

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES December 12, 2000

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Jerry Blumenthal
Councillors: Stephen Streach
Gary Hines
Keith Colwell
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Dawn Sloane
Sue Uteck
Russell Walker
Diana Whalen
Linda Mosher
Stephen D. Adams
Brad Johns
Bob Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillor Sheila Fougere

STAFF MEMBERS:

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

Table of Contents

1.	INVOCATION	4
2.	PROCLAMATIONS - None	4
3.	APPROVAL OF MINUTES - November 28, 2000	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
5.	BUSINESS ARISING FROM THE MINUTES - NONE	5
6.	MOTIONS OF RECONSIDERATION - NONE	5
7.	MOTIONS OF RESCISSION - NONE	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS	5
9.1	Petitions	5
9.1.1	Councillor Johns - Re-Zoning Request - Megan Crescent	5
9.1.2	Councillor Sarto - Correspondence - All Weather Soccer Field	5
9.2	Presentations	5
9.2.1	Ms. Karla Russell, President, Prince Andrew Woodlawn Environmental Enhancement and Conservation Association - Replanting and Information Signing of Point Pleasant Park	5
10.	REPORTS	6
10.1	MEMBERS OF COUNCIL	6
10.1.1	Deputy Mayor Blumenthal - Gladstone Street - Rezoning	6
10.1.2	Councillor Goucher - Bedford Youth Development Association	6
10.1.3	Councillor Cooper - Traffic, Cole Harbour High School, Safety	6
10.1.4	Councillor Johns	7
	i) Beaver Bank Sewer and Servicing	7
	ii) Sidewalks in District 19	7
	iii) Candlewood Lane	7
10.2	DOWNTOWN PARKING COMMITTEE	7
10.2.1	Report of the Mayor's Task Force on Parking	7

10.3	CHIEF ADMINISTRATIVE OFFICER	10
10.3.1	Tenders - Fleet Vehicles	10
10.3.2	Proposal #00-134, Halifax Peninsula Traffic Capacity Opportunities Study	11
10.3.3	Award of Quotation 2000M873, Walkway, Lancaster Drive to Chinook Court, Dartmouth	11
10.3.4	Award of Quotation No. 2000M887, Middle Musquodoboit High School Multi-use Court	11
10.3.5	Use of Drivers from Other Stations	12
10.3.6	Recreation Area Rate Policy	12
10.3.7	Pesticide By-Law - Application/Registration Fees	13
10.3.8	Amendment to Administrative Order 7 - Chebucto Community Council Repeal of Administrative Order 25 - Peninsula & Western Region Community Council	16
10.3.9	Protocol for Usage - Municipal Coat of Arms	17
12.	ADDED ITEMS	18
12.1	Councillor Whalen - Burning Brush in Heavily Populated Areas	18
12.2	Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax	18
12.3	Legal Matter - Possible Purchase, 7153-55 Elliott Street	18
12.4	Legal Matter - Telecommunications Conduit and Fiber Optic Network ...	18
12.5	Legal Matter - Right Of Way, Bank of Montreal	19
12.6	Legal Matter - Claim Settlement	19
12.7	Legal Matter - Claim Settlement	19
12.8	Legal Matter - Claim Settlement	19
13.	NOTICES OF MOTION	20
13.1	Councillor Uteck	20
14.	ADJOURNMENT	20

1. **INVOCATION**

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

2. **PROCLAMATIONS - None**

3. **APPROVAL OF MINUTES - November 28, 2000**

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the minutes of November 28, 2000, 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:

- 12.1 Councillor Whalen - Burning Brush in Heavily Populated Areas
- 12.2 Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax
- 12.3 Legal Matter - Possible Purchase, 7153-55 Elliott Street
- 12.4 Legal Matter - Telecommunications Conduit and Fiber Optic Network
- 12.5 Legal Matter - Right Of Way, Bank of Montreal
- 12.6 Legal Matter - Claim Settlement
- 12.7. Legal Matter - Claim Settlement
- 12.8. Legal Matter - Claim Settlement

The following information items were added to the Information Agenda:

- 1. Memorandum from Chief Administrative Officer dated December 12, 2000 re: Correspondence received from Canada/Nova Scotia Infrastructure Works regarding Funding of Infrastructure Projects - Application Deadline January 15, 2001

2. Memorandum from Director, Planning and Development Services dated December 11, 2000 re: Removal of Illegal Signs on Public Property
- Mr. Ken Meech, Chief Administrative Officer, noted a correction in the In Camera recommendation for Item 12.4 Legal Matter - Telecommunications Conduit and Fiber Optic Network. The word "Dexter" should read "Dexter/Sempra".

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING FROM THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Petitions

9.1.1 Councillor Johns - Re-Zoning Request - Megan Crescent

Councillor Johns served a petition containing approximately 54 signatures of residents requesting that the 3 lots at the end of Megan Crescent, currently owned by Fenerty Development, to be re-zoned from MU-2 to R-1.

9.1.2 Councillor Sarto - Correspondence - All Weather Soccer Field

Councillor Sarto submitted two pieces of correspondence from residents in support of an all weather soccer field in Dartmouth.

9.2 Presentations

9.2.1 Ms. Karla Russell, President, Prince Andrew Woodlawn Environmental Enhancement and Conservation Association - Replanting and Information Signing of Point Pleasant Park

- i) Ms. Kelli-Anne Hogg, HRM Project Co-Director**
- ii) Ms. Kyla Tingley, HRM Project Co-Director**

Mr. Paul Doucette, Ms. Karla Russell, Ms. Kelli-Ann Hogg, and Ms. Kyla Tingley, Prince Andrew Woodlawn Environmental Enhancement and Conservation Association (PAWEECA) made a presentation to Council regarding their projects at Point Pleasant Park and Sullivan's Pond. The PAWEECA representatives requested Council's support in completing the replacement of the royal swans in Sullivan's Pond, as well as the tree replanting project in Point Pleasant Park.

Mayor Kelly and several members of Council expressed thanks and gratitude to the students for their work in this regard.

MOVED by Councillor Walker, seconded by Councillor Sloane, that the presentation be referred to staff. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Deputy Mayor Blumenthal - Gladstone Street - Rezoning

Deputy Mayor Blumenthal requested a report on the status of a re-zoning request for the DND lands on Gladstone Street.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Councillor Goucher - Bedford Youth Development Association

Councillor Goucher noted the old fire hall in Bedford has been declared surplus. There is an on-going effort by the Bedford Youth Development Association, a charitable association, to establish a new drop in centre in this building. The Councillor noted a capital request has been submitted through HRM. Councillor Goucher noted the Association is determined to make this project successful, and has already begun substantial fund raising efforts. The Councillor stated the old fire hall building is an excellent location for the centre, as it is on the main bus route, it has parking facilities, and there are no residential dwellings in the immediate area. Councillor Goucher requested that staff be directed to draw up a management plan for this project.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Councillor Cooper - Traffic, Cole Harbour High School, Safety

Councillor Cooper advised Council of a traffic safety concern at Cole Harbour High School. The Councillor noted buses are entering and leaving the school at one location. Councillor Cooper requested that this matter be examined and evaluated by staff with the outlook of having buses leave the school by exiting through the Cole Harbour Place parking lot lights, as this would alleviate the two-way traffic. The Councillor noted the school intersection is the only four way corner in Cole Harbour that does not have traffic lights.

MOVED by Councillor Cooper, seconded by Councillor McInroy, that this matter be referred to staff for study and evaluation of possible solutions. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Councillor Johns

i) Beaver Bank Sewer and Servicing

Councillor Johns stated that some residents believe the process for Beaver Bank sewer and servicing is stalling. The Councillor requested a status report on this issue as well as information regarding future plans for water and sewer in the Beaver Bank area.

MOVED by Councillor Johns, seconded by Councillor Harvey, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

ii) Sidewalks in District 19

Councillor Johns requested a status report regarding sidewalks and proposed sidewalks for District 19, including the availability of funding. In particular, the Councillor referenced sidewalks for Smokey Drive, as well as the corner of Lucasville Road and Sackville Drive in the area of the P3 school.

MOVED by Councillor Johns, seconded by Councillor Adams, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

iii) Candlewood Lane

Councillor Johns requested a staff report regarding the status of the scheduled resurfacing of Candlewood Lane and the projected cost. In response to a question of the Councillor inquiring if a local improvement charge letter was sent to residents, Councillor Walker clarified that there is no letter of local improvement charge for resurfacing.

MOVED by Councillor Johns, seconded by Councillor Harvey, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

At this time, Councillor Sloane requested that Item 12.2 Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax, be moved up on the agenda to follow the next item. Council agreed to the request.

10.2 DOWNTOWN PARKING COMMITTEE

10.2.1 Report of the Mayor's Task Force on Parking

C A report from the Mayor's Task Force for Downtown Parking, was before Council for its consideration.

Mr. Grant Morash, FCA, Chairman, Mayor's Task Force for Downtown Parking, presented the report, which recommended the following:

1. The establishment of a Parking Commission
2. The undertaking of a plan review of the Municipal Development Strategy for Downtown Halifax
3. The formation of an integrated transit/transportation/parking strategy

Mayor Kelly thanked Mr. Morash for his presentation and the work of the Committee, noting the report will be forwarded to staff for review and will be brought back to Council for further discussion.

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that the report from the Mayor's Task Force on Downtown Parking be forwarded to staff for review.

Councillor Cooper suggested staff should examine the overall priority of the task force's recommendations, noting perhaps the formation of an integrated transit/transportation/parking strategy should be considered first. In response to concerns expressed by the Councillor regarding references in the report to Capital Budget expenditures, Mayor Kelly noted the Capital Budget has not yet been brought forward to Council for approval and it can be changed if so desired by Council.

Although he was not opposed to downtown parking, Councillor Warshick stated he wants to be sure Council is making the best decision with respect to this issue.

MOTION PUT AND PASSED UNANIMOUSLY.

As agreed to earlier in the meeting, Council dealt with Item 12.2 Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax, at this time.

12.2 Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax

C This matter was discussed during a Committee of the Whole session held prior to the Regular Session, and was now before Council for ratification.

MOVED by Councillor Sloane, seconded by Councillor Uteck, that Regional Council:

- (a) appoint the Hardman Group Limited to design, build and operate the public parking structure on Lot 1A in accordance with their submission in response to HRM's Request for Proposals #00-058;**
- (b) authorize staff to negotiate the terms and conditions of an Agreement with the Hardman Group Limited based on their "HRM Financed Model", for execution by the Mayor and Municipal Clerk.**

Responding to questions of Councillor Walker regarding funding, Mr. Meech advised Council that the funding collected for the Harbour Clean Up will still be in place for that project, and this will not have an impact on the Capital Budget. Ms. Dale MacLennan, Director, Financial Services, clarified that the funds will be borrowed internally and this project will not jeopardize any projects currently planned.

Councillor Warshick expressed grave concern with Council approving this project before receiving a traffic report. The Councillor questioned why Council would be considering a facility with the fewest number of parking spots. Councillor Warshick requested Council's support to reconsider this matter.

Councillor Cooper expressed concern with using reserve funds allocated for a specific project for another project. The Councillor stated this was not the intention of the multi-year financial strategy. In response, Ms. MacLennan clarified nothing is being withdrawn from the pollution control funds. The money will be taken from cash balances of HRM.

Deputy Mayor Blumenthal noted this parking facility has been a six year project and is part of the overall transportation program and the revitalization of the downtown area.

For the record, Councillor Walker noted there were two options before Committee of the Whole. One was at a cost of \$10 million and the other had no cost. Speaking against the motion, the Councillor stated the Municipality should not be in the business of parking garages.

Speaking in support of the motion, Councillor Hetherington noted this area is the business district of the region and there is limited availability of parking.

Also speaking in support of the motion, Councillor Uteck stated this is the beginning of the revitalization of the downtown core area.

Responding to a question of Councillor Smith, Ms. MacLennan reiterated from where the funding will come.

Councillor Rankin spoke in support of the motion.

(Mayor Kelly left the meeting at 7:15 p.m., and Deputy Mayor Blumenthal assumed the Chair.)

Speaking in support of the motion, Councillor Goucher stated he was pleased to hear the reserves will be left intact.

Councillor Streach stated he believes this project needs to go ahead, and, therefore, will support the motion. However, the Councillor stated he hopes the taxpayers will not be expected to absorb any costs in the future.

Speaking in favour of the motion, Councillor Sloane stated the downtown area has experienced parking problems for 20 years.

Councillor Streach requested a **Recorded Vote**.

Members of Council voting **in favour** of the motion: Deputy Mayor Blumenthal, Councillors: Streach, Hines, Colwell, Cooper, McInroy, Sarto, Hetherington, Smith, Cunningham, Sloane, Uteck, Whalen, Mosher, Adams, Harvey, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Councillors Warshick, Walker, and Johns.

MOTION PUT AND PASSED (19 In Favour, 3 Against) (Mayor Kelly and Councillor Fougere were absent.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Tenders - Fleet Vehicles

- C A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Regional Council authorize the award of Tenders #00-124, 00-125, 00-127, 00-128, 00-129, 00-130, 00-131 to the lowest bidders meeting specifications as shown in the staff report dated December 4, 2000, with funding authorized from Capital Account numbers as noted: Account #s CVA00972 and CHR00189 for Tenders #00-124, 125, 128 and 130 - total \$301,653.00; Account #CVA00973 for Tenders #00-127, 129 and 131 - total \$412,741.00. Total funds required are \$714,394.00 plus H.S.T.

Councillor Walker suggested, for the benefit of the public, the staff recommendation should include who the tender is being awarded to and the amount. Mr. Meech agreed stating the report format should probably be changed.

Councillor Warshick suggested, in the future, more information could be given as to why a bid was rejected.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Proposal #00-134, Halifax Peninsula Traffic Capacity Opportunities Study

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

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that Regional Council authorize the award of Proposal #00-134, Halifax Peninsula Traffic Capacity Opportunities Study to the highest ranking proponent, SNC Lavalin Engineers & Contractors Inc. at a cost of \$60,000.00 plus contingencies and applicable taxes for a Total Project Cost of \$72,450.00 with funding provided as outlined in the Budget Implications Section of the staff report dated November 23, 2000.

Mr. David McCusker, Manager, Traffic and Transportation Services, and Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, responded to questions of Councillor Uteck regarding this study.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Award of Quotation 2000M873, Walkway, Lancaster Drive to Chinook Court, Dartmouth

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

MOVED by Councillor Smith, seconded by Councillor Cunningham, that Council:

1. Approve an increase in the budget for Account No. CKR00824 Asphalt Pathway Renewals by \$2,000 be approved to cover cost sharing from the Province.
2. Award Quotation 2000M873, Walkway, Lancaster Drive to Chinook Court, Dartmouth, to Ocean Contractors Limited for materials and services at the unit prices quoted for a Tender Price of \$15,398.50 and a Total Project Cost of \$17,709.00, with funding authorized as per the Budget Implications Section of the staff report dated December 4, 2000. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.4 Award of Quotation No. 2000M887, Middle Musquodoboit High School Multi-use Court

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

MOVED by Councillor Streach, seconded by Councillor Hines, that:

1. Council authorize the transfer of funds in the amount of \$9,477.00 from Account No. CRESPOOL, the Capital Pool to Account No. CPC00679 New Sports Court Development.
2. Council award Quotation No. 2000M887, Middle Musquodoboit High School Multi-purpose Court to Northstar Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$51,718.45, applicable tax included, plus a 15% contingency for a total project price of \$59,476.22. Funding authorized as per the Budget Implication section of the staff report dated December 5, 2000.

Councillor Hines expressed concern with the 15 percent contingency, but stated he had no problems with the project.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.5 Use of Drivers from Other Stations

- C An Information Report prepared for Michael E. Eddy, Chief Director, Fire Services, regarding the above, was before Council for its information.

Responding to a question of Councillor Walker, Mr. Stephen Thurber, Deputy Chief, Fire Services, stated the need to enhance the skills of some drivers has been identified, and the opportunity to receive this training will be provided in the new year.

MOVED by Councillor Walker, seconded by Councillor Hetherington, that the information report be received and filed. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.6 Recreation Area Rate Policy

- C A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that:

- 1) All recreation area rates existing prior to the adopt of the Interim Area Rate Guidelines become subject to the guidelines over the next two years:
 - a) In 2001/02, the Prospect Recreation, Hammonds Plains Common Rate and Musquodoboit Harbour rate will be subject to the guidelines. As such, staff will remove these three area tax rates and their budgets from the Proposed Operating Budget (under development) until they satisfy the requirements of the guidelines, and,
 - b) In 2002/03, the remaining recreation area rates will become subject to the Interim Area Rate Guidelines, and,
2. Council adopt the policy as described in the staff report, dated November 21, 2000, for the use of all Recreation Area Rate Funds.

MOVED by Councillor Streach, seconded by Councillor Hetherington, that the Community Councils that are represented by the three Districts involved be consulted on this proposal.

At this time, Ms. Dale MacLennan, Director, Financial Services, circulated a revised report to Council, stating she believes forwarding this to the Community Councils would be a positive step.

Responding to a question of Councillor Colwell, Ms. MacLennan stated that forwarding this to the Community Councils moves it where it belongs. Following Community Council input, the matter will be brought back to Council.

In response to a question of Councillor Rankin, Ms. MacLennan stated it is the intention that Community Council is one option, not an addition to the process. Ms. MacLennan noted the report contains some impacts that affect all recreation area rates, and she encouraged all Councillors to review the report.

Councillor Cooper suggested the report should be forwarded to all Community Councils, and put forth the following amendment.

MOVED by Councillor Cooper, seconded by Councillor Hetherington, that the motion be amended that all Community Councils be consulted with respect to this proposal. MOTION PUT AND PASSED UNANIMOUSLY.

The vote was then taken on the Main Motion, as amended.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.7 Pesticide By-Law - Application/Registration Fees

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

Mr. Stephen King, Manager, Senior Advisor Parks and Natural Areas, presented the staff report.

MOVED by Councillor Sarto, seconded by Councillor Uteck, that Halifax Regional Council approve, in principle, the following additions to Administrative Order Number 15, Respecting Licence, Permit and Processing Fees:

1. **Add a section entitled “Application/Registration Fees, By-Law P-800 Respecting the Registration of Pesticides, Herbicides and Insecticides.**
 - (a) **The registration fee to register a property in the Halifax Regional Municipality Pesticide Registry, pursuant to Section 7(3) is \$0.00 (zero dollars) per property.**
 - (b) **The non-refundable application fee to apply (request) to carry out a pesticide application, pursuant to Section 6(2) is \$25.00 per each request per property.**

Councillor Goucher suggested there should be no fee charged to carry out a pesticide application and put forth the following amendment:

MOVED by Councillor Goucher, seconded by Councillor Streach, that the motion be amended so as 1 (b) reads as follows:

- 1. (b) The application fee to apply (request) to carry out a pesticide application, pursuant to Section 6(2) is \$0.00 (zero dollars) per each request per property.**

Responding to a question of Councillor Streach, Mr. King stated the proposed fee of \$25.00 for pesticide applications is to offset costs. The Councillor spoke in support of not charging fees for both registry and pesticide applications.

Councillor Rankin spoke in support of the amendment, stating everyone should be treated in the same manner.

Speaking against the amendment, Councillor Uteck stated both parties should be responsible and suggested a \$15.00 fee for each should be implemented. Mr. Wayne Anstey, Municipal Solicitor, advised if the amendment currently on the floor is defeated, such an amendment could be brought forward.

Responding to a question of Councillor Cooper, Mr. King clarified that a permit is not required if the property is not in a restrictive zone.

Speaking in support of the amendment, Councillor Mosher stated either both should pay or both should not pay.

The vote was then taken on the amendment.

MOTION PUT AND PASSED.

Councillor Cooper suggested there should be equal payments for both types of applications and \$0.00 may not be the correct amount. The Councillor suggested there should be a smaller fee attached to both. Mr. Anstey stated when the matter comes back to Council it can be amended again. However, he suggested Council should attempt to arrive at a conclusion now rather than sending something forward that would be amended again. Mr. Anstey advised Councillor Cooper that it would be appropriate to put forth an amendment at this time.

MOVED by Councillor Cooper, seconded by Councillor Uteck, that the motion be amended so as 1 (a) and (b) read as follows:

- (a) The registration fee to register a property in the Halifax Regional Municipality Pesticide Registry, pursuant to Section 7(3) is \$15.00 (fifteen dollars) per property.**

- (b) **The application fee to apply (request) to carry out a pesticide application, pursuant to Section 6(2) is \$15.00 (fifteen dollars) per each request per property.**

Speaking in support of the amendment, Councillor Harvey stated it would generate some revenue to offset costs.

Speaking against the amendment, Councillor Walker stated the residents were advised the process would be made easy, and he suggested there should be no fees charged.

Councillor Cunningham spoke in support of the amendment, stating the \$15 application fee will encourage serious applications only.

Councillor Streach spoke in support of the amendment, stating it illustrates equity.

Councillor Goucher spoke in support of keeping the process simple with no fees, stating it will not work otherwise.

Speaking against the amendment, Councillor Johns stated it is another form of taxation, and, therefore, he will not support it.

Councillor Mosher spoke against the amendment, stating if there is no charge, there will be less chance of people spraying pesticides on their own.

Also speaking against the amendment, Councillor Hetherington stated it will make the process more complicated and confusing for everyone.

Speaking in support of the amendment, Councillor Harvey stated it is necessary to make the process work, noting Council anticipated some level of revenue to offset the costs.

The vote was then taken on the second amendment.

MOTION PUT AND DEFEATED.

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

MOVED by Councillor Sarto, seconded by Councillor Uteck, that Halifax Regional Council approve, in principle, the following additions to Administrative Order Number 15, Respecting Licence, Permit and Processing Fees:

1. Add a section entitled “Application/Registration Fees, By-Law P-800 Respecting the Registration of Pesticides, Herbicides and Insecticides.
 - (a) The registration fee to register a property in the Halifax Regional Municipality Pesticide Registry, pursuant to Section 7(3) is \$0.00 (zero dollars) per property.
 - (b) The application fee to apply (request) to carry out a pesticide application, pursuant to Section 6(2) is \$0.00 (zero dollars) per each request per property.

MOTION PUT AND PASSED.

**10.3.8 Amendment to Administrative Order 7 - Chebucto Community Council
Repeal of Administrative Order 25 - Peninsula & Western Region Community
Council
Motion - Councillor Walker**

MOVED by Councillor Walker, seconded by Councillor Sloane, that:

1. **BE IT RESOLVED THAT ADMINISTRATIVE ORDER NUMBER 7, the Chebucto Community Council Administrative Order by amended as follows:**
 - a. **Section 2 of said Administrative Order 7 is amended by adding immediately following the word “district” as it first appears in the third line thereof, the words, numbers and punctuation “11, Halifax North End, polling district 12, Halifax Downtown, polling district 13, Northwest Arm-South end, polling district 14, Connaught-Quinpool, poling district”.**
 - b. **The amendment shall take effect February 1, 2001.**
2. **BE IT RESOLVED THAT ADMINISTRATIVE ORDER NUMBER 25, the Peninsula and Western Region Community Council Administrative Order is hereby repealed effective February 01, 2001.**

Speaking against the motion, Councillor Rankin stated it would disband the Peninsula and Western Region Community Council, leaving Districts 22 & 23 without being represented by a Community Council. The Councillor advised Council that the Notice of Motion was the first notification he had of such a motion being put forth, and stated the process should include discussion with that Community Council to provide fairness to all involved and to allow other options to be explored.

MOVED by Councillors Rankin, seconded by Councillor Streach, that this matter be referred to the Peninsula and Western Region Community Council.

Councillor Cunningham spoke in support of the deferral, stating it was a good idea.

Also speaking in support of the deferral, Councillor Adams stated he would support the formation of a Community Council comprised of Districts 18, 22 and 23, as they have more of a common community interest. The Councillor requested that this option be explored as well.

Councillor Streach stated he would support the deferral, but noted that areas of different interests can work together.

Councillor Walker noted the two Community Councils cross issues and two public hearings are required on some issues.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.9 Protocol for Usage - Municipal Coat of Arms

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above was before Council for its consideration.

MOVED by Councillor Harvey, seconded by Councillor Sloane, that the amendment to Administrative Order Number 19, Respecting the Corporate Coat of Arms and Flag, attached to the staff report dated December 6, 2000, be approved in principle by Halifax Regional Council. The amendment provides details of a Protocol for Use of the Municipal Coat of Arms and the Halifax Regional Municipality corporate logo.

Councillor Hetherington noted there are often occasions when the Mayor's Office or the Councillors' Support Office requires something for a special event, such as a plaque, in a short turnaround time. The Councillor suggested there should be a proviso that only the Mayor's Office and the Councillors' Support Office be granted exemptions if required. Councillor Hetherington requested that this be incorporated into the policy.

MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1 Councillor Whalen - Burning Brush in Heavily Populated Areas

Councillor Whalen noted, in the past two weeks, it has come to her attention that contractors and developers in Clayton Park West sometimes burn the brush and tress that are on a property in order to prepare the site for development. During construction, they also burn construction

debris. The Councillor noted they are entitled to apply for a permit to do so from Fire Services. If there are any complaints from the neighbourhood, Fire Services will visit the site and revoke the permit. Councillor Whalen advised Council that she has received a number of complaints in the short time since taking office, and she agrees with the residents that this practice is inappropriate in the city. The Councillor suggested the policies that permit such burning within HRM should be re-examined by Council, to determine whether or not this is a practice it wishes to continue.

MOVED by Councillor Whalen, seconded by Councillor Goucher, that this matter be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Committee of the Whole Recommendation - RFP 00-058 To Design, Build and Operate a Public Parking Facility at Granville, Hollis and Salter Streets in Downtown Halifax

This item was addressed earlier in the meeting.

12.3 Legal Matter - Possible Purchase, 7153-55 Elliott Street

C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Hetherington, that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a Purchase and Sale Agreement for the sale of 7153-55 Elliott Street (Rice property) to Mr. and Mrs. Donald Ead, subject to a prior closing of the property with Mr. and Mrs. Rice for the purchase price of \$164,500 and that funds be returned to Capital Account CTU0028; and, that the November 30, 2000 staff report not be released to the public until, and if, the recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Legal Matter - Telecommunications Conduit and Fiber Optic Network

C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Halifax Regional Council continue discussions with Dexter/Sempra on the feasibility of Dexter/Sempra undertaking the installation of a telecommunications conduit in the natural gas trench. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Right Of Way, Bank of Montreal

- C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Sloane, seconded by Councillor Uteck, that the Mayor and Municipal Clerk be authorized to execute a grant of right of way to service the Bank's building. MOTION PUT AND PASSED UNANIMOUSLY.

12.6 Legal Matter - Claim Settlement

- C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Halifax Regional Council settle this claim brought by the Plaintiff in the amount of \$25,420.00 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on March 5, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

12.7 Legal Matter - Claim Settlement

- C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Sarto, seconded by Councillor Hetherington, that Halifax Regional Council settle this claim brought by the Plaintiff in the amount of \$22,000.00 as settlement in full upon obtaining a full release from the Plaintiff. MOTION PUT AND PASSED UNANIMOUSLY.

12.8 Legal Matter - Claim Settlement

- C This matter was discussed during an In Camera Session held prior to the Regular Session and was now before Council for ratification.

MOVED by Councillor Johns, seconded by Councillor Harvey, that Halifax Regional Council settle this claim brought by the Plaintiff in the amount of \$20,000.00 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on March 18, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

13. **NOTICES OF MOTION**

13.1 **Councillor Uteck**

TAKE NOTICE that at the next regular meeting of Regional Council to be held on Tuesday, January 9, 2001, I intend to introduce a motion to adopt an amendment to Administrative Order 15 Respecting License, Permit and Processing Fees to add a section dealing with the Application/Registration/Processing Fees for By-Law P-800 Respecting the Regulation of Pesticides, Herbicides and Insecticides.

14. **ADJOURNMENT**

Before the meeting adjourned, Deputy Mayor Blumenthal wished everyone the best of holiday seasons and a Happy New Year.

MOVED by Councillor Hetherington, seconded by Councillor Walker, that the meeting adjourn at 8:45 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk