

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES January 9, 2001

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
Stephen D. Adams
Bob Harvey
Len Goucher
Reg Rankin
Gary Meade

REGRETS:

Councillors: Sheila Fougere
Linda Mosher
Brad Johns

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	4
	Presentation of Plaque by Mr. Howard Rake, Canada Post, to Halifax Regional Municipality - Customer of the Month	4
3.	APPROVAL OF MINUTES - December 5 & 12, 2000	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS OR DELETIONS	4
5.	BUSINESS ARISING FROM THE MINUTES- NONE	4
6.	MOTIONS OF RECONSIDERATION - NONE	5
7.	MOTIONS OF RESCISSION - NONE	5
8.	CONSIDERATION OF DEFERRED BUSINESS - NONE	5
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS	5
9.1	Petitions	5
9.1.1	Councillor Sarto	5
	i) Correspondence - 5 Edmond Drive	5
	ii) Correspondence - Sidewalk for Lillian Drive	5
	iii) Correspondence - Viaduct Under Mount Edward Rd.	5
10.	REPORTS	5
10.1	MEMBERS OF COUNCIL	5
10.1.1	Councillor Warshick - Letter of Congratulations - European Senior PGA Tour Event	5
10.1.2	Councillor McInroy - Municipal Services to Native Lands, Cole Harbour	6
10.1.3	Councillor Goucher	7
	i) December 20 th Rain Storm	7
	ii) Tree Cutting by Nova Scotia Power	9
10.1.4	Councillor Cooper - Rain Storm	9
10.1.5	Councillor Rankin - FCM Housing Initiatives	9
10.1.6	Councillor Uteck - Residential Parking Permits	10
10.1.7	Councillor Sarto:	11

i)	Pedestrian Lights - Intersection of Woodlawn and Ellenvale	11
ii)	Storm Sewer Services	11
10.1.8	Deputy Mayor Blumenthal - Parking Enforcement for Snow and Ice Removal	11
10.2	CHEBUCTO COMMUNITY COUNCIL	13
10.2.1	Case 00268 - Stage II Development Agreement Application, Phase 2D, Langbrae Gardens	13
10.3	HARBOUR EAST COMMUNITY COUNCIL	14
10.3.1	Greenvale School Building, Dartmouth	14
10.4	REGIONAL HERITAGE ADVISORY COMMITTEE	15
10.4.1	1573 Barrington Street - Application to Consider Registration of this Property as a Heritage Building	15
10.5	GRANT COMMITTEE	15
10.5.1	Dartmouth Senior Care Society (Oakwood Terrace)	15
10.6	HALIFAX REGIONAL WATER COMMISSION	16
10.6.1	1999/00 Annual Report - Presentation - Mr. John Dick, Chair	16
10.7	CHIEF ADMINISTRATIVE OFFICER	16
10.7.1	Tender 00-142 Three (3) Model 2001 4-Door Sedan Patrol Cars (Rearwheel Drive)	16
10.7.2	Water Service Extension Upper Hammonds Plains	17
10.7.3	Graham Creighton Junior High School Community School Enhancement - Funding Sources	17
11.	MOTIONS	18
11.1	Councillor Uteck	18
12.	ADDED ITEMS	18
12.1	Deputy Mayor Blumenthal - Transit Survey	19
12.2	Committee of the Whole Recommendation - Canada-NS Infrastructure Program	19
12.3	Legal Matter - Claim Settlement	19
12.4	Legal Matter - Claim Settlement	19
12.5	Legal Matter - Claim Settlement	20
13.	NOTICES OF MOTION	20
13.1	Councillor Hetherington - Amendment to	

Administrative Order Number 19 20

14. ADJOURNMENT 20

1. **INVOCATION**

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

2. **PROCLAMATIONS**

Presentation of Plaque by Mr. Howard Rake, Canada Post, to Halifax Regional Municipality - Customer of the Month

Mr. Howard Rake, Canada Post, presented a plaque to Mayor Kelly in honour of HRM being Canada Post's customer of the month. On behalf of Council, Mayor Kelly thanked Mr. Rake for the recognition.

ACKNOWLEDGEMENTS

On behalf of Council, Councillor Colwell expressed best wishes to Councillor Hetherington's mother, Mrs. Faye Hetherington, on the occasion of her 90th birthday on January 8th. Mayor Kelly also extended best wishes to Mrs. Hetherington.

At a later point in the meeting, Mayor Kelly acknowledged the presence in the gallery of Mr. Tim Olive, MLA, Dartmouth South.

3. **APPROVAL OF MINUTES - December 5 & 12, 2000**

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that the minutes of December 5 & 12, 2000 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 12.1 Deputy Mayor Blumenthal - Transit Survey
- 12.2 Committee of the Whole Recommendation - Canada-NS Infrastructure Program
- 12.3 Legal Matter - Claim Settlement
- 12.4 Legal Matter - Claim Settlement
- 12.5 Legal Matter - Claim Settlement

MOVED by Councillor Hetherington, seconded by Councillor Sarto, 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 - NONE**
- 9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**

- 9.1 **Petitions**

- 9.1.1 **Councillor Sarto**

- i) **Correspondence - 5 Edmond Drive**

Councillor Sarto submitted correspondence from a resident expressing concern with respect to the current use of 5 Edmond Drive as an R2 property. The Councillor asked that the correspondence be referred to Legal Services for a report back to Council.

- ii) **Correspondence - Sidewalk for Lillian Drive**

Councillor Sarto submitted correspondence from a resident of Lillian Drive requesting a sidewalk for this street due to safety concerns. The Councillor requested that this matter be referred to Public Works and Transportation Services for consideration in the 2001-2002 Capital Budget.

- iii) **Correspondence - Viaduct Under Mount Edward Rd.**

Councillor Sarto submitted correspondence from a resident of Mount Edward Road regarding flooding problems experienced by several properties on this street during the December 20th rain storm. The Councillor requested that this matter be referred to Procurement and Environmental Services for a report.

- 10. **REPORTS**

- 10.1 **MEMBERS OF COUNCIL**

- 10.1.1 **Councillor Warshick - Letter of Congratulations - European Senior PGA Tour Event**

Councillor Warshick requested that the Mayor send a letter of congratulations to Mr. Fred Smithers, owner of Granite Springs Golf Club, and George Conrad, General Manager, for securing the European Senior PGA Tour event in 2002. The Councillor noted this is the first time that this Tour has been played in continental North America. The event will no doubt encourage some of the European players to come to North America, and it will be televised on both the North American Golf Channel and its affiliate stations in Europe, potentially reaching 250 million homes. Councillor Warshick stated that major events, such as this, help showcase the Municipality.

MOVED by Councillor Warshick, seconded by Councillor Hetherington, that the Mayor send a letter of congratulations to Mr. Fred Smithers, owner of Granite Springs Golf Club, and George Conrad, General Manager, for securing the European Senior PGA Tour event in 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Councillor McInroy - Municipal Services to Native Lands, Cole Harbour

Councillor McInroy noted this matter was first brought forward in 1998. The Millbrook Native Band owns approximately 40 acres of property which is located on both sides of Caldwell Road in District 5. The Councillor noted some municipal services are provided to the approximate 50 residents of these lands. However, there is currently a 3.5 storey 50-unit apartment building under construction, with plans for an additional four 50-unit apartment buildings to be constructed. Councillor McInroy stated, to service these buildings, there is a newly constructed fully serviced road which will eventually be connected to the existing Brookfield Avenue. The Councillor stated it is only proper that HRM proceed to conclude some agreement with the Millbrook Band that would provide a mechanism to ensure HRM can provide municipal services to the residents of the Reserve lands to the same extent and level as abutting properties in HRM. Also, it would ensure that HRM is properly paid for the services provided. Councillor McInroy stated it is his understanding that staff have had some discussions with representatives of the Millbrook Band, and recently met to address some issues. The Councillor stated it is his understanding that the Band Council does not want municipal by-laws adopted by its own Council. However, Councillor McInroy stated such by-law adoption is the basis for many existing agreements in western Canada with regard to the provision of municipal services to properties on native lands, and, therefore, he would support the same for this area.

With respect to negotiations with the Millbrook Band, Councillor McInroy stated there should be a report back to Council before the agreement is finalized to be taken to the Band Council. The Councillor stated he would not suggest that the Millbrook Band Council give up any of its jurisdiction to the Municipality. However, the adoption, or mirror image, of municipal by-laws would have no effect on jurisdiction.

Councillor McInroy stated he would prefer a grant, or payment, in lieu of taxes, to pay for municipal services provided to the Millbrook Band lands.

Mr. Wayne Anstey, Municipal Solicitor, advised Council a meeting was held some time ago with the Millbrook Band Council to discuss a comprehensive agreement where the Band Council would adopt by-laws similar to HRM, and HRM would enforce the by-laws on their behalf, as well as provide all the municipal services normally provided to residents. Mr. Anstey stated the response from the Band Council was they were not prepared to enter into this type of agreement. However, the Band Council was prepared to enter into an agreement where they would purchase, on a fee for service basis, hard services, such as street maintenance, snow plowing, garbage collection, fire protection, etc. A draft agreement has been put together, and staff is meeting with the Band Council next week to discuss the pricing formulas for the various services. If Council wishes, Mr. Anstey stated staff can bring a report back to Council following this meeting.

Councillor McInroy stated if the kind of agreement that he is seeking is not achievable, he would like the following concerns addressed by staff:

- C Metro Transit service is located next the lands, and should not be excluded from the fee for hard services.
- C There is no agreement in place to allow for cost recovery from the federal or provincial government for RCMP services.

Mr. Anstey stated staff will attempt to reach consensus with the Band Council on as many issues as possible to get an agreement in place. If the agreement is successful, Mr. Anstey suggested there may be a possibility to expand on the agreement in the future.

10.1.3 Councillor Goucher

i) December 20th Rain Storm

With the use of photographs, Councillor Goucher illustrated some of the flooding problems that occurred in Bedford as a result of the December 20, 2000 rain storm, during which a total of approximately 73mm of rain fell. The Councillor stated residential flooding problems occurred on Meadowbrook Drive, a serviced area, and there was a plugged storm drain at the back of the Sackville River on Union Street. Councillor Goucher stated the reason for bringing these issues forward is to learn from these events for the future. The Councillor requested a staff report, referencing District 21, with the preventative maintenance identified by staff that could occur to alleviate some of these problems in future.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that this matter be referred to staff for a report.

Councillor Hines reported that District 2 also experienced some extreme situations, and suggested that the grates over the culverts should have mechanical lifting devices installed so they can be lifted before a storm arises.

Councillor Sloane reported there was flooding in the area by the Bengal Lancers property, which impeded traffic, and requested that this also be addressed in the report.

Deputy Mayor Blumenthal requested that the staff report also address what the residents can do to help deal with the flooding problems near Needham Hill.

At this time, Council agreed to deal with **Item 10.1.4 Councillor Cooper - Rain Storm**, as it related to the same issue. Councillor Cooper noted, over the last few years, a fair amount of money has been spent in the Cole Harbour area relating to flooding concerns. The Councillor expressed thanks to staff for the work completed to date, noting it has gone a long way towards relieving the problem, with the exception of the area of Fong's Restaurant. Councillor Cooper noted this area is directly affected by a piece of property behind the restaurant, which is owned by the Province of Nova Scotia. The Councillor requested that a letter be sent to the Province requesting its cooperation in curing problems arising from this particular piece of land. Councillor Cooper stated the Province is aware of the situation, and the problems will continue until such time as assistance is received from the Province to resolve it.

Another concern raised by Councillor Cooper was with respect to the water level of Bissett Lake. During the recent storm, the water in the lake rose to road level. The Councillor noted the Province has been approached in the past regarding this issue, and requested that another letter be sent asking for some control to put the level of Bissett Lake to make it capable of taking the runoff, rather than backing up. Councillor Cooper also asked that the letter address the possibility of opening the culvert on Ross Road to take off more water to reduce flooding in this area.

Councillor Smith raised concerns regarding flooding problems experienced in his District. The Councillor's main concern was with flooding on Albro Lake Road and Ernest Avenue, as a result of the increased water level of Little Albro Lake. Councillor Smith requested that staff examine this issue to ensure the catch bin on the lake is regularly cleaned and well coordinated.

Councillor Harvey requested the report address the upper end of Riverside Drive, which appears to have experienced the most serious flooding in District 20.

Councillor Warshick noted he has already contacted staff regarding problems experienced on Scotsburn Drive, Plymouth Avenue and Mountain Avenue, and is awaiting these reports. The Councillor also noted a problem at Red Bridge Pond, located next to Waverley Road,

which created severe street flooding, and flooding concerns with respect to properties abutting Lake Mic Mac. The residents suggested the gates at Sullivan's Pond were not opened early enough to help lower the level of the lake. The Councillor requested that these items also be addressed in the requested staff report.

Closing the debate, Councillor Goucher stated a lot of credit is due to staff as, for the most part, they did a good job during this storm. The Councillor stated his main concern is that, for the future, these problem areas are identified and some preventative maintenance is put in place.

MOTION PUT AND PASSED UNANIMOUSLY.

ii) Tree Cutting by Nova Scotia Power

With the use of photographs, Councillor Goucher illustrated a tree cutting incident where a tree that had fallen on the power lines was cut into several pieces and left on the property. The Councillor stated the question of whether the tree was on private or public property at that time is not relevant, but if Nova Scotia Power (NSP) is not going to remove it, they should at least advise the property owners as to their responsibilities with regard to that particular issue. Councillor Goucher noted in this particular situation the tree was probably nine or ten feet from the street on HRM property. The matter only came to the attention of HRM, because the property owner contacted Councillor Goucher. The Councillor noted it is his understanding there is a vehicle in place where NSP works with HRM with respect to tree cutting to advise the area residents as to what is taking place. Councillor Goucher suggested this vehicle could be used in a situation such as this, and stated it is critical in the future that NSP communicate better with HRM and the residents. The Councillor noted he recently had a conversation with Mr. Allan Sullivan, NSP, who advised that NSP is working on this problem as it is an area of concern for them. Councillor Goucher suggested, in the meantime, that the Mayor write a letter to NSP expressing HRM's concerns regarding the tree cutting issue, so, hopefully, in the future, the HRM and the homeowners will be aware of what is occurring.

MOVED by Councillor Goucher, seconded by Deputy Mayor Blumenthal, that the Mayor write a letter to NSPC expressing HRM's concerns regarding the tree cutting issue. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Councillor Cooper - Rain Storm

This item was addressed under Item 10.1.3 (i).

10.1.5 Councillor Rankin - FCM Housing Initiatives

Councillor Rankin requested a staff report regarding the Municipality's participation on the National Housing Policy Options Team, by assigning a senior staff person to this team, as well as allocating \$.02 per capita to join more than 30 cities across Canada encouraging more public housing units, including senior citizen housing. The Councillor noted the \$.02 per capita would translate into \$7,000. Councillor Rankin stated the staff report should be received before the Big City Mayors Conference taking place in Ottawa.

MOVED by Councillor Rankin, seconded by Councillor Uteck, that this matter be referred to staff for a report.

In response to a question of Mayor Kelly, Councillor Rankin suggested Ms. Barbara Nehiley, Staff Advisor, Special Projects, would be the appropriate staff person for this project.

Councillor Sloane spoke in support of this initiative.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.6 Councillor Uteck - Residential Parking Permits

Mr. David McCusker, Manager, Traffic and Transportation Services, responded to questions of Councillor Uteck regarding the residential parking permit pilot project on Williams Street, Halifax, making the following points:

- C The purpose of the pilot study is to investigate some techniques that may be used within a larger policy on residential parking control.
- C The pilot study is being conducted to determine if there is a role of permit only parking on residential streets within the framework of this policy.
- C The pilot study should be completed by the end of February 2001, and data will be collected at that time.
- C Permits will first be offered to residents who require them, at a cost yet to be determined, and then, potentially, additional permits would be sold to non-residents of the area in an attempt to achieve the best possible utilization of the block. The target range is 70-80 percent utilization of the available parking spaces on the block.
- C Staff have been receiving a number of requests from residents who want no parking on their streets, and these issues will be brought by staff to Council for guidance.

Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, noted this is only a pilot project at this time. Following the completion of the project, a report will be coming back to Council for discussion and direction.

As part of the report, Councillor Uteck requested that the matter of issuing residential parking permits to residents with cars not registered in their own names, such as is the case for many

university students, be addressed. Also, the Councillor requested the report contain a clarification as to what will take place with the standardization of fees in HRM, noting fees are not charged in all areas of the Municipality.

Deputy Mayor Blumenthal suggested more focus should be placed on the issue of mass transit rather than parking.

Responding to a question of Councillor Sloane, Mr. McCusker stated there is no intention to force the permit only parking on any particular areas. It is simply a tool that will be available at the residents' own petitioning. With regards to the uniformity of fees issue, Mr. McCusker suggested this is a separate issue, and a report could come back to Council in a few weeks on this matter. The policy for residential parking would likely come back to Council in late March 2001.

10.1.7 Councillor Sarto:

i) Pedestrian Lights - Intersection of Woodlawn and Ellenvale

Councillor Sarto requested a staff report concerning an assessment of the need for overhead pedestrian lights at the intersection of Woodlawn Road and Ellenvale Avenue. The Councillor noted a woman was seriously injured after recently being hit by a car at this intersection. Councillor Sarto submitted some information from Police Services regarding this intersection and asked that it be forwarded to staff for consideration in the report.

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

ii) Storm Sewer Services

Councillor Sarto requested a staff report concerning an assessment of storm sewer services as it relates to properties on Wanda Lane and parts of Belle Vista Drive who bear the brunt of frequent basement/storm sewer backup problems. The Councillor asked that the report also include information on work needed on the infrastructure in that particular area in order to solve the problem.

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

10.1.8 Deputy Mayor Blumenthal - Parking Enforcement for Snow and Ice Removal

Deputy Mayor Blumenthal reported that he has received multiple forms of correspondence from residents complaining about the lack of action on HRM's part for enforcing the winter

parking regulations. The Deputy Mayor stated the residents are asking for consistency and good enforcement, and requested a staff report to consider the following:

- C Assigning Special Constable status to the snow captains or supervisors to allow them the capability to immediately ticket or tow vehicles in violation of the regulations.
- C Multiple-tasking of staff, using staff from other departments to deal with snow problems, such as plowing or sidewalk control.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that this matter be referred to staff for a report.

Speaking in support of the motion, Councillor Sloane stated definitions of a snow event and an ice event need to be identified to provide consistency. The Councillor also requested that the staff report identify how much more Dartmouth residents pay to have their sidewalks cleared compared to Halifax where they are not cleared by HRM.

Councillor Walker requested that the staff report clarify whether or not violation tickets are pyramided.

Councillor Uteck requested that the staff report include information with respect to protocol for communication between departments. The Councillor suggested a tender should be issued for towing services and vehicles in violation should be automatically towed rather than issued tickets.

Responding to a question of Councillor Adams, Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, confirmed the only change in the winter parking regulations that occurred last year was that vehicles are permitted to park on the streets from 1 a.m. to 6 a.m., if there is no storm, which previously was not allowed. It is the Motor Vehicle Act that defines the time periods during winter storms when vehicles are not allowed to be parked on the street. Councillor Adams questioned why this has now become an issue. Mr. Dhillon responded that, in the past, most of the snow and ice removal work was completed after midnight, when no cars were on the street, and it could be done faster and at less cost.

Councillor Adams stated he has received numerous contacts from residents expressing concern with a suggestion of raising taxes for sidewalk clearing. For the record, the Councillor stated he is not in favour of a tax increase. Councillor Adams noted the main concern was with seniors paying someone to clear their sidewalk, and then the plow coming by and filling it back in. As possible solutions to this problem, the Councillor suggested the plows could be requested to slow down a bit on residential streets, and staff could also investigate some of the agencies that may be available to help senior citizens and those with disabilities to have their sidewalks cleared.

With regards to enforcement, Councillor Whalen stated there are not enough By-Law Enforcement Officers to deal with sidewalk clearing, noting this is a major concern in Clayton Park West. The Councillor spoke in support of Deputy Mayor Blumenthal's suggestion of assigning Special Constable status to allow more individuals to deal with infractions.

With regards to pyramid ticketing, Councillor Hetherington stated a vehicle should be towed after the first ticket is issued if it is not removed. The Councillor expressed concern with using police officers to issue tickets, stating it is a waste of police resources, and spoke in support of having Special Constable status assigned to the on-duty supervisors for the purpose of ticketing and towing vehicles. Mr. Wayne Anstey, Municipal Solicitor, stated such appointments would have to be made by the Province of Nova Scotia. Councillor Hetherington asked that requesting such appointments from the Province be included in the staff report. Mayor Kelly advised that staff have agreed to write to the Province to seek its support in this matter.

Councillor Smith made the following suggestions for improvements in the area of enforcement:

- C Time should not be spent going from house to house attempting to find the owner of a vehicle that is in violation of the regulations.
- C Instructions, such as a newspaper advertisement, should be provided to homeowners as to how they can report problems.
- C After each storm, the number of towing cases and snow clearing tickets issued, per District, should be placed in the newspaper, so residents are aware of what is taking place in their District.

Councillor Smith stated he received good responses from snow and ice removal staff in his District, but noted he did receive complaints about the plows going too fast, and requested that they be asked to slow down in the residential areas.

Councillor Hines spoke in support of seeking Special Constable status for ticketing, and suggested the ability to request towing without first contacting Police Services should be requested as well.

Deputy Mayor Blumenthal noted vehicles need to be removed from the streets during the daytime as well, if there is a snow or ice storm. The Deputy Mayor requested a further report, at the end of the season, identifying how much was spent on advertising regarding this issue.

Closing the debate, Councillor Warshick suggested public information regarding the winter parking regulations could be included along with other general information on the Solid Waste green cart pick up schedule, which is kept by many residents, rather than being published in the newspaper.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHEBUCTO COMMUNITY COUNCIL

10.2.1 Case 00268 - Stage II Development Agreement Application, Phase 2D, Langbrae Gardens

- C A report from the Chebucto Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Whalen, seconded by Councillor Walker, that Regional Council approve cost sharing in an amount not to exceed \$429,000 in accordance with the former City of Halifax Policy Statement 2105 - Cost Sharing - Oversized Streets, for:

- a) over sizing the portion of Langbrae Drive in Phase 2D to 74 feet.
 - b) parkland frontage in excess of 100 feet on Langbrae Drive.
 - c) the construction of the 66 foot portion of Langbrae Drive over HRM property.
- MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 HARBOUR EAST COMMUNITY COUNCIL

10.3.1 Greenvale School Building, Dartmouth

- C A report from the Harbour East Community Council, regarding the above, was before Council for its consideration.

MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that Halifax Regional Council approve the expenditure of up to \$20,000 from the Culture & Heritage Capital Reserve to make repairs to the roof, boiler system and drainage system, to assist the Greenvale Arts and Culture Association to begin operations in Greenvale School in January 2001.

Mayor Kelly suggested the matter should be referred back to staff for a report as the issue involves an expenditure.

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that the matter be referred to staff for a report.

Councillor Cunningham requested that the matter be given some urgency as the time frame is very short. The Councillor noted there has been strong community interest in restoring this

building. Mayor Kelly advised the Councillor that staff have indicated the report would come back on January 16, 2001.

Councillor Walker asked the staff report address the following:

- 1) When the \$5,000 was moved from the funding for operation and maintenance of the Dartmouth Heritage Museum, did it mean they would not be looking elsewhere for this funding?
- 2) Why would the money for the repairs not come from the Greenvale Arts and Culture Association?
- 3) Is the drain blockage located in the area from the school to the sewer line or is it in the school itself?
- 4) Since the money is coming from the Tourism Culture and Heritage reserve account, are the repairs considered to be heritage related?
- 5) The report references a Capital Project Agreement to be brought forward for Council's review and approval. How much more funding is expected to be requested?

Councillor Hetherington clarified that Greenvale School is a registered heritage property which has a massive hole in the roof, and the purpose of this funding is to assist in saving this historical building.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4 REGIONAL HERITAGE ADVISORY COMMITTEE

10.4.1 1573 Barrington Street - Application to Consider Registration of this Property as a Heritage Building

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

Mr. Kevin Barrett, Planner, presented the staff report.

Councillor Uteck expressed thanks to the property owners for coming forth to have this property registered.

MOVED by Councillor Sloane, seconded by Deputy Mayor Blumenthal, that Regional Council register 1573 Barrington Street as a registered heritage property under the HRM Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

10.5 GRANT COMMITTEE

10.5.1 Dartmouth Senior Care Society (Oakwood Terrace)

C A staff report prepared for Ken Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration. The report recommended that Council uphold the decision of Council made on January 5th, 1999, whereby all long-term care facilities (including nursing homes) are excluded from consideration for tax exemption under By-Law T-200.

C Correspondence from Mr. Tim Olive, MLA, Dartmouth South, dated January 4, 2001, and a response from Ms. Peta-Jane Temple, Coordinator, Grants Program, dated January 5, 2001, regarding the above, was circulated to Council, suggesting that the matter be deferred to January 16th at which time a representative from Oakwood Terrace would be invited to speak.

MOVED by Councillor Cunningham, seconded by Councillor Hetherington, that this matter be deferred to January 16, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

10.6 HALIFAX REGIONAL WATER COMMISSION

10.6.1 1999/00 Annual Report - Presentation - Mr. John Dick, Chair

C The 1999/00 Annual Report of the Halifax Regional Water Commission was before Council for its consideration.

Mr. John Dick, Chair, and Mr. Carl Yates, General Manager, Halifax Regional Water Commission, presented the Halifax Regional Water Commission 1999/00 Annual Report to Council. A copy of the presentation was submitted for the record.

The financial position of the Halifax Regional Water Commission as of March 31, 2000 is as follows:

- C Assets of \$295 million
- C Balance Sheet Equity of \$211 million
- C Long term debt of \$67 million

MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that Council receive the 1999/00 Annual Report of the Halifax Regional Water Commission, and that it be referred to staff for financial analysis and a follow up report.

Responding to a question of Councillor Uteck, Mr. Yates indicated there will be a report coming in the next couple of weeks regarding pollution control rates and prorating. With regard to the impact on water pressure in the downtown area from the cruise ships, Mr. Yates stated there are proposed changes to the treatment plant to help minimize discolouration, and some areas, such as Harvey Street, have been identified for pipe replacement.

In response to a question of Councillor Sloane regarding the time frame for the work to be done on Harvey Street, Mr. Yates stated this has not been set as of yet, but the goal is to have it done during this capital year.

Councillor Sloane requested that staff inquire about possible cost sharing for the repaving of Harvey Street once the pipe work is completed.

MOTION PUT AND PASSED UNANIMOUSLY.

10.7 CHIEF ADMINISTRATIVE OFFICER

10.7.1 Tender 00-142 Three (3) Model 2001 4-Door Sedan Patrol Cars (Rearwheel Drive)

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

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Council authorize the award of Tender #00-142 to Wood Motors Ltd. at a cost of \$81,981.00 plus HST as outlined in the Budget Implications Section of the staff report dated December 12, 2000. MOTION PUT AND PASSED UNANIMOUSLY.

10.7.2 Water Service Extension Upper Hammonds Plains

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

MOVED by Councillor Rankin, seconded by Councillor Goucher, that Council approve the funding source for the previously approved HRM contribution to the Water Service to Pockwock Road Area Project, in the amount of \$390,000 as follows:

Existing Water Reserves	\$213,704 (Acct. #Q110)
Capital Surplus Reserve	\$176,296 (Acct. #Q103)
	\$390,000

MOTION PUT AND PASSED UNANIMOUSLY.

10.7.3 Graham Creighton Junior High School Community School Enhancement - Funding Sources

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

MOVED by Councillor Cooper, seconded by Councillor Goucher, that Council approve accounts:

- 1) #CPC00468, Don Bayer Sportsfield Upgrade there is currently \$200,000 in this account and funds are not required until the 2002/03 fiscal year for the amount of \$200,000.**
- 2) #CBR00069, Cherry Brook Community Centre. There is currently \$142,000 in this account that was reserved for future use yet to be finalized and fully funded. The Graham Creighton Project will draw \$100,000 from this account.**
- 3) The remaining balance \$100,00 will come from an expected grant from the Province of Nova Scotia Sport and Recreation Commission, Education Enhancement Fund. In the event this does not materialize, an additional source will be identified from approved capital monies.**

Councillor Hetherington questioned taking money from the Don Bayer Sportsfield Upgrade as the field is already in very poor condition. Ms. Karen MacTavish, Director, Parks and Recreation, stating it was a question of timing for this year and it made more sense to defer the upgrade to 2002/03. She also noted that the level of playing field for this particular field is yet to be determined. Ms. MacTavish stated this could be followed up with a staff report.

MOVED by Councillor Hetherington, seconded by Councillor Washick, that this matter be deferred for one week to allow the opportunity for a further staff report.

Councillor Walker requested that the staff report also address the following:

1. If the expected grant from the Province does not come forward, where will the additional \$100,000 come from?

2. How will guaranteeing funding from the 2002/03 Capital Budget for this project affect other requested projects?

Councillor Uteck requested that the staff report also address what project will come out of the 2002/03 Capital Budget to allow for the Don Bayer Sportsfield Upgrade to take place.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Uteck

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

BE IT RESOLVED as a policy pursuant to Section 49(1)(c)(i) of the Municipal Government Act that Administrative Order 15 of the Council of the Halifax Regional Municipality be amended as follows:

1. Schedule "A" of said Administrative Order 15 is hereby amended by adding to the end thereof the following:

By-Law #	Short Title	Section	Fee
By-Law P-800	Pesticide By-Law	S. 7(2)	\$0.00
		Any Other Permits	\$0.00

MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1 Deputy Mayor Blumenthal - Transit Survey

Deputy Mayor Blumenthal suggested staff should be surveying non-users of transit to determine why the service is not being used, and what can be done to encourage increased ridership.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that this matter be Referred to staff for a report regarding the possibility of surveying non-users of transit to determine why the service is not being used, and what can be done to encourage increased ridership. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Committee of the Whole Recommendation - Canada-NS Infrastructure Program

- C This item 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 Hetherington, seconded by Councillor Sarto, as recommended by Committee of the Whole, that:

1. **Projects under Criteria A in Attachment #2 of staff report dated January 9, 2001 be approved separately in order of priority as listed with:**
 - (i) **Sewer Projects (Items 1 - 12)**
 - (ii) **Water Projects (Items 1 - 4)**
2. **Projects under Criteria B in Attachment #2 be approved as listed in order of priority. MOTION PUT AND PASSED UNANIMOUSLY.**

12.3 Legal Matter - Claim Settlement

- C This item 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 settle this claim brought by the Plaintiff in the amount of \$60,000 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on July 14, 1996. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Legal Matter - Claim Settlement

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

MOVED by Councillor Warshick, seconded by Deputy Mayor Blumenthal, that Halifax Regional Council settle this claim brought by the Plaintiff in the amount of \$16,000 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on November 14, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Claim Settlement

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

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

- 1. Payment of the balance owing on the insurance deductible be paid to HRM's insurer, Lombard, and**
- 2. The Mayor and Clerk be authorized to execute any and all releases necessary to effect the settlement of the Pardy claims against Halifax Regional Municipality pursuant to the terms of the mediated settlement. MOTION PUT AND PASSED UNANIMOUSLY.**

13. NOTICES OF MOTION

13.1 Councillor Hetherington - Amendment to Administrative Order Number 19

TAKE NOTICE that at the next regular Council meeting to be held on January 16, 2001, I propose to introduce a motion to amend Administrative Order Number 19. The purpose of this amendment is to provide details of a Protocol for Use of the Municipal Coat of Arms and the Halifax Regional Municipality corporate logo.

14. ADJOURNMENT

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that the meeting adjourn at 8:20 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk