

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 17, 2002

PRESENT:

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

STAFF MEMBERS:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Deputy Municipal Clerk
Ms. Patti Halliday, Assistant Municipal Clerk

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1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Sloane.

ACKNOWLEDGMENTS

Councillor Johns congratulated Deputy Mayor Harvey on the recent publication of his book "*The History of Sackville.*"

2. APPROVAL OF MINUTES - September 3, 2002

MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that the minutes of September 3, 2002 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were added to the agenda:

- 12.1 Councillor Sarto - Sidewalk - Elwin Crescent
- 12.2 Property Matter - Sale of Former Notting Park School, Dartmouth
- 12.3 Personnel Matter - Chief Administrative Officer's Contract

Councillor Mosher requested that Item 7.1 Councillor Mosher - Subdivision Approvals - Land Contribution vs Cash in Lieu be deferred for one week.

Councillor Goucher requested that Item 10.3.3 Councillor Goucher - DeWolfe Bequest Distribution be deferred for one week.

Councillor Blumenthal requested that Item 7.2 Supplementary Education Task Force - Supplementary Education Funding be deferred pending receipt of the report from the Tax Structure Review Committee.

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

4. BUSINESS ARISING OUT OF THE MINUTES

5. MOTIONS OF RECONSIDERATION - NONE

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Councillor Mosher - Subdivision Approvals - Land Contribution vs. Cash in Lieu (Sept. 10/02)**

During Approval of the Order of Business, this item was deferred for one week.

7.2 **Supplementary Education Task Force - Supplementary Education Funding (July 16/02)**

C This matter was discussed at the July 16, 2002 meeting of Halifax Regional Council. At that time, a motion was adopted to defer discussion of the HRM Task Force on Supplementary Education Funding's recommendations (with the exception of Parts 1 and 6 of Recommendation #2) to September 17, 2002.

C A memorandum from Bruce Fisher, Manager, Financial Planning, dated September 12, 2002, regarding the above, was before Council for its consideration.

C Correspondence, regarding the above, was received from the following people and circulated to Council:

- C Nancy Saunders
- C June Davidson, Director of Communications, Dalhousie University
- C Karen Robinson

C An Executive Summary of the Report of the HRM Task Force on Supplementary Education Funding prepared by Financial Services staff was circulated to Council for its consideration.

During Approval of the Order of Business, it was agreed to defer this item pending receipt of the report from the Tax Structure Review Committee.

8. **PUBLIC HEARINGS**

8.1 **Second Reading By-Law L-112 Respecting Local Improvement Charges, Little Salmon River Subdivision Water Servicing**

C By-Law L-112 - Respecting Local Improvement Charges, Little Salmon River Subdivision Water Servicing, passed First Reading on August 27, 2002, and was now before Council for Second Reading.

- C A staff report prepared for Dan English, Acting Chief Administrative Officer, dated August 19, 2002, regarding the above, was before Council for its consideration.

- C Correspondence regarding the above was received from the following:
 - C Peter Ackerman and Elaine Black, dated July 31, 2002
 - C Karen and Bernard Marvin, dated August 20, 2002
 - C Ronda Stuart-Good, dated August 17, 2002
 - C John Fennell, dated August 6, 2002
 - C Dana and Pauline Cuvelier, dated July 31, 2002

With the use of overheads, Mr. Jamie Hannam, Halifax Regional Water Commission, presented the staff report to Council.

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

Dana Cuvelier, 128 Richardson Drive

Speaking in support of the By-Law, Mr. Cuvelier stated, at the current time, he has to have most of his domestic water trucked in due to poor water quality and quantity.

Lorne Smith, 5 Shannon Drive

Mr. Smith spoke in support of the By-Law stating he does not want to see properties in his neighbourhood decline in value due to insufficient and unsafe water. In response to a question of Mr. Smith regarding how people who did not reply to the survey would be handled, Mr. Hannam stated a slight majority would still be achieved in a per lot vote even if they were considered to have voted in the negative. Mayor Kelly clarified that the By-Law, if passed, will apply to all properties.

Joe Baltzer

Speaking in favour of the By-Law, Mr. Baltzer stated his only concern is with respect to the cost. He inquired what will happen if the overall project cost is higher than projected. In response, Mr. Hannam stated it is his understanding that the total project cost, less the 2/3 funding, would be applicable to the residents, and, therefore, the frontage charge would be increased. However, he suggested if the cost was significantly over the estimated cost based on the tender price, the matter could be reconsidered at that time.

Marilyn Swan, 3 Chater Drive

Ms. Swan stated that, after drilling a second well on her property, she now receives good water volume and quality. She noted her cost, as a result of this By-Law, will be

approximately \$10,000, and she expressed concern as she has already incurred the expense of drilling a second well. Ms. Swan requested that consideration be given to a pricing structure that would divide the total cost by the number of dwellings in the area rather than by street frontage.

John Fennell, 27 Richardson Drive

Speaking in support of the By-Law, Mr. Fennell stated the whole community has an arsenic problem in the water and this affects the resale value of the homes. He noted some people have to depend on rain water to do normal household tasks. Mr. Fennell stated he believes the financial plan to fund the water service is reasonable.

Rhonda Good, 134 Richardson Drive

Speaking in support of the By-Law, Ms. Good stated she does not currently have enough water for normal household tasks, and she has to purchase bottled drinking water.

Rose Bryden, 3 Shannon Drive

Speaking in support of the By-Law, Ms. Bryden stated she often has to take her laundry to a laundromat due to the poor quality and quantity of water. Ms. Bryden also stated that if she wanted to sell her property she could not do so due to the water problem.

Reg Thompson, 153 Richardson Drive

Speaking in support of the By-Law, Mr. Thompson stated the community has to have water, and his only concern is with respect to basis of frontage charges as he does not believe it is equitable, particularly for those on corner lots. He stated the benefit of water has nothing to do with the amount of street frontage a property has and stated he would prefer to see the cost more equitably distributed among all the property owners.

Mayor Kelly called three times for any additional members of the public wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was put on the floor:

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Cooper, seconded by Councillor Hetherington, that By-Law L-112, Respecting Charges for Little Salmon River Subdivision Water Servicing, be given Second Reading.

Responding to questions of Council, Mr. Hannam and Mr. Reg Ridgley, Manager, Strategic Capital Project Support, made the following points:

- C Residents who currently have adequate water would still be responsible for the frontage charge, but they would not have to extend service to the home if their well was still functioning properly.
- C Due to the topography and the size of the lots, the cost has been allocated on the basis of a frontage charge. With regard to corner lots, there are specific provisions within the By-Law to help average out the cost.
- C The rate of interest charged on the residents' charges is 2% above prime, and financing over 20 years is being offered. Arrangements can be made to help anyone who experiences financial difficulties.
- C Canadian arsenic standards may be lowered in the future and wells currently meeting the standards may not in subsequent years.
- C All properties have to be looked upon as being possibly subdivided in the future, thus the reason for basing the costs on frontage charges.
- C The size of the water main is largely dictated by the size of the pipes required for the public fire protection.

Several Councillors congratulated Councillor Cooper for his perseverance and hard work in obtaining water for Little Salmon River.

Councillor Mosher suggested, in the future, Council should examine the possibility of splitting such costs equitably between the property owners rather than on a street frontage basis.

Closing the debate, Councillor Cooper stated the approval of this By-Law will be a step in the right direction to alleviate the concerns of one community in HRM.

MOTION PUT AND PASSED UNANIMOUSLY.

8.2 Second Reading By-Law T-121 - Respecting Taxi and Limousine Licensing

- C By-Law T-121 Respecting Taxi and Limousine Licensing passed First Reading on August 27, 2002, and was now before Council for Second Reading.
- C A report from the Taxi and Limousine Committee, dated August 22, 2002, regarding the above, was before Council for its consideration.

Mr. Wayne Anstey, Municipal Solicitor, presented the By-Law to Council.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the By-Law. Hearing none, the following motion was put on the floor:

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Adams, seconded by Councillor Goucher, that By-Law T-121 Respecting Taxi and Limousine Licensing be given Second Reading. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor McInroy - Crosswalk, Caldwell Road

Councillor McInroy served a petition from the Grade 6 class of Astral Drive Elementary School containing approximately 266 signatures of people in support of a crosswalk on Caldwell Road.

9.2.2 Councillor McInroy - Crosswalk, Caldwell Road

Councillor McInroy served a further petition containing approximately 1400 signatures of residents in support of the installation of stop signs and crosswalks on Caldwell Road to slow down traffic on this street.

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

Councillor Adams served a petition containing approximately 58 signatures of residents supporting a ban on the use of exotic animals in circus acts. The Councillor requested that the petition be forwarded to the Hon. Tim Olive, Minister of Natural Resources, for his information.

9.2.4 Councillor Sloane - After School Program, George Dixon Centre

Councillor Sloane served a petition from residents seeking support in the coordination of the commencement of the after school program at the George Dixon Centre and the beginning of school.

9.3 Presentation

9.3.1 School Crossing Guards - Chris Conrad

Ms. Chris Conrad made a presentation to Council regarding the school crossing guard program. A copy of her presentation entitled "Toward a More Effective HRM School Crossing Guard Program" was circulated to Council. In her presentation, Ms. Conrad made the following suggestions:

- C Whistles could be issued to crossing guards for their use in getting drivers' attention
- C Stricter enforcement of traffic violations
- C The provision of a week or two of on-the-job training with an experienced guard for new employees
- C Consistency in the crossing guards appointed to specific areas so the children become familiar with them
- C An increase in salary for crossing guards
- C The provision of other monetary and non-monetary incentives
- C The implementation of an aggressive recruitment campaign
- C The commitment of HRM, the schools, and the community to ensure an effective program is put in place
- C If the program cannot work as it should, alternatives, such as traffic lights, particularly at difficult to staff intersections, should be explored

Deputy Mayor Harvey requested a staff report with recommendations on any shortcomings of the crossing guard program.

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

Mr. McLellan agreed that this issue needs to be examined and indicated it may be possible for a staff report on this matter to be brought back to Council next week.

In discussion of the motion, members of Council requested that the following issues also be addressed in the staff report.

- C Examination of the Metro Toronto Junior Safety Patrol program and the possibility of implementing a similar program in HRM to monitor low traffic intersections directly in front of the schools.
- C The provision of regular pay increases for crossing guards as an incentive.
- C The possibility of utilizing students to write down license plate numbers of traffic violators at crossing guard locations.
- C The use of aids for the crossing guards such as sandwich boards placed just before a crosswalk to alert drivers of an upcoming crosswalk, whistles, or any other tools available.

- C An examination of areas that need crossing guards which are not already identified.
- C If crossing guards cannot be provided in some areas, alternatives such as flashing lights, marked crosswalks, or traffic lights should be explored.
- C The possible ramifications of a pay increase for crossing guards with respect to pay equity and other HRM employees.
- C Equal consideration of the suburban and rural areas as the urban areas with respect to the provision of crosswalk guards.
- C Reasons (perceived or real) for the lack of crosswalk guard retention.
- C Focus on the positive achievements of the crossing guard program since HRM took it over.
- C Consideration of a bonus system at the end of the school year to assist in long term retention of crossing guards.
- C The possibility of some holiday pay for the crossing guards.
- C Wearing apparel of the crossing guards.

MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 HERITAGE ADVISORY COMMITTEE

10.1.1 Case H00095 - Proposed Addition to 5820 Spring Garden Road

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

MOVED by Councillor Sloane, seconded by Councillor Goucher, that Council approve the addition to 5820 Spring Garden Road, as proposed in the staff report dated August 13, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Tender 02-252, Paving Renewal - Circle Drive, Western Region

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

MOVED by Councillor Adams, seconded by Councillor Walker, that Council:

- 1. Waive the right to petition for the new concrete curb and gutter.**

2. **Approve the recovery of Local Improvement Charges for the new concrete curb and gutter in the amount of \$52,600, by levy of frontage charges based on the 2002/03 rates approved by Council.**
3. **Award Tender No. 02-252, Paving Renewal, Circle Drive - West Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$357,400, plus net HST for a total of \$380,378 from Account No. CZR00357, Resurfacing, with funding authorized as per the Budget Implications section of the staff report dated September 10, 2002. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 Tender 02-277, Paving Renewals - Oriole Street, Bromley Road, and Rogers Drive - Western Region

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

MOVED by Councillor Mosher, seconded by Councillor Adams, that Council:

1. **Approve the recovery of Local Improvement Charges for the new concrete curb and gutter on Oriole Street, by an amount of \$7,735.26 to be applied to a special area rate of a portion of District 16 (as shown on the map attached to the staff report dated September 10, 2002).**
2. **Award Tender No. 02-277, Paving Renewals, Oriole Street, Bromley Road, and Rogers Drive - West Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$226,320, plus net HST for a total of \$240,870 from Account Nos. CYR00991, Paving Renewal Program, and CZR00357, Resurfacing, with funding authorized as per the Budget Implications section of the staff report dated September 10, 2002. MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.3 Tender 02-280, Belleshire Drive Culvert Replacement - Central Region

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

MOVED by Deputy Mayor Harvey, seconded by Councillor Johns, that Council:

1. **Increase the budget in the amount of \$8,300 to Account No. CGU00112 - Belleshire Drive - Culvert Replacement as indicated in the Budget Implications Section of the staff report dated September 11, 2002. Funding is to be provided by CRESPOOL.**

2. Award Tender No. 02-280, Belleshire Drive Culvert Replacement - Central Region to Sackville Trenching Limited for materials and services listed at the unit prices quoted for a Tender Price of \$54,780, plus net HST for a total of \$58,300, from Account No. CGU00112, Belleshire Drive - Culvert Replacement, with funding authorized as per the Budget Implications section of the staff report dated September 11, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 Tender 02-281, Left Turn Lanes - Glendale Drive - Central Region

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

MOVED by Deputy Mayor Harvey, seconded by Councillor Blumenthal, that Council award Tender No. 02-281, Left Turn Lanes - Glendale Drive, Central Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$103,030, plus net HST for a total of \$109,654 from Account No. CTR00905, Intersection Improvement Plan, with funding authorized as per the Budget Implications section of the staff report dated September 10, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5 Tender 02-283, Traffic Signal Installation - Chain Lake Drive at Civic No. 201, Western Region

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

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

1. Approve an increase in the Gross Budget for Account No. CTR00416, Traffic Signal Installation, in the amount of \$40,000, with no change in the Net Budget, to cover cost sharing. These funds are to be recovered from various property owners within the Bayers Lake Business Park.
2. Tender No. 02-283, Traffic Signal Installation, Chain Lake Drive at civic no. 201- West Region to Black and McDonald Limited for materials and services listed at the unit prices quoted for a Tender Price of \$57,355.50, plus net HST for a total of \$61,043 from Account No. CTR00416, Traffic Signal Installation, with funding authorized as per the Budget Implications section of the staff report dated September 10, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.6 Tender 02-287, Quigley's Corner Pumping Station Intake Piping - Eastern Region

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

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Council award Tender No. 02-287, Quigleys Corner Pumping Station Intake Piping - East Region to Amber Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$76,000, plus net HST for a total of \$80,886 from Account No. CGR00371, Pumping Stations and Forcemain Upgrades, with funding authorized as per the Budget Implications section of the staff report dated September 11, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7 Tender 02-289, Park and Ride Lot - Cobequid Road - Central Region

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

MOVED by Deputy Mayor Harvey, seconded by Councillor Johns, that Council award Tender No. 02-289, Park and Ride Lot - Cobequid Road - Central Region to Sackville Trenching for materials and services listed at the unit prices quoted for a Tender Price of \$54,720 plus net HST for a total of \$58,238 from Account No. CBQ00002, Park and Ride Lots, with funding authorized as per the Budget Implications Section of the staff report dated September 3, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.8 Purchase of 2 Additional Forty Foot Transit Buses

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

MOVED by Councillor Blumenthal, seconded by Councillor Fougere, that Council authorize staff to increase the order of 30 buses to 32 buses from New Flyer in accordance with the terms and conditions of Price Agreement set forth by RFP 00-077 to match the number awarded by Council with the number of buses included in successive budgets. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 Request for New Sidewalks - Birchwood Terrace and Lawnsdale Drive, Dartmouth

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

MOVED by Councillor Cunningham, seconded by Councillor Hetherington, that the request for new sidewalks - Birchwood Terrace and Lawnsdale Drive, Dartmouth, not be approved at this time, but rather they be referred for consideration as part of HRM's normal Capital Budget process.

Speaking against the motion, Councillor Smith stated the sidewalks should be constructed on these streets as there is .5 km of street where children have to walk. The Councillor noted there are 110 requests for sidewalks that have a lower priority than this request. With respect to safety, Councillor Smith stated walking on Woodland Avenue is not an option for the children. The Councillor questioned the estimated local improvement charges in the staff report, noting he has offered \$10,000 from his District capital allocation towards these sidewalks. In closing, Councillor Smith urged Council to defeat this motion and allow something to be done for the safety of the children of the area.

Councillor Walker noted there are sidewalk requests that have a higher priority that should be addressed before this request.

MOTION PUT AND PASSED.

10.2.10 Sponsorship of the Greater Halifax Partnership's Energy Implementation Program

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

MOVED by Councillor Streach, seconded by Councillor Fougere, that Council support the Municipality's sponsorship of the Greater Halifax Partnership's Implementation Program Proposal under the Program for Export Market Development from Industry Canada in the amount of \$50,000 with funding from a withdrawal from the Service Improvement Reserve (Q310) as outlined in the budget implications section of the staff report dated September 8, 2002.

Mr. Stephen Dempsey, CEO, Greater Halifax Partnership, responded to questions of Council regarding Phase II of the Energy Implementation Program, making the following points:

C The Province of Nova Scotia is supporting the Partnership's energy sector initiatives and was a significant funding partner for the economic impact study, and the Partnership anticipates the Province to be participating in other components of the project in the future.

C The intent of this project is to lever funding from the federal government which will assist the Partnership in attracting the significant amount of investment needed

to build the energy sector. He stated the requested \$50,000 from HRM will leverage another \$250,000 in total funding support.

- C With regard to the time frame for anticipated results, some of the results can be measured in a shorter time frame than others and a framework for measuring these results is being set up. The Partnership will report to Council on a quarterly basis on all of its activities, including activities that can be measured at the appropriate time under this initiative.

Responding to a question of Councillor Warshick, Ms. Betty MacDonald, Manager, Financial Services, stated staff will be coming forward with a business case that will propose that opportunities such as this be recognized as a funding possibility under the Service Improvement Reserve. Ms. Dale MacLennan, Director, Financial Services, added it was staff's intent to have this business case completed before this recommendation came forth, but since that has not yet occurred, staff did not want to prevent this request from coming forward. Ms. MacLennan stated staff have no difficulty recommending something that might be contrary to a business case in very specific circumstances. She advised Council that this request is contrary to the policy but not the original intent of the business case. However, she noted that it is under Council's jurisdiction to pass a motion that is contrary to its policy if there is a recommendation supporting it.

Councillor Warshick expressed concern in the amount being requested noting HRM has already invested in this initiative through its contribution to the Greater Halifax Partnership.

Mr. George McLellan, Chief Administrative Officer, advised Council that HRM is looking for results from this investment, and if they are not forthcoming, there will be no reinvestment.

Responding to concerns expressed by Councillor Sloane, Mr. McLellan stated this is a situation where the funds were set aside so that, depending on how the business case looked and would rank, they could be apportioned to this opportunity or other opportunities. He noted that this is the time to consider this opportunity, but, unfortunately, the business cases are not quite complete. However, staff is comfortable with making the decision at this time.

Councillor Fougere, Board Member of the Greater Halifax Partnership, spoke in support of the request stating the Partnership is focussed on the pulse of the key areas of opportunity for HRM. The Councillor noted that HRM has put money aside in reserve for opportunities like this one, and she urged Council to support this initiative.

MOTION PUT AND PASSED.

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Whalen

(i) Wildlife and Development Projects

Councillor Whalen requested a staff report to examine the impact on deer of development occurring on forested lands. The report is to respond to the following:

- 1) Who, if anyone, is responsible for the displaced deer?
- 2) Does HRM have the resources or authority to act to relocate the affected animals?
- 3) Is it possible to include a provision in development agreements to put the onus on developers to study the deer that will be impacted and have a plan to relocate deer that are affected?
- 4) Does staff have any other suggestions on how we can respond to this situation?

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

Councillor Hetherington suggested this is a provincial matter, and it should be referred to the Department of Natural Resources. In response, Councillor Whalen stated she and the residents have contact the Department of Natural Resources and they are not responding.

MOTION PUT AND PASSED.

ii) Planting and Maintaining Street Trees

Councillor Whalen requested a staff report on the adequacy of the current budget for planting and maintaining street trees. The Councillor noted the budget for new trees for all of HRM was cut in half this year, and she expressed concern with the effect this will have on the replacement of trees. Councillor Whalen requested that the report address the possibility of obtaining cash from developers, rather than them having trees in place when HRM takes over the street, in order that the trees could be planted by HRM following the construction of buildings to lessen the likelihood of damage to the new trees. The Councillor also requested that maintenance of trees along stretches of HRM land be addressed in the staff report, as well as any other suggestions staff may have with respect to improving the survival rate of the trees.

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

In discussion of the motion, members of Council requested that the staff report also address the following issues:

- C The possibility of an increase in the tree planting budget next year
- C Comment from staff regarding the equipment and manpower required to maintain the vast number of trees in the municipality

- C The incorporation into this report of the previous request of Councillor Smith on December 4, 2001, regarding tree planting
- C The examination of the standards by which HRM accepts streets turned over from contract development agreements
- C The need for trees in areas other than new developments (ie. downtown area)
- C Some of the infectious diseases that can affect trees
- C Clarification of the policy and time period for the replanting of trees
- C Research into a partnership program with Toronto and a local hydro company that was reported in the Globe and Mail (article previously provided to staff)
- C The possibility of a service exchange partnering agreement with smaller Nova Scotia municipalities who grow trees

Councillor Whalen requested that the report be brought back to Council within one month if possible.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Councillor Smith - Bucket Plows and Sidewalk Snow Removal

Councillor Smith expressed concern regarding the use of bucket plows for sidewalk snow removal and requested an information report regarding the use of these plows. The Councillor stated there should be some standards set for the equipment used on sidewalks and asked that staff examine the width of the sidewalks compared to the width of the bucket plows and whether or not they should be used. Councillor Smith also requested that the report include information pertaining to property damages and subsequent costs as a result of the use of bucket plows.

MOVED by Councillor Smith, seconded by Councillor Sloane, that this matter be referred to staff for an information report. MOTION PUT AND PASSED.

10.3.3 Councillor Goucher - DeWolfe Bequest Distribution

This item was deferred to September 24, 2002, during the Approval of the Order of Business.

11. MOTIONS - None

12. ADDED ITEMS

12.1 Councillor Sarto - Sidewalk - Elwin Crescent

MOVED by Councillor Sarto, seconded by Councillor Cunningham, that this matter be referred to staff for a report to address the feasibility of constructing a sidewalk

on Elwin Crescent from John Cross Drive to Robert Drive in concurrence with the upgrading of Elwin Crescent as approved at the Council meeting of September 8, 2002. MOTION PUT AND PASSED.

12.2 Property Matter - Sale of Former Notting Park School, Dartmouth

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

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

1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Cheltonham Developments Ltd., for the sale of 182 Wyse Road, former Notting Park School Site, subject to the terms and conditions set out in the September 6, 2002 Private and Confidential staff report.
2. This report not be released to the public until the transaction has closed. MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Personnel Matter - Chief Administrative Officers Contract

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

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

- 1) The employment contract between the Halifax Regional Municipality and George McLellan, as attached to the September 17, 2002 Private and Confidential report from Peter J. Kelly, Chair, CAO Review Committee, be approved.
- 2) Council approve the release of the September 17, 2002 report from the CAO Review Committee. MOTION PUT AND PASSED.

13. NOTICES OF MOTION - None

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:20 p.m.

Deputy Municipal Clerk