

HALIFAX REGIONAL COUNCIL
MINUTES
March 28, 2000

PRESENT: Mayor Walter R. Fitzgerald
Deputy Mayor John Cunningham
Councillors Steve Streach
Gordon R. Snow
Keith Colwell
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry S. Blumenthal
Graham L. Downey
Sue Uteck
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
Stephen D. Adams
David E. Merrigan
Robert P. Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

STAFF: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The meeting was called to order at 6:00 p.m. with an invocation. Mayor Fitzgerald noted the raising of the Halifax Regional Municipality flag had taken place at 1:00 p.m.

At a later point in the meeting, Mayor Fitzgerald accepted a picture from Councillor Schofield which had been presented to the Municipality at the annual Canadian Police Curling Bonspiel.

2. PROCLAMATIONS

2.1 Parkinsons' Awareness Month - April

Mayor Fitzgerald declared April, 2000 as Parkinsons' Awareness Month in Halifax Regional Municipality.

3. APPROVAL OF MINUTES - NONE

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

Additions

- 13.1 Councillor Kelly - Background Security Checks
- 13.2 Councillor Uteck - Uniforms for By-Law Enforcement Officers
Councillor Uteck - Restrictions of Bikes in Point Pleasant Park
- 13.3 Deputy Mayor Cunningham - Billboards - Dartmouth Waterfront

Deletions

Item 11.2.1 - Case 00061 Stage II Development Agreement for Phases 1A and 2, Royale Hemlocks was deferred to April 11, 2000.

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

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

9.1 Second Reading By-Law A-100 Respecting License & Permit Appeals

- An extract from the March 7, 2000 Regional Council Minutes was before Council.
- A copy of "Schedule B", By-Law Number A-100 Respecting License and Permit Appeals was before Council

In response to Councillor Cooper, Mr. Anstey, Municipal Solicitor, advised there are provisions under certain by-laws for appeals to Council and the enactment of this by-law will include all appeals, including those for taxi licenses, to be heard by the Appeal Committee.

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

Mr. Robert Richards, stated the taxi industry should be allowed to govern itself suggesting the appeals committee consist of the Chairman and representatives from the Taxi Committee.

Mr. Darshan Virk, United Cab Drivers Association, stated the appeals committee should be separate and have no representation from the Taxi Committee. He requested one non-voting member be appointed from each zone.

Mr. Ali Roshani, expressed concern with the composition of the committee and stated the industry needs to be involved so that the committee would have a better understanding of issues.

Mayor Fitzgerald called three times for any additional speakers. Hearing none, the following motion was placed before Council.

MOVED by Councillors Hetherington and Blumenthal that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Hetherington suggested the committee consist of three Councillors, one representing the Taxi Committee.

MOVED by Councillors Cooper and Adams that Council approve Second Reading of By-Law A-100, Respecting License and Permit Appeals.

Without a vote being taken on the motion, the following motion was placed:

MOVED by Councillors Adams and Blumenthal that decision be deferred and the issue of the composition of the appeals committee be referred to the Taxi Committee for input. MOTION PUT AND PASSED.

Councillor Walker noted the recommendation for the committee composition was for Councillor representation only.

Mr. Anstey advised the recommendation that the appeals committee include two members of the taxi committee was to bring ongoing knowledge of the taxi industry to the committee.

After discussion, the following motion was placed on the floor.

MOVED by Councillors Blumenthal and Hetherington that Council reconsider the recommendation for approval of By-Law A-100 Respecting License and Permit Appeals. MOTION PUT AND PASSED. (17 in favour, 7 against)

MOVED by Councillors Hetherington and Blumenthal that Council approve Second Reading of By-Law A-100 Respecting License and Permit Appeals.

Councillor Adams requested a recorded vote.

Those voting in favour of the motion were: Mayor Fitzgerald, Deputy Mayor Cunningham and Councillors Streach, Colwell, Cooper, McInroy, Greenough, Sarto, Hetherington, Schofield, Blumenthal, Fougere, Walker, Stone, Read, Merrigan, Harvey, Kelly, Rankin and Mitchell. **(20 in favour)**

Those voting against the motion were: Councillors Snow, Downey, Uteck, and Adams. **(4 against)**

MOTION PUT AND PASSED.

9.2 Sale of Former East Chezzetcook School

- A staff report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated March 15, 2000, on the above noted, was before Council.

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 Colwell and Hetherington that Council reconfirm its decision of March 7, 2000 authorizing the Mayor and the Municipal Clerk to enter into an Agreement of Purchase and Sale with the Chezzetcook and District Lions Club for the Former Head Chezzetcook School, East Chezzetcook Road based on the terms and conditions set out in the staff report dated March 15, 2000. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Petitions

10.1.1 Councillor Mitchell - Arena, Prospect Road area

Councillor Mitchell submitted a petition containing 2175 names in support of an arena in the Prospect Road area to serve the communities from West Dover to Goodwood. The Councillor advised the petition has been submitted to Mr. Bill Estabrooks, MLA.

10.1.2 Councillor Colwell - Range Road, Grand Desert, District 3

Councillor Colwell submitted a petition containing 78 names on behalf of the residents of Range Road, Grand Desert, District 3, requesting the Department of National Defense undertake the needed upgrades to the road and, after completion of these upgrades, ownership of the road be transferred to Halifax Regional Municipality.

10.2 Presentations

10.2.1 Kate Carmichael, Executive Director, Downtown Halifax Business Commission - Issues Affecting Downtown Halifax

Ms. Carmichael address Council, noting there has been no allocation of capital funds for the downtown for this fiscal year. She advised there is a need for additional parking downtown and recommended the Municipality build a parking facility. She stated the Business Commission is suggesting the upper floors of heritage properties be developed for either residential or commercial use with the creation of a special district on Barrington Street within which a special building code can be adopted to allow flexibility for development of these properties. The Commission would also like to see the creation of a heritage tax vacation program for buildings within this same district, which would give a property owner who spends 25% of the assessed value of the property, a tax vacation on the increased assessment on the property after renovation. She advised there is a problem with graffiti in the downtown area and requested Municipal properties be cleaned up. Ms. Carmichael advised the Commission will pressure the private sector to follow suit.

A number of Councillors commended Ms. Carmichael on her initiatives and Council agreed that any Councillor interested in helping with the clean up of the graffiti would contact either Ms. Carmichael or the Mayors office.

11. REPORTS

11.1 MEMBERS OF COUNCIL

11.1.1 Councillor Colwell - Road Conditions on Range Road

- A petition had been circulated under item 10.1 relative to this issue.

MOVED by Councillors Colwell and Snow that the Mayor write a letter to the Minister of National Defense requesting this road brought up to a standard whereby the responsibility for the road can be turned over to the Municipality. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2(i) Councillor Merrigan - Old Windsor Highway - Upper Sackville

MOVED by Councillors Merrigan and Harvey that a letter be written to the Minister, Department of Transportation and Public Works requesting the Old Windsor Highway, Upper Sackville, be brought up to standard. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2(ii) Councillor Merrigan - Beaver Bank Water and Sewer

Councillor Merrigan referenced an information report circulated March 7, 2000 which advises the Beaver Bank Water and Sewer project will cost \$20 million and would consist of five phases in order to solve the major environmental and health problems in Beaver Bank. He advised it was indicated in a staff report, dated February 1, 2000, that special funding opportunities such as infrastructure monies would be investigated.

MOVED by Councillors Merrigan and Schofield that staff be requested to investigate a solution to implementing and funding the five phases of this project.

Councillor Rankin noted he had requested a report regarding the Salmon River Extension and Maplewood on the Lakes.

Councillor Stone advised he had requested consideration be given to Kent, Princes Lodge and Lodge Drive.

MOTION PUT AND PASSED.

11.1.3 Councillor Read - Heritage Designation - Chocolate Lake Dam and Purcell's Cove Railway

MOVED by Councillors Read and Uteck that the Heritage Advisory Committee consider the designation of the Chocolate Lake Dam as a heritage structure and the Purcell's Cove Railway as a heritage site. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.1.4 Councillor Kelly - Release of In Camera Reports

MOVED by Councillors Kelly and Mitchell that staff develop a policy and appropriate Administrative Order to allow for release of In Camera reports after an issue has been dealt with by Council unless otherwise voted on, by the majority of Council, as to why they cannot be made public. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.2 CHEBUCTO COMMUNITY COUNCIL

11.2.1 Case 00061: Stage II Development Agreement for Phase 1A and 2, Royale Hemlocks

- A report from Councillor Stephen D. Adams, Chair, Chebucto Community Council, dated March 24, 2000, on the above noted, was before Council.
- A report prepared for Mr. K.R. Meech, Chief Administrative Officer, dated March 14, 2000, on the above noted, was before Council.

This item was deferred to April 11, 2000 under the approval of the Order of Business at which time a proposal will be forthcoming relative to the recovery of the funds from development charges.

Councillor Kelly requested the report include the status of the repaving of the Bedford Highway from Kearney Lake to this subdivision.

11.3 CHIEF ADMINISTRATIVE OFFICER

11.3.1 Halifax Metro Centre Proposed Renovations

- A report prepared for Mr. K. R. Meech, Chief Administrative Officer, dated March 22, 2000, on the above noted, was before Council.

MOVED by Councillor Read and Deputy Mayor Cunningham that Council approve a temporary borrowing resolution for \$2.5 million, which will be used to finance the Trade Centre Limited's renovations to the Halifax Metro Centre, at no cost to HRM. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.2 Reserve Business Cases

- A report prepared for Mr. K. R. Meech, Chief Administrative officer, dated March 8, 2000, on the above noted, was before Council.

Ms. Dale MacLennan, Director of Finance, Ms. Catherine Sanderson, Financial Consultant, and Ms. Dawn MacKay, Manager of Accounting, with the aid of overheads, presented the Reserve Business Cases outlining the following:

- Council's Principle of Financial Management #7
- Reserves Policy
- Reserves Business Cases
- Fleet Reserves
- Operations Stabilization Reserve
- Recommendation re: retirement of loans
- Business/Industrial parks Expansion Reserve
- Sale of Capital Assets Reserve

MOVED by Councillors Greenough and Merrigan that Council approve the Reserve Business Cases as attached to the staff report dated March 8, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.3 First Reading T-401 Respecting the Truck Routes By-Law

- An extract from the March 21, 2000 Regional Council minutes was before Council.
- A copy of By-Law T-400 Respecting the Establishment of Truck Routes for Certain Trucking Motor Vehicles within the Halifax Regional Municipality was before Council.
- A copy of By-Law No. T-401 Respecting the Truck Routes By-Law was before Council.

MOVED by Councillors McInroy and Schofield that Council give First Reading to T-401 Respecting the Truck Routes By-Law. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.4 Amendment to Administrative Order 16 Respecting Fees for the Use of Solid Waste Management Facilities

- A copy of recommended amendments to Administrative Order 16 respecting the Fees for the Use of Solid Waste Management Facilities was before Council.

MOVED by Councillors Rankin and Mitchell that Council approve the amendments to Administrative Order 16 respecting the Fees for the Use of Solid Waste Management Facilities, effective May 1, 2000, as presented. MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Councillor Kelly - Background Security Checks

Councillor Kelly advised the RCMP do not charge for the service of background security checks and placed the following motion.

MOVED by Councillors Kelly and Adams that staff provide a report on why there is an inconsistency as well as investigate a means of making this process consistent. MOTION PUT AND PASSED UNANIMOUSLY.

13.2(i) Councillor Uteck - Uniforms for By-Law Enforcement Officers

MOVED by Councillors Uteck and Snow that staff provide a report regarding uniforms for By-Law Enforcement Officers. Further, the Councillor requested the report include the percentage of time By-Law officers are spending on solid waste enforcement as opposed to other enforcement matters. MOTION PUT AND PASSED UNANIMOUSLY.

13.2(ii) Councillor Uteck - Restrictions on Bikes in Point Pleasant Park

MOVED by Councillors Uteck and Cooper that staff explore the feasibility of a seasonal restriction on bikes in Point Pleasant Park to allow the ground to dry out. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Deputy Mayor Cunningham - Billboards - Dartmouth Waterfront

MOVED by Deputy Mayor Cunningham and Councillor Blumenthal that legal staff take necessary steps to have these billboards removed. MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

14.1 Councillor Greenough

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday the 4th day of April, 2000, I propose to introduce First Reading, By-Law R-102, the purpose of which is repeal of a number of outdated by-laws of the former municipal units.

14.2 Councillor Adams

Take notice that at the next regular meeting of the Halifax Regional Council, to be held on Tuesday, April 4, 2000, I will introduce an amendment to Ordinance No. T-108, the Taxi and Limousine By-Law to introduce a change to the license renewal procedure respecting character checking.

15. ADJOURNMENT

MOVED by Councillors Blumenthal and Streach that the meeting be adjourned at 8:15 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

**Vi Carmichael
Municipal Clerk**