

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES MAY 18, 1999

PRESENT:

Deputy Mayor Larry Uteck
Councillors: Bill Dooks
Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
John Cunningham
Jerry S. Blumenthal
Graham L. Downey
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
Barry Barnet
Robert P. Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

**ABSENT WITH
REGRETS:**

Mayor Walter Fitzgerald
Councillor Stephen D. Adams

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Barbara Moar, Assistant Municipal Clerk

TABLE OF CONTENTS

1.	INVOCATION	4
2.	PROCLAMATIONS	
2.1	A Day of Compassion	4
3.	APPROVAL OF MINUTES	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
5.	BUSINESS ARISING FROM THE MINUTES	5
6.	MOTIONS OF RECONSIDERATION	5
7.	MOTION OF RESCISSION	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
9.1	Presentations	
9.1.1	Preservation of the Built Heritage in our Communities	5
9.1.2	Introduction and Brief Review of Restructuring	6
9.2	Correspondence	
9.2.1	Request for Use of the Old Halifax Crest - Bass River Chairs	6
9.2.2	Recognition of 70 Year Olds and Older - City of Gloucester	
9.2.3	Request - Freedom of the City (May 29) - Navy League of Canada	7
9.3	Petitions	
9.3.1	Petition from Councillor Sarto	7
9.3.2	Petition from Councillor Rankin	8
10.	REPORTS	
10.1	MEMBERS OF COUNCIL	
10.1.1	Councillor McInroy - Maintenance and Other HRM Services Provided to Waterfront Development Corporation Properties	8
10.1.2	Councillor Kelly - Correctional Facility - Bedford	8

10.2	PROGRAM & SERVICE REVIEW COMMITTEE	
10.2.1	Multi Year Financial Strategy: Capital Spending Policy and Capital Debt Policy	8
10.3	CHIEF ADMINISTRATIVE OFFICER	
10.3.1	Tender 99-204 Dartmouth Transfer Station Demolition	9
10.3.2	Tender 99-205 Dorothea Drive, Dartmouth	9
10.3.3	Tender 99-213 Cuisack Street, Paving Renewal	9
10.3.4	Tender 99-328 Resurfacing - Victoria Road, Thistle Street - Cherry Drive, East Region	10
10.3.5	First Reading By-Law O-100 Respecting Open Air Burning Motion - Councillor Cooper - Move First Reading	10
10.3.6	Raymond Ferguson Property (Deadman's Island) at Northwest Arm, Mainland Halifax (Project 00113)	11
10.3.7	Case 00122 - Request to Amend the Halifax MPS, Lacewood Business Campus Lands, Clayton Park West	12
10.3.8	Ratify Action Taken In Camera (May 11/99) Land Matter - Lake Charles Subdivision/Keystone Village	12
10.3.9	FCM Homelessness Initiative	12
10.3.10	Area Rate - Recreation - Haliburton Hills	14
10.3.11	Area Rates - Local Improvement Charges - 1999/2000 Taxation Year	14
11.	MOTIONS	
11.1	Councillor Barnet	15
11.2	Councillor Hendsbee - Amendment to Administrative Order No. 1	15
12.	ADDED ITEMS	
12.1	Councillor Barnet - Liability and Property Insurance re: Springfield Lake Recreation Centre	16
12.2	Councillor Walker - Request to Move Information Item #4 (Proposed Amendment to By-Law S-400 Respecting Charges for Street Improvements) to Council Agenda	16
12.3	Councillor Kelly - Park Access Restrictions: Fire Control	16
12.4	From In Camera Session (May 18, 1999) - Sale of Lot DM-IGB Windmill Road (Burnside Business Park)	16
13.	NOTICES OF MOTION	
13.1	Councillor Walker - First Reading By-Law Number S-402	17
13.2	Councillor Hendsbee - Administrative Order No. 1, Section 36	17
13.3	Councillor Schofield - India Road	17
14.	ADJOURNMENT	17

1. **INVOCATION**

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

2. **PROCLAMATIONS**

2.1 **A Day of Compassion**

Councillor Blumenthal read the Proclamation and declared May 20, 1999 as 'A Day of Compassion' in Halifax Regional Municipality.

3. **APPROVAL OF MINUTES - NONE**

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

The following items were requested to be added to the Agenda:

- 12.1 Councillor Barnet - Liability and Property Insurance re: Springfield Lake Recreation Centre
- 12.2 Councillor Walker - Request to Move Information Item #4 (Proposed Amendment to By-Law S-400 Respecting Charges for Street Improvements) to Council Agenda
- 12.3 Councillor Kelly - Park Access Restrictions: Fire Control
- 12.4 From In Camera Session (May 18, 1999) - Sale of Lot DM-IGB, Windmill Road (Burnside Business Park)

At the request of Councillor Kelly, the following item was **deferred**:

- 10.1.2 Correctional Facility - Bedford

At the request of Councillor Barnet, the following item was **deleted**:

- 11.1 Motion - Councillor Barnet - "To amend Administrative Order Number One by adding provision that would prohibit the wearing of apparel, designed to advertise the sale of a service or product, by members of Council and staff during a meeting of Council, and require usual business attire."

MOVED By Councillors Hetherington and Cooper THAT the Order of Business be approved as amended. MOTION PUT AND PASSED UNANIMOUSLY

5. **BUSINESS ARISING FROM THE MINUTES - NONE**
6. **MOTIONS OF RECONSIDERATION - NONE**
7. **MOTION OF RESCISSION - NONE**
8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**
9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**
- 9.1 **PRESENTATIONS**
- 9.1.1 **Preservation of the Built Heritage in our Communities**

Ms. Ann MacVicar and Mr. Graeme Duffus gave a presentation expressing their concerns about Built Heritage in HRM both being volunteer members of the Fort Sackville Foundation, which is principally focused on the 250 year old Scott Manor House in Bedford. Ms. MacVicar and Mr. Duffus asked Council to investigate ways to ensure the preservation of the heritage buildings wherever they may be in HRM.

Mr. Duffus pointed out that this is Scott Manor House's 250th anniversary. The needs of Manor House have been identified and there are a lot of repairs required. The Foundation has come up with a lot of initiatives, and programs have been developed for this year. Funding is sought from various sources and the Foundation finds ways to complete the work with volunteers and whatever funds can be raised.

Mr. Duffus referred to the Heritage Incentive Program that had been developed by the City of Halifax in 1992-93, but with the coming of HRM, funding was cut and the program shelved. He pointed out that recessions and unexpected events cause heritage groups to lose sources of funding. Mr. Duffus stated that the Fort Sackville Foundation would like to ask Council to support the idea of a Foundation being set up to receive donations and bequests to preserve HRM's heritage. He believes there are many individuals and businesses who would be interested in leaving a bequest to such a good cause or who would make a donation.

Councillor Schofield referred to a previous recommendation he had made that when the municipality sold heritage properties a portion of the revenue should be used for other heritage properties in HRM. He asked when a staff report on this recommendation would be coming forward to Council. Mr. Meech responded that this issue was being worked on but he cannot advise at this point in time when it would be coming to Council. Councillor Schofield suggested this would be a better way to fund heritage properties.

Councillor Harvey suggested that the proposal is very timely in that it follows comments by Mr. Jacobs who had addressed groups in HRM last week emphasizing the importance of HRM's heritage buildings. Councillor Harvey felt the proposal was worthy of a closer examination.

MOVED By Councillors Harvey and Schofield THAT the request from the Fort Sackville Foundation be referred to staff, Grants and Heritage Advisory Committees. MOTION PUT AND PASSED UNANIMOUSLY

9.1.2 Introduction and Brief Review of Restructuring

- Copy of paper 'Halifax Regional School Board - Students First' submitted by the Halifax Regional School Board was before Council

Ms. Stella Campbell, Chair of the Board, introduced the new Superintendent of Schools, David Reid, who gave a brief review of restructuring that is taking place on the School Board. He spoke to Council of issues that have been identified in the 'Halifax Regional School Board - Students First' paper, including recommendations to address these issues.

Included in Mr. Reid's presentation was the issue of supplementary funding with the recommendation that a meeting would be set up with representatives of HRM, the Department of Education & Culture, School Councils and staff to review the concept of supplementary funding and make recommendations for the future.

Deputy Mayor Uteck thanked Ms. Campbell and Mr. Reid for attending today's meeting, stating that Council looks forward to dialogue as it relates to supplementary funding. He believes the same education should be available to all students across HRM.

9.2 CORRESPONDENCE

9.2.1 Request for Use of the Old Halifax Crest

- A letter dated May 10, 1999 asking permission for Bass River Chairs to include the old Halifax crest on an afghan to celebrate the 250 birthday of Halifax was before Council for consideration.

Mr. Anstey reported that the former City of Halifax had a by-law that stated the Coat of Arms (crest) would only be used on City materials or in any other manner determined by Council. At that time, the Coat of Arms was the active symbol of the municipality but now that it is no longer an active Coat of Arms, Council would have to determine whether the use being requested by Bass River Chairs is appropriate.

Following comments by members of Council, the following motion was made:

MOVED BY Councillors Fougere and Hetherington that the Coat of Arms Committee be requested to meet to consider this request, and possible future requests to determine what would be an appropriate use for this Coat of Arms and those of Dartmouth, Halifax County and Bedford. MOTION PUT AND PASSED UNANIMOUSLY

9.2.2 Recognition of 70 Year Olds and Older - City of Gloucester

- A letter from the City of Gloucester, dated May 7, 1999, was before Council for consideration.

A request was received from the City of Gloucester for HRM Council to pass a motion that, with the exception of the cost of membership card production, no fees would be charged for residents who are 70 years of age and over wishing to make use of the City's recreational facilities. This would be for unstructured activities during non-prime hours for the remainder of the 1999 Calendar year.

MOVED BY Councillors Greenough and Sarto that staff be requested to prepare a report on the costs for this request, including the cost of reducing the age to 65. MOTION PUT AND PASSED UNANIMOUSLY

9.2.3 Request - Freedom of the City (May 29) - Navy League of Canada

- A letter from the Navy League of Canada, Dartmouth Branch, requesting Council to grant R.A.C.S.C. Magnificent the Freedom of the City, on May 29, 1999 was before Council for consideration. A staff report from Michael Gillett re this issue was also before Council.

Following discussion by Council on two different interpretations of the letter from the Navy League re costs for this request, the following motion was made:

MOVED By Councillors Sarto and Schofield THAT Regional Council agree to the request from the Navy League of Canada that the R.C.S.C.C. Magnificent be granted the Freedom of the City, on May 29, 1999, conditional that there would be no cost to HRM. MOTION PUT AND PASSED UNANIMOUSLY

9.3 PETITIONS

9.3.1 Petition from Councillor Sarto

Councillor Sarto submitted a petition from a Seniors Home against a propane installation directly in front of 15 Oakwood Crescent. The Councillor gave some background on the petition and requested the petition be forwarded to staff.

9.3.2 Petition from Councillor Rankin

Councillor Rankin submitted a petition from residents of Leeward Avenue in the Highland Park Subdivision, Hammonds Plains requesting that 1.3 km be placed on the paving priority list. The Councillor requested the petition be forwarded to staff.

10. REPORTS

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor McInroy - Maintenance and Other HRM Services Provided to Waterfront Development Corporation Properties

Councillor McInroy requested a staff report on any maintenance and other HRM services provided to Waterfront Development Corporation properties.

10.1.2 Councillor Kelly - Correctional Facility - Bedford

Councillor Kelly asked to have this item deferred.

10.2 PROGRAM & SERVICE REVIEW COMMITTEE

10.2.1 Multi Year Financial Strategy: Capital Spending Policy and Capital Debt Policy

- A staff report dated May 12, 1999 'Multi-Year Financial Strategy: Capital Spending Policy and Capital Debt Policy' was before Council for consideration.

MOVED By Councillors Greenough and Blumenthal THAT:

- 1. Council approve the 'Capital Spending Policy' (Appendix 1) attached to the May 12, 1999 staff report; and that**
- 2. Council approve the 'Capital Debt Policy' (Appendix 2) attached to the May 12, 1999 staff report.**

Mr. George McLellan, Deputy CAO, and Ms. M. Stephanie Coldwell, Financial Consultant, with the aid of overheads, provided Council with a brief overview of the Proposed Capital Spending and Capital Debt Policies.

Mr. McLellan stated these policies are one of the aspects of the Multi-Year Financial Strategy Presentation - Taking Care of Business. The policies have been before the Program and Service Review Committee for review and are now before Council for approval. Included in the presentation was reference to HRM Financial Trends; HRM in

Comparison to Other Municipalities; Articulating the Principles of Financial Management and Capital Policies in Other Municipalities.

The purpose of the **Capital Spending Policy** is to provide for sustainability and extension of municipal infrastructure needs of HRM within the long term financial context of the Municipality.

The purpose of the **Capital Debt Policy** is to provide a framework for reducing the debt of HRM in the long term financial context of the Municipality.

Following the presentation, Ms. Coldwell responded to questions for clarification from Council members on issues related to each of the policies as listed in the staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Tender 99-204 Dartmouth Transfer Station Demolition

- A staff report prepared for Dan English, Deputy CAO, regarding the above, was before Council for consideration.

MOVED By Councillors Schofield and Sarto THAT Tender No. 99-204, Dartmouth Transfer Station Demolition be awarded to W. Eric Whebby Ltd. for materials and services listed at the unit prices quoted for a Total Tender Price of \$166,060.00, and a Total Project Cost of \$190,969.00, with funding authorized as per the Budget Implications section of the May 3, 1999 staff report. MOTION PUT AND PASSED UNANIMOUSLY

10.3.2 Tender 99-205 Dorothea Drive, Dartmouth

- A staff report prepared for Dan English, Deputy CAO, regarding the above was before Council for consideration.

MOVED By Councillors Sarto and Greenough THAT Tender No. 99-205, Dorothea Drive be awarded to Northstar Construction Ltd. for materials and services listed at the units prices quoted for a Total Tender Price of \$134,629.93, and a Total Project Cost of \$154,825.00, with funding authorized as per the Budget Implications section of the May 11, 1999 staff report. MOTION PUT AND PASSED UNANIMOUSLY

10.3.3 Tender 99-213 Cuisack Street, Paving Renewal

- A staff report prepared for Dan English, Deputy CAO, regarding the above was before Council for consideration.

MOVED By Councillors Hetherington and Greenough THAT Tender No. 99-213, Cuisack Street Paving Renewal, be awarded to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$89,585.00, and a Total Project Cost of \$103,023.00, with funding authorized as per the Budget Implications section of this report. MOTION PUT AND PASSED UNANIMOUSLY

10.3.4 Tender 99-328 Resurfacing - Victoria Road, Thistle Street - Cherry Drive, East Region

- A staff report prepared for Dan English, Deputy CAO regarding the above was before Council for consideration.

MOVED By Councillors Cunningham and Hetherington THAT Tender No. 99-328, Resurfacing - Victoria Road, Thistle Street - Cherry Drive, East Region, be awarded to Lafarge Canada Inc. for materials and services specified at the unit prices quoted for a Total Tender Price of \$133,170.00, and a Total Project Cost of \$153,145.00, with funding authorized as per the Budget Implications section of this report. MOTION PUT AND PASSED UNANIMOUSLY

10.3.5 First Reading By-Law O-100 Respecting Open Air Burning

- An Information Report from staff dated May 12, 1999, regarding the above, was before Council for consideration.

MOVED By Councillors Cooper and Hetherington THAT By-Law 0-100 Respecting Open Air Burning receive First Reading.

In response to a question from Councillor Cooper on what the requested fees would be for this by-law, Mr. Bernie Turpin, Volunteer Coordinator, Fire Prevention, responded that staff were asked to provide a comparison of the fees that are currently charged under the existing by-laws and the Department of Natural Resources.

Mr. Turpin stated that it is staff's position that the domestic burning permit should be provided at no charge. A commercial burning fee of \$50.00 would be appropriate for that type of activity, noting that these sites require some inspection and monitoring that the domestic sites do not.

Councillor Kelly stated that he believes the 12 midnight timeframe is too lengthy. He asked when the By-law is brought back for further discussion with the public that staff provide the rationale for this timeframe, other than the fact that the Province does this.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.6 Raymond Ferguson Property (Deadman's Island) at Northwest Arm, Mainland Halifax (Project 00113)

- i) Report from Regional Heritage Advisory Committee**
- ii) Staff report**

- A staff report, dated April 26, 1999, prepared for Dan English, Deputy CAO, and a report, dated May 14, 1999, prepared by Paul A. Erickson, Chairperson, Heritage, Advisory Committee, regarding the above were before Council for consideration.

Mr. Paul Erickson, Chairperson, Heritage Advisory Committee reported that the Heritage Advisory Committee is in support of staff's recommendation. The staff report states that the property commonly known as Deadman's Island is currently substantially protected in many ways, including the recent approval of the *Cemeteries Protection Act* by the Provincial Legislature. However, the Committee had a concern that this property may not enjoy the full protection of this Act if it was not declared to be an abandoned cemetery, and in recognition of this concern, the Committee approved the staff report with the amendment that Regional Council seek declaration of Deadman's Island as an abandoned cemetery.

In response to a question from Councillor Reid, Mr. Paul Morgan, Planner, reported that he had contacted the Nova Scotia Museum and was advised that in terms of declaration as an 'abandoned cemetery' that regulations would have to be adopted pursuant to the Act. This has not been done at this point, and Mr. Morgan stated that he was not sure what the implications would be.

MOVED By Councillors Reid and Fougere that this item be referred to HRM's legal staff to prepare a report on whether or not provincial legislation does in fact provide the protection that the staff report suggests, and if there are benefits of designating this property as an abandoned cemetery.

On approval of Council, Mr. D. Fraser MacFadyne, solicitor, expressed Mr. Ferguson's concern with the recommendation that Deadman's Island be declared an abandoned cemetery. He stated that they disagreed with this recommendation for a number of reasons including that it is not necessary, that it would be inconsistent with the intention of the *Cemeteries Protection Act*, and they do not believe that the requisites under this Act had been fulfilled. He spoke briefly on each of these concerns with the request that Council not accept the Committee's recommendation.

MOTION PUT AND PASSED.

**10.3.7 Case 00122 - Request to Amend the Halifax MPS, Lacewood
Business Campus Lands, Clayton Park West**

- A staff report, dated May 12, 1999, prepared by Roger Wells, Regional Coordinator, Planning Applications regarding the above, was before Council for consideration.

MOVED By Councillors Stone and Fougere THAT Council:

1. Request staff to initiate a planning approval process that will enable Council to consider amendments to the Halifax Municipal Planning Strategy respecting the development of lands in the Lacewood Business Campus, Clayton Park West; and
- 2 Approve the proposed public participation program as described herein.

MOTION PUT AND PASSED UNANIMOUSLY

**10.3.8 Ratify Action Taken In Camera (May 11/99) Land Matter -
Lake Charles Subdivision/Keystone Village**

MOVED By Councillors Greenough and Walker that Council ratify action taken In Camera (May 11, 1999) Land Matter - Lake Charles Subdivision/Keystone Village.

MOTION PUT AND PASSED UNANIMOUSLY

10.3.9 FCM HOMELESSNESS INITIATIVE

- A staff report dated May 10, 1999, prepared for Dan English, Deputy CAO, and a letter dated May 18, 1999 from Jack Layton, Third Vice President, FCM regarding the above was before Council for consideration.

MOVED By Councillors Stone and Barnet that HRM not make a one time contribution of \$.03/capita to the Big City Mayors Caucus Homelessness and Housing Initiative.

Councillor Schofield suggested that this should be reviewed further and referred to the Grants Committee.

MOVED By Councillors Schofield and Rankin that this item be referred to the Grants Committee for consideration.

Councillor Rankin stated this staff report would be correct if the request for funding asked for municipal financial involvement in the housing field. He believes the writer misread the letter from Mayor Mel Lastman, City of Toronto that was before the May 4th Council meeting. The letter was written on behalf of all the major cities across Canada. The

Councillor stated that there is no request in this letter for HRM to get involved in housing initiatives. This letter was a request for HRM to lobby the Federal Government to re-enter this field. He stated that several millions of dollars a year has been given to HRM by the Federal Government and Councillors that have been involved in non-profit groups/ public housing know the value of these contributions - 75 cents on the dollar. The Province does not have the resources.

Councillor Rankin stated that HRM is doing this on behalf of its residents, but he believes that as the host city for the FCM Conference that it would be highly appropriate for HRM to lobby the Federal Government to re-enter the housing field. He also believes it is important for HRM to look very closely at this request pointing out that homelessness impacts very much on HRM because people gravitate to this area when times are hard.

Councillor Greenough said he had also interpreted the request similar to that of the author of the staff report, and suggested that it may be wise to refer the matter back to staff and the Grants Committee for purposes of clarification on the request. He also thought it was for funding to support social housing needs. The report states very clearly that HRM is no longer in the social services business as a result of service exchanges back in 1995. He will support referring it back for clarification.

Councillor Downey felt it should not be on HRM's Agenda, it should be on the FCM Agenda with encouragement to refer it back to the Federal Government to restore this funding.

Councillor McInroy said he believes the staff report is well done and he believes it does speak to the issue which is that HRM has no money. This is a big city initiative and clearly is stated in the letter from Jack Layton that the \$.03/capita funds would be used to publicize the initiative.

Councillor Stone said this is from the Mayor of Toronto and the Big Cities Mayors and not from FCM, even though this is a Committee of FCM. He does not recall it being discussed by the Board of Directors of FCM, it has come forward through a Committee.

Deputy Mayor Uteck called for the question on the referral and the MOTION WAS DEFEATED.

Deputy Mayor Uteck called for the question on the main motion, with a request from some Councillors for a recorded vote.

The main motion reads: Moved by Councillors Stone and Barnet

THAT the Halifax Regional Municipality not make a one time contribution of \$.03/capita to the Big City Mayors Caucus Homelessness and Housing Initiative.

FOR: Councillors Dooks, McInroy, Greenough, Sarto, Hetherington, Cunningham, Deputy Mayor Uteck, Fougere, Walker, Stone, Read, Barnet and Harvey (13).

AGAINST: Councillors Snow, Hendsbee, Cooper, Schofield, Blumenthal, Downey, Kelly, Rankin, and Mitchell (9).

THE MOTION CARRIED.

10.3.10 Area Rate - Recreation - Haliburton Hills

- A staff report dated May 13, 1999, prepared for George McLellan, Deputy CAO, regarding the above, was before Council for consideration

MOVED By Councillors Rankin and Mitchell that Council amend the 1999/2000 Recreation Area Rate for Haliburton Hills to \$.015 per \$100 of assessment. MOTION PUT AND PASSED UNANIMOUSLY

10.3.11 Area Rates - Local Improvement Charges - 1999/2000 Taxation Year

- A staff report dated April 28, 1999, prepared for George McLellan, Deputy CAO, regarding the above, was before Council for consideration

MOVED By Councillors Sarto and Greenough that Council accept staff's recommendation in the April 28, 1999 staff report.

Responding to a request for clarification from Councillor Kelly, Mr. Reg Ridgley, Acting Director of Finance, stated that those residents in Appendix A to the staff report would be billed this year and those in Appendix B would be billed in the next two respective years. The Councillor referred to the area rates, noting that under the new Municipal Government Act, it also allows HRM to charge businesses, and asked if these are included. Mr. Ridgley responded that they are based only on residential area rates.

Councillor Kelly asked Mr. Meech if this report could be sent back to staff for recalculation purposes to have it conform to the new Act and include the business sector. He questioned if the business sector gets the ratio differential between residential and commercial rates, or is it twice this rate. Mr. Ridgley responded that the area rates for the year 1999-2000 are based on all residential and this has been held within the tax structure.

Staff has not moved away from this structure, although the MGA does allow this. If HRM moves to the MGA and allows area rates on commercial, he believes the Act states that HRM can only charge a flat rate, and cannot put a multiplier rate in for capital charges, as is currently done for the general commercial and residential rates. Mr. Meech questioned whether HRM could legally do this when it was approved previously on the basis that it

would only apply to the residential rate. It was agreed that this would be referred to Legal and a report brought back to the next Council meeting.

MOVED By Councillors Kelly and Greenough that this item be referred to legal and finance staff for a report for the May 25th Council meeting.

Councillor Harvey said he supports the deferral. Referring to Appendix A, as it relates to District No. 20, he asked to have the area rate corrected to read 0.011.

Councillor Hendsbee asked for clarification on why District No. 3, Lake Major Road sidewalk is not being absorbed in the Capital Budget. He understood that because it is in front of a school, it would not be taxed as an area rate. If it is being charged, he would like to spread over a longer period of time.

Councillor Barnet asked for clarification on the amount re Alder Crescent C&G project.

MOTION OF REFERRAL WAS PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Barnet

“To amend Administrative Order Number One by adding provision that would prohibit the wearing of apparel, designed to advertise the sale of a service or product, by members of Council and staff during a meeting of Council, and require usual business attire.”

Councillor Barnet requested this motion be deleted from the Agenda.

11.2 Councillor Hendsbee

“To amend Administrative Order Number One, Respecting the Procedures of the Council, that will add a further clarification to the rules pertaining to the section referred to as the “Rules of Conduct and Debate in Council” that will clearly spell out the limitations and parameters of proper decorum and aesthetic appearance of the Council Chambers desk top ledges and gallery seating area. And, to seek further clarification pertaining to proper dress code requirements and restrictions to the appearance of logos, trademarks, and/or any other noticeable private enterprise market labels and/or emblems on Councillors’, Deputy Mayor’s and municipal staff’s apparel during any public Council session.”

In response to Councillor Hendsbee, Mr. Anstey stated there is no specific amendment to be voted on at this time. An amendment had not been drafted. Councillor Hendsbee stated he would file another Notice of Motion to amend Section 36, sub-section 1 of the

Administrative Order No. 1.

12. ADDED ITEMS

**12.1 Councillor Barnet - Liability and Property Insurance
re Springfield Lake Recreation Centre**

Councillor Barnet advised that Springfield Lake Recreation Association has been discussing the possibility of, and terms related to, a Management Agreement for the Springfield Recreation Centre and the associated ball fields. The Association has been operating the facility since 1962 on behalf of the community in that area, but HRM is the owner of the property. There is one issue that has not been resolved, and this is the issue of property and liability insurance. The Association has asked staff to confirm if this facility would be covered under HRM's blanket policy, but they have not received a response.

The Councillor stated that he had been advised that the liability and property insurance currently being paid by the Association would be cancelled, effective the first of next week. It was suggested that staff would get back to Council, but Councillor Barnet asked that instead of reporting back to Council, **that staff should contact the Board of Directors immediately because the insurance would be cancelled ON MAY 24TH.**

**12.2 Councillor Walker - Request to move Information Item #4 (Proposed
Amendment to By-Law S-400 Respecting Charges for Street
Improvements) to Council Agenda**

Councillor Walker stated that this matter deals with the local improvement charges and staff have stated in their report that they are willing to change the local improvement charges for properties that abut front and back. The charges shall be applied to the civic address.

The Councillor subsequently gave a Notice of Motion respecting this matter (Item 13.1).

12.3 Councillor Kelly - Park Access Restrictions: Fire Control

Councillor Kelly asked if a staff report could be provided as soon as possible to address the question as to whether staff can close off parks independently or on a 'as needed' basis

12.4 Sale of Lot DM-1GB, Windmill Road

MOVED By Councillors Walker and Stone that Council ratify action taken In Camera (May 18, 1999) re Sale of Lot DM-1GB, Windmill Road. MOTION PUT AND PASSED UNANIMOUSLY

13. NOTICES OF MOTION

13.1 Councillor Walker

TAKE NOTICE that at the next regular Regional Council meeting to be held on Tuesday the 25th day of May, 1999 I propose to introduce for First Reading By-Law Number S-402 which is an amendment of By-Law Number S-400, Respecting Charges for Street Improvements. This By-law is amended so that the local improvement charges for projects undertaken shall apply to the civic address when a property abuts more than one street.

13.2 Councillor Hendsbee

TAKE NOTICE that at the next regular Council meeting to be held on Tuesday May 25, 1999 that I intend to introduce a motion to request staff to prepare a report and draft appropriate language to Section 36, sub-section 1 of the Administrative Order No. 1 to include specific parameters and guidelines for all Councillors, Deputy Mayor and the Mayor to abide by in reference to proper dress code and appearance of such apparel not to clearly demonstrate or display any logos, trademarks, labels, advertisements and/or emblems of any private enterprise, goods or services during any Council meeting and that these rules also apply to municipal staff.

13.3 Councillor Schofield

TAKE NOTICE that at the next regular Council meeting to be held on Tuesday May 25, 1999, that I intend to introduce a motion regarding the closing of India Road and to ask for a street closing and the necessary advertisement in the local papers

14. ADJOURNMENT

MOVED By Councillors Blumenthal and Hetherington that the meeting adjourn at 8:20 p.m. MOTION PUT AND PASSED UNANIMOUSLY

Vi Carmichael
Municipal Clerk