTIONS OF RECONSIDERATION | 5 |
| 6.1 | Future Direction of Septemberfest - Councillor Hendsbee | 5 |
| 7. | MOTIONS OF RESCISSION - None | 5 |
| 8. | CONSIDERATION OF DEFERRED BUSINESS | 5 |
| 8.1 | Revised Solid Waste/Resource Management Strategy Implementation Schedule - continued discussion | 6 |
| 9. | REPORTS | 6 |
| 9.1 | MEMBERS OF COUNCIL | 6 |
| 9.1.1 | Request for Presentation for Compost Bags - Councillor Walker | 6 |
| 9.2 | GRANTS COMMITTEE | 8 |
| 9.2.1 | Report - Grants Program, Residential Tax Relief Program and Tax Exemptions for Non Profit Organizations | 8 |
| 9.2.2 | (a) Neptune Theatre Request for Funds | 8 |
| | (B) 1997 World Canoe Championships | 8 |
| 9.3 | HERITAGE ADVISORY COMMITTEE | 8 |
| 9.3.1 | Case 7470: Application for Substantial Alteration (Land Consolidation), Boscobel, Halifax | 9 |
| 9.4 | CHIEF ADMINISTRATIVE OFFICER | 9 |
| 9.4.1 | 3090 Windsor Street | 9 |
| 9.4.2 | General Amendments to the HRM Act | 10 |

| | | |
|--------|---|----|
| 9.4.3 | Amendments to Financial Provisions - HRM Act | 11 |
| 9.4.4 | Capital Debt Model | 11 |
| 9.4.5 | Sewer Charges By-Law - First Reading | 15 |
| 9.4.6 | Point Pleasant Park - Proposal for an Advisory Committee | 15 |
| 9.4.7 | Contract 95-36, Robie Street Widening | 16 |
| 9.4.8 | Parcel MA-1, Mountain Avenue for Street Purposes | 16 |
| 9.4.9 | Land Exchange at Ostrea Lake | 16 |
| 9.4.10 | "Kindred Spirits" Sculpture - Alderney Gate | 16 |
| 9.4.11 | Tender 97-005 - Three low floor wheelchair/ambulatory buses | 17 |
| 10. | PUBLIC HEARINGS - None | 17 |
| 11. | CORRESPONDENCE, PETITIONS AND DELEGATIONS | 17 |
| 11.1 | Correspondence | 17 |
| 11.1.1 | Municipal Citizenship Ceremonies - Town of Markham | 17 |
| 11.2 | Presentations | 13 |
| 11.2.1 | Site Selection - Composting Facility - New Era Farms Ltd. Ms. Barbara Verge and Rev. Darryl Gray | 13 |
| 11.2.2 | Site Selection - Composting Facility - New Era Farms Ltd. Mr. Paul Taylor | 14 |
| 11.2.3 | Mr. John Verlinden, Coalition of Rural Taxpayers | 14 |
| 11.3 | Petitions | 18 |
| 12. | MOTIONS | 18 |
| 12.1 | Councillor Kelly - Sewer Charges By-Law | 18 |
| 12.2 | Councillor Kelly - Amendment to Administrative Order Number One Respecting Council Meeting Times | 18 |
| 13. | ADDED ITEMS | 19 |
| 13.1 | Appointments to the Trade Centre Limited, Solid Waste Resource Advisory Committee, Halifax County Regional Rehabilitation Centre and Neptune Theatre Foundation | 19 |
| 13.2 | Ratification - In Camera Decision - Tentative Settlement - Personnel Matter | 19 |
| 13.3 | Ratification - In Camera Decision - Land Matter - 232 Bedford Highway | 19 |
| 13.4 | Ratification - In Camera Decision - Labour Relations - Collective Agreement - Access-a-Bus | 20 |
| 13.5 | Emission Standards - Councillor Uteck | 20 |
| 13.6 | Infrastructure Program - Councillor Walker | 20 |
| 14. | NOTICES OF MOTION - None | 20 |

15. ADJOURNMENT 20

1. INVOCATION

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

Following the Invocation, Councillor Hetherington made the following motion with respect to Councillor Cooper's illness.

MOVED by Councillors Hetherington and Blumenthal that Councillor Cooper be exempted from meetings, and that he be granted as much time as needed to fully recuperate. MOTION PUT AND PASSED UNANIMOUSLY.

2. PROCLAMATION

2.1 National Records and Information Management Week - March 30 - April 5, 1997

Mayor Fitzgerald proclaimed National Records and Information Management Week, March 30 - April 5, 1997.

3. APPROVAL OF MINUTES - None

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

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

11.2.2 Request to Speak - Paul Taylor, New Era Farms - Proposed Composting Facility - Hammonds Plains

13.1 Appointments to the Trade Centre Limited, Solid Waste Resource Advisory Committee, Halifax County Regional Rehabilitation Centre and Neptune Theatre Foundation

13.2 Ratification - In Camera Decision - Tentative Settlement - Personnel Matter

13.3 Ratification - In Camera Decision - Land Matter - 232 Bedford Highway

13.4 Ratification - In Camera Decision - Labour Relations - Collective Agreement - Access-a-Bus

Members of Council requested the following items be added to the agenda:

- 13.5 Councillor Uteck - Emission Standards
- 13.6 Councillor Walker - Infrastructure Program

Councillor Hendsbee requested that Mr. Verlinden, organizer of the public rally held earlier in the day regarding the tax structure, be permitted to speak briefly during the Presentation section of the meeting. Council agreed to this request.

Councillor Epstein requested that Mr. Leroy O'Hearn be permitted to speak regarding Item 9.4.1 - 3090 Windsor Street, to which Council agreed.

MOVED by Deputy Mayor Greenough and Councillor Cunningham that Item 8.1 Revised Solid Waste/Resource Management Strategy Implementation Schedule be deferred to the Committee-of-the-Whole meeting scheduled for April 1, 1997.

Councillor Walker noted this item was deferred from the March 18th Council session due to the late hour, and he did not feel it should be deferred again.

MOTION PUT AND PASSED.

MOVED by Councillors Blumenthal and Downey that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

- 5. **BUSINESS ARISING OUT OF THE MINUTES - None**
- 6. **MOTIONS OF RECONSIDERATION**
- 6.1 **Future Direction of Septemberfest - Councillor Hendsbee**

Councillor Hendsbee asked if the Eastern Shore Marine Drive Musquodoboit Valley Organization Committee would have the opportunity to bid for the 1997 hosting community. Mr. Meech replied the amendment will open up the process to receive submissions, so this committee would have the same opportunity to make a submission as any other committee. Based on this information, Councillor Hendsbee withdrew his Motion of Reconsideration.

Councillor Harvey noted the event should be referred to by its proper name of Summerfest.

- 7. **MOTIONS OF RESCISSION - None**

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Revised Solid Waste/Resource Management Strategy Implementation Schedule - continued discussion (Information Item 8, March 4, 1997)

This item was deferred to the Committee of the Whole meeting scheduled for April 1, 1997, during the Approval of the Order of Business.

9. REPORTS

9.1 MEMBERS OF COUNCIL

9.1.1 Request for Presentation for Compost Bags - Councillor Walker

Councillor Walker questioned the rush to purchase the composting containers and stated the residents deserve a choice of using the containers or bags. In his discussion, Councillor Walker made the following points:

- ▶ First Brands would like to make a presentation to Council regarding composting bags.
- ▶ Composting bags are used in Guelph, Ontario, due to the time factor involved in pick-up.
- ▶ The bins do not have to be purchased until April 1, 1998, and Council should not rush into any decision.

Councillor Walker noted First Brands will not be available on April 1, 1997, as they will be making a presentation in Moncton.

MOVED by Councillors Walker and Kelly that First Brands be permitted to make a presentation to Council before the bins are purchased.

Councillor Epstein asked if staff could review the status of this issue. Mr. Ray Halsey, Technical Manager, Engineering Services, stated a recommendation from the Solid Waste Advisory Committee has been made to Council with respect to the composting bins. Mr. Halsey noted First Brands put in a bid last fall. The bid was evaluated and First Brands was eliminated, partly on cost and partly on performance issues, at that time. He stated staff believes it would be inappropriate to ask an eliminated bidder to make a presentation at this point in the bidding process. Mr. Halsey noted a revised report will be brought to the Committee-of-the-Whole next week clarifying some confusion in previous reports. This report will contain more detail that will explain the reasoning for the decisions that were made.

Councillor Epstein inquired if the report will give more details regarding the cost and performance issues of using bags. He also asked for assurance that no purchase will be made until there is some direction from Council. Mr. Halsey replied that no decision

will be made before the issue comes back to Council for an award to be made. With regards to the forthcoming report, all the questions that were raised at the last Council meeting have been logged and are in the process of being answered.

Councillor Cunningham agreed with the spirit of Councillor Walker's motion which asks for an alternative to the bins. Councillor Hetherington spoke in favour of Councillor Walker's motion stating the bidding process needs to take into consideration what the residents want. Mr. Halsey replied the issue of size will be addressed in the upcoming report, and a smaller cart is being considered.

Deputy Mayor Greenough suggested the Committee-of-the-Whole discussion be held first before deciding whether or not to have anyone come in to make a presentation.

Councillor Harvey noted the bins are used in Truro, Lunenburg County and Summerside. At the beginning of the process in Summerside, there was a 40 percent interest rate in them. After three years, the in favour rate is approximately 96-98 percent. With the four test areas in HRM, there is a 96 percent acceptance rate. Councillor Harvey expressed concern with the motion on the floor and questioned why there is a Solid Waste Advisory Committee to make recommendations if they are not going to be followed.

Councillor Kelly stated the residents want options. The SWRAC only makes recommendations and Council makes the final decision. He questioned if there was a cost benefit analysis done as to the costing of using the bins versus a plastic or paper product. Mr. Halsey replied they have this information, and some of it will be brought forward next week.

Councillor Kelly submitted samples of different types and sizes of products that can be used for composting and asked that staff examine these in terms of an alternative to carts.

Mr. George McLellan, Commissioner of Regional Operations, spoke on the integrity of the procurement process. He explained an open tender was held, the terms of which were reviewed in public with the SWRAC. The tender was well advertised, responses were received, all were considered, and a cost benefit analysis was done. The outcome of the process was a certain type of container with a certain type of vendor. Councillor Kelly inquired for the reasoning of the cost difference in the price of the bins from Ontario to Nova Scotia. Mr. McLellan replied the company can address this question at the public meeting to be held tomorrow.

Councillor Stone expressed concern with the time delay in Council receiving information from the SWRAC causing difficulty in answering questions raised by residents. Councillor Blumenthal agreed with Councillor Stone noting residents need to have choices. Councillor Hanson stated staff should be given the opportunity to come

back with all the information before Council makes a decision.

At this point in the meeting, Mayor Fitzgerald acknowledged the presence in the gallery of Mr. Bill MacDonald, MLA.

Councillor Walker noted Line 49 of the HRM Integrated Solid Waste Project Timeline states HRM Council Approval, 15/04/97, and Line 50 states Initial Order, 16/04/97. Mr. Joe Mann, Solid Waste Division, replied the timeline is a forecast or projection. Staff will act accordingly with whatever approval they receive and order whatever container Council deems to be appropriate.

Councillor Rankin stated the affordability of the carts will be resolved. With respect to the survey of 200 users in the test sites, it states 96 percent endorse the initiative and 75 percent endorse the size of the cart.

MOVED by Deputy Mayor Greenough and Councillor Hanson that the motion on the floor be deferred to the Committee-of-the-Whole on April 1. MOTION PUT AND PASSED.

9.2 GRANTS COMMITTEE

9.2.1 Report - Grants Program, Residential Tax Relief Program and Tax Exemptions for Non Profit Organizations

Councillor Hendsbee stated the Grants Committee is recommending the above report be tabled at this meeting for discussion at the Committee-of-the-Whole meeting scheduled for April 8, 1997. Council agreed with the Committee's recommendation.

Councillor Hetherington requested when this report comes back on April 8th that staff provide an updated list of who has applied for tax exemption. Councillor Hendsbee noted all members of Council were circulated a letter with a list of organizations that have submitted applications to date. Councillors were asked to ensure all organizations that may be applicable to this program have filed an application.

9.2.2 a) Neptune Theatre Request for Funds (deferred Feb. 25/97) b) 1997 World Canoe Championships

Councillor Hendsbee asked that these two items also be deferred to April 8, 1997. Neptune Theatre would like an opportunity to speak to Council with respect to the Grants Committee recommendation. Also, additional cost information has just been received from the 1997 World Canoe Championships, and the Committee has not had an opportunity to review it. Council agreed to his request for deferral.

9.3 HERITAGE ADVISORY COMMITTEE

9.3.1 Case 7470: Application for Substantial Alteration (Land Consolidation) Boscobel, Halifax

- A report from the Regional Heritage Advisory Committee regarding an application for a substantial alteration (land consolidation) for Boscobel, a registered heritage property located off the Purcell's Cove Road in Halifax, was before Council for consideration.

MOVED by Councillors Hanson and Stone that the substantial alteration to permit the consolidation of a 1.2 acre property to Boscobel, a registered heritage property, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

9.4 CHIEF ADMINISTRATIVE OFFICER

9.4.1 3090 Windsor Street

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding 3090 Windsor Street, was before Council for consideration. The report recommended that Council authorize the purchase of civic number 3090 Windsor Street for the price of \$222,500, plus GST, and closing adjustments if applicable, for the purpose of realigning the Bayers Road/Young Street intersection at Windsor Street, with funds for the purchase to be drawn from the Sale of Land, Capital Reserve Account.

MOVED by Councillors Blumenthal and Hetherington that Council not approve the purchase of 3090 Windsor Street.

Mr. Leroy O'Hearn, 6298 Bayers Road, addressed Council noting his property abuts two vacant HRM lots on Bayers Road. Speaking on behalf of residents of Bayers Road, Mr. O'Hearn asked Council to turn down staff's recommendation to purchase 3090 Windsor Street. Mr. O'Hearn stated residents want Council to know there is no need for the proposed intersection realignment. There is never a backup of traffic waiting to get on Windsor Street from Bayers Road and no problem getting into the parking area of the store. With respect to accidents, Mr. O'Hearn stated there has never been a serious accident and very few minor ones in the twenty years he has lived there. Mr. O'Hearn suggested if the property is needed in the distant future, HRM should expropriate it if required.

Councillor Epstein stated there are good reasons not to proceed with this purchase. He questioned what the cost would be to smooth out the intersection if it reached this point as this information has never been provided to Council. Councillor Epstein suggested intersections throughout the HRM that might be smoothed out should be rated to see where this one stands in the hierarchy of need based on dangerousness of

the intersection. He noted that the DND land would also be required to proceed with the realignment and there has been no indication that negotiations will be successful in obtaining this. Councillor Epstein suggested the owner of 3090 Windsor should be offered to purchase HRM's two lots rather than HRM purchase his. In closing, Councillor Epstein stated public opinion is against this, as are the churches in the area, as they see it as inevitably leading to the widening of Bayers Road which they do not want to happen.

Councillor Blumenthal agreed with Councillor Epstein stating the residents of the North End do not want this property purchased as they know what will follow, and they do not want to be separated. Councillor Blumenthal reiterated a suggestion he previously made that Quinpool Road should be made a one-way street and Chebucto Road the opposite way, thereby solving a lot of the traffic problems.

Councillor Kelly noted he was asked to clarify some points from the public meeting held on February 26, 1997. Mr. Blair Beed spoke on behalf of the St. Catherine's Church Parish Council and not on his own. There was a total of fourteen people who spoke, thirteen opposed the purchase and one did not take a position. In response, Councillor Walker stated he did not think the minutes of the public meeting accurately reflect what happened as the tenants of 3090 Windsor Street spoke, and there is no indication of their comments. Their main concern was the inability to obtain a lease. Only one person spoke addressing the purchase of the building, all other speakers addressed the widening of the street. Four spoke about widening the street from Connaught down to the Bicentennial Highway. Only four residents who live on Bayers Road spoke. Councillor Walker stated the purpose of the public meeting was to address the purchase of the building and not the widening of the street.

Councillor Snow supported the Councillors of the area affected in their recommendation not to purchase the property. He also stated HRM should not purchase any properties until the tax structure is set.

Mr. McLellan stated the owner of 3090 Windsor Street brought the issue to HRM's attention. He noted this was before the GoPlan was introduced. This purchase is an option staff is bringing forward to Council for future alternatives.

MOTION PUT AND PASSED.

9.4.2 General Amendments to the HRM Act

- A report prepared by Wayne Anstey, Municipal Solicitor, regarding general amendments to the HRM Act, was before Council for consideration.

Councillor Kelly suggested this item be deferred to Committee-of-the-Whole as he has

about forty points he would like a chance to review with staff. He conferred earlier with the CAO and the Municipal Solicitor who did not express any problem with a deferral.

MOVED by Councillors Kelly and Dooks that this item be deferred to the Committee-of-the-Whole.

In response to a question from Councillor Epstein regarding the implications of deferring this on the legislative timetable, Mr. Anstey replied the House opens on the 10th and the Bill is in the Legislative Counsel's Office now being put into their format. A resolution of Council would be required sometime during the process. It was agreed the deferral should be to the April 8, 1997, Committee-of-the-Whole.

Councillor Hendsbee asked if it is possible to take the present document of the Act and have the changes shown in it for easier reference. Mr. Anstey replied he will attempt to do this but expressed concern with the additional time required which could delay the process.

MOTION PUT AND PASSED UNANIMOUSLY.

9.4.3 Amendments to Financial Provisions - HRM Act

- A report prepared for Larry Corrigan, Commissioner of Corporate Services and Wayne Anstey, Municipal Solicitor, regarding amendments to financial provisions - HRM Act, was before Council for consideration.

MOVED by Councillors Kelly and Dooks that this item also be deferred to the April 8, 1997, Committee-of-the-Whole meeting.

Councillor Rankin requested that Item (c) of the staff report relating to Section 82(8)(a) of the HRM Act also be referred to the C.O.W. meeting regarding the tax structure as it deals with protection for the rural taxpayers. Council agreed with his request.

MOTION PUT AND PASSED UNANIMOUSLY.

9.4.4 Capital Debt Model

- Copies of the presentation to Regional Council - Debt Management were circulated to members of Council.

With the use of computer slides, Mr. Larry Corrigan, Commissioner of Corporate Services, made a presentation to Council regarding debt management.

The presentation included the following:

- Previous Municipal Units Long-term Debt transferred to HRM
- Total Debt Approved and Outstanding at March 31, 1997 (\$307 million)
- History of Combined Capital Budget
- Funding Sources
- Proposed Change to Municipal Affairs Act
- History/Forecast of "Net" Debt Charges
- Debt Service Ratios of Selected Governments
- Capital Budget Target

Mr. Corrigan noted the following information was just received late this afternoon and, therefore, was not included in the package. Cape Breton Regional Municipality's debt service ratio is currently 15 percent with a goal to reduce it to 10 percent by 2001.

Mr. Corrigan illustrated some scenarios and sensitivity analysis around the debt forecasting. Mr. Corrigan stated staff is currently recommending a capital budget target for 1997/98 of \$66 million gross (incl. \$25 million solid waste), and for 1998/99 - 2004/05 a target of \$45 million gross (incl. \$25 million solid waste). This will produce an objective of a 10 percent debt servicing ratio.

Mayor Fitzgerald expressed concern over the amount of total debt and noted the debt carried over from Halifax includes the Industrial Commission as well as the former City of Halifax.

Councillor Epstein inquired about revenue assumptions. Mr. Corrigan responded by showing a slide of the key assumptions which were as follows:

- 1) Operating Budget will increase by 2 percent each year
- 2) Debt Payments roll into the Operating Budget in Year 2
- 3) Cost of Capital - 7 percent
- 4) Funding from Reserves - 5 percent
- 5) Capital from revenue - \$8.4 million
- 6) External cost sharing - 5 percent
- 7) Provincial Capital Grant - \$5 million

Councillor Epstein stated these are conservative assumptions, and there is no real danger of getting into the same position as the Federal and Provincial government in terms of debt.

Councillor Barnet asked what portion of the \$38.8 million from Metropolitan Authority is for waste management which is no longer being received. Mr. Corrigan replied that figure is a combination of \$31 million debt and approximately \$8 million unfunded. He agreed to provide the makeup of this to Councillor Barnet via E-mail tomorrow.

RECESS

A recess was taken at 8:10 p.m. The meeting reconvened at 8:25 p.m.

At this point in the meeting, Council dealt with Item 11.2 Presentations.

11.2 Presentations

11.2.1 Site Selection - Composting Facility - New Era Farms Ltd.

Ms. Barbara Verge

Ms. Barbara Verge, Hammonds Plains, in her presentation, spoke against the site selection of the composting facility in Hammonds Plains. Copies of her presentation were circulated to Council. In closing, Ms. Verge requested that staff, Mr. Roach (Department of Environment), and a lawyer be directed to attend the information meeting to be held in Hammonds Plains tomorrow night to address the citizen's concerns.

In response to a question from Councillor Epstein asking Ms. Verge if the decision not to follow the suggestion of using a development agreement was ever challenged, Ms. Verge replied it was not. Councillor Hendsbee stated he believed adding a composting component would still have to apply to the principle of the MPS for that area and suggested this should be clarified.

Rev. Darryl Gray

Rev. Gray asked that Council take heed to Ms. Verge's comments noting this is one of the most important issues residents of Upper Hammonds Plains has had to deal with. Rev. Gray stated the suggestion location of this facility would negatively affect both Upper Hammonds Plains and Lucasville.

Rev. Gray stated there are 1,000 acres of community land located in Upper Hammonds Plains which is part of the community development strategy, and there is concern that the proposed development would have a damaging effect on this community development. Rev. Gray stated these two communities have had their share of problems such as poor roads and the lack of adequate drinking water, and the composting facility will do nothing for the growth of the community. He questioned consideration to put a composting facility in such a high residential community. Another concern expressed by Rev. Gray was that one of the proponents, a resident of the community, had access to information that the other residents did not.

Rev. Gray stated the residents' concern is there was no consideration given to putting a

composting facility next to a historical black community or the impact on the environment.

Rev. Gray referred to the HRM Community and Race Relations Policy and Terms of Reference. In the objectives it states the objective of the Committee is to ensure the residents of all of HRM's diverse communities have an equitable opportunity to develop their individual potential. The objective is to assist in the participation of all persons in civic and community concerns and affairs.

In closing, Rev. Gray stated they have made a petition to the Human Rights Commission against the SWRAC, not individuals of the Committee, as they believe in making the decision there were factors not taken into consideration thereby making the Committee racially insensitive.

11.2.2 Mr. Paul Taylor

Mr. Paul Taylor, New Era Farms, requested Council and community members to remember the issue at hand. The issue before Council is whether or not to use this facility to receive some of organic material that will soon be source separated. A proposal process was followed from which eleven proposals were received. Their proposal was judged to be number one on every test used, and their firm has a proven track record. He asked that Council stand by its process and complete it in an orderly manner.

On the charge of racism, he explained how he selected this particular property stating race was not a consideration or part of the review process. Mr. Taylor stated the residents are legitimately terrified of the image that is being created, but it is not a realistic image.

Councillor Hendsbee noted members of the Marine Drive Valley and Canal Community Council will not be able to attend the public meeting as they have a Community Council meeting tomorrow night.

With respect to the Human Rights Commission petition, Councillor Epstein noted this issue was canvassed about six or seven years ago when Site H was the potential landfill location and the Human Rights Commission did not accept the complaint. Regarding environmental racism, Councillor Epstein stated it may be time for HRM to assume some responsibility for it.

11.2.3 Mr. John Verlinden

Councillor Hendsbee noted Mr. John Verlinden, Spokesperson, Coalition of Rural Taxpayers, sent his regrets as he had to leave on the bus to return to the

Musquodoboit Harbour region. On behalf of Mr. Verlinden and the organizing committee, Councillor Hendsbee thanked the approximate 300 people who attended the tax structure rally held before this Council meeting.

Councillor Dooks thanked the Councillors who attended the rally and Mayor Fitzgerald for addressing the crowd. Councillor Dooks stated he was very pleased with the turn out noting some residents travelled over 300 kilometres return trip to attend.

At this point, Council returned to the Order of Business.

9.4.5 Sewer Charges By-Law - First Reading (Motion - Item 12.1)

- A staff report prepared for George McLellan, Commissioner of Regional Operations, recommending First Reading of By-Law S-100, Respecting Sewer Charges, was before Council for consideration.

MOVED by Councillors Kelly and Hetherington that By-Law S-100, Respecting Sewer Charges, be given First Reading. MOTION PUT AND PASSED.

Councillor Walker requested a staff report for Second Reading comparing how this was handled in the former City of Halifax to this By-Law.

9.4.6 Point Pleasant Park - Proposal for an Advisory Committee

- A staff report prepared for George McLellan, Commissioner of Regional Operations, recommending the endorsement of a Point Pleasant Park Advisory Committee, was before Council for consideration.

MOVED by Councillors Uteck and Hetherington that Council endorse the formation of a Point Pleasant Park Advisory Committee; and, that Council endorse the General Terms of Reference for the formation of a Point Pleasant Park Advisory Committee as attached to the staff report.

Councillor Uteck noted this recommendation was passed unanimously by the former City of Halifax during its last week of existence.

Councillor Hendsbee questioned if this Committee should report to the Peninsula Community Council or Regional Council. He also suggested there should be an advisory group for other open park areas, and there should be some amalgamation of these functions rather than having separate committees for each. Councillor Uteck replied Point Pleasant Park is unique and has been for over 150 years. It is important that it has an identifiable separate advisory committee to take care of it and not be included in a general advisory committee.

Councillor Adams inquired about the cutting of trees and if the terms of reference will give this Committee the right to question staff's decisions regarding this issue. Mayor Fitzgerald replied this will be worked out with the advisory committee.

MOTION PUT AND PASSED.

9.4.7 Contract 95-36, Robie Street Widening

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding Contract 95-36, Robie Street Widening, was before Council for consideration.

MOVED by Councillors Blumenthal and Downey that Council authorize an increase in gross funding for Contract 95-36, Robie Street Widening, from \$892,800.00 to \$957,000.00 and the net funding from \$446,400.00 to \$500,000.00; further, that Council authorize the transfer of funding in the amount of \$64,200.00 gross and \$53,600.00 net from Capital Account Number 87503, Robie Street Land Acquisition, to Capital Account Number 97905, Robie Street Widening. MOTION PUT AND PASSED UNANIMOUSLY.

9.4.8 Parcel MA-1, Mountain Avenue for Street Purposes

- A staff report prepared for George McLellan, Commissioner of Regional Operations, recommending the acquisition of Parcel MA-1, was before Council for consideration.

MOVED by Deputy Mayor Greenough and Councillor Sarto that Council approve the acquisition of Parcel MA-1 from Barry Ducolon for \$4,160 plus applicable taxes and adjustments as settlement in full. MOTION PUT AND PASSED UNANIMOUSLY.

9.4.9 Land Exchange at Ostrea Lake

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding a land exchange at Ostrea Lake, was before Council for consideration.

MOVED by Councillors Dooks and Hendsbee that Council approve a land exchange between Mr. Roger and Mrs. Marlene Chapates and Halifax Regional Municipality for lands at Ostrea Lake, under which Mr. & Mrs. Chapates will receive Parcel C, measuring approximately 4933 square feet from Halifax Regional Municipality, and the municipality will receive Parcel A, measuring approximately 3394 square feet from the Chapates, as shown in the sketch attached to the staff report. MOTION PUT AND PASSED UNANIMOUSLY.

9.4.10 “Kindred Spirits” Sculpture - Alderney Gate

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding the donation of the “Kindred Spirits” Sculpture at

Alderney Gate, was before Council for consideration.

MOVED by Councillors Cunningham and Blumenthal that Council accept the donation of the Sculpture “Kindred Spirits” from the present owner, Mr. Michael Zatzman, on the understanding that the transfer will be conducted entirely at the present owner’s expense, and is subject to the conditions set out in the attachment to the staff report.

Councillor Cunningham noted this sculpture has become a landmark in downtown Dartmouth and suggested Council accept the gift and offer a vote of gratitude to Mr. Zatzman for this community minded gesture.

Mayor Fitzgerald expressed concern with the financial responsibility of maintaining donations and requested that staff look at a policy for accepting donations in the future. Councillor Harvey expressed concern with expecting people to be responsible for the maintenance of their donations. Deputy Mayor Greenough noted there are minimal costs involved with the maintenance of this particular donation. Councillor Epstein noted donations to a level of government provide a tax credit to the donor.

Councillor Hetherington requested a report listing items that have been donated and artifacts throughout HRM.

Mayor Fitzgerald thanked Mr. Zatzman for his donation to which Council responded with a round of applause.

MOTION PUT AND PASSED UNANIMOUSLY.

9.4.11 Tender 97-005 - Three (3) low floor wheelchair/ambulatory buses

- A staff report prepared for George McLellan, Commissioner of Regional Operations, recommending the award of Tender 97-005, was before Council for consideration.

MOVED by Councillors Blumenthal and Epstein that Council authorize the award of Tender 97-005 for the three (3) low floor wheelchair/ambulatory buses to the lowest bidder, New Flyer Industries Ltd. MOTION PUT AND PASSED UNANIMOUSLY.

10. PUBLIC HEARINGS - None

11. CORRESPONDENCE, PETITIONS AND DELEGATIONS

11.1 Correspondence

11.1.1 Municipal Citizenship Ceremonies - Town of Markham

- A letter from Mr. Bob Panizza, Town Clerk, Town of Markham, requesting Council's consideration of a resolution that advocates the Federal Government to empower municipalities across Canada to continue the tradition of welcoming new Canadian citizens through formal citizenship ceremonies to be held in their own communities, was before Council.

MOVED by Councillors Cunningham and Mitchell that Council support the resolution passed by the Town of Markham and that a letter be sent to the Federal Government requesting that they empower municipalities across Canada to continue the tradition of welcoming new Canadian citizens through formal citizenship ceremonies to be held in their own communities. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Presentations

Presentations were held earlier in the meeting.

11.3 Petitions

Councillor Uteck submitted a petition from residents expressing concern over the fact that the XL gas station on Inglis Street wishes to build a canopy which will allow them to build a convenience store in conjunction with their gas station.

At this point in the meeting, Councillor Hendsbee informed Council of the tax protest that will be held on April 1, 1997, at the Halifax and Dartmouth ferry terminals, and he encouraged participation.

12. MOTIONS

12.1 Councillor Kelly - Sewer Charges By-Law

- A Notice of Motion had been served by Councillor Kelly during the March 4, 1997, Council Session, to implement a Sewer Charges By-Law for the Halifax Regional Municipality

This item was dealt with under Item 9.4.5 Sewer Charges By-Law - First Reading.

12.2 Councillor Kelly - Amendment to Administrative Order Number One - Section 8(2) respecting Regional Council meeting times

- A Notice of Motion had been served by Councillor Kelly during the February

18, 1997, Council Session, to amend Administrative Order Number One - Section 8(2) respecting Regional Council meeting times.

This item was deferred during the In Camera session to the April 1, 1997, meeting.

13. ADDED ITEMS

13.1 Appointments to the Trade Centre Limited, Solid Waste Resource Advisory Committee, Halifax County Regional Rehabilitation Centre and Neptune Theatre Foundation

MOVED by Councillors Hetherington and Mitchell that Council approve the following appointments:

**Trade Centre Limited: Mayor Walter Fitzgerald, Councillors Hanson, Stone and Uteck
(Terms to expire November 1, 1997)**

Solid Waste Resource Advisory Committee: Councillor Cunningham (replacing Councillor Schofield) (Term to expire November 1, 1997)

Halifax County Regional Rehabilitation Centre: Councillor Sarto (replacing Councillor Schofield) (Term to expire November 1, 1997)

Neptune Theatre Foundation: Councillor Bob Harvey (replacing Councillor Schofield) (Term to expire November 1, 1997).

Councillor Hetherington asked that consideration be given next year for representation on the World Trade Centre to come from all regions of the municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Ratification - In Camera Decision - Tentative Settlement - Personnel Matter

- This matter was discussed during an In Camera Session held prior to the public session.

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

13.3 Ratification - In Camera Decision - Land Matter - 232 Bedford Highway

- This matter was discussed during an In Camera Session held prior to the public session.

MOVED by Councillors Stone and Walker that the recommendation adopted In Camera, be ratified by Council.

Councillor Barnet encouraged Council to vote against this motion and instruct staff to go to public tender on this particular property. Councillor Stone stated this property was for sale on a number of occasions so the opportunity was there for others to submit proposals. This was the best offer that was received. Councillor Barnet stated since amalgamation there has been no attempt, that he is aware of, to publicly sell this property.

MOTION PUT AND PASSED.

13.4 Ratification - In Camera Decision - Labour Relations - Collective Agreement - Access-a-Bus

- This matter was discussed during an In Camera Session held prior to the public session.

MOVED by Deputy Mayor Greenough and Councillor Epstein that the recommendation adopted In Camera, be ratified by Council. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Emission Standards - Councillor Uteck

Councillor Uteck stated there have been a number of problems with emissions from the Victoria General Hospital, the Nova Scotia Hospital and Tuft's Cove. He asked that staff be requested to prepare a report detailing how the Department of Environment can be approached with respect to taking control over these areas within the municipality. Council agreed with his request.

13.6 Infrastructure Program - Councillor Walker

Councillor Walker requested, for the next regular meeting, that staff bring forward the list of infrastructure projects proposed to be submitted to the Federal Government for Council's consideration and approval. Council agreed with his request.

14. NOTICES OF MOTION - None

15. ADJOURNMENT

MOVED by Councillors Mitchell and Blumenthal that the meeting adjourn at 9:50 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Jane Nauss
Acting Municipal Clerk