

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 22, 1998

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Reg Rankin
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Jerry Blumenthal
Graham L. Downey
Larry Uteck
Sheila Fougere
Russell Walker
Bill Stone
Ron Hanson
Stephen D. Adams
Barry Barnet
Bob Harvey
Jack Mitchell

REGRETS:

Councillor Peter Kelly

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. The Mayor noted Regrets for this meeting were received from Councillor Kelly as he is attending a community meeting regarding the proposed correctional/forensic unit in Bedford.

2. **PROCLAMATIONS**

2.1 **Alzheimer Coffee Break™ Day**

Mayor Fitzgerald proclaimed September 24, 1998 as Alzheimer Coffee Break™ Day.

2.2 **Alexander Keith Week**

Mayor Fitzgerald proclaimed October 1-7, 1998 as Alexander Keith Week.

3. **APPROVAL OF MINUTES - September 15, 1998**

MOVED by Councillors Hetherington and Blumenthal that the minutes of September 15, 1998 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were requested to be added to the agenda.

- 12.1 Legal Matter - Armoyan Group Ltd. v. City of Dartmouth - Litigation
- 12.2 Land Matter - 2510 Barrington Street
- 12.3 Councillor Schofield - Central Library

Councillor Cunningham requested the following item be deferred for two weeks:

- 10.2.3 Tender 98-253, Hyland Road, Sewer Renewal and New Paving

MOVED by Councillors Blumenthal and Hetherington 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 - None

7. MOTIONS OF RESCISSION - None

8. CONSIDERATION OF DEFERRED BUSINESS - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions

9.1.1 Councillor McInroy

Councillor McInroy submitted a petition from citizens requesting that a sidewalk be constructed on Cow Bay Road, between Caldwell Road and Samuel Daniel Drive, for the 1999-2000 school year.

9.2 Delegations

Councillor Adams noted a delegation from Halifax Civic Workers Union Local 108 was present, and suggested they should be advised of Council's decision with respect to their request to make a presentation to Council this evening. Mr. Ken Meech, Chief Administrative Officer replied that it was his advice and position that, given the state of negotiations, that a presentation was not appropriate at this time. HRM is currently involved in negotiations with Local 108, and Mr. Meech advised that is where discussions should continue to take place.

Several Councillors made comments with respect to the decision, and the following motion was put on the floor:

MOVED by Councillors Greenough and Blumenthal that the comments made regarding the decision not to permit Halifax Civic Workers Union Local 108 to address Council be stricken from the record, as there was no motion on the floor. MOTION PUT AND PASSED.

For the record, Councillor Hendsbee requested that it be recorded that he voted against the motion to strike the comments.

10. REPORTS

10.1 MEMBER OF COUNCIL

10.1.1 Councillor Blumenthal - Garbage: Health Impact Study

Councillor Blumenthal stated he has been receiving numerous phone calls from residents regarding the bi-weekly garbage pick up. The Councillor expressed concern with the possible spread of disease by rats and racoons as a result of this change in service. The Councillor further noted that residents are expressing concerns regarding their health and the impact of having medical waste bags, diapers, etc., being collected bi-weekly. Councillor Blumenthal requested a staff study to provide some suggestions to residents with respect to the concerns expressed.

Deputy Mayor Rankin noted this issue has not been raised with the Solid Waste Resource Advisory Committee, and he urged Council to bring such concerns forward to this Committee and senior Waste Resource staff.

Councillor Blumenthal inquired about the status of a report he had requested from the Solid Waste Resource Advisory Committee regarding garbage collection for non-profit organizations. Deputy Mayor Rankin advised that staff is currently working on this report and it will be before the Solid Waste Resource Advisory Committee in the near future.

Councillor Barnet reported he received a number of calls today from constituents regarding HRM's solid waste strategy, requesting that Council give the new solid waste system a chance to work. One suggestion given to the Councillor by a resident was that optional blue boxes should be examined, and Councillor Barnet urged staff to consider this in the future, if possible. Councillor Barnet noted of the 490 homes in the Middle Sackville area that received composting bins over a year ago, only one constituent has contacted him and the concern was satisfactorily addressed.

MOVED by Councillors Blumenthal and Schofield that a staff report be requested regarding this matter. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Tender #98-271, Traffic Signal Installation - Bell Road, Summer Street and Trollope Street

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Downey and Uteck that Council award Tender 98-271, Traffic Signal Installation - Bell Road, Summer Street and Trollope Street to Silco

Contracting Limited for materials and services specified at the unit prices quoted for a Total Tender Price of \$123,717.00 and a Total Project Cost of \$142,275.00 with funding from the Capital Account Number noted in the Budget Implications section of the staff report dated September 9, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.2 Award of Tender No. 98-255, Princess Margaret Boulevard Watermain and Paving Renewal

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Schofield and Hetherington that Council award Tender No. 98-255, Princess Margaret Boulevard Watermain and Paving Renewal to J. R. Eisener Contracting Limited for the materials and services specified at the unit prices quoted for a Total Tender Price of \$179,474.22 and a Total Project Cost of \$206,395.00, with funding as noted in the Budget Implications section of the staff report dated September 9, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Award of Tender No. 98-253 - Hyland Road, Sewer Renewal and New Paving

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

During the Approval of the Order of Business, this item was deferred to October 6, 1998.

10.2.4 Award of Tender No. 98-258 - Brook Street Area Storm Sewer

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Hanson and Stone that Council award Tender No. 98-258, Brook Street Area Storm Sewer, Halifax to W. Eric Whebby Limited for materials and services specified at the unit prices quoted for a Tender price of \$161,115.00 and a Total Project Cost of \$185,283.00, with funding provided as outlined in the Budget Implications section of the staff report dated September 15, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5 Award of Tender No. 98-275 Mainland Commons, Temporary Access Road

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Stone and Walker that Council award Tender No. 98-275 Mainland Commons, Temporary Access Road to Tidewater Construction Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$49,622.50 and a Total Project Cost of \$57,066.00 with funding authorized from the Capital Account Number noted in the Budget Implications section of the staff report dated September 14, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.6 Tender No. 98-187, Sir Sandford Fleming Park Memorial Tower Restoration

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was circulated to Council for its consideration.

MOVED by Councillors Sarto and Hanson that Tender 98-187 Sir Sandford Fleming Park Memorial Tower Restoration - Phase One be awarded to Coastal Restoration for the total lump sum price of \$117,668.00 pending approval of the Heritage Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7 Bayers Road/Halifax Shopping Centre Intersection Improvements

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was circulated to Council for its consideration.

With the use of overheads, Mr. David McCusker, Manager, Traffic and Transportation Services, presented the staff report. In his presentation, Mr. McCusker made the following points:

- The project is completely funded by the private sector.
- The capacity of the intersection will be increased while working within the existing curb lines, and, therefore, widening of the street will not be necessary.

Features of the proposal from the Halifax Shopping Centre were as follows:

1. Extension of the left turn storage lane to more safely and effectively manage eastbound Bayers Road traffic.
2. Removal of the right turn "bypass lane" from Connaught Avenue to Bayers Road.
3. Double left turning lanes into the shopping centre and double exiting lanes for both left and right turns.

In response to a question from Councillor Fougere, Mr. McCusker stated there will be no interference with the lands of Saint Philip's Church as a result of this plan, as there will be no moving of the curb in front of the church property.

Councillor Blumenthal expressed approval of this project as it will help prevent shortcutting on Roslyn Road and Edgewood, which he stated will be appreciated by the residents.

Responding to a question from Councillor Hetherington, Mr. McCusker stated there will be two right turning lanes from Connaught to Bayers Road, which will be signalized. With respect to identification signage, Mr. McCusker stated this will be an important part of the continuing negotiations with the Halifax Shopping Centre.

Responding to a question from Councillor Cunningham, Mr. McCusker advised there is a study underway involving new ramps coming off the Bicentennial Highway directly onto Joseph Howe Drive.

In response to concerns expressed by Councillor Walker regarding pedestrians in the crosswalk, Mr. McCusker stated traffic signalization changes will be examined as part of the layout of the project, and left turns from Bayers Road will no longer be permitted when the walk light is on for pedestrians.

MOVED by Councillors Hetherington and Blumenthal that Council approve the Bayers Road/Halifax Shopping Centre intersection improvements proposed to be undertaken by the Halifax Shopping Centre. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8 Blasting By-Law B-300

- A supplementary staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

- Correspondence from the Nova Scotia Road Builders Association and the Construction Association of Nova Scotia regarding the Blasting By-Law was before Council for consideration.

MOVED by Councillors Hendsbee and Schofield that Council:

- 1. Adjourn the July 14, 1998 Public Hearing on Blasting By-Law B-300.**
- 2. Approve Blasting By-Law as attached to the staff report dated September 17, 1998, for Second Reading and advertisement for Public Hearing on October 13, 1998.**

Responding to a question from Councillor Dooks, Mr. Phil Francis, Policy and Planning Engineer, stated a provision has been added to the By-Law stating no permit is required for underground mines.

Mr. Francis noted a typographical error in Section 18 of the By-Law. The words "by the applicant" should be replaced with "by the Inspector."

Councillor Hetherington inquired what, if any, would be the ramifications of deferring a decision on this matter for a few more weeks to allow for more input from the Nova Scotia Road Builders Association and the Construction Association of Nova Scotia. Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, replied the Public Hearing will provide this opportunity.

Responding to a question from Councillor Walker regarding dust control, Mr. Francis replied the By-Law contains dust control requirements during blasting. Mr. Dhillon added it is the intention that this will apply to the entire process.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 Appointment of Committees

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Greenough and Schofield that Administrative Order Number One be amended by repealing the present Section 63 and substituting therefore the following:

- 63 Appointments to a Committee shall proceed as follows:**
 - a) a member of the Membership Selection Committee shall move the slate of members recommended by the Committee and the motion shall be seconded by another member of the Committee;**
 - b) the presiding officer shall then call for further nominations;**

- c) an additional name may be placed in nomination by motion, duly seconded;
- d) where more than the number required for the committee stand for election, a vote shall be taken for the entire slate nominated for that committee;
- e) voting shall be by secret ballot;
- f) where two or more nominees have an equal number of votes for an appointment, a special vote shall be taken to decide which one or more of such nominees shall be appointed;
- g) where no additional names are placed in nomination for any committees, Council shall vote on the nominations for the remaining committees and the usual rules of procedure respecting motions shall apply thereto.

Responding to a question from Councillor Barnet, Mr. Anstey replied the voting on appointments would be by a majority of Council.

Councillor Hetherington stated a nomination is not normally required to be seconded, and suggested that this phrase be removed from Section 63(c).

MOVED by Councillors Hetherington and Cunningham that Section 63(c) be amended by deleting the words "duly seconded". MOTION PUT AND PASSED.

The vote was then taken on the main motion, as amended, which read as follows:

MOVED by Councillors Greenough and Schofield that Administrative Order Number One be amended by repealing the present Section 63 and substituting therefore the following:

- 63 Appointments to a Committee shall proceed as follows:**
- a) a member of the Membership Selection Committee shall move the slate of members recommended by the Committee and the motion shall be seconded by another member of the Committee;
 - b) the presiding officer shall then call for further nominations;
 - c) an additional name may be placed in nomination by motion;
 - d) where more than the number required for the committee stand for election, a vote shall be taken for the entire slate nominated for that committee;
 - e) voting shall be by secret ballot;

- f) **where two or more nominees have an equal number of votes for an appointment, a special vote shall be taken to decide which one or more of such nominees shall be appointed;**
- g) **where no additional names are placed in nomination for any committees, Council shall vote on the nominations for the remaining committees and the usual rules of procedure respecting motions shall apply thereto.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.10 Waste/Resource Management Collection System

- A Waste/Resource Management Collection System presentation was made to Council, copies of which were circulated.

Mr. Jim Bauld, Operations Coordinator, Waste Resources, and Mr. Brian Smith, Director, Business Operations, Regional Operations, made a presentation to Council regarding the Waste/Resource Management Collection System.

Responding to concerns expressed by Councillor Hetherington, Mr. Bauld stated there was a household hazardous waste mobile depot day last year which was well attended, but cost in excess of \$25,000 for the six hour event. Mr. Bauld stated that budgetary restrictions may prevent holding another such similar event this year. He further stated the permanent depot costs about \$370,000 per year to operate.

In response to concerns expressed by Councillor Mitchell with respect to the delivery of the composting carts and two carts being dropped off at one civic address, Mr. Bauld suggested the resident should call Waste Resources or the 490-1998 number and the problem would be addressed. Councillor Mitchell inquired if a resident does not have the need for a cart, does it have to be accepted. Mr. Bauld replied staff is encouraging all members of the public to accept and utilize the carts to ensure as little organic material goes to the front end processing facility as possible.

Responding to a question from Councillor Mitchell regarding the costs related to the use of garbage bags versus the composting carts, Mr. Bauld stated it has been determined that within five years an average household will spend the equivalent of the value of one organic composting cart and mini-bin. The composting carts are warranted for ten years. Also, if bags were used, there would be over 100,000 garbage bags per week going to the landfill.

Councillor Stone stated education is important to make this process work. The Councillor inquired about compostable paper bags that can apparently be used in the carts and whether or not staff has an opinion on these bags. Mr. Bauld replied staff does not recommend using these bags in the composting cart as they would hinder the aeration feature of the cart. However, he suggested a small paper bag can be used in the mini-bin.

In response to a question from Councillor Stone regarding follow up with instances where garbage is left on the street, Mr. Bauld replied there is a follow up process and suggested if the Councillor could provide the addresses of the properties in question, staff will follow up on this matter.

Responding to a question from Councillor Greenough regarding cost savings with respect to organic composting, Mr. Bauld stated the tipping fee for the new landfill will approximate \$100 per tonne, and the cost at the composting facility will approximate \$70 per tonne. In addition, the revenue obtained on the sale of the compost product will be split between Miller Composting and HRM.

(Mayor Fitzgerald left the meeting at 7:15 p.m. and Deputy Mayor Rankin assumed the Chair.)

Councillor Barnet expressed appreciation to staff for the hard work put into the waste management strategy while keeping within the original time frame. Throughout the discussion, several other Councillors also thanked staff. Deputy Mayor Rankin expressed thanks to the Citizens Stakeholder Committee who devised the strategy.

(Councillor Uteck left the meeting at 7:20 p.m.)

With regards to the rejection stickers placed on the blue bags, Councillor Barnet suggested the definition of boxboard and cardboard, as well as the disposal process for paint, should be more clearly defined for the residents.

Councillor Snow inquired about the proper method of disposal of small dead animals, such as rodents and birds. Mr. Bauld replied he would have to check into this matter. With respect to large bulky items, Mr. Bauld replied the limit is one item per collection.

Councillor Cooper expressed concern with the lack of a household hazardous waste disposal site on the eastern side of the harbour. Mr. Bauld stated the capital cost for the permanent depot is in excess of \$120,000 which does not include the land, and there is no funding for a separate facility on the eastern side of the harbour. Councillor

Cooper stated he will raise this issue further with the Solid Waste Resource Advisory Committee.

Responding to concerns raised by Councillor Cooper with respect to the disposal of pharmaceutical products and drugs, Mr. Bauld replied staff is encouraging residents to return these products to their local pharmacy when possible.

Deputy Mayor Rankin suggested paint should be permitted to be diverted to the landfill as most paints are non-toxic. The Deputy Mayor noted one-third of the trips to the depot involve paint disposal. Mr. Bauld added staff always encourages residents to try to find an alternative use for leftover paint.

In response to questions from Councillor Blumenthal, Mr. Bauld stated for residents that physically cannot use the cart or the property is such that a cart cannot be utilized the bi-weekly collection still applies. The alternative of a biodegradable paper bag for organic waste is being examined by staff as a possible solution. With regards to the money being lost in recyclables by scavenging, Mr. Bauld stated when incidents such as this are reported they are forwarded to Police Services for follow up. This issue will also be addressed in the new by-law which should be before Council in late October.

Councillor Hendsbee also spoke in favour of the need for better household hazardous waste collection methodologies. The Councillor suggested discussions should be held with the Province regarding partnerships in having designated pilot enviro-depots across Metro. The Councillor also suggested the Oakmount and Turner Drive depots could be designated to accommodate hazardous waste drop off, which can then be transported to the Chain Lake site by HRM staff.

With respect to organic cart collections on private roads, Mr. Bauld advised collections will be made on private roads where the road is passable.

Councillor Hendsbee suggested the Municipality should consider providing a small container for the disposal of fuel and motor oils at residences, which is done in other municipalities.

Responding to a question from Councillor Sarto, Mr. Bauld stated the Halifax Regional Municipality Organics Green Cart Tips for Proper Usage document will be included in the October Wasteless Exchange newsletter.

In response to questions from Councillor Dooks, Mr. Bauld stated the delivery of carts to District 1 should commence in early November. Staff recognizes that, for a variety

of reasons, not everyone will be receptive to the carts, but it is in the best interest of the Municipality to place as many carts as possible.

Responding to a question from Councillor Schofield, Mr. Bauld stated the Dartmouth Transfer Station stopped receiving commercial waste in June, and is currently just a drop off depot for residential waste. Due to budget constraints, staff is examining the usage of this facility, and a report outlining the ramifications of continuing this service will be forthcoming to Council.

(Mayor Fitzgerald resumed the Chair at 7:50 p.m.)

10.2.11 Traffic Signal Control Review Study

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Cooper and Greenough that Council:

- 1. Accept the Traffic Signal Control Review Study prepared by Delcan, and**
- 2. Approve the implementation of the Year One Program at a cost of \$227,700.00. Funds are available as per the Budget Implications section of the staff report dated September 9, 1998.**

Responding to a question from Councillor Cooper, Mr. McCusker stated the traffic control systems can be controlled manually through the central system and fixed signal timing can be put on if the system experiences problems. However, there is the possibility that the signals will flash and there will be no control, as the level of control is uncertain at that point. Councillor Cooper suggested staff should look at the possibility of having the signal control systems going on their own cycles for a period of time while the central system is being repaired.

Councillor Cooper inquired about the delay with the Forest Hills/Auburn intersection, to which Mr. McCusker replied that every effort will be made to put this project as a number one priority next year.

Responding to a question from Councillor Fougere regarding the possible need for upgrading in the future, Mr. McCusker replied it is expected the system will require upgrading, but this will be a separate phase of the program. Councillor Fougere inquired about Y2K compatibility, to which Mr. Dhillon replied a consultant was hired to perform preliminary testing and it is assumed the system will be Y2K compliant.

Councillor McInroy inquired about the Quigley's Corner signalization to which Mr. McCusker replied the design drawings are complete, and it is his understanding that it is ready to go to tender as soon as possible next year.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Legal Matter - Armoyan Group Ltd. v. City of Dartmouth - Litigation

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

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

12.2 Land Matter - 2510 Barrington Street

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

MOVED by Councillors Downey and Mitchell that the recommendation adopted In Camera be ratified by Council.

Mr. Meech noted it was the advice of the Municipal Solicitor that the Municipality is not in a legal position to purchase this property as it is not intended for any municipal purpose.

MOTION PUT AND PASSED.

12.3 Councillor Schofield - Central Library

Councillor Schofield inquired about reports that the new Central Library project has been put on hold. As there was some confusion as to what the conditions of this project were with regards to the site location, provincial funding, and private sector funding, it was agreed, to clarify any misconceptions, that Council would be provided with the original motion when this project was approved.

13. NOTICES OF MOTION

13.1 Councillor Blumenthal

TAKE NOTICE that at the next regular Council meeting to be held on September 28, 1998, I intend to move the following motion:

WHEREAS there is a large area of vacant, underdeveloped land in the vicinity of Gladstone Street; and,

WHEREAS this land is adjacent to both the medium density neighbourhood at Windsor Terrace/Pacific Street and Seaforth Street, and the minor commercial area centered on North and Windsor Streets:

I MOVE that a plan amendment process be initiated to consider the redesignation and rezoning of the area generally bounded by Almon Street, Clifton Street, North Street and Gladstone Street. The purpose of these amendments is to promote the future development of this area for residential purposes, and for limited minor commercial uses so that the redevelopment of this area is compatible with existing neighbourhood, and to reduce the concentration of major commercial and industrial development in this area.

14. ADJOURNMENT

MOVED by Councillors Hetherington and Greenough that the meeting adjourn at 8:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk