

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES June 17, 2003

PRESENT:

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

STAFF:

Mr. Dan English, Acting Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

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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 Hines.

2. **APPROVAL OF MINUTES - NONE**

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

The following items were added to the agenda:

- 12.1 Councillor Uteck - Supplementary Funding Committee
- 12.2 Councillor Hines
 - (i) Hillside Water Utility - Bomont Subdivision
 - (ii) Safety Issue at Lockview High School
 - (iii) King's Road Bridge

The following Information Item was added to the agenda:

- 1. Proclamation - Brain Injury Awareness Month - June 2003

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

Councillor Goucher acknowledged the efforts of Mayor Kelly and Mr. George McLellan, Chief Administrative Officer, for the money they raised during the Cops for Cancer event held earlier in the day.

4. **BUSINESS ARISING OUT OF THE MINUTES**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RECISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

8. **PUBLIC HEARINGS**

8.1 Case 00062 - Amendment to Halifax Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Block F, Kelly Street

C The amendment passed First Reading on May 13, 2003 and was now before Council for Second Reading.

C A report from the Chebucto Community Council, regarding the above, was previously circulated to Council.

C Correspondence from Mr. Larry Cochrane and Ms. Jacqueline McPhee, in opposition of the amendment, was before Council for its consideration.

C Correspondence from Ms. Sandra Oxner, in support of the amendment, was before Council for its consideration.

Ms. Randa James, Planner, presented the report to Council.

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

Ms. Margo Cantwell, Planner, EDM Environmental Design and Management

Ms. Margo Cantwell addressed Council noting EDM were the planners on the project working with the late Mr. Don Keddy. Ms. Cantwell noted there were two key issues raised during the public information meetings. One was the traffic issue, which has been studied, and the development has been limited so the traffic would be no more than what would be allowed in an as of right situation. The other concern was with respect to buffers, and there was a change made at Community Council which addresses this a bit further.

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

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

COUNCIL DECISION

MOVED by Councillor Mosher, seconded by Councillor Johns, that Regional Council approve amendments to the Halifax Municipal Planning Strategy and the Halifax

Mainland Land Use By-Law as contained in Attachment I of the staff report dated February 17, 2003.

Councillor Mosher stated she would like to propose an amendment to protect the buffer zone between the different land uses of assisted living facilities and one or two unit dwellings.

MOVED by Councillor Mosher, seconded by Councillor Adams, that the motion be amended with reference to Page 10 of the staff report dated February 17, 2003, by adding to the end of Section iv) the following: notwithstanding the forgoing: "Where the apartment building or assisted living buildings abut existing one or two unit dwellings the forty foot buffer will be maintained. MOTION PUT AND PASSED UNANIMOUSLY.

Following a brief discussion, the vote was taken on the main motion as amended.

MOTION PUT AND PASSED.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

9.2 Petitions

There were no petitions served at this meeting.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 03-064, One (1) Resurfacer

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

MOVED by Councillor Streach, seconded by Councillor Sloane, that Tender 03-064, One (1) Ice Resurfacer, for the Eastern Shore Community Centre, be awarded to Saunders Equipment at a cost of \$66,215.00 from Capital Account No. CVR00223, Fleet Replacement Program, with funding authorized as per the Budget Implications section of the staff report dated June 5, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Tender 03-205, Humber Park - Street Reconstruction - Serpentine Avenue and Codroy Avenue

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 Streach, that Regional Council:

1. **Approve the recovery of Local Improvement Charges to be applied to the general area rate of District 4 for the installation of new concrete sidewalk on Serpentine Avenue by a rate to be established in By-law S-412 which was presented to Council on June 10, 2003.**
2. **Approve an increase in the Gross Budget for CZR00357 - Resurfacing by \$69,402 with no change in the Net Budget to cover the cost of the water main renewal cost sharing from the Halifax Regional Water Commission.**
3. **Award Tender No. 03-205, Humber Park - Street Reconstruction - Serpentine Avenue and Codroy Avenue to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a tender price of \$355,042, plus net HST for a total Project cost of \$377,868, with funding authorized from Account Nos. CJR00956, CZR00357 and CGU00029 as per the Budget Implications section of the staff report dated June 5, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.3 Tender 03-211, New Sidewalk, Pavement Resurfacing and New Watermain, Skyridge Avenue - 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 Councillor Harvey, seconded by Councillor Johns, that Regional Council:

1. **Approve the recovery of Local Improvement Charges for the new concrete sidewalk on Skyridge Avenue in Sackville, to be applied to an area rate to District 20 at the rate to be established in By-Law S-412, which was presented to Council on June 10, 2003.**

2. Approve an increase in the Gross Budget for Account No. CZR00357, Resurfacing, by \$67,825 with no change in the Net Budget to cover the cost of the water main renewal on Skyridge Avenue, from The Halifax Regional Water Commission.
3. Award Tender No. 03-211, New Sidewalk, Pavement Resurfacing and New Water main, Skyridge Avenue - Central Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$372,270, plus net HST for a total of \$396,203 from Account No. CZR00357, Resurfacing, and CJR00956, New Sidewalk with funding authorized as per the Budget Implications section of the staff report dated June 6, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Tender 03-238, New Paving of William Nelson 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 Councillor Johns, seconded by Councillor Hetherington, that Regional Council:

1. Approve the recovery of Local Improvement Charges for the new paving of William Nelson Drive at the rate to be established in By-Law Number S-412, which was presented to Council on June 10, 2003.
2. Award Tender No. 03-238, New Paving of William Nelson Drive to Lafarge Canada Inc. for materials and services listed at the unit prices quoted for a Tender Price of \$170,200 plus net HST for a total of \$181,142 from Account No. CXR00332, New Paving of Subdivision Streets Inside the Core Area, with funding authorized as per the Budget Implications section of the staff report dated June 6, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.5 Tender 03-240, Paving and Sidewalk, Tremont Drive/Rocky Hill Road - West Region

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

Councillor Whalen noted an error in the Map in the staff report. She stated the area covered by the area rate should be all of the lands shown in the map excluding Bayers Lake Business Park.

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

- 1. Approve the recovery of Local Improvement Charges for the new concrete curb and gutter on Rocky Hill Road in Halifax, to be applied as an area rate to a portion of District 16 (as shown on the sketch attached to the staff report dated June 6, 2003, as amended) at the rate to be established in By-Law S-412, which was presented to Council on June 10, 2003.**
 - 2. Approve the recovery of Local Improvement Charges for the new concrete sidewalk on Tremont Drive and Rocky Hill Road in Halifax, to be applied as an area rate to a portion of District 16 (as shown on attached sketch), at the rate to be established in By-Law S-412, which was presented to Council on June 10, 2003.**
 - 3. Approve an increase in the Gross Budget for Capital Account No. CZR00357, Resurfacing, by \$35,930 with no change in the Net Budget to cover the cost of the watermain renewal on Tremont Drive.**
 - 4. Award Tender No. 03-240, Paving and Sidewalk - Tremont Drive / Rocky Hill Road to Sackville Trenching 2002 Limited for materials and services listed at the unit prices quoted for a Tender Price of \$413,135 plus net HST for a total of \$439,696 from Account No. CZR00357, Resurfacing, and Account No. CGU00461, Sewer Laterals Replacement (Paving Projects) with funding authorized as per the Budget Implications section of the staff report dated June 6, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**
- 10.1.6 Tender 03-246, Intersection Improvements: Wright Avenue/MacDonald Avenue - Burnside Business Park - East 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 Smith, seconded by Councillor Cunningham, that Regional Council award Tender No. 03-246, Intersection Improvements: Wright Ave. / MacDonald Ave. - Burnside Business Park to XL Electric Limited for materials and

services listed at the unit prices quoted for a Tender Price of \$224,632.27 plus net HST for a total of \$239,074. from Account No. CTU00145, Burnside Business Park Study Recommendations and CTR00416, Traffic Signal Installation, with funding authorized as per the Budget Implications section of the staff report dated June 5, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.7 Capital Project CWI00442, Cell Closure Clay Plug

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

MOVED by Councillor Meade, seconded by Councillor Sloane, that Council change the fiscal year from 2003-04 to 2002-03 for Capital Project CWI00442, Cell Closure Clay Plug in the amount of \$250,000, with funding from the Otter Lake Landfill Closure Reserve, Q120. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.8 Area Rate for Sidewalk Snowplowing

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

C Correspondence from Mr. Len Moxon, regarding the above, was before Council for its consideration.

MOVED by Councillor Whalen, seconded by Councillor Adams, that:

- 1. Effective with the 2003/04 fiscal year, a common area rate of \$0.015 to the residential, resource, commercial, machinery and equipment assessment including business occupancy be implemented in all areas of the Halifax Regional Municipality which currently receive sidewalk snowplowing service, and to District 16 (including the Linear Park and excluding Bayers Lake Business Park) which will begin receiving this service in 2003/04;**
- 2. If, in subsequent years, this service is extended to any other areas of the Municipality which currently do not receive the service, that those areas be included in the common area rate as calculated for that year; and,**
- 3. Separate area rates to fund area-rated sidewalk snowplowing deficits incurred to March 31, 2003 be applied to those areas which had the service**

as of that date. One-half of the deficit will be recovered in each of 2003/04 and 2004/05. Areas to which the service is extended in subsequent years will not share in the prior year's surplus or deficit in the year service is implemented.

In response to a question of Councillor Blumenthal, Mr. Rick Paynter, Director, Public Works and Transportation Services, stated staff will know prior to the 2004/05 winter season if it is possible to take on the rest of Peninsular Halifax, and staff will come back with a report at that time.

Councillor Uteck stated she is pleased staff came forward with a general area rate, but she agreed with other Councillors that a residents' survey should be undertaken to see if they would be agreeable to implementing it.

Councillor Sloane noted many people walk in the downtown area and throughout the Capital District, and she suggested Council needs to think about those areas that really need to have sidewalks cleared.

In response to a question of Councillor Goucher regarding the possibility of obtaining a breakdown of deficits per area, Ms. Dale MacLennan, Director, Financial Services, stated the information is not currently collected by District with the exception of District 15 which was contracted separately last year. She stated staff believe the best route for the future is to first look at a flat area rate then look to inclusion in the general rate in the future. Ms. MacLennan suggested staff time would be better utilized at this time in gathering the information needed to go forward. In response to a further question of the Councillor regarding the \$905,000 deficit, Mr. Paynter stated part of the overall cost would include repairs. He noted that he did not have the exact total but could try to put this information together if the Councillor so wished.

Councillor Goucher questioned the use of plows in some cases where it appears the equipment being used tends to lead to more damage than should be caused (ie. the plows are too wide for the sidewalk). Mr. Paynter responded that staff is cognizant of this problem, particularly in the older areas of HRM, and new sidewalk equipment is being examined with the contractors in the recent tender call.

Deputy Mayor McInroy spoke in support of the recommendation and suggested more examination could be given to equipment such as snow blowers for areas that cannot accommodate plows. Mr. Paynter noted another factor that adds to abutting property damage is if the ground is not frozen before a heavy snow fall occurs.

Councillor Adams requested that Council be provided with an Information Report in the future regarding accommodating areas on the main arteries (ie. Herring Cove Road, Dentith Road, Old Sambro Road, etc.) where there are large chunks of ice on the properties, and exploring the possibility of implementing an area rate for those particular properties. In response, Mr.

Paynter stated staff will examine this. Councillor Adams noted he would email to staff a list of streets he would like considered.

In response to a question of Councillor Blumenthal, Ms. MacLennan stated a report on the costs for a general rate should be available in October or November 2003. Mr. Paynter noted staff will also know the resource capabilities at that time.

Responding to a question of Councillor Hetherington regarding the time frame for HRM sidewalk plowing, Mr. Gordon Hayward, Snow and Ice Coordinator, stated the service standard for Dartmouth/Bedford/Sackville is within 72 hours after the end of a snowfall, but, in reality, it is generally done within 24 - 30 hours. Councillor Hetherington noted the By-Law for the areas that do not have sidewalk clearing provides for snow removal within 12 hours following a snowfall. The Councillor stated if these areas were covered by HRM, the snow clearing could be delayed for more than 12 hours and this needs to be taken into consideration.

Councillor Colwell inquired if a general rate for sidewalk snow removal is to be implemented HRM wide. Ms. MacLennan responded that staff would be looking at areas where sidewalks proliferate.

Councillor Fougere stated she hopes when the residents are surveyed they are provided with sufficient information on costs and other factors, such as the time frame mentioned by Councillor Hetherington, to make an informed choice. The Councillor requested that those Councillors who currently have HRM sidewalk snow removal service to please pass on any issues they are aware of such as property damage, time frame standards, etc.

Councillor Johns stated he would be opposed to adding this service to the general tax rate unless more sidewalks are put in the rural areas.

Councillor Sloane asked that the report address how much would be saved if everyone was responsible for their own sidewalk clearing and, if HRM were to provide this service to all areas, would the most traveled areas be done first. Councillor Harvey noted those who currently receive the service pay extra for it so there would be no savings if this extra service was taken away.

As a representative of the Advisory Committee for Persons with Disabilities, Councillor Sarto noted it fully supports sidewalk snow removal.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.9 By-Law S-603 to Amend Solid Waste By-Law S-600

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

MOVED by Councillor Smith, seconded by Councillor Hetherington, that Council approve, in principle, the amendments to Solid Waste By-Law S-600 included in By-Law S-603, and direct staff to arrange for their formal adoption by Council.

Councillor Uteck requested that the report address the possibility of having rules of compassion, such as for people with terminal illnesses, whereby a written request could be made to Solid Waste for permission to put out more than ten bags.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.10 Capital from Operating 2002/03 - St. Margaret's Bay Arena and Eastern Shore Recreation Centre

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

MOVED by Councillor Rankin, seconded by Councillor Streach, that Council:

1. **approve the payment of the outstanding mortgage amount, approximately \$300,000, with funding to be provided from the 2002/03 Capital from Operating account, M461-6807, as outlined in the budget implications section of the staff report dated June 10, 2003; and,**
2. **approve the funding of the purchase of the Eastern Shore Recreation Centre and Rink in the amount of \$235,000 from the 2002/03 Capital from Operating account, M461-6807, as outlined in the budget implications section of the staff report dated June 10, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.11 First Reading - By-Law L-115, An Amendment to By-Law L-100 - Cow Bay Road Area Sewer and Water Extension

- C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was previously circulated to Council.

MOVED by Deputy Mayor McInroy, seconded by Councillor Cooper, that Council give First Reading to By-Law L-115, An Amendment to By-Law L-100 - Cow Bay Road Area Sewer and Water Extension. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.12 First Reading - By-Law S-412, An Amendment to By-Law S-400, Respecting Charges for Street Improvements

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

MOVED by Councillor Sarto, seconded by Councillor Smith, that Council give First Reading to By-Law S-412, An Amendment to By-Law S-400, Respecting Charges for Street Improvements. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2 NORTH WEST COMMUNITY COUNCIL

10.2.1 Case 00414 - Amendments to the Bedford Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) Respecting the Main Street Commercial (CHC) Zone

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

MOVED by Councillor Goucher, seconded by Councillor Blumenthal, that Regional Council give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-Law as contained in Attachments "A" and "A-1" of the staff report dated April 24, 2003 and schedule a Public Hearing for July 8, 2003. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.2 Case 00398 - Amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) - Beaver Bank Villa Site

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

MOVED by Councillor Harvey, seconded by Councillor Rankin, that Regional Council give First Reading to the proposed amendments to the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law as contained in Attachments "B" and "C" of the staff report dated May 20, 2003 and

schedule a Public Hearing for July 8, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.3 HERITAGE ADVISORY COMMITTEE

10.3.1 Case H00104 - Application for Registration of 2223 Brunswick Street, Halifax (heritage hearing)

C A report from the Heritage Advisory Committee, regarding the above, was previously circulated to Council.

Mr. Kevin Barrett, Heritage Planner, presented the report to Council, noting the property owner has indicated support of the registration.

MOVED by Councillor Sloane, seconded by Councillor Fougere, that Regional Council approve the registration of 2223 Brunswick Street, Halifax, under the HRM Heritage Property Program (Map 1 of the staff report dated March 6, 2003). MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Case H00102 - Barrington Street Conservation District

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

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

- 1. Regional Council adopt the public participation program outlined in Appendix "B" of the staff report dated May 16, 2003, to establish the Barrington Street Heritage Conservation District; and,**
- 2. The area of the proposed Conservation District be that portion of Barrington Street between Duke and Bishop Streets, as identified in Map 1 of the staff report dated May 16, 2003.**

Councillors Uteck and Sloane expressed appreciation to staff for this initiative.

MOTION PUT AND PASSED UNANIMOUSLY.

10.4 MEMBERS OF COUNCIL

10.4.1 Councillor Walker - Request to bring Information Item #4, Status of By-Law Prosecutions, from June 10, 2003, forward for discussion

Based on information received from Mr. Wayne Anstey, Municipal Solicitor, Councillor Walker stated he did not see a reason for a staff report at this time.

In response to a question of Councillor Smith, Mr. Anstey advised Council that, in the future, staff will be including more detailed information in the report regarding the address or location of incidents.

10.4.2 Councillor Warshick - 2005 Juno Awards

Councillor Warshick advised Council that he has heard there is some interest by a group in making a pursuit of the 2005 Juno Awards for HRM. The Councillor requested that Council formally approve a motion to obtain a staff report on how HRM might move forward on this with HRM taking the lead. Councillor Warshick noted he recently spoke with Ms. Melanie Berry, President, CARAS/Juno Awards, and a new revised RFP will be forthcoming within weeks for both the 2005 and 2006 Juno Awards.

MOVED by Councillor Warshick, seconded by Councillor Hetherington, that this be referred to staff for a report to look at pursuing and taking a lead role or working with the other interested party.

Mayor Kelly advised that he is aware that Destination Marketing and Events Halifax are looking at that and they should be included in any discussion to ensure everyone is working in the same direction.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Hetherington - Amendment to Administrative Orders SC-23, SC-25, SC-26 and SC-27

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that Council amend Section One (1) of Administrative Order Number SC-23, SC-25, SC-26 and SC-27 to delete the word "enclosed" and to substitute therefore the word "closed." MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1 Councillor Uteck - Supplementary Education Funding Committee

Councillor Uteck stated the mandate of the Supplementary Education Funding Task Force was to deal with supplementary education funding for 2002-03 and beyond. The Councillor stated the future was not addressed, and, therefore, she requested that a committee be struck to deal with the issue of supplementary education funding for the long term. Councillor Uteck stated it is important to start the process now and come to some common ground. Both Councillor Uteck and Councillor Fougere have been meeting with the School Advisory Councils and have put forth a position paper accompanied by a letter to go home with every student in both Districts. Councillor Uteck stated she would like to see HRM present a united front, in cooperation with the Halifax Regional School Board, to the provincial government as to how the funding inequity can be resolved.

Mayor Kelly advised Council that staff have been meeting with the School Board in that direction and will be coming back with a report for Council. He inquired if the Councillor would like to request that this process be expedited. Councillor Uteck responded in the affirmative.

MOVED by Councillor Uteck, seconded by Councillor Fougere, that a staff report be requested regarding the formation of a committee, with the cooperation of the HRSB, to deal with the issue of supplementary funding for the long term.

In response to a question of Councillor Cooper regarding the composition of the committee, Councillor Uteck suggested it should comprise of members of Council, the School Board, and possibly the Chairs of the School Advisory Councils. Councillor Cooper stated he believes that this is the wrong direction as the mandate will be difficult to achieve without an even split in committee membership between Councillors and other members. Mayor Kelly suggested this could also be addressed in the report.

Councillor Fougere stated there is a very widespread misunderstanding amongst School Advisory Councils and the general public about the issue of education funding. She stated, in the very least, the public should be educated so they can make informed choices and comment on the issue.

MOTION PUT AND PASSED.

**12.2 Councillor Hines
(i) Hillside Water Utility - Bomont Subdivision**

Councillor Hines noted Council received a report on this issue last week, and he requested that it be added to the infrastructure list in the event money becomes available.

MOVED by Councillor Hines, seconded by Councillor Streach, that the Hillside Water Utility be added to the infrastructure list in the event money becomes available. MOTION PUT AND PASSED UNANIMOUSLY.

(ii) Safety Issue at Lockview High School

Councillor Hines reported on an issue which arose at Lockview High School as a result of the Halifax Regional School Board policy and a provincial law that prohibits students from smoking on the school grounds. In this particular situation, the students are moved to the end of the driveway and onto adjacent properties. A study was conducted by HRM staff and it was concluded that this is a safety issue, not an issue of smoking. Councillor Hines stated his is trying to create a safe gathering spot on the school grounds, not a smoking pit. The Councillor noted there was a stakeholders meeting consisting of the school principal, the RCMP, MLA, School Board member, student/teacher liaison, student/parent liaison and two student council representatives. The body agreed it was no longer a smoking issue, rather it was a safety issue as the students are currently being courted by pimps, selling drugs, milling in the street, etc. Councillor Hines stated this could be resolved by moving them back 30 feet onto the school property. Councillor Hines stated the issue has not been resolved and, therefore, he put forth the following motion:

MOVED by Councillor Hines, seconded by Councillor Goucher, that Council support a request for correspondence to be sent to the Halifax Regional School Board from Mayor Peter Kelly regarding the safety of pedestrians, school children, and the public created by the Smoking By-Law regarding school property.

Councillor Cunningham noted that people under the age of 17 are not legally permitted to smoke. In response, Councillor Hines stated the Young Offenders Act has been recently revamped and it suggests that the RCMP not lay charges against minors for misdemeanor crimes. The Councillor reiterated he is asking for a safe gathering place for the students. Councillor Goucher spoke in support of the motion agreeing that it is a safety issue.

Speaking against the motion, Councillor Sloane stated it is unacceptable as it will allow school children to smoke, yet adults are not permitted to smoke on restaurant/bar outdoor patios.

MOTION PUT AND PASSED.

The following members of Council voted **in favour** of the motion: Mayor Kelly, Councillors: Steatch, Hines, Colwell, Cooper, Warshick, Sarto, Hetherington, Smith, Walker, Mosher, Adams, Johns, Goucher, Rankin and Meade.

The following members of Council voted **against** the motion: Councillors: Cunningham, Blumenthal, Sloane, Whalen and Harvey.

(The following members were absent for the vote: Deputy Mayor McInroy, Councillors Uteck and Fougere.)

(iii) King's Road Bridge

Councillor Hines requested a staff report regarding the King's Road Bridge situation where a by-law is being developed to permit construction of a bridge in July or August.

MOVED by Councillor Hines, seconded by Councillor Warshick, that Council request a staff report regarding the King's Road Bridge situation. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

13.1 Councillor Warshick - Administrative Order SC-30

TAKE NOTICE that, at the regular Regional Council Meeting, to be held on Tuesday, June 24, 2003, I propose to introduce, for introduction by Council as a Policy pursuant to Section 315 of the Municipal Government Act, Administrative Order SC-30. The purpose of which is to effect closure of a portion of Basil Avenue, Dartmouth, Nova Scotia.

13.2 Councillor Adams - First Reading of By-Law T-124

TAKE NOTICE that at the next regular meeting of Halifax Regional Council, to be held on Tuesday, June 24, 2003, I propose to move First Reading of By-Law T-124, the purpose of which is to amend By-Law T-108, the Taxi and Limousine By-Law, to appoint an additional member to the Hotel Standards Committee and to adopt a Terms of Reference for the Hotel Standards Committee, and further I will move First Reading of By-law T-125, to amend By-law T-108, to provide for fixed rate fares to and from the Halifax International Airport, and from the Halifax Port Authority property to destinations within the Halifax Regional Municipality.

13.3 Councillor Smith - First Reading, By-Law S-603

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 24th day of June 2003, I propose to move First reading of By -Law S- 603, the purpose of which is to amend By-Law S-600, Solid Waste Resource Collection and Disposal By- Law to delineate source separation requirements at industrial, commercial and institutional properties, to increase the bundle limits of residential materials from 2 to 5, to

clarify waste eligible for collection at unoccupied properties, and to clarify the types of waste prohibited from exportation from the Halifax Regional Municipality.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 7:30 p.m.

Vi Carmichael
Municipal Clerk