

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES November 17, 1998

PRESENT:

Mayor Walter Fitzgerald
Deputy Mayor Larry Uteck
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
Sheila Fougere
Russell Walker
Bill Stone
Stephen D. Adams
Barry Barnet
Bob Harvey
Peter Kelly
Reg Rankin

ABSENT WITH REGRETS:

Councillors Ron Hanson
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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At 6:00 p.m., the time when Regional Council was scheduled to meet in Regular Session, Mayor Fitzgerald, due to overcrowding in the Council Chamber, referenced Halifax Regional Fire Regulations (By-Law F-100), which limits to 117 the number of occupants permitted in the Council Chamber. Among those in attendance were large numbers of Local 108 membership. A ten minute recess was called to provide an opportunity for a number of occupants to locate to Halifax Hall in order to comply with the stated by-law requirements. After an hour and twenty minute delay in proceedings, members of Local 108 left the Chamber and the Council meeting commenced.

1. INVOCATION

Mayor Fitzgerald called the meeting to order at 7:20 p.m. with the Invocation.

2. PROCLAMATIONS

2.1 Atlantic Bowl Week

Mayor Fitzgerald proclaimed the week of November 16, 1998 as Atlantic Bowl Week.

2.2 National Child Day

Mayor Fitzgerald proclaimed November 20, 1998 as National Child Day.

3. APPROVAL OF MINUTES - November 3, 1998

MOVED by Councillors Blumenthal and Hetherington that the minutes of November 3, 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 added to the agenda:

- 13.1 Councillor Rankin - Information Item #4 - Audible Pedestrian Traffic Signals (request by CNIB to address Council)
- 13.2 Councillor Dooks - Distribution of Green Carts - District 1
- 13.3 Reallocation of Funds from Capital Project #84680
- 13.4 November 17, 1998 Committee of the Whole recommendation: Liquor Control Laws - Blues Corner
- 13.5 November 17, 1998 Committee of the Whole recommendation: Waste Resources 1998/99 Budget Reduction Proposals
- 13.6 Councillor Fougere - Acknowledgement to Fire Services

Councillor Hetherington requested that Item 11.1.4 Councillor Hetherington - Departmental Moving Expenses, be deleted as he intends to raise this matter with the Program and Service Review Committee.

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

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. PUBLIC HEARINGS (Items 9.1 - 9.4 from Nov. 10/98 Agenda)

9.1 Street Closure - Williams Lake Road

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

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the recommendation. Hearing none, the following motion was placed before Council.

MOVED by Councillors Hetherington and Blumenthal that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillors Walker and Blumenthal that:

- 1. Council approve Administrative Order SC-12, concerning the closure of Parcel B, Williams Lake Road, as shown on the sketch attached to the staff report dated October 21, 1998.**
- 2. Subject to approval of the street closure, Parcel B comprising of 3251 square feet as shown on the sketch attached to the staff report dated October 21, 1998, be sold for a unit value of \$3 per square foot unencumbered to David Hansen and Phoebe Hansen. Funds to be**

deposited in the Sale of Land Account. **MOTION PUT AND PASSED UNANIMOUSLY.**

9.2 Street Closure - Green Road, Mount Hermon Cemetery

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

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the recommendation. Hearing none, the following motion was placed before Council.

MOVED by Councillor Hetherington and Deputy Mayor Uteck that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillors Cunningham and Sarto that Council approve Administrative Order SC-13, concerning the closure of a portion of Green Road as shown on the sketch attached to the staff report dated November 2, 1998.

Responding to questions from Councillor Schofield, Mr. Craig Hatt, Property Analyst, stated Design Services is working on the cul-de-sac in conjunction with Parks and Natural Services and a walkway is proposed. Mr. Stephen King, Manager, Parks and Natural Services, stated the proposal for the expansion of the cemetery includes some ornamental fencing along the side of Mount Hermon Cemetery, and correction of the drainage problem.

Councillor Greenough spoke in support of the recommendation, noting this expansion will create an additional 4,200 cremation plots and 1,000 full burial plots.

MOTION PUT AND PASSED UNANIMOUSLY.

9.3 Street Closure - Isleview Lane, Bedford

- Correspondence from Mr. Peter G. Christie, opposing the closure of Isleview Lane, Bedford, was before Council for consideration.
- Correspondence from Doug and Billie Beattie, supporting the closure of Isleview Lane, Bedford, was before Council for consideration.

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the CN Train Whistle - Bedford, dated August 12, 1998, was before Council for consideration.

Mayor Fitzgerald called for members of the public wishing to speak either for or against the matter.

Mr. Peter Christie, 19 Shore Drive, Bedford

Mr. Christie spoke in opposition to the staff recommendation, stating it does not encompass the ability for emergency vehicles to get through to the highly used recreational area. Mr. Christie stated it is possible to install a crash bar which would allow emergency vehicles to pass through this area unimpeded, and he strongly suggested Council approve the installation of same.

Mr. Peter Dwyer, 13 Shipyard Lane, Bedford

Mr. Dwyer spoke in support of the closure of Isleview Lane and the erection of a pressure sensitive barrier for emergency vehicle use. Following its completion, Mr. Dwyer requested Council's support in sending a letter to CN requesting cessation of the train whistle.

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the recommendation. Hearing none, the following motion was placed before Council.

MOVED by Councillors Hetherington and Schofield that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. Wayne Anstey, Municipal Solicitor, presented the staff report which recommended if Council wishes to eliminate the blowing of train whistles at the Isleview Lane crossing, that staff be directed to erect lockable chain link gates at both ends of Isleview Lane to prevent other than emergency access to the street. With respect to liability, Mr. Anstey stated the insurance advisors indicate that any liability incurred would be covered by HRM's existing insurance, and there would be no increase in premiums as a result of any action taken. With regards to crash barriers, Mr. Anstey stated he has done some investigation as to the availability of these with no success.

Responding to a question of Councillor Kelly, Mr. Anstey stated there were no other options offered in his discussions with the Department of Transportation.

COUNCIL DECISION

MOVED by Councillors Kelly and Schofield that Council approve Administrative Order SC-14 to close Isleview Lane. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Kelly stated he has determined from his research there is a remote control device and/or a pressure device that could be used as a crash barrier. The Councillor stated he could discuss this further with staff, and if there is an increased cost, he would be willing to reallocate some of his capital projects allocation for this purpose.

MOVED by Councillors Kelly and Rankin that Council direct staff to erect a crash gate at both ends of Isleview Lane, and that any additional cost over the \$3,000 approved for this project are to be reallocated from Councillor Kelly's capital projects allocation. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Kelly and Hetherington that a letter be sent to CN advising of the street closure and requesting the cessation of the train whistle. MOTION PUT AND PASSED UNANIMOUSLY.

9.4 Residential Growth Management Policies, Plan Review for Planning Districts 15/18/19 (Hammonds Plains, Beaver Bank and Upper Sackville)

- A report prepared for Councillor Barry Barnet, Chairman, North West Community Council, regarding the above, was before Council for consideration.
- Correspondence from Cameron Sleep, President, Skyview Homes Ltd., and Susan and David Little, supporting the staff recommendation, was before Council for consideration.
- Correspondence from Janice Harland, Needs Analysis Engineer, Nova Scotia Transportation and Public Works, dated November 3, 1998, regarding the impact of Proposed Highway 113 on Sheldrake Heights Phase 3 (Piercey Property) was circulated to Council for its consideration.

With the use of overheads, Ms. Maureen Ryan and Ms. Grace Ho, Planning Services, presented the staff report, which recommended that the proposed amendments to the Municipal Planning Strategy, Land Use By-Law and Subdivision By-Law as outlined in the staff report dated September 16, 1998 be approved; and, that the proposed amendments to the schedules of the Land Use By-Law, as outlined on the October 16, 1998 CDD rezoning map, be approved.

Mayor Fitzgerald called for members of the public wishing to speak either in favour or against the recommendation.

Mr. Barry Zwicker, Wallace, MacDonald and Lively

Mr. Barry Zwicker, of Wallace, MacDonald and Lively, representing their client Piercey Investors, addressed Council with respect to this matter. With the use of overheads, Mr. Zwicker identified the location of the land in question with respect to the entire plan area, indicating it is a relatively small piece. Mr. Zwicker illustrated for Council the concept plan for the remaining lands of this portion of the Piercey Investment properties. A meeting with staff was held to review the concept, and at that point the issue of the proposed Highway 113 was brought forward. The concept plan can not proceed until the right of way is deemed to be determined and accepted in some fashion by the Department of Transportation and Public Works. Mr. Zwicker stated the issue now is the compound effect of the implementation of the policies and the issue of the Highway occurring at the same time. Mr. Zwicker requested, given the nature of this highway and its impact on this parcel of land, that the Piercey Investors be exempted from the policy, to allow this roadway and its final design to be determined in the logical sequence of events, without causing an undue financial burden on his client.

Mr. Ross Evans, 11 Pockwock Road

Mr. Evans spoke in support of the recommendation noting the benefits to the community will outweigh any expense or work incurred. Mr. Evans stated "as of right" development creates an unplanned community with traffic problems and overcrowded schools. Mr. Evans noted he is a member of the Halifax County/Halifax Mainland Watershed Advisory Board, and requested that its guidelines be included in the new MPS By-Laws.

Mr. Paul Terrio, 455 Patton Road, Upper Sackville

Mr. Terrio, Chairman, Area Advisory Committee, spoke in favour of the proposed policy changes, stating the Committee held numerous meetings over an eight month period. During the discussions, the Committee faced challenges trying to balance economic development issues with community infrastructure constraints. Mr. Terrio stated the Committee believed there was a need to manage the rate of future residential development, as well as a need to allow a reasonable amount of subdivision activity on an as of right basis in order to sustain local businesses. However, the Committee believed that larger scaled subdivision development activity should only be permitted where there is adequate infrastructure to support it, and the costs to the communities are minimized.

Mr. Walter Regan, Executive Director, Sackville Rivers Association

Mr. Walter Regan spoke in favour of the Municipal Planning Strategy amendments, as recommended by the Area Advisory Committee. A copy of Mr. Regan's presentation was submitted to the Clerk. Mr. Regan suggested some minor changes to the wording of the recommendations, which were outlined in his submission. In closing, Mr. Regan

commended the Committee and staff for their hard work and efforts extended in this process.

Mrs. Ann Merritt, 576 Lakeview Avenue, Springfield Lake

As a resident and taxpayer, Ms. Merritt spoke in favour of the recommendations. She stated development on unserviced land may in the future have major budgetary implications for the Municipality and Province. Ms. Merritt stated development by "as of right" has meant minimum standards and design criteria had to be met and small areas of development have occurred with no relationship to one another or regard for impact on roads, schools or the environment. Ms. Merritt noted the Committee is asking that growth management policies be put in place to ensure developments are sustainable in the future.

She stated the controls are necessary to ensure minimal financial impact on HRM in the future. Ms. Merritt noted the policies being recommended to Council, in many cases, are compromises and were thoroughly discussed. The Committee believes they are fair to developers and residents. Ms. Merritt stated a regional planning strategy is necessary because development policies in any given area have an impact on surrounding areas, and Council must look at development in the entire region as a whole.

Mr. David Barrett, 2 Maplewood Court, Beaver Bank

Mr. Barrett addressed Council regarding this matter, expressing concern with monopolies, noting there should always be an option to prevent monopolies from developing. With respect to the CDD, Mr. Barrett stated there should always be some checks and balances. Mr. Barrett submitted some literature to the Clerk for distribution to Council, regarding the lands of Dennis and Ruth Baxter.

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the recommendation. Hearing none, the following motion was placed before Council.

**MOVED by Councillors Hetherington and Fougere that the Public Hearing be closed.
MOTION PUT AND PASSED UNANIMOUSLY.**

COUNCIL DECISION

Councillor Barnet spoke in support of the staff recommendation, and reviewed some of the problems faced by the area in question, such as overcrowded schools. The Councillor noted the policies may not be a perfect solution, but it is a start, and there is an opportunity to re-examine it in the future if it does not work.

With respect to the amendments suggested by Mr. Regan, Councillor Barnet stated it is staff's intention to come forward with additional amendments in the future that may address those issues.

MOVED by Councillors Barnet and Rankin that Regional Council adopt the proposed amendments to the Hammonds Plains, Beaver Bank and Upper Sackville (Planning Districts 15/18/19) Municipal Planning Strategy and Land Use By-Law and former Halifax County Subdivision By-Law to manage the rate of future residential development in this Plan Area as set out in Appendices A, B and C of the staff report dated September 16, 1998; further, that Council approve the proposed amendments to the schedules of the Land Use By-Law, as outlined on the October 16, 1998 CDD rezoning map.

Speaking on the motion, Councillor Rankin proposed amendments to exclude the lands of Piercey Investments, and to change the rate of future development to be limited to 20 lots per area of land per four year period to provide a better plan and to reduce infrastructure costs.

MOVED by Councillors Rankin and Barnet that the motion be amended to exempt the lands of Piercey Investments from the policy, and to change the rate of future development to be limited to 20 lots per area of land per four year period.

Councillor Hendsbee expressed concern with exempting just the Piercey lands, and suggested all lands affected by the proposed highway should be examined and the property owners given some flexibility for future development. Councillor Rankin noted it is his understanding that large tracts of these lands are owned by the Crown and, therefore, would not be an issue.

Councillor Hendsbee suggested the former District numbers (Districts 15, 18, 19) referred to in the names of the Municipal Planning Strategies should be replaced with community names.

Councillor Cunningham spoke in support of the amendments, in particular the exemption of the Piercey lands.

Councillor Stone spoke in support of the recommendation, but expressed concern with the amendment to change the rate of development as it could create a lot of development occurring in the first year. Ms. Ryan stated the proposal of ten lots per two year period was a compromise struck by the Area Advisory Committee as a result of extensive public consultation. From a planning perspective, Ms. Ryan stated the requested amendment will not have any significant affect on the plan area in terms of the long term intent of the policy. However, staff is recommending the proposal of the Committee of ten lots per two

year period. In support of the amendment, Councillor Rankin stated it will enhance the opportunity for small developers to make their lots affordable.

Councillor Barnet spoke in support of both amendments, stating he did not believe they will create a major impact.

It was agreed the amendments would be voted on separately.

MOVED by Councillors Rankin and Barnet that the motion be amended to exempt the lands of Piercey Investments from any growth controls. MOTION PUT AND PASSED.

MOVED by Councillors Rankin and Barnet that the motion be amended to change the limit of rate of future development to 20 lots per area of land per four year period. MOTION PUT AND PASSED.

Councillor Adams inquired, at the request of a community member, if it would be possible to defer this matter to allow them the opportunity to present written information with respect to this matter. In discussing this request, Mr. Anstey noted the Public Hearing has been closed and Council is required to make a decision on the information already presented. Ms. Ryan noted there will be a second part of the MPS review process, and additional amendments will be forthcoming in the new year, and the concerns of the resident may be considered by Council at that time.

The vote was then taken on the Main Motion, as amended, which read as follows:

MOVED by Councillors Barnet and Rankin that Regional Council adopt the proposed amendments to the Hammonds Plains, Beaver Bank and Upper Sackville (Planning Districts 15/18/19) Municipal Planning Strategy and Land Use By-Law and former Halifax County Subdivision By-Law to manage the rate of future residential development in this Plan Area as set out in Appendices A, B and C of the staff report dated September 16, 1998; further, that Council approve the proposed amendments to the schedules of the Land Use By-Law, as outlined on the October 16, 1998 CDD rezoning map. Further, that the lands of Piercey Investments be exempt from any growth controls and that the limit of rate of future development be changed to 20 lots per area of land per four year period. MOTION PUT AND PASSED.

Councillor Rankin asked that Council request staff to support the formation of a stakeholder committee to be initiated in the near future to discuss the immediate growth related needs in Hammonds Plains, as indicated in the staff report. Ms. Ryan noted Planning Services will be initiating such a multi-stakeholders forum and representatives from all relevant departments providing services in this area will be invited.

MOVED by Councillors Rankin and Walker that Council request staff to support the formation of a stakeholder committee to be initiated in the near future to discuss the immediate growth related needs in Hammonds Plains, as indicated in the staff report. MOTION PUT AND PASSED.

Council agreed to deal with Item 13.1 Information Item #4 - Audible Pedestrian Traffic Signals (request by CNIB to address Council) next on the agenda.

13.1 Information Item #4 - Audible Pedestrian Traffic Signals (request by CNIB to address Council)

- An Information Report prepared for Ted Tam, Acting Director, Engineering and Transportation Services, and David McCusker, Manager, Traffic and Transportation Services, regarding audible pedestrian traffic signals, was before Council for consideration.

Ms. Cathy Moore, District Manager, CNIB for Halifax, addressed the Information Report, dated November 2, 1998, making the following recommendations which were not included in the report:

- Audible traffic signals should be operated on a 24 hour basis, as the safety of individuals takes precedence over slight irritation caused by the noise.
- The CNIB is willing to work with staff on this issue to hopefully come back to Council with recommendations regarding light emitting diodes.

In reference to her recommendation, Ms. Moore suggested that any audible traffic signal should be operational on a 24 hour basis and that the lights remain fully functional and not be reduced to flashing red and amber lights.

MOVED by Councillors Schofield and Blumenthal that all audible traffic signals should be operational on a 24 hour basis and that the traffic lights remain fully functional and not be reduced to flashing red and amber lights.

Councillor Stone suggested this matter should be referred to staff for a report before Council makes a decision on this matter. Mr. Kulvinder Dhillon, Director, Engineering and Traffic Services, stated staff could provide a report with respect to the CNIB request.

MOVED by Councillors Greenough and Sarto that this matter be referred to staff for a report next week. MOTION PUT AND PASSED UNANIMOUSLY.

9.5 Second Reading - Tree By-Law T-600

- By-Law T-600 Respecting Trees passed First Reading on November 3, 1998, and the By-Law, as amended, was now before Council for Second Reading. The amendment to the By-Law includes a repeal section of the former bylaws and ordinances respecting trees in the former County, Town of Bedford, and Cities.
- Former City of Halifax Ordinance Number 189 Respecting Trees, Former City of Dartmouth By-Law D-300 Respecting Dutch Elm Disease, and Former Town of Bedford By-Law Number 13 Respecting a Tree Committee, were before Council for information.
- A supplementary report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED By Councillors Cunningham and Hendsbee that By-Law T-600 Respecting Trees be given Second Reading.

Mayor Fitzgerald called for members of the public wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was placed before Council.

MOVED by Councillors Cunningham and Greenough that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Councillor Cunningham stated several trees, 75-100 years old, located in District 10 were recently removed in error. The Councillor stated this By-Law will attempt to assure that such a mistake will never happen again, and protection of the trees will be provided.

Responding to a question from Councillor Kelly respecting clarification of a "qualified person", Mr. Stephen King, Manager, Parks and Natural Services, stated someone who is very familiar with proper tree work would meet the definition of "qualified person."

Councillor Hendsbee stated this By-Law should have an impact on future street planning, and the implications of things such as power lines should be examined before trees are planted. Responding to a question of Councillor Hendsbee regarding the gas lines, Mr. Dhillon stated the gas lines will be located under the asphalt or the sidewalk and not under the grass area and the trees.

Responding to a question of Mayor Fitzgerald, Mr. King stated public safety is the number one issue and, if there is a concern with a tree, it will be pruned or removed to lessen the wind load on that tree.

A vote on Second Reading took place.

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Hendsbee and Cunningham that By-Law T-600 Respecting Trees be given Third Reading. MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

10.1.1 Moratorium Against Drilling, George's Bank - NORIGS 2000

- Correspondence from Mr. Derek M. Wells, Spokesperson, NORIGS 2000, requesting Council's support for their position that the present moratorium against drilling on George's Bank be extended for a further (12) twelve years, was before Council for consideration.

MOVED by Councillor Greenough and Deputy Mayor Uteck that Council support NORIGS 2000 position that the present moratorium against drilling on George's Bank be extended for a further 12 years. MOTION PUT AND PASSED.

10.2 Petitions

10.2.1 Councillor Downey - Centennial Pool

Councillor Downey submitted a petition from residents objecting to the proposed closure of Centennial Pool.

10.2.2 Councillor Cooper - Sidewalk Request for Humber Park

Councillor Cooper submitted a petition from residents of the Humber Park Subdivision requesting a sidewalk be installed from Gander Avenue around to Smallwood Avenue due to the increase in use of the area in front of the school on Gander Avenue as a result of continued growth in that area.

10.3 Presentations

10.3.1 Volvo Task Force and Economic Update - Dr. Michael MacDonald, President

Dr. Michael MacDonald, President, Greater Halifax Economic Partnership, made a presentation to Council regarding the Volvo Task Force and an Economic Update. Copies of his presentation were circulated to Council.

Councillor Stone, a member of the Volvo Task Force, echoed the comments made by Dr. MacDonald, and extended thanks and appreciation to the Greater Halifax Partnership, Mayor Fitzgerald, members of the Task Force and Mr. Kaj Nielsen of Volvo.

Councillor Barnet also commended the Task Force for its work.

Dr. MacDonald then reviewed the Economic Update. In closing his presentation, Dr. MacDonald stated the Partnership needs the support of Council with regards to the Smart City Positively Magnetic Campaign. Dr. MacDonald noted this program is focussed towards young people, who are, on the whole, very pessimistic about their economic future. Dr. MacDonald stated the media community has contributed \$350,000 in television, radio and print time to this campaign. There is no cost to HRM for this campaign. Dr. MacDonald requested Council's support in endorsing the campaign and suggested Council could consider extending a vote of thanks to the media investors for their contributions. With respect to the television ads, Dr. MacDonald noted they are aired throughout the Maritime Provinces.

MOVED by Councillors Greenough and Stone that an expression of thanks be sent to the media investors for the contribution they are making to the Halifax Regional Municipality. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Continuing Fiscal Difficulties of HRM - Jim Mills, President, Chamber of Commerce

- Copies of the presentation made by Mr. Jim Mills, President, Metropolitan Halifax Chamber of Commerce, regarding the Continuing Fiscal Difficulties of HRM, was circulated to Council.

Mr. Peter Doig, Chair, Government Affairs Committee, Metropolitan Halifax Chamber of Commerce, spoke on behalf of Mr. Jim Mills, President, Metropolitan Halifax Chamber of Commerce, regarding the continuing fiscal difficulties of HRM.

In his presentation, Mr. Doig made the following comments:

- HRM needs to set goals, standards and priorities for service delivery over the long term. HRM needs to test the achievement of these goals through rigorous periodic review and comparison to other communities.
- HRM needs to get its expenditures under control and should look at new and innovate ways to deliver services.
- HRM needs to consult with the community to develop an improved and simplified tax structure.
- With respect to the multi-year financial strategy, it should go a long way to achieve the objectives and solve some of the long-term problems currently being faced. To have the maximum impact, this project should be given the highest priority.
- With regards to the current year's deficit, the Chamber of Commerce encouraged Council to take a long term view and make the required decisions.
- Tax increases are not an option today nor in the future.
- The following two issues will need to be addressed in the upcoming budget: the final net deficit for the current year, and the increase in the debt service costs.

In closing, Mr. Doig emphasized the following points:

- Through the proposed multi-year financial strategy, the Municipality has made progress in responding to the Chamber of Commerce's recommendations to improve the long term capability to deliver municipal services in government in an effective and efficient manner responsive to constituents needs.
- Council and senior staff have a responsibility to put the Municipality's financial house in order to enable the community to grow and prosper for future generations.
- Council must take aggressive action to get expenditures under control.
- Council must move beyond discussions of amalgamation and come together for the common good of the community.

Councillor Hendsbee reviewed some of the issues faced by the Municipality since amalgamation such as a new organizational structure, reassessments, union negotiations, integrated financial system, Y2K, solid waste strategy, etc. The Councillor stated the Province should be fulfilling its responsibilities, and suggested the Chamber of Commerce should move forward and address the Province with respect to its obligations to municipalities.

Mayor Fitzgerald thanked Mr. Doig for his presentation, stating the Municipality is making progress in getting its finances in order.

MOVED by Deputy Mayor Uteck and Councillor Kelly that the meeting extend beyond 10:00 p.m. MOTION PUT AND PASSED.

11. REPORTS

11.1 MEMBERS OF COUNCIL

11.1.1 Councillor Walker - 1998-99 Winter Parking Regulations

- As requested by Councillor Walker, the November 3, 1998 Information Report regarding the 1998-99 Winter Parking Regulations, was before Council for consideration.

Councillor Walker raised concerns about the 1998-99 Winter Parking Regulations. The Councillor suggested overnight winter parking regulations should be eliminated and replaced with a policy that would prohibit parking on streets from one hour after any snowstorm commences up to twelve hours after the storm has stopped. Councillor Walker stated this would allow staff the opportunity to clear the streets, and the Municipality will not be locked into a policy of no parking on the streets when there is no snow.

MOVED by Councillors Walker and Adams that this matter be referred to staff for a report next week. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Councillor Kelly - Sidewalk - Rocky Lake Dr. and Redbank Rd.

Councillor Kelly stated this matter has been brought to light after the commencement of the project, and it is the wish of the subdivision to install the sidewalk while the street is being disturbed. The Councillor requested Council's approval to allow the sidewalk to be installed and to be paid for through an area rate. In response to a question from Councillor Kelly regarding contingency funding for this project, Mr. Dhillon stated it is his understanding if the sidewalk goes ahead, Council will have to approve additional expenditures.

Mr. Meech suggested staff should have an opportunity to examine this issue, and expressed concern with requesting Council to support area rates to fully pay for sidewalks in the urban area, as sidewalks are a general service. Councillor Kelly stated if there are funds from underspent projects that could be reallocated to this project, he would welcome them, as this is a safety matter. Mr. Dhillon stated paying for this sidewalk totally through an area rate is contrary to approved Council policy, but it is Council's decision whether or not to proceed in this manner.

Councillor Barnet suggested another option staff may want to consider is having the contractor install this sidewalk through the requirement of provision of \$25,000 worth of work in each of two years as the result of a recent lawsuit settlement.

MOVED by Councillors Kelly and Adams that this matter be referred to staff for a report next week. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Councillor Greenough - Fuel Tank Installation, 200 Waverley Rd.

- A memorandum from Councillor Greenough advising that a notice has recently been circulated to the Port Wallace/Waverley Road neighbourhood, expressing the alarm/view that there is an environmental emergency about to happen with the installation of fuel tanks for the new Irving convenience store/gas bar being constructed at 200 Waverley Road, across the street from Lake Mic Mac, was before Council for consideration.

CONFLICT OF INTEREST

Councillor Rankin declared a Conflict of Interest on this matter, as he is an Irving franchise owner, and removed himself from the discussion.

Councillor Greenough stated considerable concern has been raised by residents of the Waverley Road/Port Wallis community, regarding the construction of a gas bar/convenience store, currently underway at 200 Waverley Road. The Councillor noted this site is directly across the street from Lake Mic Mac and adjacent to Red Bridge Pond. Several years ago, a saw mill was located on this site, and Councillor Greenough stated it is believed there is still significant sawdust remaining on the site.

The Councillor requested that this matter be referred to staff for the purpose of formulating a full report outlining the steps taken to ensure the environmental protection of the adjacent lakes, including the engineering measures and features requested by staff, to ensure the near and long term protection of this site and the lake system. Councillor Greenough also requested a report from the Department of Environment and the Dartmouth Lakes Advisory Committee detailing the review that this application has undergone, and the steps recommended to be taken to ensure that there is environmental protection of the lake system. Due to the urgency of this matter, Councillor Greenough requested that this report be brought back to Council as soon as possible.

MOVED by Councillors Greenough and Schofield that this matter be referred to staff for a full report as soon as possible, including reports from the Department of the Environment and the Dartmouth Lakes Advisory Board. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Councillor Hetherington - Departmental Moving Expenses

This item was deleted, at the request of the Councillor, during Approval of the Order of Business.

11.1.5 Councillor Cooper - Recreation Programming Budget Cuts

- An Information Report prepared for Karen MacTavish, General Manager, Recreation Programming, dated November 10, 1998, was before Council for consideration.

Councillor Cooper requested clarification of the Recreation Programming Budget Cuts and the criteria used to determine programs that could be eliminated, in particular, the change in focus of delivery to high demand/high priority services ie. youth and children's programs. The Councillor noted the cuts appear to be contrary to this as many programs being cut are children and youth services. Mr. Meech stated a presentation would be made to Committee of the Whole next week regarding this issue.

11.2 COMMITTEE OF THE WHOLE - Meeting of November 10, 1998

11.2.1 Streets By-Law S-301

- This matter was discussed at the November 10, 1998 Committee of the Whole meeting, and was now before Council for ratification.

Councillor Greenough submitted the following Notice of Motion for First Reading of By-Law S-301:

TAKE NOTICE that at the next regular Council meeting, to be held on Tuesday, December 1, 1998, I propose to introduce First Reading of By-Law S-301. The purpose of this By-Law is to increase the streets and services permit fee from \$75 to \$100.

(Mayor Fitzgerald returned to the meeting and assumed the Chair at 10:35 p.m.)

11.2.2 Metro Transit 1998/99 Budget Reduction Proposals

- This matter was discussed at the November 10, 1998 Committee of the Whole meeting, and was now before Council for ratification.

MOVED by Councillors Cunningham and Greenough, as recommended by Committee of the Whole, that:

- 1. The base Adult cash bus fare be increased from \$1.55 to \$1.65 effective January 1, 1999, with similar increases in other fares as outlined in the staff report dated November 4, 1998. Monthly bus pass prices will remain unchanged from those established July 1, 1998;**
- 2. The scheduled bus service on selected routes, as outlined in the November 4, 1998 staff report, be reduced in the next regular schedule/pick change planned for February 28, 1999.**

Councillor Fougere expressed concerns with cutting Access-A-Bus service, and suggested that this matter be removed from the recommendation. In response to a question from the Councillor, Mr. Brian Smith, Director, Business Operations, stated the estimated savings for the reduction in Access-A-Bus service was \$5700 for the current year and about \$27,800 next year. Mr. Smith cautioned Council that if it wants this reduction offset by something else, it will be significant.

MOVED by Councillor Fougere and Deputy Mayor Uteck that the motion be amended to exclude any reduction to Access-A-Bus Service.

Responding to a question from Councillor Schofield, Mr. Smith stated the proposal is staff's best attempt to put together a package of service reductions to meet the budget guidelines. It was noted that load counts were conducted prior to and following the opening of the call centre in Highfield Park, and there has not been much change.

In response to a question from Mayor Fitzgerald regarding what the effect of reducing bus fares might be, Mr. Smith stated, based on experience of other systems in Canada, the results have not been very successful. With respect to gasoline tax, Mr. Smith stated the Municipality is exempt from Provincial Sales Tax on fuel. Mr. Smith suggested an urban gas tax, used in other municipalities, may be a better model.

Responding to comments made by Councillor Greenough, Mr. Smith stated the Access-A-Bus Advisory Committee did not vote on this matter, but there was consultation. It was his understanding from the meeting, that they could live with the change.

In closing the debate of the amendment, Councillor Fougere stated, in many cases, Access-A-Bus users do not have another option.

The vote was then taken on the amendment.

MOTION PUT AND PASSED.

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

MOVED by Councillors Cunningham and Greenough, as recommended by Committee of the Whole, that:

2. **The base Adult cash bus fare be increased from \$1.55 to \$1.65 effective January 1, 1999, with similar increases in other fares as outlined in the staff report dated November 4, 1998. Monthly bus pass prices will remain unchanged from those established July 1, 1998;**
2. **The scheduled bus service on selected routes, as outlined in the November 4, 1998 staff report, with the exception of Access-A-Bus, be reduced in the next regular schedule/pick change planned for February 28, 1999. MOTION PUT AND PASSED.**

11.2.3 Fire Station #4 Lady Hammond Road

- This matter was discussed at the November 10, 1998 Committee of the Whole meeting, and was now before Council for ratification.

MOVED by Councillors Blumenthal and Walker, as recommended by Committee of the Whole, that Council reject staff's recommendation that Fire Station #4 Lady Hammond Road be closed.

Councillor Cunningham spoke against the motion, noting Fire Chief Eddy is the third consecutive Fire Chief to recommend the closure of the Lady Hammond Road Fire Station while maintaining public safety.

Councillors Greenough and Hendsbee suggested the Fire Station Relocation Study and its implementation could be advanced to accomplish the objectives with respect to fire protection for this area.

Councillor Downey expressed concern with fire station relocation in the down town area, stating the current location should stay in place for safety reasons.

Councillor Walker stated he would not support the closure of any fire stations.

Councillor Harvey spoke against the motion and questioned where the equivalent savings would be found if the station remains open.

In closing the debate, Councillor Blumenthal reiterated the safety factors regarding this matter.

MOTION PUT AND PASSED.

11.2.4 Centennial Pool

- This matter was discussed at the November 10, 1998 Committee of the Whole meeting, and was now before Council for ratification.

MOVED by Councillors Downey and Fougere, as recommended by Committee of the Whole, that this matter be deferred pending the conclusion of negotiations between staff and the newly-formed Centennial Pool user groups (to be presented to Council in January 1999). MOTION PUT AND PASSED UNANIMOUSLY.

11.3 MEMBERSHIP SELECTION COMMITTEE

11.3.1 Boards/Committees/Commissions

- A supplementary report prepared for Mayor Walter Fitzgerald, Chair, Membership Selection Committee, was before Council for consideration.

Councillor Stone expressed concern with deferring the appointment to the Federation of Canadian Municipalities (FCM), and suggested this matter be dealt with at this meeting.

MOVED by Councillors Stone and Adams that the FCM appointment be dealt with at this meeting.

Councillor Rankin suggested Councillor Mitchell should be appointed to the Solid Waste Resource Advisory Committee increasing the membership which will help to facilitate maintaining a quorum at those meetings. With respect to the FCM appointment, Councillor Rankin stated he was willing to put his name forward for consideration. Councillor Stone noted he was the only Council member to put his name forward for FCM when the matter was raised. Councillor Rankin clarified he was of the understanding that there would be an opportunity at a later date for offering to serve on this committee.

Deputy Mayor Uteck suggested this matter should be referred back to the Membership Selection Committee.

MOVED by Deputy Mayor Uteck and Councillor Snow that the appointment to FCM be referred back to the Membership Selection Committee. MOTION PUT AND PASSED.

MOVED by Deputy Mayor Uteck and Councillor Snow that:

1. Councillor and citizen appointments to those boards, committees and commissions as outlined in revised Appendix A, be made at this time;
2. Councillor representation on the Solid Waste Resource Advisory Committee be reduced from six to four, with Councillor Mitchell being appointed as the fourth;
3. Membership composition on Council's Ad Hoc committees remain as is until such time as their mandates are complete. Dates to dissolve existing Ad Hoc Committees should be set by Council upon recommendation from the respective committee. Dates to dissolve future Ad Hoc Committees should be determined as part of their terms of reference at the time of appointment by Council;
4. Councillor representation on the Proposed Pipe Line Review Committee (Sable Gas Committee) be increased from five to six.
5. Recommendations for citizen appointments to the Board of Police Commissioners and Halifax Regional Library Board, whose terms expire March, 1999, be deferred and brought to Regional Council in February.
6. Recommendations for Councillor appointments to the Grant Committee and the Membership Selection to take place at a later date once confirmation of representation from respective Community Councils is received.
7. Current Councillor representation on the Halifax-Dartmouth Bridge Commission be extended to December 31, 1999.
8. Recommendations for Councillor and citizen appointments to the Halifax Regional Water Commission, whose terms expire March 1999, be deferred and brought to Regional Council in February. MOTION PUT AND PASSED.

11.4 CHIEF ADMINISTRATIVE OFFICER

11.4.1 Award of Tender 98-277R - Concrete Curb and Overlay Paving, Beaver Bank Road

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

MOVED by Councillors Barnet and Sarto that:

1. Council waive the abutters' right to petition against the installation of concrete curb on one side of Beaver Bank Road from Sunnyvale Drive (south let) to Millwood Drive.
2. Council approve the recover of Local Improvement Charges, by an area rate applied to a portion of District #19 (as shown on sketch attached to the staff report dated November 3, 1998).
3. Council award Tender No. 98-277R - Concrete Curb and Overlay Paving, Beaver Bank Road to Dillman Enterprises (1995) Ltd. for materials and services specified at the unit prices quoted at a Tender Price of \$228,505.00 and a Total Project Cost of \$262,780.00 with funding provided as outlined in the Budget Implications Section of the staff report dated November 3, 1998. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.4.2 Tender 98-086, Aerotech Lagoon Upgrade

- A staff report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Hendsbee and Sarto that:

1. Council approve the low tender bid of \$153,249.00 to Amber Construction for the Aerotech Biosolids Lagoon Upgrade.
2. Approve the transfer of \$18,249.00 from the 1998/99 Capital Account No. 83102 to 1998/99 Capital Account No. 83105. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.4.3 Tender 98-087, Aerotech WPCP Chemical Feed Tanks

- A staff report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for consideration.

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MOVED by Councillors Hendsbee and Greenough that:

1. Council approve the low tender bid of \$26,105.00 (HST included) to Amber Construction for the supply and installation of Bulk Chemical Storage Tanks at the Aerotech Water Pollution Control Plan.

2. Council authorize the transfer of \$16,214.00 from Capital Account No. 83102 to Capital Account No. 83086. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.4 Debenture Issue

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

MOVED by Councillors Greenough and Sarto that the Mayor and Municipal Clerk be authorized to sign the Issuing Resolution between Halifax Regional Municipality and the Nova Scotia Municipal Finance Corporation to enable the Halifax Regional Municipality to issue a debenture in the amount of \$58,096,600. MOTION PUT AND PASSED.

11.4.5 Petition - Safety at Hawthorne/Prince Albert Rd. Intersection

- A supplementary report prepared for Kulvinder Dhillon, Director, Engineering and Transportation Services, and David McCusker, Manager, Traffic and Transportation Services, was before Council for consideration.

MOVED by Councillors Cunningham and Schofield that the report be received and filed. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.6 Land Sale Policy for HRM Business and Industrial Parks

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

MOVED by Councillors Greenough and Sarto that Council approve the Land Sale Policy for HRM Business and Industrial Parks as set out in the staff report dated November 10, 1998.

Responding to a question of Councillor Schofield, Mr. Tom Rath, General Manager, Business Parks, stated the policy would provide for an overall increase in pricing of 25 percent, and a significant reduction in the coverage requirement from 20 percent to 10 percent. This will allow the Municipality to provide more flexibility to companies, and it will allow the Municipality to increase prices on the available inventory. Mr. Rath noted sales activity in the Business and Industrial Parks has been very good over the last few months, and inventories are now at historic lows. Mr. Rath stated unless HRM moves quickly to bring new land on stream, there will not be any land to offer.

Councillor McInroy expressed concern with not having sufficient time to review the report. The Councillor stated he is aware of people in the business sector who would appreciate an opportunity to make comments regarding this policy. Councillor McInroy suggested this matter be deferred to the next meeting to permit this, and to provide Council the opportunity for further review.

MOVED by Councillors McInroy and Cooper that this matter be deferred for one week. MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor Walker - Amendment to Administrative Order Number One

It was agreed that this matter be placed on the November 24, 1998 agenda.

13. ADDED ITEMS

13.1 Councillor Rankin - Information Item #4 - Audible Pedestrian Traffic Signals (request by CNIB to address Council)

This item was dealt with earlier in the meeting (Page 14).

13.2 Councillor Dooks - Distribution of Green Carts - District 1

As Councillor Dooks was no longer present, Council agreed to defer this item to next week.

13.3 Reallocation of Funds from Capital Project #84680

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

MOVED by Councillors Cunningham and Snow that \$12,000 be reallocated from Capital Projects #84680 to cover the cost of procuring a new pager system for the Musquodoboit Harbour Fire Department. MOTION PUT AND PASSED UNANIMOUSLY.

13.4 November 17, 1998 Committee of the Whole recommendation: Liquor Control Laws - Blues Corner

MOVED by Deputy Mayor Uteck and Councillor Downey, as recommended by Committee of the Whole, that a letter be forwarded as quickly as possible to the Alcohol and Gaming Authority advising them of the decision of the Halifax Regional

Council to proceed with the adoption of a Noise By-Law designed to address the concerns relating to Mr. Paul Monohan and the Blues Corner, and asking for a stay of proceedings until that process can be completed. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 November 17, 1998 Committee of the Whole recommendation: Waste Resources 1998/99 Budget Reduction Proposals

MOVED by Councillors Rankin and Snow, as recommended by Committee of the Whole, that:

- (1) The Dartmouth Waste Depot, formerly the Dartmouth Transfer Station, be closed at the end of the normal service day on December 31, 1998 (this corresponds to the recommendations of the Integrated Resource Management Strategy of March, 1995);
- (2) The Halifax Transfer Station be closed to the public at the end of the normal service day on December 31, 1998 (this facility will be secured and held in reserve for the first few months of 1999. This closure also corresponds to the Integrated Resource Management Strategy of March, 1995);
- (3) A minimum drop-off fee of \$5.00 per load for small loads of mixed waste (less than 100 kg) be established for waste deposited at the HRM Otter Lake Waste Processing Facility (existing fees would continue to be applied for loads in excess of the current 100 kg maximum for free disposal);
- (4) That a staff report be developed for consideration by the Solid Waste Resource Advisory Committee concerning possible alternatives for drop-off sites to accommodate residents of Dartmouth and the Eastern Shore. MOTION PUT AND PASSED.

13.6 Councillor Fougere - Acknowledgement to Fire Services

Councillor Fougere formally acknowledged Emergency and Fire Services for the quick response to the recent fire on Duncan Street which could have been much more serious. The Councillor commended staff for their action, as well as the Red Cross and the neighbourhood for their on-going relief efforts.

14. NOTICES OF MOTION - None

15. ADJOURNMENT

MOVED by Councillors Sarto and Greenough that the meeting adjourn at 11:30 p.m.
MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk