

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 12, 2000

PRESENT:

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

REGRETS:

Councillor Harry McInroy

STAFF MEMBERS:

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

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1. INVOCATION

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

2. PROCLAMATIONS

2.1 National Payroll Week (September 18 - 22, 2000)

Mayor Fitzgerald proclaimed September 18 - 22, 2000 to be National Payroll Week.

2.2 Diversity Week (September 17 - 23, 2000)

Mayor Fitzgerald proclaimed September 17 - 23, 2000 to be Diversity Week

Atlantic Federation of Musicians - Presentation of Honorary Gold Card Membership to Mayor Walter Fitzgerald

Mr. John Alphonse, President, Atlantic Federation of Musicians, presented an Honorary Gold Card Membership to Mayor Fitzgerald in appreciation of his commitment and generosity towards live music and musicians in Halifax Regional Municipality.

3. APPROVAL OF MINUTES - NONE

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

The following items were added to the agenda:

- 12.1 Councillor Merrigan - Street Lighting
- 12.2 Councillor Sarto - Bus Route 54
- 12.3 Councillor Snow - MacPherson Road
- 12.4 Property Matter - Sale of 2595 Sackville Drive to Charles Jollymore
- 12.5 Property Matter - Street Closure and Sale of Land - Maple Street, Bedford
- 12.6 Property Matter - Lease, Alternative Locations for 155 Mount Edward Road Cellular Communication Tower

The following Information Items were also added:

- 1. Memorandum from Director, Administrative Services, dated September 12, 2000, re: Plebiscite on Supplementary Education Funding.

2. Memorandum from Director, Public Works and Transportation Services, dated September 11, 2000, re: Sewage Spill - Morris Lake

MOVED by Councillors Hetherington and Blumenthal that the Order of Business, Additions and Deletions, 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 - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Petitions

9.1.1 Deputy Mayor Cunningham - Dartmouth Common Baseball Fields

Deputy Mayor Cunningham served a petition from the Executive of Central Dartmouth Minor Baseball, requesting the support of Halifax Regional Council to repair the Dartmouth Common Baseball Fields. The Deputy Mayor noted he has already forwarded this petition to senior staff and is now formally presenting it to Council.

9.1.2 Councillor Sarto - Resident Concerns

Councillor Sarto served correspondence from a resident in his District identifying a number of concerns. The Councillor noted he has personally addressed some of the issues, but requested that the correspondence be forwarded to Engineering, Police and Fire Services to respond, in a report back to Council, to the issues raised regarding their respective departments.

9.1.3 Councillor Adams - Community Government Wharf at Herring Cove Inner Harbour

Councillor Adams served a copy of a petition, containing 13 signatures of residents from the Herring Cove area, to Mr. E. P. Gibney, District Manager, Small Craft Harbours Branch, Fisheries and Oceans, requesting that Pilot Boat #1 be prevented from using the Community Government Wharf at Herring Cove inner harbour. The Councillor requested that copies of this petition be provided to members of Council for their information.

9.1.4 Councillor Kelly - Enhanced Bus and/or Sidewalks on the Hammonds Plains Road

Councillor Kelly served a petition from 19 companies, representing approximately 300 employees, requesting enhanced bus service and/or sidewalks on the Hammonds Plains Road. The Councillor requested that the petition be forwarded to both Metro Transit and Public Works and Transportation.

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor Adams - Leiblin Park Water Main Renewal

Councillor Adams reported notices were given to residents of the Leiblin Park area on September 1, 2000, regarding a planned shutdown of water to occur on September 5, 2000, to renew a water main. However, the Councillor stated water was not made available until the next morning between 10 a.m. and 11 a.m. creating problems for people going to work and school. Councillor Adams requested a report from the Halifax Regional Water Commission explaining how and why this happened and how it can be prevented from occurring again in the future.

10.1.2 Councillor McInroy:

i) Cole Harbour Road Funeral Home and Crematorium

As Councillor McInroy was unavailable to attend this meeting due to his attendance at other HRM related business, it was agreed to defer this item until September 19, 2000.

ii) Late Tender Awards and Late Project Completion (Streets and Roads)

As Councillor McInroy was unavailable to attend this meeting due to his attendance at other HRM related business, it was agreed to defer this item until September 19, 2000.

10.1.3 Councillor Cooper - Request for Crosswalk - Corner of Bradorian and Auburn Drive

Councillor Cooper expressed concern with the lack of a sidewalk at the corner of Bradorian and Auburn Drive. The Councillor noted that there are approximately 3,000 students within a very short distance of this area. Councillor Cooper stated not to have a crosswalk on one of the main collector streets in the area, to allow the students to cross safely, is unacceptable. The Councillor requested a comprehensive staff report detailing

exactly what is taken into consideration when the Traffic Authority makes decisions regarding whether or not crosswalks are warranted. Councillor Cooper noted most of Council does not have information regarding the policies followed by the Traffic Authority when it makes these decisions, and this information should be provided so Councillors can better understand and analyse traffic issues in their respective communities. Councillor Cooper suggested more information regarding the national standards, and what flexibility is available within them, needs to be provided to Council.

Councillor Read spoke in support of the staff report, stating this has been an on-going concern of his, and he would like to see more information from the Traffic Authority when it refers to the criteria for crosswalks.

Also speaking in support of the request for a staff report, Deputy Mayor Cunningham noted he will be bringing forth a petition, regarding a similar situation, at the next meeting of Council.

Council agreed to the request for a staff report.

10.2 GRANTS COMMITTEE

10.2.1 By-Law T-204, An Amendment to By-Law T-200, Tax Exemption for Non-Profit Organizations (2000-2001)

- A report from the Grant Committee, regarding the above, was before Council for its consideration.

MOVED by Councillors Schofield and Uteck that Council approve, in principle, By-Law T-204, An Amendment to By-Law T-200, Tax Exemption for Non-Profit Organizations (2000-2001). MOTION PUT AND PASSED UNANIMOUSLY.

Later in the meeting, Councillor Walker served Notice of Motion for First Reading of the By-Law to take place on September 19, 2000.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Tender 00-288 John Savage Avenue and Frazee Avenue Extension, Burnside Industrial Park

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

MOVED by Councillors Greenough and Schofield that Council:

1. Award Tender No. 00-288, John Savage Avenue and Frazee Avenue Extension to A.C.L. Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$567,985.58 and a Total Project Cost of \$653,183.00, with funding authorized as per the Budget Implications Section of the staff report dated September 7, 2000.
2. Authorize \$15,000.00, including HST, to Nova Scotia Power Inc. for the extension of electrical transmission lines, street lighting and other project expenses.
3. Approve a price of \$3.50 per square foot for Lots 843 and 844 on John Savage Avenue and Lots 820A and 840A on Frazee Avenue in the Burnside Park. MOTION PUT AND PASSED.

10.3.2 Patching of HRM Streets (Info Memo)

- An Information Report prepared for Kulvinder Dhillon, Director of Public Works and Transportation, regarding the above, was before Council.

MOVED by Councillors Hetherington and Downey that the Information Report be received and filed.

Councillor Adams expressed some concerns with the report and requested an additional staff report to respond to the following:

- Clarification of the following line on Page 2 of the Information Report: "Staff initiated a minimum of hand patching which due to the overall condition of the road surface and the difficulty of blending the hand patching with the adjacent road surface quickly escalated to a greater quantity of hand patching than staff would have normally done."
- Why was the patching difficult to stop once it had begun?
- Councillor Adams expressed concern with the poor quality of the paving and repair work, and requested additional information as to why this happened on such large patches of road.

MOVED by Councillors Adams and Hetherington that the matter be referred to staff for a further report to respond to the concerns stated by Councillor Adams. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Update - Gas Pipeline

Mr. Phil Francis, Policy and Planning Engineer, Engineering and Transportation Services, provided Council with a verbal update regarding the gas pipeline. Highlights of his presentation were as follows:

- The only street crossing left to be done in the Burnside Industrial Park is Windmill Road, which will be completed in the next couple of weeks.
- The approximate completion date for the construction of the pipeline is October 15th and it is intended that the pipeline will be in service on November 1st.
- Sempra Atlantic Gas has been planning its 2000 construction schedule for which tenders have been called and closed and are currently under review.
- 10 streets in Burnside and the Crichton Park area of Dartmouth are currently planned to be piped in 2000, as well a connecting pipe between these two areas, for a total of 18 kms of piping. Construction should commence around September 25th and be completed towards the end of November.
- Sempra is planning two public information meetings for residents and businesses in these two areas. One is scheduled for September 20th for Burnside and another one tentatively scheduled for September 28th for the Crichton Park area.
- Staff have been reviewing alternatives to accommodate the increasing demand for HRM streets by telecommunication companies, and how to properly manage the streets and to minimize disruption. Through this review, staff have learned there are potential economic benefits to HRM which could result from the provision of an advanced telecommunications network throughout HRM. In this regard, there is an opportunity to achieve this in conjunction with the natural gas distribution rollout. Staff is in the very early exploratory stages of this opportunity, and further information will be forthcoming to Council.

Councillor Schofield suggested that, before any public information meeting dates are set, various community groups and the respective Councillors should be contacted. Mr. Francis responded that the Councillor's comments will be passed on to Sempra Atlantic Gas.

Responding to a question of Councillor Schofield, Mr. Francis stated the gas line will cross Windmill Road near the railway overpass.

In response to a question of Councillor Blumenthal, Mr. Francis stated every attempt is being made to keep the gas line away from existing pavement. Staff have been coordinating with Sempra regarding disturbance to paved streets, and staff is endeavouring to keep Sempra away from newly paved streets.

Councillor Streach inquired if staff have given any consideration to including the core of Middle Musquodoboit in the service area, as the pipe line runs just a few feet away. Mr. Francis stated the service areas were determined mostly by Sempra, and for the most

part, will be in the HRM core area. However, he agreed to raise Councillor Streach's concern with Sempra.

Councillor Streach asked if any consideration has been given to HRM installing fibre optic networks itself and renting bandwidth back to the telecommunication companies, to which Mr. Francis replied staff is considering this.

Responding to a question of Councillor Stone, Mr. Francis explained the route of the pipe line into Halifax, noting it will be a couple of years before this is completed. Mr. Francis stated it is not likely the pipeline will go in the Bedford Highway if it has been repaved. If so, Sempra will be responsible for repaving.

As there were a number of Councillors wishing to ask further questions, Mr. Kulvinder Dhillon, Director, Public Works and Transportation, suggested Sempra Atlantic Gas could be invited to a Council meeting in 2-3 weeks to discuss the overall program and respond to questions. Council agreed to this suggestion.

Councillor Greenough stated it would appear to be possible for a line to extend from the northern end of District 6 along the Waverley Road to service the Port Wallace/Westphal/Main Street area, and asked that Sempra respond to this as well.

10.3.4 Otter Lake Court Utility Service, Bayers Lake Business Park, Halifax

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

MOVED by Councillors Stone and Hetherington that Council:

- 1. Approve a new Capital Project - Otter Lake Court Utility Service, Bayers Lake Business Park, Halifax, at an estimated cost of \$80,000, including HST, with funding authorized as per the Budget Implications Section of the staff report dated August 29, 2000.**
- 2. Authorize \$7,000, including HST, to Nova Scotia Power Inc. for the installation of poles, extension of electrical transmission lines and other project expenses. MOTION PUT AND PASSED UNANIMOUSLY.**

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Merrigan - Street Lighting

Councillor Merrigan expressed concern with the amount of time it takes to have street lights replaced by Nova Scotia Power Corporation, and requested that staff explore this issue and advise Council what can be done to provide better service to the residents. Councillor Harvey noted the flood lights at Kinsmen Beach, First Lake, Sackville, an HRM park, have been out all summer, contributing to a vandalism problem, and requested that staff look into this as well.

Council agreed to the request for a staff report.

12.2 Councillor Sarto - Bus Route 54

Councillor Sarto requested a staff report from Metro Transit explaining why the low floor bus was recently taken off Bus Route 54. The Councillor noted this bus change has been creating access problems for seniors and persons with disabilities.

Council agreed to the request for a staff report.

12.3 Councillor Snow - MacPherson Road

Councillor Snow noted that approximately 14 months ago a petition was presented to Council from residents in the MacPherson Road area requesting that this road be made into a one-way street or blocked off as a cul-de-sac after the new Lockview Road was completed. The Councillor noted this new road is now complete and the new P3 school has opened, creating an unsafe situation for students walking down MacPherson Road. The Councillor requested a staff report detailing how quickly something can be done to create a one-way street or cul-de-sac to resolve this safety concern.

Council agreed to the request for a staff report.

12.4 Property Matter - Sale of 2595 Sackville Drive to Charles Jollymore

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

MOVED by Councillors Merrigan and Mitchell that:

- 1. Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an agreement of purchase and sale for 2595 Sackville Drive to Charles Jollymore; as shown on Attachment "A" of the staff report dated September 6, 2000 for \$67,000 as settlement in full, plus any additional taxes and adjustments that may be applicable.**

2. **The In Camera staff report be retained as a confidential report, and not released to the general public. MOTION PUT AND PASSED UNANIMOUSLY.**

12.5 Property Matter - Street Closure and Sale of Land - Maple Street, Bedford

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

MOVED by Councillors Kelly and Hetherington that:

1. **Halifax Regional Council authorize staff to set a date of October 3, 2000 for a public hearing for consideration of HRM Administrative Order SC-24, concerning the closure of a portion of Maple Street, Bedford, identified as Parcel "A", on Attachment "A" of the staff report dated August 25, 2000.**
2. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for Parcel "A", subject to the approval of the street closure, to Michael Meisner, comprised of 1,343 sq. ft., at a price of \$9,267.00, plus applicable legal fees and administrative costs associated with the public hearing and the cost of the appraisal.**
3. **The In Camera staff report not be released to the public until, and if, recommended transaction is finally concluded. MOTION PUT AND PASSED UNANIMOUSLY.**

12.6 Property Matter - Lease, Alternative Locations for 155 Mount Edward Road Cellular Communication Tower

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

MOVED by Councillors Sarto and Greenough that Regional Council direct staff to continue discussions with officials of the Halifax Regional Water Commission and Clearnet to identify future potential alternative locations to the Cellular Communication Tower site on Mount Edward Road, and that the Halifax Regional Water Commission be formally requested to not renew or extend the existing lease agreement with Clearnet until a future public hearing has been held to discuss the terms and conditions for the continuing use of the Mount Edward Road location and the potential of relocating the tower and equipment to an alternative location. Further, that the In Camera staff report not be released to the public. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Walker - First Reading, By-Law T-204

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on September 19, 2000, I intend to introduce a motion to approve First Reading of By-Law T-204, An Amendment to By-Law T-200, Tax Exemption for Non-Profit Organizations (2000-2001) for the deletion of organizations.

13.2 Councillor Kelly - Administrative Order SC-24

TAKE NOTICE that at the regular Regional Council Meeting, to be held on Tuesday, October 3rd, 2000, I propose to introduce, for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-24. The purpose of which is to effect closure of a portion of Maple Street in Bedford.

14. ADJOURNMENT

MOVED by Councillors Hetherington and Blumenthal that the meeting adjourn at 6:50 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk