

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES SEPTEMBER 25, 2001

PRESENT:

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

ABSENT WITH REGRETS:

Councillors: Condo Sarto
Sheila Fougere
Robert Harvey

STAFF:

Mr. George McLellan, Acting Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Assistant Municipal Clerk

TABLE OF CONTENTS

1.	INVOCATION	04
2.	PROCLAMATIONS	
2.1	Live Music Appreciation Week - September 26 to October 1, 2001	04
2.2	Autism/PDD Awareness Month - October, 2001	04
2.3	Breast Cancer Awareness Month, October, 2001	04
3.	APPROVAL OF MINUTES - NONE	04
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OFF ADDITIONS AND DELETIONS	04
5.	BUSINESS ARISING OUT OF THE MINUTES	05
6.	MOTIONS OF RECONSIDERATION - NONE	05
7.	MOTIONS OF RESCISSION - NONE	05
8.	CONSIDERATION OF DEFERRED BUSINESS	
8.1	Deputy Mayor Blumenthal - Crosswalk Fines & Enforcement	05
8.2	Neighbourhood Short-cutting - Armview/Pryor/Jubilee	05
8.3	Sable Gas Update	07
9.	PUBLIC HEARINGS	
9.1	Sale - 36 Greenhead Road, Lakeside	08
10.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
10.1	Correspondence	
10.1.1	Municipality of Pictou County - Increase in Rural Telephone Service Rates	09
10.2	Petitions	
10.2.1	Armview/Pryor/Jubilee - Dr. MacKean	10
10.3	Presentations	
10.3.1	Fall River Basketball Association - Tim Daly	10
10.3.2	Atlantic Federation of Musicians - John Alphonse	10
11.	REPORTS	

HALIFAX REGIONAL COUNCIL
MINUTES

3

SEPTEMBER 25, 2001

11.1	AUDIT COMMITTEE	
11.1.1	Audited Financial Statements - Miscellaneous Trust Funds March 31, 2001	11
11.2	CHIEF ADMINISTRATIVE OFFICER	
11.2.1	Tender 01-288 Elmwood Ave. Street Reconstruction & Sidewalk Renewal - Eastern Region	11
11.2.2	Tender 01-282 Paving Renewal and Resurfacing - Candlewood Lane and Sapphire Crescent	11
11.2.3	By-Law L-104 Respecting Local Improvement Charges - Cow Bay Road Sewer and Water	12
11.2.4	Herring Cover Sewer and Water	13
11.2.5	By-Law S-700 Swimming Pool By-Law	14
11.2.6	Encroachment License Application - 1721 Brunswick Street	14
11.2.7	Cellular Installations and Health and Safety	15
11.3	MEMBERS OF COUNCIL	
11.3.1	Councillor Adams - School Property Maintenance	15
11.3.2	Councillor Hetherington - Review of Committees of Council	16
11.3.3	Councillor Smith	
	(i) Update Pinecrest Highfield Park Neighbourhood Plan & Secondary Planning Strategy	17
	(ii) School Boundaries	16
11.3.4	Councillor Whalen - Lacewood Drive Entrance	17
12.	MOTIONS	
12.1	Councillor Warshick - Municipal Election Campaign Contributions	18
11.2	Councillor Fougere - GATS Negotiations	05
13.	ADDED ITEMS	
13.1	Councillor Goucher - By-Law Enforcement	18
13.2	Councillor Hines - Peace Conference	19
13.3	Tender 01-118 Aerotech Biosolids Lagoon Emergency Cleanout	19
13.4	Legal Matter - Settlement of Claim	20
13.5	Legal Matter - Settlement of Claim	21
14.	NOTICES OF MOTION	21

HALIFAX REGIONAL COUNCIL
MINUTES

4

SEPTEMBER 25, 2001

15. ADJOURNMENT 21

1. INVOCATION

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

2. PROCLAMATIONS

2.1 Live Music Appreciation Week - September 26 - October 1, 2001

Mayor Kelly proclaimed the week of September 26 - October 1, 2001, as Live Music Appreciation Week in the Halifax Regional Municipality.

Following the reading of the proclamation, Mayor Kelly presented Mr. John Alphonse, President, Atlantic Federation of Musicians, with the official proclamation.

2.2 Autism/PDD Awareness Month - October, 2001

Mayor Kelly proclaimed the month of October, 2001, as Autism/PDD Awareness Month in the Halifax Regional Municipality.

2.3 Breast Cancer Awareness Month - October, 2001

Mayor Kelly proclaimed the month of October, 2001, as Breast Cancer Awareness Month in the Halifax Regional Municipality.

3. APPROVAL OF MINUTES - NONE

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

Additions

- 13.1 Councillor Goucher - By-Law Enforcement
- 13.2 Councillor Hines - Peace Conference
- 13.3 Tender 01-118 Aerotech Biosolids Lagoon Emergency Cleanout
- 13.4 Legal Matter - Claim Settlement
- 13.5 Legal Matter - Claim Settlement

Councillor Smith requested item 11.3.3 (ii) be brought forward on the agenda following item 11.3.1.

Sable Gas Update was added as item 8.3.

Deletions

Item 12.2 - Motion - Councillor Fougere was deferred to October 2, 2001.

MOVED by Councillor Hetherington, seconded by Councillor Smith, 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 - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Deputy Mayor Blumenthal - Crosswalk Fines and Enforcement

Deputy Mayor Blumenthal advised many drivers do not recognize crosswalks. Also, many pedestrians are careless, not looking before entering crosswalks or jaywalking. The Councillor stated pedestrian safety has to be examined and enforcement has to be increased.

Councillor Sloane expressed concern that some crosswalks are not clearly marked.

Councillor Whalen suggested crossing guards be given more authority.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that Regional Police provide a report with regards to undertaking random checks at crosswalks with offending drivers being fined. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 Neighbourhood Short-cutting - Armview/Pryor/Jubilee

- A supplementary staff report, dated September 20, 2001, on the above noted, was before Council.
- Correspondence from Tania Li, Madeline Matheson, Frank Stalley, John Dick, Paul Pianosi, Rita Kindl-Myers, Greg J. Murphy, Shauna Scanlan, Sarah Krieger-Frost, Tina Backman, Ned Kelleher, Clary Reardon, K. Linseman, was circulated to Council.
- Councillor Uteck submitted correspondence from area residents regarding the

neighbourhood short-cutting measures proposed for Armview/Pryor/Jubilee.

Mr. Dave McCusker, Manager, Traffic and Transportation, with the aid of a PowerPoint presentation, presented components of the September 18th report and recommendation to address short-cutting on the Armview/Pryor/Jubilee corridor. During the presentation Mr. McCusker noted a report would come back to Council, following a trial period.

Mr. McCusker advised the recommendations consist of partial intersection closures at the intersection of Quinpool Road/Armview, Quinpool Road/Prince Arthur and Quinpool Road/Bloomingdale. These closures would serve to prohibit traffic from entering those streets from Quinpool Road and allow traffic exiting to right turn only. It would prohibit vehicles from moving between Quinpool Road and Jubilee until they reach Connaught Avenue.

In addition to the partial closure measures, staff is proposing speed humps at Pepperell and Norwood to deter traffic from using those streets as shortcuts. There is also a proposal for an "all ways" stop control at the intersection of Beech/Norwood and Connaught/Jubilee.

Councillor Uteck noted that the resulting traffic calming measures had gone through a process and these are the measures that have resulted from that process.

MOVED by Councillor Uteck, seconded by Councillor Walker, that Halifax Regional Council approve the alternative solution to the short-cutting issue on Armview/Pryor/Jubilee corridor consisting of partial intersection closures on Quinpool Road at Armview Avenue, Prince Arthur Street and Bloomingdale Terrace and traffic calming measures on Norwood, Beech and Pepperell Streets.

Deputy Mayor Blumenthal expressed concern that traffic patterns may change as a result of these measures being put in place.

Councillor Mosher expressed concern that this solution will have traffic moving to other streets. The Councillor asked for information on how much money has been spent to date assessing the rotary and it's arterial roads. Mr. McCusker advised he would provide a report to Council regarding this.

Deputy Mayor Blumenthal suggested traffic patterns on Chebucto and Quinpool needs to be changed for morning and evening traffic.

In response to Councillor Smith, Mr. McCusker advised the classification of a street is based on it's geometric characteristics and other design aspects. The traffic volumes are then compared to it's traffic carrying abilities and, if it is beyond what the street should be carrying, then that overload is addressed and not just bumped up in classification. Classification is

supposed to be reflective of the characteristics of a street and not the traffic that it carries.

Councillor Hetherington suggested there was a need to have a traffic study undertaken.

Councillor McInroy stated there is a further need to look at the use of speed bumps on residential neighbourhood streets and an increased use of multi-way stops as well as a reduction in speed limits from 50/kmh to 30/kmh.

Councillor Walker stated this is a safety and quality of life issue and this is the first step in addressing the issue.

MOTION PUT AND PASSED

Councillor Uteck submitted the critique of Mr. Linsman's report to staff and requested staff come back with a information report regarding this.

8.3 Sable Gas Update

- A draft copy of a letter from the Mayor to the Utility and Review Board was circulated to Council.

Mr. George McLellan, Acting Chief Administrative Officer, advised with Sempra backing out of gas distribution, there is the issue of what happens to the evolution of the gas roll out in Nova Scotia, particularly in HRM. He noted that as part of the URB process, HRM had intended to submit an intervention document. He advised this letter would show that the Municipality was still interested in the process.

In response to Councillor Walker, Mr. McLellan advised the intent would be to try and find a provincial solution. He advised this letter would give the indication that HRM was still interested in the process.

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Council approve the draft letter from the Mayor to the Utility and Review Board and recommend that it be forwarded.

Councillor Whalen expressed concern that this process would involve significant cost and HRM needs to look at the economics of why Sempra has withdrawn from the province. She questioned whether this would be the right time to pursue this.

Mr. McLellan advised there is no commitment here to become the distributor of gas. The intention of the letter is to try and indicate that HRM would spearhead the availability of it within

HRM.

Deputy Mayor Blumenthal suggested HRM become involved in the partnering process.

In response to Councillor McInroy, Mr. McLellan advised that whatever HRM does, the URB will ultimately give the authority to proceed.

Ms. Mary Ellen Donovan, Solicitor, advised this letter is saying HRM would like to work with other provincial municipalities to look at a solution.

Councillor Adams requested a report be provided, at a future date, on the process that led up to the draft regulations and the regulations that were passed by Cabinet, to illustrate to Council what HRM had to deal with.

MOTION PUT AND PASSED UNANIMOUSLY.

9. PUBLIC HEARINGS

9.1 Sale - 36 Greenhead Road, Lakeside

- An extract from the September 4, 2001, Regional Council minutes, was before Council.
- A report dated August 28, 2001, on the above noted, was before Council.

Ms. PJ Temple, Coordinator, Grants Program, advised the public hearing is regarding a property sale, at less than market value, of the HRM owned property at 36 Greenhead Road, Lakeside. The intended use would be for a twenty bed facility for women and children at risk for homelessness.

Mayor Kelly called for those wishing to speak either in favour of or in opposition to the proposal.

Ms. Marilyn Berry

Ms. Marilyn Berry, Executive Director, Adsum House, spoke in favour of the application stating they believe that the benefit of living in a facility for a longer period of time with continued support, guidance, counseling and programs would assist women to become far more successful and independent in the future. She advised their proposal includes renovations to the building and landscaping of the property.

Mayor Kelly called three times for additional speakers. Hearing none, the following motion was

placed.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Rankin, seconded by Councillor Sloane, that Regional Council approve the transfer of title for 36 Greenhead Road, Lakeside, to the Association for Women's Residential Facilities for the sum of \$1 plus administrative costs incurred by the municipality as applicable; conditional upon signed agreements from both the provincial and federal government's confirming the value of their support to this homelessness project; zoning approval, and the specific terms and condition identified in the Discussion section of the report dated August 28, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

RECESS

At this time, Council recessed for five minutes.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence

Councillor Sloane submitted correspondence from Maxine and Fred Wagner, Maitland Street, and Sharon Laframboise regarding the condition of the Mitchell's Environmental Treasures Building on Gottingen Street, Halifax.

Councillor Goucher submitted correspondence from Mr. Gordon Munro, Bedford, regarding Basin Auto, 39 Dartmouth Road, Bedford, and requested it be forwarded to Development Services for a report.

10.1.1 Municipality of Pictou County - Increase in Rural Telephone Service Rates

- A memorandum from Clyde A. Purvis, Chief Administrative Officer, Municipality of Pictou County, dated September 12, 2001, on the above noted, was before Council.

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Cunningham, that the letter be received and filed.

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

MOVED by Deputy Mayor Blumenthal, seconded by Councillor Hetherington, that the Halifax Regional Municipality send a letter objecting to the proposed increase in rural telephone service rates.

Councillor Streach requested a copy of the letter be forwarded to Mr. Gaudet, Leader of the Liberal Party.

A number of Councillors expressed concern that if the rural rates were not increased, urban rates may have to be increased to make up the difference in costs.

MOTION PUT AND PASSED.

10.2 Petitions

Councillor Sloane submitted a petition, containing 122 signatures, regarding the condition of the Mitchell's Environmental Treasures Building on Gottingen Street, Halifax.

Councillor Uteck resubmitted a petition from residents of the Preston/Beech/Cedar Street area asking for safety measures to address volume and speeding on those residential streets.

10.2.1 Armview/Pryor/Jubilee - Dr. MacKean

Ms. Tanya Li, on behalf of Dr. MacKean, submitted a petition, containing 271 signatures, regarding the traffic situation in the Armview/Pryor/Jubilee area.

10.3 Presentations

10.3.1 Fall River Basketball Association - Tim Daly

- Correspondence from Tim Daly, dated September 10, 2001, on the above noted, was before Council.

Mr. Tim Daly, Fall River Basketball Association, made a presentation regarding the costs charged for use of schools by community groups and associations. He advised the rates charged are not affordable by the groups and, as a result, they travel to neighbouring communities to use their facilities.

MOVED by Councillor Hines, seconded by Councillor Sloane, that the correspondence from Mr. Daly be forwarded to staff for a report responding to the questions raised therein.

Councillor Colwell requested the report include information on the costs associated with renting all schools in HRM.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Atlantic Federation of Musicians - John Alphonse

This item was dealt with earlier in the meeting under item 2.1 (see page 6).

11. REPORTS

11.1 AUDIT COMMITTEE

11.1.1 Audited Financial Statements - Miscellaneous Trust Funds March 31, 2001

- A report from Councillor Ron Cooper, Chair, Audit Committee, dated September 13, 2001, on the above noted, was before Council.

MOVED by Councillor Cooper, seconded by Councillor Walker, that the audited financial statements of the Halifax Regional Municipality - Miscellaneous Trust Funds for the year ended March 31, 2001 be approved, and that the Mayor and Municipal Clerk be authorized to sign the financial statements on behalf of Council.

Mayor Kelly requested staff provide a report on all the trust funds under HRM jurisdiction.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 CHIEF ADMINISTRATIVE OFFICER

11.2.1 Tender 01-288 Elmwood Ave. Street Reconstruction & Sidewalk Renewal - Eastern Region

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 19, 2001, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor Cunningham, that Council award Tender No. 01-288, Elmwood Avenue Street Reconstruction and Sidewalk Renewal - Eastern Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$170,110. plus net HST and 10%

for quality control/quality assurance and unforeseen works for a Total Project Cost of \$199,150., with funding authorized as per the Budget Implications section of the report dated September 19, 2001. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.2 Tender 01-282 Paving Renewal and Resurfacing - Candlewood Lane and Sapphire Crescent

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 18, 2001, on the above noted, was before Council.

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

1. **approve the recovery of Local Improvement Charges for the replacement of the existing asphalt curb with concrete curb and gutter on both sides of Candlewood Lane and Sapphire Crescent, by and amount of \$25,662. and \$29,756. respectively, each to be applied to the general area rate of District 19.**
2. **approve an increase in the Capital Budget for Capital Account No. CYR00991 - Paving Renewal in the amount of \$312,090. These funds are available as a withdrawal from CRESPOOL Account.**
3. **award Tender No. 01-282, Paving Renewal and Resurfacing - Candlewood Lane and Sapphire Crescent to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$532,100. plus net HST and 10% for quality control/quality assurance and unforeseen works for a Total Project Cost of \$622,940. with funding authorized as per the Budget Implications section of the staff report dated September 18, 2001.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.2.3 By-Law Number L-104, Respecting Local Improvement Charges - Cow Bay Road Sewer and Water

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 17, 2001, on the above noted, was before Council.

Staff was recommending Regional Council:

1. *approve a reduction in the bulk land per acre charge for the Cow Bay Road sewer*

and water project from \$2,100. per acre to \$1,848. per acre.

2. *maintain the existing lateral and frontage charge rate for the Cow Bay Road sewer and water project.*
3. *approve in principle the adoption of By-Law Number L-104, Respecting Local Improvement Charges - Cow Bay Road Sewer and Water, attached, and also give notice of motion to begin the formal adoption process.*

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Halifax Regional Council:

1. **approve a reduction in the bulk land per acre charge for the Cow Bay Road sewer and water project from \$2,100. per acre to \$1,848. per acre.**
2. **removal of the first lateral charge as per the previous commitment to the residents with HRM absorbing the write-off of \$43,200. (as per alternative (b) of the staff report dated September 17, 2001)**

Councillor McInroy outlined the history and process followed in the levying of these charges for the Cow Bay Road water and sewer. The Councillor advised he was asking Council to approve what was committed to in 1994 namely, that the frontage charges that are levied for water and sewer on Cow Bay Road include a lateral at \$1,350. each.

Mr. Kulvinder Dhillon, Director of Public Works and Transportation Services, advised that after Council approved the local improvement charges by-law, it was found that HRM had overcharged the properties. The matter was now before Council in order to reduce charges to the properties.

Mr. Ted Tam, Design and Construction Services, advised it is the intent of the by-law that every property would receive one free lateral but, during the construction process, there were a number of large vacant lots that the owners subdivided into a number of lots in order to take advantage of that particular lateral clause.

MOTION PUT AND PASSED.

11.2.4 Herring Cove Sewer and Water

- An information report from Kulvinder Dhillon, Director, Public Works and Transportation Services, dated September 24, 2001, on the above noted, was before

- Council.
An extract from the draft September 18, 2001 Regional Council minutes was before Council.

Councillor Adams expressed concern that the report indicates there are no funds available for this project in the approved Capital Budget. The Councillor advised the funds are supposed to be drawn from the Community Integration Allocation for the Harbour Solutions Project. He advised Council has endorsed the five million dollar Integration Fund indirectly in that HRM has allowed the community of Herring Cove to spend \$50,000 of that money to do their Settlement Strategy.

Mr. George McLellan, Acting CAO, advised that without the plant going into Herring Cove as part of the Harbour Solutions, there is no community integration.

Councillor Adams requested information be provided in two weeks as to where HRM stands with regards to this project and the expropriation of lands and how to proceed with this process. The Councillor requested Mr. Brian Dempsey, Chair of the Ratepayers Association, be included in the discussions.

Councillor Hetherington requested the report provide information on breakdown of funding for this project.

11.2.5 By-Law S-700 Swimming Pool By-Law

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 19, 2001, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council approve in principle the proposed By-Law Number S-700, the Swimming Pool By-Law, attached as Appendix A to the staff report dated September 19, 2001, and direct staff to arrange for its introduction for formal adoption.

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

MOVED by Councillor Cooper, seconded by Councillor Warshick, that this item be referred back to staff for further clarification.

Councillor Cooper noted that the report indicates there should be a clear separation between adjacent property lines yet, in another section of the report, it indicates that the side of a pool can be on the property line. There is allowance for a variance to be granted but does not say the time between the variance and how long residents have to react. The Councillor noted

it is clearly the intention that there was to be a clear separation between the pool and the property lines and yet allowances are being made to use the side of the pool on the property line. The Councillor also noted one and two foot pools are being excluded.

In response to Councillor Walker, Council was advised that all pools in the former City of Halifax are grandfathered. On further question, Council was advised that if the pool is more than four feet above the grade and the supporting structure for the pool does not facilitate climbing, then that would satisfy the requirements of the by-law.

Councillor Rankin noted there is a problem in obtaining eight feet of separation on either side of a pool on 50 foot lots.

MOTION PUT AND PASSED UNANIMOUSLY.

11.2.6 Encroachment License Application - 1721 Brunswick Street

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 7, 2001, on the above noted, was before Council.

Staff was recommending that the encroachment application for 1721 Brunswick Street not be approved.

MOVED by Councillor Sloane, seconded by Councillor Streach, that Council approve the encroachment application at 1721 Brunswick Street.

Councillor Sloane, with the aid of photographs, noted there are other similar encroachments in the downtown area. The Councillor advised the proposal will not impede traffic or pedestrian movement. Lighting will be installed underneath the balcony. There will be no piped music nor will there be any glass bottles or glasses permitted onto the actual balcony.

MOTION PUT AND PASSED.

EXTENSION OF MEETING PAST 10:00 P.M.

MOVED by Councillor Cooper, seconded by Councillor Sloane, that the meeting be extended past 10:00 p.m. MOTION PUT AND PASSED.

11.2.7 Cellular Installations and Health and Safety Issues

- A report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated August 24, 2001, on the above noted, was before Council.

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

1. **Request that a technical expert from Health Canada (Ottawa) be invited to speak to Regional Council at a Committee of the Whole meeting regarding health and safety issues arising from cellular installations.**
2. **Request that a representative from Industry Canada, as the regulation agency for cellular installations, be invited.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Adams - School Property Maintenance

Councillor Adams advised the Elizabeth Sullivan School is a primary to nine school in the Spryfield area and the grass is quite long, the flower beds are not tended, the trees are poorly maintained and there is broken glass throughout the playground and parking area. The Councillor advised that in winter the sidewalks, steps and parking areas were snow covered and icy. The Councillor requested information be provided on who is responsible for which maintenance functions at this and other schools throughout HRM.

MOVED by Councillor Adams, seconded by Councillor Sloane, that this issue be referred to legal for a staff report.

Councillor Warshick requested the report include whether or not there have been any discussions with the School Board with regards to the possibility of contracting out HRM workers to undertake the maintenance.

MOTION PUT AND PASSED UNANIMOUSLY.

Under the approval of the Order of Business, Council agreed to address this item at this time.

11.3.3 Councillor Smith

(ii) School Boundaries

Councillor Smith advised Northbrook School has only eighty percent capacity and has room

for more students but the School Board administration is refusing to fill those seats. The Councillor noted students are passing by this school to attend Harbourview School which, in some cases, is a forty five minute walk.

MOVED by Councillor Smith, seconded by Councillor Cunningham, that a letter be sent to the Halifax Regional School Board asking that they reverse their discriminating and harmful boundary decision and that they allow transfers to Northbrook based on distance and family connection priorities until Northbrook School is at least ninety five percent capacity. MOTION PUT AND PASSED UNANIMOUSLY.

11.3.2 Councillor Hetherington - Review of Committees of Council

MOVED by Councillor Hetherington, seconded by Deputy Mayor Blumenthal, that staff be requested to review the makeup and number of committees and provide a report and recommendation to Council.

Mayor Kelly noted it had been suggested that the membership on the CAO Review Committee be increased.

Deputy Mayor Blumenthal suggested representation by each Community Council be examined, noting each Community Council has a different number of Councillors and representation on committees should be adjusted accordingly.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.3 Councillor Smith

(i) Update Pinecrest Highfield Park Neighbourhood & Secondary Planning Strategy

Councillor Smith advised that earlier this year it was determined that staff would undertake an update of the plan.

MOVED by Councillor Smith, seconded by Councillor Sloane, that a staff report be requested addressing the following:

- 1) Parks and Recreation to address Open Spaces, Green Spaces and Tree deficiencies, especially in light of the fact that a tot lot was removed from this plan area this summer and has not been replaced.**

- 2) **Transportation and Public Works to address the deficiencies listed on page 5 of the report.**
- 3) **Police Services to report on any possibility of having a police office in District 9.**
- 4) **As per Policy 2.4.1 of Appendix A, staff recommend alternative methods by which Council might consider starting a demonstration project in this plan area to increase single lot housing.**

MOTION PUT AND PASSED UNANIMOUSLY.

(ii) School Boundaries

Under the approval of the Order of Business, Council agreed to address this item following item 11.3.1. (see page 16).

11.3.4 Councillor Whalen - Lacewood Drive Entrance

**MOVED by Councillor Whalen, seconded by Councillor Walker, that a staff report be provided that would examine possible sources of funding to allow the sidewalk portion of the Bayers Lake Business Park Entrance project to be reinstated.
MOTION PUT AND PASSED UNANIMOUSLY.**

Deputy Mayor Blumenthal requested the report include the amount of money COSCO paid for their property.

12. MOTIONS

12.1 Councillor Warshick

MOVED by Councillor Warshick, seconded by Deputy Mayor Blumenthal:

That a Resolution Respecting the Deduction of Municipal Election Contributions be forwarded to the Union of Nova Scotia Municipalities for consideration by the UNSM's Resolutions Committee on October 16, 2001.

WHEREAS it is often stated that municipal government is the level of government that is closest to the people;

AND WHEREAS it is in the public interest that candidates for municipal elections not be limited by their ability to finance their campaigns from their own personal resources;

AND WHEREAS contributions to assist the campaigns of candidates seeking elected office at the provincial and federal levels and deductible for income tax purposes;

AND WHEREAS no such deductibility exists in respect to municipal candidates;

NOW THEREFORE BE IT RESOLVED that the Legislature of the Province of Nova Scotia and the Parliament of Canada be requested to enact amendments to their respective Income Tax Acts to allow receipts to be issued for tax deduction purposes to taxpayers contributing to a municipal election campaign in amounts of ten dollars or more.

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

MOVED by Councillor Hetherington, seconded by Councillor Streach, that this item be deferred for one week to ascertain what would be the ramifications. **MOTION DEFEATED.**

MAIN MOTION PUT AND PASSED.

12.2 **Councillor Fougere**

That Council adopt a resolution similar to that adopted by a number of municipalities in British Columbia that:

1. Urges the federal government to consult with all Canadians, including local governments, more widely before formulating the Canadian negotiating position;
2. Recommends that the federal government bring forward a proposal to specifically exclude “local governments and authorities” from the application of the GATS;
3. Requests the federal government to not include sub-national governments under the requirements of the Agreement on Government Procurement; and

4. **Urges FCM to continue to dedicate staff to closely monitor WTO discussions and federal activities with respect to the GATS negotiations and to alert Canadian governments of any potential encroachments on local jurisdiction**

This item was deferred to October 2, 2001 under the approval of the Order of Business (see page 5).

13. **ADDED ITEMS**

13.1 **Councillor Goucher - By-Law Enforcement**

MOVED by Councillor Goucher, seconded by Councillor Sloane, that staff be requested to provide a report on the following:

- 1) **What is the current number of by-law enforcement officers.**
- 2) **After hours by-law enforcement.**
- 3) **Number of new officers and allocation of same.**
- 4) **Number of officers assigned to enforcement of the Pesticide By-Law and the resources available to them.**
- 5) **Examine the possibility of linking by-law enforcement with fire departments.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 **Councillor Hines - Peace Conference**

MOVED by Councillor Hines, seconded by Councillor Sloane, that a Regional Police provide a written report regarding security measures that were put in place for the Middle East Peace Conference. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 **Aerotech Biosolids Lagoon Emergency Cleanout (Tender 01-118)**

- A supplementary report prepared for Mr. George McLellan, Acting Chief Administrative Officer, dated September 24, 2001, on the above noted, was before Council.

Staff was recommending that Council approve the withdrawal of \$390,000 from the Aerotech

Lagoon Reserve (Q117) and \$288,000 from the Environmental Protection Reserve (Q105) for a total of \$678,000 which represents the tendered Aerotech Lagoon clean out price of \$579,000 plus net HST and 10% for quality control assurance and unforeseen works.

MOVED by Councillor Walker, seconded by Councillor Mosher, that this be deferred to October 2, 2001.

In response to Mayor Kelly, Mr. McLellan advised the work has been completed and the matter is now before Council for payment approval.

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

MOVED by Councillor Walker, seconded by Deputy Mayor Blumenthal that HRM pay the bill, for a total of \$678,000 which represents the tendered Aerotech Lagoon clean out price of \$579,000 plus net HST and 10% for quality control assurance and unforeseen works, but provide a further report regarding to which accounts the payments will charged. MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Legal Matter - Settlement of Claim

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

MOVED by Councillor Walker, seconded by Councillor Sloane, that the Halifax Regional Council settle the claim outlined in the September 19, 2001 Private and Confidential staff report as brought by the Plaintiff, in the amount of \$40,000 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on September 17, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Legal Matter - Settlement of Claim

- This matter was discussed earlier 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 Sloane, that Halifax Regional Municipality settle the claim outlined in the September 20, 2001 Private and Confidential staff report in the amount of \$52,500 all inclusive, conditional upon the receipt of a duly executed release from any further claims respecting this accident.

MOTION PUT AND PASSED UNANIMOUSLY.

14. **NOTICES OF MOTION - NONE**

15. **ADJOURNMENT**

MOVED by Councillor Sloane, seconded by Councillor Whalen, that the meeting be adjourned at 10:55 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk