

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL COUNCIL MINUTES September 23, 1997

PRESENT:

Mayor Walter Fitzgerald
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
Bob Harvey
Peter Kelly
Reg Rankin
Jack Mitchell

STAFF MEMBERS:

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

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1. **INVOCATION**

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

2. **PROCLAMATION**

2.1 **Theatre Week and Canada Council Day**

Mayor Fitzgerald proclaimed September 28 - October 4, 1997 to be Theatre Week, and October 3, 1997 to be Canada Council Day.

3. **APPROVAL OF MINUTES - September 9, 1997**

MOVED by Deputy Mayor Greenough and Councillor Schofield that the minutes of September 9, 1997 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

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

- 13.1 Councillor Barnet - Resource Recovery Fund
- 13.2 Councillor Rankin - Correspondence - Minister of Environment
- 13.3 Report from Chair of Proposal Review Committee - Program & Service Review - Consulting Services Selection

Council requested the following items be added to the agenda:

- 7.1 Councillor Cunningham - Motion of Rescission - Supplementary Funding Plebiscite
- 13.4 Councillor Hetherington - Information Item #2 - Petition re: Traffic Concerns on Gaston Road/Galaxy Ave., Dartmouth
- 13.5 Councillor Blumenthal - Ferry Terminal Project

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

5. **BUSINESS ARISING OUT OF THE MINUTES**

6. **MOTIONS OF RECONSIDERATION**

6.1 Plebiscite - VLT's - Councillor Adams

- Correspondence in support of VLTs from James D. Bent, Colby Village Beverage Room; John Askew, President, Lounge and Beverage Room Association, The Royal Canadian Legion, Zone #15; Management, Dining Room and Lounge, Penhorn Mall; was circulated to Council for consideration.
- Correspondence opposing VLTs from Arthur Berry, resident; Eric Patton, Certified Addictions Specialist was circulated to Council for consideration.
- A petition signed by 121 Royal Canadian Legion members supporting VLTs was circulated to Council for consideration.
- Correspondence from Patterson Palmer Hunt Murphy, Atlantic Canada Lawyers, on behalf of the Lounge and Beverage Room Association of Nova Scotia, opposing the plebiscite, was before Council for consideration.

MOVED by Councillors Adams and Cunningham that reconsideration be given to the following motion as adopted on September 15, 1997:

MOVED by Councillors Hendsbee and Hetherington:

WHEREAS the Premier of Nova Scotia, the Honourable Russell MacLellan, has commented that he would respect and accept the will of the people about the availability and access to Video Lottery Terminals;

THEREFORE BE IT RESOLVED that the Halifax Regional Municipality conduct a plebiscite to coincide with the upcoming 1997 School Board Elections that a vote will be taken that will give the electorate of our Regional Municipality an opportunity to decide whether or not VLTs should be permitted and made accessible outside the boundaries of any First Nation Reserve or the Sheraton Casino in the Halifax Regional Municipality. MOTION PUT AND PASSED.

Councillor Adams stated the reasons for the Motion of Reconsideration are as follows:

- The main issue is jurisdiction. This is a provincial responsibility.
- There are still unanswered questions, such as how much voter turn out is required.
- The credibility of the outcome of the plebiscite needs to be considered.
- Council should deal with issues over which it has jurisdiction.

(Councillor Epstein took his place at the meeting at 6:10 p.m.)

Councillor Hendsbee requested a Recorded Vote. The vote was taken on the motion on the floor. (15 In Favour - 9 Against)

Members of Council voting **in favour** of the motion: Mayor Fitzgerald, Deputy Mayor Greenough, Councillors Dooks, McInroy, Sarto, Schofield, Cunningham, Blumenthal, Downey, Uteck, Epstein, Stone, Adams, Rankin, Mitchell

Members of Council voting **against** the motion: Councillors Snow, Hendsbee, Cooper, Hetherington, Walker, Hanson, Barnet, Harvey, Kelly

MOTION PASSED.

The original motion of September 9, 1997 was now back on the floor. The motion on the floor reads as follows:

MOVED by Councillors Hendsbee and Hetherington:

WHEREAS the Premier of Nova Scotia, the Honourable Russell MacLellan, has commented that he would respect and accept the will of the people about the availability and access to Video Lottery Terminals;

THEREFORE BE IT RESOLVED that the Halifax Regional Municipality conduct a plebiscite to coincide with the upcoming 1997 School Board Elections that a vote will be taken that will give the electorate of our Regional Municipality an opportunity to decide whether or not VLTs should be permitted and made accessible outside the boundaries of any First Nation Reserve or the Sheraton Casino in the Halifax Regional Municipality.

Councillor Hetherington noted Council has forwarded letters to the Province regarding other provincial issues such as Social Services, education, amalgamation costs and rural highway costs. The Councillor stated residents expect Councillors to take a stand on these issues. Councillor Hetherington quoted results from an Omnifacts Research survey indicating there is a seventy percent overall opposition to VLTs in Nova Scotia. Councillor Hetherington suggested one of the following two actions should take place:

- Council send a letter to all residents of HRM asking them to send a ballot through the mail indicating their position on VLTs.
- Council send a mandate to the Province stating that a plebiscite respecting VLTs be added to the ballot during the next provincial election

Councillor Blumenthal agreed with the suggestion of having this addressed through a provincial election but could not agree with a mail-in ballot.

Councillor Adams expressed concern with not achieving a true reflection of public opinion, as the School Board election turn out is not expected to be very high.

Councillors Snow, Hanson, Cooper and Hendsbee spoke in favour of the motion, making the following comments:

- The public view has to be obtained. VLTs are everyone's problem, and a plebiscite could initiate the process to have something done to address it.
- The plebiscite would show leadership on Council's part as well as give the residents a voice on this issue.
- Residents look to their representatives to be approachable on discussion of issues outside the jurisdiction of the municipality which affect their lives.
- The infrastructure is already in place for the School Board election, and this plebiscite may be an incentive for people to vote in the School Board election.
- Some costs could have been recuperated through cost sharing with the School Board.
- Other tax incentives for businesses should be explored.
- The residents have the right to vote and voice their opinions.

Deputy Mayor Greenough and Councillors Adams, Schofield, Epstein, Dooks, Mitchell, Rankin, Sarto and Stone spoke against the motion, making the following comments:

- A provincial election would have a better turnout and would give an indication of what all residents of Nova Scotia think about VLTs, and not just the residents of HRM.
- This issue should be dealt with by the provincial government. The Province should also be paying the costs for treatment of people with problems associated with the VLTs.
- Over half of the Municipality will not require a School Board election. Last week, when the motion was adopted, the cost was anticipated to be \$5,000. It is now expected to be a minimum of \$50,000. Given the change in circumstances, it is not realistic to proceed with a plebiscite.
- Several Councillors were no longer in favour of holding a plebiscite due to the expected low voter turn out, as a result of the number of acclamations in the School Board election.
- There is a certain percentage of money paid to the Province by the VLT operators, and the Province should be asked for a breakdown of where this money is being spent.
- The Province has the means to conduct surveys and should do so on this issue as it is a province-wide policy.
- Council has enough work to deal with issues under its own jurisdiction without taking on issues that are of a provincial nature.
- If VLTs are removed, it would cause a decrease in employment and tax revenue.
- Something needs to be done regarding VLTs, and a clear message has to be sent to the Province that it needs to deal with the immediate problem, which is control and regulation.
- A freeze should be put on the number of VLTs.
- Public education needs to be provided, particularly for those that have a problem.
- A question regarding VLTs could be added to the survey that is currently being developed by HRM.

Councillor Hetherington requested a Recorded Vote.

The vote was taken on the motion on the floor (9 in Favour, 15 Against).

Members of Council voting in **Favour** of the motion: Councillors Snow, Hendsbee, Cooper, Hetherington, Walker, Hanson, Barnett, Harvey and Kelly.

Members of Council voting **Against** the motion: Mayor Fitzgerald, Deputy Mayor Greenough, Councillors Dooks, McInroy, Sarto, Schofield, Cunningham, Blumenthal, Dooks, Uteck, Epstein, Stone, Adams, Rankin and Mitchell.

MOTION DEFEATED.

MOVED by Councillors Hetherington and Dooks that a letter be sent to the Province requesting that a plebiscite regarding VLTs be held in conjunction with the next Provincial election. MOTION PUT AND PASSED UNANIMOUSLY.

6.2 1998/99 Capital Budget - Allocation to Community Councils - Councillor Cunningham

- A staff report prepared for Larry Corrigan, Commissioner of Corporate Services, regarding the 1998/98 Capital Budget - Allocation to Community Councils was previously before Council at its September 15, 1997 meeting.

MOVED by Councillors Cunningham and Downey that reconsideration be given to the following motion as adopted on September 15, 1997:

MOVED by Councillors Cooper and Hendsbee that a total allocation of \$1 million be provided to the five Community Councils, in accordance with Attachment "A" included in the September 15, 1997 staff report, to support community-based projects as determined by the respective Community Councils. MOTION PUT AND PASSED.

Councillor Cunningham stated his reasons for the Motion of Reconsideration were as follows:

- This funding would turn the Community Councils into political powerhouses.
- The cost to the taxpayer will be twice as much.
- This funding should be used for necessary maintenance and to address safety issues.
- The amount of borrowing should be eased due to the amount of debt.
- The Capital Budget should be a documented list of projects prioritized by staff and approved by Council in a public forum.

- Day to day maintenance costs should not be paid with borrowed money.
- There is insufficient time to plan how the money will be spent, since the Community Councils need to make decisions before October 15.

MOTION DEFEATED.

The motion adopted on September 15, 1997, stands.

7. MOTIONS OF RESCISSION

7.1 Councillor Cunningham

The following Motion of Rescission was placed before Council:

MOVED by Councillors Cunningham and McInroy that the following motion passed at the September 15, 1997 Regional Council meeting be rescinded:

MOVED by Councillors McInroy and Cooper that the Halifax Regional Council have placed on the ballot for the October 18th Halifax Regional School Board elections the question as contained in Schedule "A" (attached to the September 15, 1997) report) regarding the levying of an additional property tax for education with an amendment to Schedule "A" replacing reference to "12 cents" being changed to "14 cents." MOTION PUT AND PASSED.

Councillor Cunningham stated many of his reasons for this Motion of Rescission are the same as the reasons for not holding the plebiscite on VLTs. The Councillor stated the turnout for the School Board election will likely be low, therefore, the results of a plebiscite would be meaningless.

Deputy Mayor Greenough and Councillors Epstein, McInroy, Blumenthal, Dooks, Mitchell and Schofield spoke in favour of the Motion of Rescission making the following comments:

- The rural Councillors will need to be prepared to address this during the next budget debate.
- Councillors need to solicit public opinion on this issue.
- Councillors could send a newsletter, including a ballot, to each resident asking their opinion on supplementary funding.
- Some residents in the urban areas may now have a different opinion on this issue.
- It is important that all residents are educated on this issue.
- There has to be a more cost effective way to get public opinion.
- Legislation will only permit supplementary funding to be reduced by ten percent per year.
- Residents need to be able to afford supplementary funding before it is implemented.

- The goal should be equal education.

Councillors Hendsbee, Harvey, Adams, Cooper and Hetherington spoke against the Motion of Rescission making the following comments:

- This is the first time residents will have an opportunity to voice their opinions.
- Concern was expressed that Council will now say it does not have a mandate from the people to go ahead with supplementary funding in the rural areas.
- If the plebiscite is not successful, hopefully other avenues will be explored such as special meetings, community councils, etc., where this issue can be placed on an agenda so the residents can come forward and give their opinions.
- Supplementary funding is an HRM issue.
- The possibility of having ballots included in the HRM newsletters should be examined.
- Council is here to make decisions, but also to listen to the residents.
- The public knows the issues and is not being given credit.
- The amount for supplementary funding should start to be reduced in Halifax and Dartmouth, but in needs to be increased in other areas of the Municipality.

MOTION PUT AND PASSED.

The adoption of the Motion of Rescission rescinds the motion of September 15, 1997.

Councillor Hanson left the meeting at 7:55 p.m.

RECESS

A fifteen minute recess was taken at 7:55 p.m. The meeting reconvened at 8:10 p.m.

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Pollution Control Charges

- This item was previously discussed at a Committee of the Whole Meeting on September 9, 1997 and a subsequent Council meeting on September 15, 1997. The issue was deferred on September 15, 1997 pending further information. A supplementary report prepared for Larry Corrigan, Commissioner of Corporate Services and George McLellan, Commissioner of Regional Operations, was before Council for consideration.

In response to a question from Councillor Epstein, Mr. Ron Singer, Finance Director, stated debt financing for the Mill Cove treatment facility factored into the recommended rate change. Previously, this would have been funded through the wastewater charges in the former Halifax County and Bedford.

Councillor Epstein stated there are still several questions outstanding. If the impact for users of the water system over a number of years can be determined, Council should be told what they will be. The Councillor noted he was given some information on questions he raised previously regarding the harbour clean-up fund. However, he noted not all Councillors have been provided this information. Councillor Epstein suggested segregation of this fund should be pursued. The Councillor also suggested specialized funds could be set up for water treatment facilities already in place.

Mayor Fitzgerald stated the process of bringing the different water rates together needs to begin.

In response to a question from Councillor Hetherington, Mr. Kulvinder Dhillon listed the water treatment related capital projects from the 1996-97 Capital Budget.

Councillor Walker stated questions raised at the September 15, 1997 Council meeting have not been answered. The Councillor also noted the information given to Councillor Epstein should be provided to all Councillors.

MOVED by Councillors Walker and Epstein that this issue be deferred pending a written report to Council.

Councillor Hendsbee expressed concern with this issue being deferred again as to the effect delays will have on the harmonization of the Pollution Control Charges.

MOTION PUT AND PASSED.

8.2 By-Law T-104 - Respecting Taxi Licensing

- By-Law T-104 Respecting Taxi Licensing had received First Reading during the September 2, 1997 Regional Council meeting. A public hearing was held on September 15, 1997, but Second Reading was deferred pending a staff report clarifying clause 4(b). A supplementary report prepared by Wayne Anstey, Municipal Solicitor, was before Council for consideration.

Councillor Kelly expressed concern that the staff report does not address the questions raised. He stated a decision has to be based on facts which Council does not have. The Councillor questioned why very definitive numbers restricting the growth in the former County and Bedford areas would be brought forward if the requested information cannot be brought forward.

MOVED by Councillors Kelly and Hetherington that this be referred to staff for a complete report. MOTION PUT AND PASSED UNANIMOUSLY.

9. REPORTS

9.1 BEDFORD WATERS ADVISORY COMMITTEE

9.1.1 Paper Mill Lake

- A report prepared by Mr. Marvin Silver, Chairman, Bedford Waters Advisory Committee, regarding Paper Mill Lake, was before Council for consideration.

Councillor Kelly expressed concern with missing information regarding this issue. He stated the developer in this area is not following contractual agreements with respect to water testing. Under clause 8.1 of the contract agreement, it states the developer shall complete a baseline analysis of Paper Mill Lake prior to any construction activity commencing, and shall continue a water sampling program during constructing until six months following completion of the entire project. This specific project is still on-going, and the developer instructed the consultants to stop water testing on November 29, 1996.

Mr. Meech noted the report before Council is from the Bedford Waters Advisory Committee, and there has not been a staff analysis of this situation.

Council agreed to refer this matter to staff for a report. Councillor Kelly submitted correspondence he had on this matter to the Clerk.

9.2 CHIEF ADMINISTRATIVE OFFICER

9.2.1 Tender 97-262 - John Savage Extension to Lot 843A

- A staff report prepared for K. S. Dhillon, Acting Commissioner of Regional Operations, regarding the award of Tender 97-262 - John Savage Extension to Lot 843A, was before Council for consideration.

In response to a question from Councillor Schofield, Mr. Tom Rath stated this project accomplishes the following things:

- Necessary street improvements for the adjacent lot.
- Opens up future land further down the street for development.
- It services the lot that is the subject of the tender award.

Councillor Stone requested a staff report regarding the Sale of Land account, including information on how much is in the account and the breakdown for the different business parks.

MOVED by Councillor Sarto and Deputy Mayor Greenough that Council award Tender No. 97-262, John Savage Extension to Lot 843A to Ocean Contractors Limited, for materials and services listed at the unit prices quoted, for a Total Tender Price of \$74,640.75 and a Total Project Cost of \$85,837.00 with funding

from the Business Parks' Sale of Land Account as noted in the staff report.
MOTION PUT AND PASSED UNANIMOUSLY.

9.2.2 Tender 97-258 - Trunk No. 3 Highway, Left Turn Lane

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding the award of Tender 97-258, Trunk No. 3 Highway, Left Turn Lane, was before Council for consideration.

MOVED by Councillors Rankin and Mitchell that Council award Tender 97-258, Trunk No. 3 Highway, Left Turn Lane to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$157,241.80 and a Total Project Cost of \$180,828.07 with funding authorized from the Capital Account Numbers noted in the Budget Implication Section of the staff report. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.3 Tender No. 97-238, Sewer Renewal, Argyle Street and Gorsebrook Avenue, Halifax

- A staff report prepared for George McLellan, Commissioner of Regional Operations, regarding the award of Tender 97-238, Sewer Renewal, Argyle Street and Gorsebrook Avenue, Halifax, was before Council for consideration.

MOVED by Councillors Uteck and Downey that Council award Tender No. 97-238, Sewer Renewal, Argyle Street and Gorsebrook Avenue to Insituform Technologies Limited for materials and services listed at the unit price quoted for a Total Tender Price of \$227,594.20 and a Total Project Cost of \$261,733.00 with funding authorized as per the budget section in the staff report.

In response to a question from Councillor Kelly, Mr. Dhillon explained the variance in bidder prices is due to different methods of upgrading pipe.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.4 Street Closure and Sale, Lands Abutting Lot C-4, Dartmouth Road, Bedford

- A staff report prepared for Larry Corrigan, Commissioner of Corporate Services, regarding Street Closure and Sale, Lands Abutting Lot C-4, Dartmouth Road, Bedford, was before Council for consideration.

MOVED by Councillors Kelly and Schofield that Halifax Regional Council authorize staff to set a date for a public hearing for consideration of Halifax Regional Administrative Order Number SC5, concerning the closure of a portion of the Dartmouth Road right-of-way, shown as "subject lands" on the sketch

attached to the staff report; further, that, subject to the approval of Administrative Order SC5, Halifax Regional Council approve the sale of lands identified as “subject lands” as shown on the sketch attached to the staff report, for \$2,100.00, as settlement in full, plus any additional taxes and adjustments that may be applicable. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.2.5 Renewal of Maintenance Agreement with Motorola Canada Ltd. For Mobile Data Terminal Equipment

- A staff report prepared for Vincent J. MacDonald, Commissioner of Police Services, regarding the renewal of Maintenance Agreement with Motorola Canada Ltd. for Mobile Data Terminal Equipment, was before Council for consideration.

MOVED by Councillors Sarto and Mitchell that Council authorize the renewal of the maintenance agreement with Motorola Canada which ended March 31, 1997. The cost of the comprehensive maintenance agreement is \$52,696.12 plus H.S.T. for a one (1) year period commencing April 1, 1997 and ending on March 31, 1998. The maintenance agreement allows for annual increases of four percent or the Statscan “all items index” percentage, whichever is lower.

In response to a question from Councillor Kelly, Mr. Joseph Filek, RAPID Manager, stated this contract will be back dated to April 1997. Responding to a question from Councillor Hetherington, Mr. Filek stated this equipment is not related to the 911 system. There is an on-going project to integrate all technological communication equipment, and that is why this is only a one year contract. Mr. Meech added a specification is being developed for an RFP to integrate the equipment. Councillor Hetherington stated he would pursue this further with Mr. Meech at a later time.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.6 Regional Library Board - Funding of Workplace Adjustment Program

- A staff report prepared for Larry Corrigan, Commissioner of Corporate Services, regarding the funding of Workforce Adjustment Program for the Regional Library Board, was before Council for consideration.
- Circulated to Council were copies of a letter from Mayor Fitzgerald, regarding Halifax Regional Library Board funding, to the Minister of Education and Culture, as well as copies of the Minister’s response.

Mr. Meech stated employees of the Regional Library are not HRM employees. The amount placed in the budget for the workplace adjustment program was for HRM employees. The costs for this program are now known to be greater than \$500,000.

The exception is money will be saved in reduced operating costs. To include the Library Board in this program would increase the deficit.

Councillor Kelly inquired what is the current projected cost for the workplace adjustment program. Commissioner Corrigan replied a preliminary estimate was done through Human Resources and it is about \$1 million. Detailed information on costs on the other side of the equation have been requested and more information will be forthcoming.

MOVED by Councillors Kelly and Cunningham that Council request that the Library Board be worked into the workplace adjustment program.

Councillor Barnet spoke against the motion for the reasons indicated in the staff report and the precedent it would set for similar boards.

As Ms. Judith Hare, CEO, Halifax Regional Library, was present, Council agreed to hear from her.

Ms. Hare stated the issue she was trying bring forward was assurance that when the wage controls come off that the Library Board is included in strategies to combat the wage increases. If the Library Board is not included, its budget will need to be increased.

Based on this information, and with Council's agreement, **Councillor Kelly withdrew his motion.**

Another motion was put on the floor.

**MOVED by Deputy Mayor Greenough and Councillor Blumenthal that this matter be referred to staff for a report on whether or not the Library Board will be treated like other HRM departments in the future with respect to salary adjustments.
MOTION PUT AND PASSED UNANIMOUSLY.**

10. **PUBLIC HEARINGS**

11. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

12. **MOTIONS**

12.1 **Third Reading By-Law T-102 Respecting Taxi Licensing**
Third Reading By-Law T-103 Respecting Taxi Licensing

- By-Laws T-102 and T-103 received Second Reading on September 15, 1997. Amendments approved at that meeting were made to By-Law T-102 and the revised By-Law was now before Council. Both By-Laws were now before Council for Third Reading.

MOVED by Councillors Adams and Hetherington that By-Law T-102, Respecting Taxi Licensing, receive Third Reading. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Adams and Cooper that By-Law T-103, Respecting Taxi Licensing, receive Third Reading. MOTION PUT AND PASSED UNANIMOUSLY.

13. ADDED ITEMS

13.1 Resource Recovery Fund - Councillor Barnet

- A memo from Councillor Barnet, requesting that the above item be added to the agenda, was before Council for consideration.

Councillor Barnet stated he was provided with a copy of the 1997 Resource Recovery Fund's annual report. Of the \$.10 deposit on bottles/cans, last year municipalities shared \$2.25 Million and contributed \$14 Million. This year, municipalities will contribute some \$20 Million and only share \$1.5 Million. The report shows 36 percent of non-mandated funding is for administration costs. Councillor Barnet requested that Council ask the Resource Recovery Fund why it is such a large cost to administer this fund. Also, where does the sale of recyclable materials fall into budget? Where does the \$.10 deposit go that is paid on cans that inadvertently end up in the landfill. The Councillor suggested the Resource Recovery Fund should be invited to come to Council and answer these questions. Also, that the Minister of the Environment and the Department of Finance be requested to do a comprehensive financial audit on this fund.

Councillor Barnet suggested HRM should be getting \$5-6 Million dollars to offset the large costs for its waste strategy.

MOVED by Councillors Barnet and Hetherington that a letter be sent to the Province requesting that the questions raised regarding the resource recovery fund be answered.

It was agreed once the response has been received and reviewed, Council will decided how to proceed with this issue.

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Correspondence - Minister of Environment - Councillor Rankin

- A memo from Councillor Rankin, requesting that the above item be added to the agenda, was before Council for consideration.

- The following correspondence was circulated to Council: a letter from Council to the Minister of the Environment, dated September 5, 1997, regarding New Era Farms Permit Application for Operation of Windrow Compost Facility; a letter from the Chief Administrative Officer to the Minister of Environment, dated September 16, 1997, a response letter from the Minister of the Environment dated September 22, 1997; information from New Era Farms.

CONFLICT OF INTEREST

Councillor McInroy declared a Conflict of Interest on this issues as his brother is legal counsel for one of the proponents.

Councillor Rankin reviewed the letter received by the Minister of Environment. The Councillor stated Council needs to move forward on this issue, and the Minister is not providing HRM with any movement with this letter. This project cannot move forward unless a decision is received from the Province.

Councillor Rankin stated if facilities and a process are not confirmed by the Province, HRM will be compelled to deal with decision on or before February of next year whether or not to extend Cumberland at a cost of \$3-\$5 Million.

Councillor Rankin requested Council's support in appealing to the Premier to become involved in this matter.

MOVED by Councillors Rankin and Epstein that a letter be sent to the Premier requesting him to become involved in this issue, and to provide a definite answer so HRM can move forward on this project; further, to request grandfathering of the application to provide clarity. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Report from Chair of Proposal Review Committee - Program & Service Review - Consulting Services Selection

- A report prepared by Deputy Mayor Jack Greenough, Chair, Proposal Review Committee, regarding the Program and Service Review - Consulting Services Selection, was before Council for consideration.

MOVED by Deputy Mayor Greenough and Councillor Schofield that Coopers & Lybrand Consulting be retained to support the Program and Services Review. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor McInroy resumed his place at the meeting.

13.4 Information Item #2 - Petition re: Traffic Concerns on Gaston Road/Galaxy Avenue, Dartmouth

Councillor Hetherington requested that he be provided with information on what would be the cost of the flashing light.

13.5 Ferry Terminal Project

- This issue was discussed during the In Camera Session held prior to the Regular meeting.

Councillor Blumenthal requested that Council reconsider this project at next week's meeting, and at that time, allow Perks the opportunity to make a presentation to Council. The Councillor also requested the minutes from the June meeting when this was decided. He suggested, in future, Council should have much more detailed reports when it comes to something dealing with tenants. Councillor Blumenthal stated Council dealt poorly with this matter, and is not being fair to small businesses.

Mayor Fitzgerald agreed to the request for a full report on the matter. Deputy Mayor Greenough clarified the request is just for a report and not for any presentations. Mayor Fitzgerald suggested Council agree to request a full report from staff on the situation. Once the report is received, Council can make a decision on how it wants to proceed.

MOVED by Councillors Blumenthal and Downey that staff be requested to prepare a full report on this issue. MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor Kelly

TAKE NOTICE that at the regular meeting of the Halifax Regional Council to be held on October 7, 1997, I intend to introduce a motion to amend Halifax County Municipality By-Law 41, by adding to Clause 3 sub (H) the following:

The engineer shall not issue a permit to any applicant, until the applicant receives, and provides proof to HRM, the following:

- (i) Department of Environment approval
- (ii) Planning Department approval to ensure that the application is in compliance with local M.P.S. policies.
- (iii) Completion of pre-blast survey of Homes and Properties within 500 feet of the property line in which the blasting will take place.

14.2 Councillor Kelly

TAKE NOTICE that at the regular meeting of the Halifax Regional Council to be held on October 7, 1997, I intend to introduce a motion to amend Halifax County Municipality By-Law 42, by adding to Clause 7 sub (3) the following:

The engineer shall not issue a permit to any applicant until the applicant receives, and provides proof to HRM, the following:

- (i) Department of Environment approval
- (ii) Planning Department approval to ensure that the application is in compliance with local M.P.S. policies.
- (iii) Completion of pre-blast survey of Homes and Properties within 500 feet of the property line in which the blasting will take place.

14.3 Councillor Uteck

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on September 30, 1997, I intend to introduce a motion to request a staff report from the Chief Administrative Officer's Office; further, that a staff report be required for any expenditure of funds by Council. This would include any funds recommended for expenditure by Community Councils.

14.4 Deputy Mayor Greenough

TAKE NOTICE that at the October 7, 1997 meeting of the Halifax Regional Council, I intend to introduce a motion to give First Reading to Amend By-Law P-408 "City of Dartmouth Employees' Retirement Pension Plan." The purpose of this amendment is to amend the effective date that certain "Plan B Members" can elect optional Early Retirement when the member attains a minimum age of 50 and the member's age plus continuous service equals or exceeds 80.

14.5 Councillor Schofield

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on September 30, 1997, I intend to introduce a motion expressing concern to the Department of Public Works (Canada) that the occupancy of the DND land on Cannon Crescent, Dartmouth, continues and now exceeds 400 days; further, to request that the matter be resolved without delay and/or that Council be informed of the status in response to this ongoing situation.

15. ADJOURNMENT

MOVED by Councillors Blumenthal and Hetherington that the meeting adjourn at 9:25 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk