

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES May 28, 2002

PRESENT:

Mayor Peter Kelly
Deputy Mayor Robert Harvey
Councillors: Steve Streach
Gary Hines
Keith Colwell
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Steve Adams
Brad Johns
Len Goucher
Reg Rankin
Gary Meade

ABSENT WITH REGRETS:

Councillors: Ron Cooper
Jim Smith

STAFF:

Mr. Dan English, Deputy Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Deputy 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 the Invocation being led by Councillor Meade.

2. PROCLAMATIONS

2.1 Child Care Awareness Days - June, 2002

Mayor Kelly proclaimed the month of June, 2002 as Child Care Awareness Days in the Halifax Regional Municipality.

2.2 Bike to Work Week - June 3-7, 2002

Mayor Kelly proclaimed the week of June 3-7, 2002 as Bike to Work Week in the Halifax Regional Municipality.

2.3 Multicultural Month - June, 2002

Mayor Kelly proclaimed the month of June, 2002 as Multicultural Month in the Halifax Regional Municipality.

2.4 Have a Smile Day - May 28, 2002

Mayor Kelly proclaimed May 28, 2002 as Have a Smile Day in the Halifax Regional Municipality.

Councillor Whalen requested the Mayor, on behalf of Council, send a letter of condolence to the family of the Late William Brewster Greenwood, a former City of Halifax Alderman and Deputy Mayor.

3. APPROVAL OF MINUTES - NONE

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

Deletions

9.3.1 Harbour Solutions Project Presentation - Ken Saunders

Additions

- 12.1 Councillor Uteck
- (i) Insurance for Heritage Homes
 - (ii) Point Pleasant Drive Sewer Project

12.2 Special Presentation - Bikeways Task Force

12.3 Property Matter - Mainland North High School/Mainland Common

Council agreed to address item 10.3.11 following item 10.2.1

An information report from the Director of Financial Services, dated May 28, 2002, re Eastern Shore Recreation Centre, was circulated to Council.

Councillor Fougere requested item 12.2 be addressed following item 9.3 followed by item 10.3.7, RFP 02-025, Cycling Master Plan.

Council agreed to hear a presentation from Mr. Boone, Sobeys Properties, in conjunction with item 10.1.1.

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

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION

6.1 Councillor Hetherington - Property Matter - Eastern Shore Recreation Centre

- An extract from the draft May 21, 2002 Regional Council minutes was before Council.

Councillor Hetherington noted the information report from the Director of Financial Services addressed the issue and withdrew the motion of reconsideration.

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Councillor Goucher

Councillor Goucher submitted correspondence from James R. O'Hagan regarding the split shift situation at C. P. Allen School.

MOVED by Councillor Goucher, seconded by Councillor Rankin, that the Mayor write to the Minister, Department of Education and the Chairman of the Halifax Regional School Board regarding this matter. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Councillor Cunningham

Councillor Cunningham submitted correspondence from Marijke Simons regarding insurance rates for Heritage Homes.

12.1 (i) Councillor Uteck - Insurance for Heritage Homes

Councillor Uteck requested Legal Services to advise if it is legal for the insurance companies to refuse to issue insurance to owners of heritage properties until such time as they are deregistered.

9.2 Petitions

9.2.1 Councillor Uteck

Councillor Uteck served a petition requesting traffic calming measures adjacent to Sir Charles Tupper School.

9.2.2 Councillor Adams

Councillor Adams served a petition in support of a ban on the use of exotic animals in circuses.

9.3 Presentation

9.3.1 Harbour Solutions Project - Ken Saunders

This item was deleted under the approval of the Order of Business.

10.3.7 RFP 02-025, Cycling Master Plan

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 14, 2002, on the above noted, was before Council.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Regional Council authorize the Award of Proposal #02-025, Cycling Master Plan, to the highest ranking proponent, EDM Environmental Design and Management Limited, at a cost of \$53,990.00 plus net HST for a total project cost of \$57,462 with funding from Capital Account CTR00908, Transportation Demand Management Program, as outlined in the Budget Implication section of the report dated May 14, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Special Presentation - Bikeways Task Force

Councillor Fougere provided an update on the work being undertaken by the Task Force and outlined some of the initiatives being addressed for implementation. The Councillor recognized the members of the Task Force and HRM staff for their involvement and efforts over the last number of years.

Councillor Hetherington stated the cyclists have to start to follow the rules if they want the majority of the public to support their effort.

Councillor Whalen suggested that opportunities for including bicycle lanes be included as part of new development plans.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Police be contacted for a report as to how many tickets they have issued in the last twelve months relating to the bicycles. MOTION PUT AND PASSED.

Mayor Kelly thanked Councillor Fougere for her presentation and wished the Committee well as it moves forward to the implementation stages.

10. REPORTS

10.1 NORTH WEST COMMUNITY COUNCIL

10.1.1 Case 00406 Municipal Planning Strategy and Land Use By-law Amendments Mill Cove Plaza, Bedford

- Correspondence from Glen Boone, Real Estate Planner, Sobey Leased Properties Limited, dated May 24, 2002, on the above noted, was before Council.
- Report from Deputy Mayor Robert Harvey, Chair, North West Community Council, dated May 24, 2002, on the above noted, was before Council.

Staff was recommending that Regional Council:

1. *Approve the request to initiate the plan amendment process for the Bedford Municipal Planning Strategy and Land Use By-law to give consideration to allowing drive-thru restaurants within the Mill Cove Plaza area, 961 Bedford Highway.*
2. *Request staff to follow the public participation program as approved by Council in February, 1997.*

Mr. Glen Boone, Real Estate Planner, Sobey Leased Properties Limited, addressed Council stating they are not asking for a specific decision on the merits or the acceptability of the amendments at this time but to allow the process to move forward to allow public discussion.

Ms. Thea Langille-Hanna, Planner, reviewed the staff report noting the request before Council was to initiate the planning process which would involve public participation to determine whether or not a restaurant, with a drive thru and take out function, is a reasonable land use within the existing oversized parking lot of the Mill Cove Plaza, Bedford.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that Regional Council not approve the request to initiate the Plan Amendment process for the Bedford Municipal Planning Strategy and Land Use By-Law to give consideration to allowing drive-thru restaurants within the Mill Cove Plaza area, 961 Bedford Highway, for reasons as outlined in the Bedford Municipal Planning Strategy in the Commercial Section.

Councillor Goucher advised the residents of the area were adamant that they wanted drive-thru restaurants directed to the commercial section of Bedford. The Councillor expressed concern with these site specific plan amendments.

Councillor Uteck noted there are currently two drive-thru businesses located opposite the Mill Cove Plaza which would indicate that a precedent has been set.

Councillor Blumenthal stated that even though there is a regional planning process being undertaken, development should not be held up in the meantime and due process should be followed.

MOTION PUT AND PASSED.

10.2 HERITAGE ADVISORY COMMITTEE

10.2.1 Heritage Case H00077 - Application to consider 38 King Street, Dartmouth, as a Regional Heritage property

- A report from the Heritage Advisory Committee, dated May 23, 2002, on the above noted, was before Council.

MOVED by Councillor Cunningham, seconded by Councillor Sarto, that Regional Council set the date of July 9, 2002 to consider the registration of 38 King Street, Dartmouth, as a registered heritage property under the HRM Heritage Property Program. MOTION PUT AND PASSED UNANIMOUSLY.

Council agreed to address the staff report dated May 23, 2002 from the Solid Waste Resource Advisory Committee at this time.

10.3.11 Solid Waste By-Law Amendment - Exportation of Waste

Councillor Rankin stated that this would provide an opportunity for Council to address the

concept prior to First Reading. The Councillor provided background on the process to date and noted the subsequent loss of revenue to HRM resulting from the exportation of waste to other jurisdictions.

In response to a Point of Order by Councillor Hetherington, Mayor Kelly advised the item was on the agenda with respect to First Reading but because Council's concurrence is needed to go in that direction it is now under reports. If Council agrees with this process, in principle, then it will be given First Reading but, if Council does not agree, it will not proceed to First Reading.

In response to Councillor Johns, Mr. Brian Smith, Director of Solid Waste Resources, advised that waste is currently being shipped outside the Municipality and the tipping fees in other jurisdictions may be lower than HRM which may have a large impact on HRM; therefore, HRM must make its policy perspective and position clear.

Councillor Hetherington expressed concern with the ability of HRM to enforce such a By-law.

In response to Mayor Kelly, Mr. Anstey advised there are no specific provisions in the legislation which enables such a By-law but there are provisions which relate to making regulations with respect to removal and there are also two general provisions which deal with implementation of principles of the Solid Waste Strategy. With respect to enforcement, he noted it had been pointed out to the committee that it would be difficult to identify specific trucks and their point of origin.

MOVED by Councillor Rankin, seconded by Councillor Mosher, that Council adopt, in principle, By-Law Number S-602, to restrict the export of solid waste material generated within HRM.

Councillor Rankin requested a recorded vote.

Those voting in favour of the motion were: **Deputy Mayor Harvey and Councillors Streach, Hines, McInroy, Warshick, Sarto, Cunningham, Uteck, Walker, Mosher, Adams, Goucher, Rankin and Meade.**

Those voting against the motion were: **Mayor Kelly and Councillors Colwell, Hetherington, Blumenthal, Sloane, Whalen, and Johns.**

(14 in favour - 7 against the motion)

Councillors Cooper, Smith and Fougere were not present for the vote.

MOTION PUT AND PASSED.

MOVED by Councillor Rankin, seconded by Councillor Mosher, that Council give

First Reading to By-Law S-602, to restrict the export of solid waste material generated within HRM, and set a date for a public hearing date for June 25, 2002. MOTION PUT AND PASSED.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Tender 02-225, Resurfacing - Bayers Road & Robie Street, Western Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Goucher, that Halifax Regional Council award Tender No. 02-225, Resurfacing - Bayers Road and Robie Street, West Region to Lafarge Canada Inc., for materials and services listed at the unit prices quoted for a Tender Price of \$270,105.51, plus net HST for a total of \$287,470.59 from Capital Account CZR00357, Resurfacing with funding authorized as outlined in the Budget Implications section of the report dated May 22, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Tender 02-228, New Paving of Gravel Roads, Central Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Councillor Johns, seconded by Councillor Goucher, that Council:

- 1. approve the recovery of \$4,410.00 as general area rate for District 21 for the new concrete curb and gutter on Meadowbrook Drive Extension.**
- 2. waive the right to petition for the new paving for Meadowbrook Drive Extension.**
- 3. approve the recovery of Local Improvement Charges for the new paving at the rate of \$11.30 per lineal foot for Meadowbrook Drive Extension, Brackendale Lane, Maplewood Court, Rivendale Drive, Wilson Lake Drive and Morall Court in accordance with By-law No. S-411 approved by Council on May 14, 2002.**
- 4. award Tender No. 02-228, New Paving of Gravel Roads - Central Region to Dexter Construction Company Ltd. for materials and services listed at the unit prices quoted for a Tender Price of \$776,885 plus net HST for a total of \$826,831 from Capital Account CXR00332, New Paving of Subdivision Streets Inside the Core Area, with funding authorized as per the Budget Implications section of the report dated May 22, 2002.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Tender 02-229, Paving Renewal and Resurfacing, Western Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Fougere, that Council award Tender No. 02-229, Paving Renewal and Resurfacing - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$429,050., plus net HST for a total of \$456,634 with funding from Capital Account Nos. CYR00991, Paving Renewal Program and CZR00357, Resurfacing with funding authorized as per the Budget Implications section of the staff report dated May, 22, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 Tender 02-235, Sidewalk Renewals, Western Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Mosher, that Council award Tender No. 02-35, Sidewalk Renewals - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$212,020 plus net HST, for a total of \$225,651 from Capital Account CKU00141, Sidewalk Renewals, with funding authorized as per the Budget Implications section of the report dated May 22, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.5 Tender 02-240, Sidewalk Renewals, Western Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Cunningham, that Council award Tender No. 02-240, Sidewalk Renewals - West Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender price of \$120,860.00 plus net HST for a total of \$128,631 from Capital Account CKU00141, Sidewalk Renewals, with funding authorized as per the Budget Implications section of the report dated May 22, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.6 Tender 02-244, Dickey Drive (Magee Dr. - Zinck Ave.) Paving and Resurfacing, Central Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 22, 2002, on the above noted, was before Council.

MOVED by Deputy Mayor Harvey, seconded by Councillor Goucher, that Halifax Regional Council:

- 1. approve the recovery of Local Improvement Charges for the replacement of asphalt curb with concrete curb and gutter on Dickey Drive in the amount of \$18,330 to be applied to the general area rate of District 20.**
- 2. award Tender No. 02-244, Dickey Drive (Magee Drive - Zinck Avenue), Paving Resurfacing - Central Region to Basin Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$443,300 plus net HST for a total of \$471,799.75 from Capital Account No. CZR00357, Resurfacing, with funding authorized as per the Budget Implications section of the staff report dated May 22, 2002.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.7 RFP 02-025, Cycling Master Plan

This item was addressed earlier in the meeting. (See page 6)

10.3.8 Canada Nova Scotia Infrastructure Program Update

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 23, 2002, on the above noted, was before Council.
- Correspondence from the Dartmouth Titans Gymnastics Club, dated May 27, 2002, was circulated to Council.

Mr. Gordon Roussel, Budget Coordinator, provided an overview of the report noting the changes being addressed in the report.

MOVED by Councillor Goucher, seconded by Councillor Meade, that:

- 1. Council approve the list attached to the report dated May 23, 2002 of Proposed 2002/03 Infrastructure Program Requests in the order of priority; and,**
- 2. Council direct staff to review the priority list for the 2003/04 budget and the process for developing it and develop recommendations for consideration by Council.**

Councillor Johns referenced the Beaver Bank Water and Sewer and expressed concern that the By-law contained some flexibility. The Councillor noted the frontage charge had been set at approximately \$70.00 per foot, expressing concern that tenders have not gone out; therefore, it is not known what the final costs will be.

In response to Mayor Kelly, Mr. Fisher confirmed that 20% of the funds would be made available for Municipal style infrastructure that is owned by the Federal or Provincial Governments or for non-profits who applied and were accepted. He noted nominations for non-profits have to come from a Federal or Provincial Minister.

Councillor Hetherington submitted correspondence from the Dartmouth Titans Gymnastics Club and placed the following motion.

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that a list of infrastructure non-profit projects be created and the Dartmouth Titans Gymnastics Club be added to the list.

Councillor Fougere suggested previous requests be examined for inclusion as part of this list.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor McInroy expressed concern that erosion on Shore Road in Eastern Passage is number 43 on the list. He stated he had previously raised the issue and the sooner HRM begins the process of erosion control on that site, the more land owned HRM will be retained. The closer the erosion moves to the pavement, the closer it moves to the underground services and the more costly it will be when remedial action is taken in terms of retaining walls and armour rock. If the work is not undertaken in the near future, it may require reclamation which will be expensive. He noted that in the 2000/01 budget, funding was approved for the construction of erosion control measures to protect municipal infrastructure between 1754 and 1854 Shore Road. The money was there but now the project is being attached to an infrastructure list so far down that it will never be done. He noted the report indicates that if the Federal funding is provided the project could commence immediately. The Councillor asked what prohibits HRM from proceeding with the money that was budgeted a number of years ago.

Councillor Fougere suggested infrastructure requests for non-profits be forwarded directly to the Province.

Ms. MacLennan, Director of Financial Services, advised staff would re-examine requests that have already come forward as well as any future requests and periodically bring forward an information report to Council indicating that these are the people who are requesting they be added to the list.

Councillor Sarto requested staff consider the Dartmouth East Boys and Girls Club as part of the list.

MAIN MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor McInroy, seconded by Councillor Cunningham, that staff

provide a comprehensive report regarding the situation on Shore Road. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.9 Water Servicing - Mohawk St., Mic Mac Dr., Maplewood, Hammonds Plains - By-law L-110

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated May 23, 2002, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Hetherington, that:

- 1. The Capital Budget for Watermains, Mohawk Street, Mic Mac Drive and Surrounding Area, Hammonds Plains be approved in the amount of \$450,000 gross, with the net residual amount (after Infrastructure Funding and other recoveries) funded from a frontage charge;**
- 2. The Halifax Regional Water Commission (HRWC) install the necessary water services and be the contracting agency for Watermains, Mohawk Street, Mic Mac Drive and Surrounding Area, Hammonds Plains;**
- 3. Approve in principle and begin the formal process for the adoption of By-law Number L-110, Respecting Charges for Watermains, Mohawk Street, Mic Mac Drive and Surrounding Area, Hammonds Plains.**

MOTION PUT AND PASSED UNANIMOUSLY.

At a later point in the meeting, Councillor Rankin gave Notice of Motion for First Reading.

10.3.10 First Reading By-law S-105, Respecting Sewer Charges

- An extract from the draft May 14, 2002 Regional Council Minutes was before Council.
- A copy of By-law Number S-105, Respecting Sewer Charges, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Adams, that Council give First Reading to By-law S-105, Respecting Sewer Charges. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.11 First Reading By-law S-602, Respecting Solid Waste Resource Collection

This item was addressed earlier in the meeting. (See page 9)

10.4 MEMBERS OF COUNCIL

10.4.1 Councillor Adams - Ban on the Use of Exotic Animals in Circus Acts

Councillor Adams noted petitions had been submitted containing over 2,000 names requesting Council to support a ban on the use of exotic animals in circuses. The Councillor noted a request had gone forward to the Minister and a response had been received that they were not in a position to do this at this time as they were not aware of support across the Province.

MOVED by Councillor Adams, seconded by Councillor Sloane, that Halifax Regional Municipality write the Province of Nova Scotia requesting legislation be enacted to ban the use of exotic animal in circus acts.

Councillor Sloane requested a recorded vote.

Those voting in favour of the motion were: **Mayor Kelly, Deputy Mayor Harvey and Councillors McInroy, Warshick, Sloane, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.**

Those voting against the motion were: **Councillors Streach, Hines, Colwell, Sarto, Hetherington, Cunningham and Blumenthal.**

(15 in favour - 7 against the motion)

Councillors Cooper and Smith were not in attendance.

MOTION PUT AND PASSED.

10.4.2 Councillor Warshick - Remembrance Day Resolution

MOVED by Councillor Warshick, seconded by Councillor Hetherington, that:

WHEREAS the Holidays Act states that November 11, being the day in the year 1918 on the which the Great War was triumphantly concluded by an armistice, is a holiday and shall be kept and observed as such throughout Canada under the name of Remembrance Day;

AND WHEREAS not all Provinces and Territories have enabling Provincial Legislation, such as that in effect in Nova Scotia, the Remembrance Day Act;

AND WHEREAS the Remembrance Day Act of Nova Scotia states that our heritage and freedom and human dignity has, under Providence, been preserved through the unselfish devotion of those who sacrificed health, limb and life itself in World War One, World War Two and the Korean Conflict;

BE IT THEREFORE RESOLVED THAT the Federation of Canadian Municipalities send a request to All Provincial and Territorial Governments of Canada asking them to adopt legislation confirming the observance of Remembrance Day as a National Holiday, as stated in the Holidays Act, and that such legislation mirror the Remembrance Day Act of Nova Scotia, which outlines restricted activities, the serving of alcohol, and the observance of a three-minute silence.

Councillor Warshick, reading from prepared text, noted Nova Scotia is currently the only Province in Canada that recognizes Remembrance Day as a Statutory Holiday and asked Council's support for his resolution.

MOTION PUT AND PASSED UNANIMOUSLY.

***MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that the Mayor write the Province requesting the exemption for the Casino be revoked as it applies to Remembrance Day. MOTION PUT AND PASSED UNANIMOUSLY.**

**(During approval of these minutes on June 11, 2002, Council asked that the minutes now reflect the fact that the Casino is closed on Remembrance Day. When the above motion was adopted, Council was unaware that under Regulations the Casino is closed on that day. Accordingly, the action stated in the motion is now not necessary)*

10.4.3 Councillor Smith - Control of Wild Cats

This item was deferred to the next meeting scheduled for June 11, 2002.

10.4.4 Councillor Hetherington - Affordable Housing Facilities

Councillor Hetherington noted that HRM does not have any policy or strategy on record for the selling, giving of land or looking after non-profit housing organizations or homeless, and placed the following motion.

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that staff provide a report on a policy or strategy on affordable housing in Halifax Regional Municipality. MOTION PUT AND PASSED UNANIMOUSLY.

10.4.5 Councillor Whalen - Proliferation of Unauthorized Advertising Signs

Councillor Whalen noted there are many advertising signs along the roadways. She expressed concern with the number that are on Dunbrack and Lacewood. The Councillor requested staff take a more pro-active approach and remove these signs.

Councillor Sloane suggested perhaps a fee be charged for the return of the signs.

Councillor Goucher expressed concern with the placement of real estate signs blocking the view plain of intersections and pedestrian access to sidewalks.

Deputy Mayor Harvey suggested staff be given the authority to issue tickets for violations to the By-law.

Deputy Chief Administrative Officer Dan English advised that if the signs are within the public right-of-way, HRM has the ability to remove them.

Mayor Kelly advised there is a report forthcoming on signage and the enforcement aspects of the By-law.

11. MOTIONS

11.1 Councillor Walker

MOVED by Councillor Walker, seconded by Councillor Johns, that Administrative Order Number One, Calling for the Question, Section 52 (2) be amended such that when a motion to call for the question is resolved in the affirmative, by a 2/3 majority vote, the main motion is put immediately without amendment or debate.

Councillor Sloane requested a recorded vote.

Those voting in favour of the motion were: **Mayor Kelly, Deputy Mayor Harvey and Councillors McInroy, Sloane, Walker, Whalen, Mosher, Johns, Goucher and Meade.**

Those voting against the motion were: **Councillors Streach, Hines, Colwell, Warshick, Sarto, Hetherington, Cunningham, Blumenthal, Uteck, Fougere, Adams and Rankin.**

(10 in favour - 12 against the motion)

Councillors Cooper and Smith were absent.

MOTION DEFEATED.

11.2 Deputy Mayor Harvey

MOVED by Deputy Mayor Harvey, seconded by Councillor Johns, that the Cobequid Multi-Service Centre Capital Campaign be provided with the net revenue from the sale of the Correctional Centre site in Sackville to the Province of Nova Scotia.

Mayor Kelly advised that as this involves an expenditure of funds, the item would be referred to staff for a report and recommendation.

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

MOVED by Deputy Mayor Harvey, seconded by Councillor Johns, that the matter be referred to staff for a report and recommendation. MOTION PUT AND PASSED.

11.3 Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Mosher, that Administrative Order Number One Section 11 (1) and (2) be amended to ensure that the Order of Business is completed, as scheduled. MOTION DEFEATED.

12. ADDED ITEMS

12.1 Councillor Uteck

(i) Insurance for Heritage Homes

This item was addressed earlier in the meeting. (See page 6)

(ii) Point Pleasant Drive Sewer Project

In response to Councillor Uteck, Mr. Rick Paynter provided an update, advising that after the project had been tendered, staff had presented the residents with Local Improvement Charges that were considerably higher than what they had been given in 1998. Subsequently, discussions have been ongoing as to how HRM could repackage this project and present a Local Improvement Charge rate that would be lower and more acceptable to the residents. He advised staff have developed a proposal that can be presented to the residents at a Local Improvement Charge of \$99.95/ft. He advised there appears to be acceptability for this; however, Point Pleasant Drive is not an approved project in this budget year.

MOVED by Councillor Uteck, seconded by Councillor Walker, that a staff report be provided to the June 11, 2002 Council session. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Special Presentation - Bikeways Task Force

This item was addressed earlier in the meeting. (See page 7)

12.3 Property Matter - Mainland North High School/Mainland Common

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

MOVED by Councillor Whalen, seconded by Councillor Walker, that Halifax Regional Council:

-
1. **Increase the 2002/03 Capital Budget (account number to be identified) to allow for Capital Project Mainland North High School/Mainland Common Servicing and replacement facilities in the amount of \$1,280,000 to be funded from the net proceeds of the Halifax West property and lands B, Y, X (surplus to the Mainland Common) via the Sale of Land Reserve, Account Q-101 as provided in the budget implications section of the May 21, 2002 Private and Confidential report.**
 2. **The report not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor McInroy

Take Notice that at the next regular meeting of Halifax Regional Council, to be held on June 11, 2002, I propose to introduce the First Reading of the By-law O-102, Respecting Open Air Burning.

13.2 Councillor Warshick

Take Notice that at the regular meeting of Halifax Regional Council to be held on Tuesday, the 11th day of June, 2002, I propose to move First Reading of By-law H-401, a By-law to amend By-law H-400, the Marketing Levy By-law, the purpose of which is to exempt hotels, motels and similar accommodations within Halifax Regional Municipality having between 20 and 99 rental units or rooms until April 01, 2004.

13.3 Councillor Rankin

Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 11th day of June, 2002, I propose to move First Reading of By-law L-110, the Watermains, Mohawk Street, Mic Mac Drive and Surrounding Area, Hammonds Plains By-law, the purpose of which is to set an interim frontage rate of \$18.50 to install water services under the Canada - Nova Scotia Infrastructure Program with a maximum actual gross cost of \$450,000.

14. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Jan Gibson
Deputy Municipal Clerk

