CITY COUNCIL M I N U T E B

Council Chamber Halifak City Hall 30 October 1991 8:00 P. M.

A regular meeting of Halifax City Council was held at this time.

The meeting was called to order with members of Council, led by His Worship Mayor Wallace, joining in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Marie O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Pottie, Grant, Hanson, Jeffrey, Ducharme, Flynn, and Stone.

ALSO PRESENT: City Manager; Mr. Barry S. Allen, Acting City Solicitor; City Clerk; and other members of staff.

MINUTES

It was agreed that Minutes of the two special meetings of Council held on Wednesday, 9 October and on Wednesday, 23 October, together with those of a regular meeting of Council held on Thursday, 17 October, be approved as circulated.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

At the request of the City Clerk, Council agreed to add:

20.1 Award of Tender #91-135: One 1992 Model Station Wagon

- 20.2 Award of Tender #91-159: Demolition of Vacant Building - Titus Smith School (41 Main Avenue)
- 20.3 Award of Tender #91-148: Four 1992 Model Four-Door Sedans
- 20.4 Award of Tender #91-142: Library Renovations (Third Floor, Main Branch)

- 733 -

20.5 Assignment of License Agreement -Mar II Sailing Tours Limited

At the request of Alderman Grant, Council agreed to add:

14.3 Report from Halifax Industrial Commission Re: Status of Marketing Strategy

The agenda, as amended, was approved on a motion by Alderman Jeffrey, seconded by Alderman Stone.

Presentation to: Mis Worship Mayor Ron Wallace

Alderman Moira Ducharme, on behalf of members of City Council and of the people of Halifax, presented retiring Mayor Ron Wallace with a token of their appreciation for his 11 years of quality leadership as Mayor.

Miss Canada Contest

Alderman Hanson, on behalf of all members of City Council, extended congratulated to Ms. Susan Ross who, representing the Town of Bedford, had recently been named "First Runner-Up" in the annual Miss Canada competition. While noting that the Ross family actually resides in Halifax, Alderman Hanson described Susan as an excellent representative of the Province of Nova Scotia, and wished her well in the coming year.

Long Service Award: Alderman Micholas Mengher

His Worship Nayor Wallace, on behalf of all members of Council, presented Alderman Micholas Neagher with a long service pin in recognition of his 29 years of service as Alderman for the City of Halifax.

Dr. Guy Henson Avard

The Chairman announced that the Guy Henson Award for academic excellence in 1991 had been awarded to Ms. Karen Swim of the City Clerk's Office upon her completion of the certificate program in Municipal Administration.

DEFERRED ITEMS

Case No. 6399: Land Une Lylaw Agendment, Section 34F(1)

A public hearing concerning this matter had been held on Wednesday, 23 October 1991.

An Information Report, dated 25 October 1991, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharmo that Section 34F(1) of the Land Use Bylaw (Peninsula Area) be amended as set out in the resolution attached as Appendix "C" to the staff report dated 4 September 1991.

In putting forward this motion, Alderman Fitzgerald noted that the applicant has agreed to enter into such covenants as are necessary to maintain the existing character of the Northwest Arm Sub-Area.

The City Clerk advised that Aldermen Holland, Meagher and Flynn had been absent from the 23 October public hearing and were therefore ineligible to vote on the matter.

The motion was put and passed with Aldermen Holland, Meagher and Flynn abstaining.

Heritage Hearing Re: Point Pleasant Park

A public hearing to consider this matter had been held on Wednesday, 23 October 1991.

At the request of Mrs. Janet Kitz, Chairman of the Point Pleasant Park Commission, <u>it was moved by Deputy</u> <u>Mayor O'Malley, seconded by Alderman Holland that</u> the matter be deferred to the City Council meeting scheduled for THURSDAY, 28 NOVENBER 1991, pending the receipt of a staff report concerning the heritage designation of the Park's canteen facility.

The motion to defer was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 23 October 1991 as follows:

1+ # st

"Open Skies" Policy

In a submission made to the 23 October meeting of the Finance and Executive Committee, City Council was requested to consider granting its endorsement of the following resolution:

WHEREAS the proposed "Open Skies" treaty announced by the Federal Transport Minister on 3 October 1990 would implement free trade in the North American airline industry; and

WHEREAS industry analysts agree that Canadian carriers would not be able to compete with the American mega carriers which have considerable cost advantages and under-utilized fleets; and WHEREAS the all-party special, parliamentary committee's unanimous report to the Transport Minister warns "Open Skies" would have a devastating impact on the Canadian Airline Industry; and

WHEREAS the major U.S. airlines, anticipating "Open Skies," are already buying up existing routes into Canada; and

WHEREAS the treaty would further deregulate the airline industry, leading to more corporate concentration through mergers, takeovers and bankruptcies, and lower standards, and may even allow cabotage (the unrestricted right to U.S. carriers to carry passengers between Canadian cities) and

WHEREAS it would distort our national priorities by expanding north-south ties and further eroding the essential east-west transportation links that help bind our country together; and

WHEREAS Canada can improve air links with U.S. cities by negotiating improvements to the current bilateral agreement to obtain more city pairs with a fairer share of routes to Canadian carriers;

THEREFORE BE IT RESOLVED THAT the City of Halifax urge the Federal Transport Minister to abandon his plans for cabotage and a market-driven "open skies" regime, and instead adopt a Canadian strategy in negotiations to update the bilateral agreement with the U.S., with the goal of obtaining more city pairs with a fairer share of routes for Canadian carriers.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the matter be referred to the City Manager and to the Director of Tourism Halifax for review and recommendation.

The motion was put and passed.

Downtown Halifax Business Improvement District Commission - Setting of Tax Rate

A staff report, dated 28 October 1991, was submitted.

<u>MOVED by Alderman Fitzgerald, seconded by</u> <u>Alderman Downey that</u> Council endorse the following tax rates as proposed by Mr. Christopher C. Huck, Chairman of the Downtown Halifax Business Improvement District Commission, in a letter dated 23 October 1991:

> Business Occupancy Tax Rate: 0.06303 Commercial Realty Tax Rate: 0.12608

The motion was put and passed.

City Home Trust and Basinview Home Patient Trust Funds

<u>MOVED by Alderman Holland. seconded by Alderman</u> <u>Downey that</u>, as recommended by the Finance and Executive Committee, staff be authorized to draft a private members' bill transferring monies currently held by the City of Halifax on account for the City Home Trust Fund and the Basinview Home Patient Trust Fund to the Halifax Foundation.

In seconding this motion, Alderman Downey emphasized that while he supported the transfer of these funds to the Halifax Foundation, he felt that the monies should subsequently be used to assist seniors programs throughout the City, particularly as this had been their original purpose.

An amendment to the motion was therefore proposed by Alderman Downey, seconded by Deputy Mayor O'Malley that the following addition be made: "and that the Halifax Foundation give special consideration to the feasibility of using these funds to benefit the City's senior citizens.

The amendment to the motion was put and passed.

The original motion, as amended, was put and passed.

Malifax Housing Authority - Window Replacement

Correspondence, dated 21 October 1991, was submitted from Mr. Michael H. Spencer, General Manager, Halifax Housing Authority.

Alderman Downey advised that he had recently met with Mr. Spencer to inspect the work presently underway at Sunrise Manor to replace a number of its windows. The Alderman expressed his satisfaction at the progress being made in this regard, and thanked Mr. Spencer for his prompt attention to this matter.

100 Leiblin Drive

This matter had been forwarded to Council without recommendation.

Reiterating remarks made at various previous meetings of Council, Alderman Grant emphasized that the owner of the building located at 100 Leiblin Drive (Mr. Peter Haas) is still interested in formally discussing with City representatives the possibility of effecting a land exchange; i.e., his property on Leiblin Drive for approximately 2-3 acres in the City's Industrial Park.

Speaking in support of the proposal, the Alderman indicated that, in his opinion, the City would benefit greatly from the acquisition of the Leiblin Drive property, and suggested that, in addition to serving as a much-needed clubhouse for a variety of local athletic groups, the building could also be used by certain City departments for the storage of equipment. In this same context, Alderman Grant pointed out that the site in the Industrial Park in which Mr. Haas is interested is currently undeveloped, therefore providing no tax revenues whatsoever to the City.

It was subsequently moved by Alderman Grant. seconded by Alderman Jeffrey that:

- staff formally investigate with the owner of 100 Leiblin Drive the feasibility of effecting a land exchange pertaining to the Leiblin Drive property and a site in the City's Industrial Park;
- staff also discuss the use of this property with appropriate City departments as well as with various local athletic groups; and

3) the findings of those discussions be reported to Council in a "balance sheet" format.

The motion was put and passed with Aldermen Fitzgerald and Meagher voting in opposition.

Atlantic Downs Racetrack

Alderman Grant advised that it was his understanding that the Atlantic Downs Racetrack proposal had been forwarded to the Provincial Management Board on 29 October but that, as yet, no information pertaining either to the specifics of that recommendation or to the Board's decision regarding it has been made public.

The Alderman went on to reiterate that the developer in question is seeking a cost-sharing agreement only with regard to the provision of an appropriate service line. He emphasized that the current proposal would see that expenditure shared by the Province, the City of Halifax, the County of Halifax, the Halifax Water Commission, and the Atlantic Winter Fair, and added that the availability of these services would unquestionably benefit all those who shared in its cost.

Concurring with Alderman Grant's remarks, Alderman Fitzgerald made reference to the many positive implications a project of this size and scope holds for the City of Halifax, and went on to suggest that, if for some reason the cost-sharing arrangement is rejected by the Province, the City might find it advisable to consider undertaking the installation of this service line by itself.

In this context, Alderman Fitzgerald asked that, as a precautionary measure, staff of the Halifax Water Commission (or from the Engineering and Works Department) be requested to provide Council with a detailed cost estimate pertaining to the necessary service line. In addition, the Alderman suggested that it would be useful to obtain information as to what the Atlantic Winter Fair could be expected to contribute; the feasibility of negotiating a cost-sharing arrangement with the County of Halifax; and the length of time it would take the Water Commission to recoup the cost of this facility.

MOVED by Alderman Grant, seconded by Alderman Jeffrey that:

 a letter be forwarded as quickly as possible by His Worship Mayor Wallace (on behalf of Halifax City Council) to the Provincial Management Board reaffirming Council's support of the Atlantic Downs Racetrack

proposal, and that copies of this letter be sent to all Halifax MLA's; and that

2) staff provide Council with a detailed cost analysis of the water and sewer lines required for this project.

With reference to (1) of the above motion, the Chairman indicated that it was his recollection that these letters had already been sent; however, he advised that he would look into the matter.

The motion was put and passed.

9:20 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor O'Malley assuming the Chair.

2107 Oxford Street - Illegal Occupancy

This matter had been referred without recommendation from the 23 October meeting of the Finance and Executive Committee.

MOVED by Alderman Fitzgerald. seconded by Alderman Holland that, with reference to the property located at 2107 Oxford Street, the City Solicitor be authorized to apply to the Supreme Court of Nova Scotia for an injunction in respect of the illegal use and occupation of property at 2107 Oxford Street, Halifax, Nova Scotia, as being contrary to the provisions of the City of Halifax Land Use Bylaw, the Planning Act, the Building Code Act, Ordinance 131, and the Halifax City Charter.

The motion was put and passed.

The Tap Building - Gottingen Street (Alderman Downey)

This matter had been referred without recommendation from the 23 October meeting of the Finance and Executive Committee.

Alderman Downey expressed his appreciation to staff with regard to the progress that is being made concerning the Tap Building and the overall rehabilitation of the Gottingen Street area.

It was subsequently moved by Alderman Downey. <u>seconded by Alderman Fitzgerald that</u> staff be asked to provide Council with a detailed report on the status of the Tap Building negotiations.

The motion was put and passed.

The City Manager advised that staff will attempt to have the requested report available, if possible for the Committee of the Whole meeting on 6 November 1991, but, failing that, in time for its meeting on 20 November.

Illegal Occupancy - 35 Coronation Avenue (Alderman Jeffrey)

This matter had been referred without recommendation from a meeting of the Finance and Executive Committee held on Wednesday, 23 October 1991.

Emphasizing that he has brought this matter to staff's attention on a number of previous occasions, Alderman Jeffrey expressed his deep dissatisfaction that little has apparently been done to address the rather considerable problems which residents of the Coronation Avenue area have had to endure over the last several months. In his remarks, the Alderman pointed out that the existence of illegal pool tables at this bowling alley has resulted in a number of drunken brawls as well as substantial damage to neighboring properties, and, in light of the repeated complaints, strongly recommended that the City take immediate action.

Alderman Jeffrey emphasized that he wished to be provided with information as to the names of the principals associated with Olympic Enterprises Limited (owners of the bowling alley in question), adding that he also wished to receive a report on the steps staff intend to take to address this matter. In closing, the Alderman urged that every effort be made to resolve this situation as quickly as possible.

MOVED by Alderman Jeffrey. seconded by Alderman Meagher that the matter be deferred to the regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 20 NOVENBER 1991, pending receipt of further information from staff.

The motion to defer was put and passed.

Residential Taxes - Sale of Property (Alderman Jeffrey)

This matter had been referred without recommendation from the 23 October meeting of the Finance and Executive Committee.

Alderman Jeffrey made reference to a recent incident involving a Mr. Smart, a senior citizen and the owner of property located at 15 Sunnybrae Avenue. In his remarks, the Alderman advised that, because he had failed

to pay his municipal taxes, Mr. Smart was suddenly faced with the prospect of losing his home in the City's annual tax sale. He went on to note that it was only through the intervention of the gentleman's son that the bill was rectified and the property was removed from the list of properties for sale.

Alderman Jeffrey expressed concern that the City would proceed in such a fashion, particularly given the individual's advanced age and the fact that supposedly there are programs in place to enable seniors to have payment of their tax bills deferred. In this context, the Alderman asked to be advised as to whether Mr. Smart had indeed been advised by staff of this deferred payment scheme or whether, in fact any effort had been made by the City to protect the gentleman from losing his home.

Alderman Jeffrey also quoted from a letter received from Mr. Smart's son, in which that individual had expressed his dissatisfaction with the manner in which staff had addressed this matter. The Alderman concluded his remarks by expressing the hope that, in future, staff will handle such incidents (particularly as they effect the City's seniors) in a much more appropriate manner.

FCN Submissions for Local Earth Initiatives (Alderman Ducharme)

This matter was referred without recommendation from the 23 October meeting of the Finance and Executive Committee.

Alderman Ducharme made reference to a recent communique from the Federation of Canadian Municipalities which is calling for submissions from municipal councils with regard to their respective achievements in "sustainable development."

In this context, the Alderman strongly recommended that staff forward the following information to the FCM: (1) the submission received from the Round Table on the Environment and the Economy (the first municipal Round Table in the Province of Nova Scotia); (2) details of the City's leaf composting program; and (3) information regarding our tree mulching program.

In putting forward this request, Alderman Ducharme emphasized that the deadline for these submissions is midnight, 14 November.

- 742 -

Bervice Station Closings (Alderman Fitzgerald)

This matter had been referred without recommendation from the 23 October meeting of the Finance and Executive Committee.

An Information Report, dated 30 October 1991, was submitted.

Referring to the contents of the above-mentioned Information Report, Alderman Fitzgerald emphasized that, on the basis of the number of complaints he and Alderman Meagher have received in recent months, it would be his view that the establishment of 24-hour service stations adjacent to residential neighborhoods very definitely poses a problem to residents of those areas. The Alderman went on to refer in particular to the service station at the corner of Beech and Chebucto as well as that on Quinpool Road, and advised that residents are continually being bothered by glaring lights, blowing horns, and the clanking of equipment well into the early morning hours.

9:50 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor O'Malley resuming her usual seat on Council.

Alderman Fitzgerald went on to emphasize that, in his opinion, the establishment of 24-hour service stations should not be permitted in close proximity to residential neighborhoods, suggesting that a more appropriate closing time would be in the vicinity of 10:00 p.m. He went on to emphasize that unless these facilities undertake to cooperate with their neighbors in terms of keeping noise and other disruptions to a minimum, he would be prepared to bring forward a proposal designed to impose more stringent requirements in terms of their operating procedures.

It was therefore moved by Alderman Fitzgerald. seconded by Alderman Meagher that staff be requested to undertake a detailed assessment of those 24-hour service stations, which are operating in close proximity to residential neighborhoods, and that their findings be submitted to Council for consideration.

The motion was put and passed.

- "NI

- 743 -

<u>**REPORT - COMMITTEE ON WORKS**</u>

Council considered the report of the Committee on Works from its meeting held on Wednesday, 23 October 1991, as follows:

Duke Street Sever Outfall Extension

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, City Council authorize the City Manager to sign the declaration on behalf of the City as required by the Canadian Coast Guard under the Navigable Waters Protection Act.

The motion was put and passed.

Award of Tender \$91-28: Withrod Drive

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, Council approve the additional cost of \$51,000 with regard to Tender #91-28, Withrod Drive (funds are to be made available from Capital Account No. 91350).

The motion was put and passed.

Traffic Bignals Automation

MOVED by Alderman Stone, seconded by Alderman Flynn that, as recommended by the Committee on Works, City Council:

- a) authorize the transfer of \$50,462.00 from Capital Account #91501 (Barrington Street Reconstruction) to Capital Account #91510; and
- b) approve the total project costs (gross and net) of Capital Account #91510 from \$600,000.00 to \$650,462.00.

The motion was put and passed.

- 744 -

Award of Tender #91-26: Sever and Water Services - St. Margaret's Bay Road

The Mai

This matter was forwarded to Council without recommendation pending receipt of further information from staff.

A private and confidential information report dated 28 October 1991 was submitted.

A letter dated 28 October 1991 was also submitted from L.J. Casavechia Contracting Limited.

Alderman Holland addressed the matter and expressed concern about changing the "rules of the game" for this occasion, noting that it could be precedent setting. In order to protect the City's tendering process, Alderman Holland expressed the view that Council should not allow the company to withdraw its bid.

MOVED by Alderman Holland, seconded by Alderman Hanson that:

- Council award Tender No. 91-26 (Alternative No. 3) to L.J. Casavechia Contracting Ltd. for the project, materials and services listed and the unit prices quoted in the amount of \$756,519.00 and a total project cost of \$910,000.00;
 - 2) Council increase the gross funding of Capital Account #94013 from \$525,000.00 to \$595,000.00 and authorize funds in the amount of \$910,000.00 from Capital Accounts #94013 and #94041;
- 3) Council pre-approve the new concrete sidewalk and curb & gutter project for 1992/93 Capital Budget at an estimated cost of \$350,000;
- 4) Council approve the installation of concrete sidewalk and curb & gutter on the St. Margaret's Bay Road between Quarry Road and North West Arm Drive subject to Local Improvement Charges and without the right of petition; and
- 5) Council direct staff to request cost-sharing for street drainage, curb and gutter, sidewalk and paving renewal on this cost-shared street from the Nova Scotia Department of Transportation and Communications.

A discussion followed and, responding to a question from Alderman Jeffrey, Mr. B.S. Allen (Acting City Solicitor) advised that the guide for awarding bids and contracts, which was developed by the Canadian Construction

Documents Committee (CCDC), is not binding on the City of Halifax.

Responding to a further question from Alderman Jeffrey, the City Manager advised that the document is a document of the CCDC. The City Manager advised that it was his understanding that the CCDC is a Committee of the Canadian Construction Association and, therefore, suggested that the document was a self-interest document.

The Acting City Solicitor added that the document was not one which is adopted by municipalities for their use in tendering.

Alderman Pottie referred to the letter received from Mr. Jack Osmond, L.J. Casavechia Contracting Limited, where it states that there was a situation in 1977 that was very similar to this item. Alderman Pottie questioned if the situation in 1977 was the same type of scenario as the one presently before Council.

The City Manager advised that, with respect to the 1977 situation, staff felt that the low bidder did not really have the capacity or the experience to undertake the job.

Responding to a further question from Alderman Pottie with respect to tender 91-21 "Guildwood Crescent" which was referred to in Mr. Osmond's letter of October Mr. Bill Sullivan, Chief Engineer, addressed Council 28th, and advised that the difference in the tenders was substantial with respect to tender 91-21. He advised that the low bidder was substantially lower than the median bids and that the contractor did not appear to have the experience to do the works. Consequently, Mr. Sullivan advised that staff had clarified the position of the contractor. Mr. Sullivan added that, had the contractor considered that he could not do the work, staff would have then recommended the second low bidder. He noted that the contractor assured staff that they could do the works for the bid price and, therefore, they were awarded the tender.

After a discussion, <u>the motion was put and, after</u> <u>a show of hands, resulted in a tie vote.</u> The Chairman <u>broke the tie by voting in favour of the motion and</u> <u>therefore declared the motion passed.</u>

The Chairman advised that he supported the motion because of the importance of the tendering system to the City of Halifax. He expressed the opinion that, in order to maintain the respect of the industry and other bidders, the City has to carry out its tendering policy.

- 746 -

Traffic - Cunard Street, Windsor Street and Compton Avenue

This matter was forwarded to Council without recommendation.

An information report dated 25 October 1991 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that:

- Council request consideration of the installation of pedestrian push buttons at the corner of Chebucto Road, Cunard and Windsor Streets intersection, in its 1992 capital budget;
- 2. Council include in its 1992 capital budget the proposed realignment scheme for the intersection of Chebucto Road, Cunard and Windsor Streets.

Motion passed.

Storm Sewers Springvale/Fairmount Area (Alderman Jeffrey)

This item was forwarded to Council without recommendation.

Alderman Jeffrey addressed the matter and advised that some time ago he had raised a concern with respect to the problem of flooding and drainage on Brook Street. As a result, the Alderman advised that he had received a report from the City Manager dated October 7th outlining some of the problems in the area with respect to storm sewers. Alderman Jeffrey went on to advise that he had met with the residents in the area concerning the constant flooding in the Springvale/Fairmount area. The Alderman advised that it was his understanding that the storm sewers in the area are almost non-existent.

Alderman Jeffrey requested that staff investigate the possibility of the inclusion of storm sewers where necessary throughout the Springvale/Fairmount area and report back on the matter. He suggested that the item could possibly be considered in the capital budget.

- 747 -

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARD AND COMMISSIONS

Motion Alderman Pottie Re: Amendments to Ordinance 19, the Bill Posters and Posting of Bills Ordinance - SECOND READING

Deputy Mayor O'Malley declared a possible conflict of interest with respect to this item and retired from the meeting.

This item was considered at the last Committee of the Whole Council meeting held on 23 October 1991.

A supplementary staff report dated 29 October 1991 was submitted.

A letter dated 30 October 1991 from G.C. Findlay, Vice President Nova Scotia, Mediacom, was submitted.

λ letter dated 29 October 1991 from Peter J.E. McDonough, McInnes Cooper & Robertson, was also submitted.

MOVED by Alderman Holland. seconded by Alderman Ducharme that, due to the additional information just received by Council this evening, this matter be deferred.

Motion of deferral was defeated.

<u>MOVED by Alderman Pottie, seconded by Alderman</u> <u>Downey</u> that Halifax City Council give SECOND READING to the following amendments proposed for Ordinance 19, the Bill Posters and Posting of Bills Ordinance:

> WHEREAS Ordinance Number 19, cited as the Bill Posters and Posting of Bills Ordinance, was enacted by a resolution of the City Council, dated 17 December 1936;

> AND WHEREAS this Ordinance is one of general application, applying to advertising matter, bills, posters, placards or any other thing, matter or device used to advertise the business or goods of any person, firm or corporation, or any entertainment;

AND WHEREAS Ordinance Number 166, cited as the Signs Ordinance, applies specifically and exclusively to signs, billboards and advertising structures;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

- Section 1(e) and Section 10 of Ordinance 19 are repealed;
- 2. Section 9 of Ordinance 19 is repealed.

A discussion followed with staff addressing various questions from members of Council.

The motion was put and passed.

A supplementary staff report dated 29 October 1991 was submitted.

This item was considered at the last Committee of the Whole Council meeting held on 23 October 1991.

MOVED by Alderman Pottic. seconded by Alderman Stone that City Council give SECOND READING to the following amendments proposed for Ordinance Number 166, the Signs Ordinance:

> WHEREAS Ordinance Number 166, cited as the Signs Ordinance, was ratified by City Council, dated 13 December 1979;

WHEREAS Ordinance Number 166 was specifically enacted to regulate the use of signs, billboards, and advertising structures;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

1. The following is added to Section 4 as subclauses (c) and (d):

4(c) Except as provided in Section 5, no billboard shall be permitted within 250 feet of a public park if any part of the advertising surface of the billboard is visible from any part of the public park;

4(d) Except as provided in Section 5, and subject to the requirements of this Ordinance, billboards shall be permitted on City-owned lands which are zoned to permit such billboards.

Motion carried.

A DECK

Deputy Mayor O'Malley returned to the meeting.

Industrial Commission - Marketing Strategy (Alderman Grant)

This item was added during the setting of the agenda at the request of Alderman Grant.

Alderman Grant addressed the item and referred to the document prepared on the proposed marketing strategy for the Industrial Commission. The Alderman noted that it is hoped that, after the review of the document, the matter will be submitted to Council in January or February 1992 at the latest.

REPORT - CITY PLANNING CONNITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 23 October 1991, as follows:

Case No. 6265: Billboards

MOVED by Alderman Ducharme, seconded by Alderman Fitzgerald that the staff reports of 8 October and 23 October 1991 be tabled until Council has concluded its deliberations with regard to the amendments proposed by Alderman Pottie for Ordinances 19 and 166 and, further, that the matter be referred to the Planning Advisory Committee for comment.

Motion passed.

1479 Barrington Street - St. Natthew's Church

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, City Council approve the demolition and reconstruction of brick buttresses at the southwest corner of the bell-tower of St. Matthew's Church, 1479 Barrington Street; and further that City Council approve the temporary removal and restoration of the cast-iron railing along Barrington Street in front of St. Matthew's Church.

Motion carried.

Date for Hearing - Recommended Heritage Properties

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the City Planning

Committee, City Council set a date for heritage hearings with regard to the following buildings:

- 6503 Jubilge Road

- 5274 South Street

- 2421 Brunswick Street West/Hawkins House
- 1770 Bloomingdale Terrace

- 1358 Queen Street

Motion carried.

The City Clerk advised that the public hearing date would be set for Wednesday, 8 January 1992, beginning at 7:30 p.m. in the Council Chamber.

Case No. 6376: Development Agreement 2080-90 Windsor Street (SET DATE FOR PUBLIC MEARING

MOVED by Alderman Meagher. seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, City Council set a date for a public hearing to hear the application for a development agreement to allow a 65,600 sq. ft.+- addition to the Saint Vincent's Guest House, 2080 Windpor Street.

Motion carried.

The City Clerk advised that the public hearing date would be set for Wednesday, 20 November 1991, beginning at 7:30 p.m. in the Council Chamber.

Historic Properties Rejuvenation

A letter dated 29 October 1991 from Mr. Louis W. Collins was submitted.

A letter dated 29 October 1991 from Chris Chisholm, General Manager, Historic Properties (Privateers Wharf) Limitod, was submitted.

A letter dated 24 October 1991 from Mr. Stephen Townsend, Chairman of the Heritage Advisory Committee, was also submitted.

MOVED by Alderman Downey. seconded by Alderman Flynn that, as recommended by the City Planning Committee, Council approve a connecting structure and authorize staff to negotiate an acceptable one with the principals involved; that Council may set any requirements or guidelines it wishes, but some connection appears needed; and further, that the Plans, including design and the location of the proposed linkage, be returned to Council and that final approval rest with Council and not with staff.

्र 📬

* A M E N D E D PACE *

CITY COUNCIL 30 OCTOBER 1991

Committee, City Council set a date for heritage hearings with regard to the following buildings:

- 6503 Jubilee Road
- 5274 South Street
- 2421 Brunswick Street West/Hawkins House
- 1777 Bloomingdale Terrace
- 1358 Queen Street

Motion carried.

The City Clerk advised that the public hearing date would be set for Wednesday, 8 January 1992, beginning at 7:30 p.m. in the Council Chamber.

Case No. 6376: Development Agreement 2080-90 Windsor Street (SET DATE 'FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, City Council set a date for a public hearing to hear the application for a development agreement to allow a 65,600 sq. ft.+- addition to the Saint Vincent's Guest House, 2080 Windsor Street.

Motion carried.

The City Clerk advised that the public hearing date would be set for Wednesday, 20 November 1991, beginning at 7:30 p.m. in the Council Chamber.

Historic Properties Rejuvenation

A letter dated 29 October 1991 from Mr. Louis W. Collins was submitted.

A letter dated 29 October 1991 from Chris Chisholm, General Manager, Historic Properties (Privateers Wharf) Limited, was submitted.

A letter dated 24 October 1991 from Mr. Stephen Townsend, Chairman of the Heritage Advisory Committee, was also submitted.

MOVED by Alderman Downey, seconded by Alderman Flynn that, as recommended by the City Planning Committee, Council approve a connecting structure and authorize staff to negotiate an acceptable one with the principals involved; that Council may set any requirements or guidelines it wishes, but some connection appears needed; and further, that the Plans, including design and the location of the proposed linkage, be returned to Council and that final approval rest with Council and not with staff.

Alderman Fitzgerald questioned whether the above motion was a new motion or the same as the motion by Alderman Flynn which was defeated at the September 26th Council meeting as follows: "that the concept of a link between Privateers Warehouse and the Carpenter Shop be approved and that a Committee be formed with the Canadian Parks Service, the Heritage Advisory Committee and the Armour Group to create a design for a location that will mitigate the effect on the historic building fabric, views and pedestrian movement for consideration of Council."

Alderman Fitzgerald expressed the view that the above motion by Alderman Downey was the same as the motion by Alderman Flynn on September 26th and, therefore, that it should not have been on the agenda of the Committee of the Whole Council last week.

In response to Alderman Fitzgerald's comments, the Chairman ruled that the motion was out of order.

A debate followed with Alderman Fitzgerald speaking in opposition to the motion and expressing concern that Historic Properties is a national historic site and should be preserved.

Agreeing with the comments made by Alderman Fitzgerald, Alderman Holland expressed the opinion that the substance of the motion by Alderman Flynn is exactly the same as the motion presently before Council. Alderman Holland advised that he was concerned that a connecting structure would destroy what really makes Historic Properties a national historic site.

Alderman Ducharme expressed concern about the ambiguity of the motion suggesting that it was misleading. She went on to suggest that the motion should indicate who will decide on the design and the location of the structure. Alderman Ducharme questioned whether Council could approve a connecting structure or only approve it in principle.

The Acting City Solicitor advised that Council could approve the motion, but advised that whatever is approved has to be subject to the final design going to the Heritage Advisory Committee and coming back to Council for final consideration.

The discussion continued and Alderman Downey advised that the intent of his motion was for staff to negotiate with the principals involved: the Canadian Parks

Service, Historic Properties Limited, and the Heritage Advisory Committee.

The Chairman pointed out that before the structure is approved by Council, it will be referred to the Heritage Advisory Committee. He added that he discussed the possibility of the Design Advisory Committee providing its advice on the design of the structure. The Chairman noted that the developer indicated that the advice from the Design Advisory Committee could also be sought.

Following a further discussion, <u>the motion was</u> <u>put and passed</u> with eight (8) members of Council voting for it and four (4) voting against it as follows:

- **FOR:** Deputy Mayor O'Malley, and Aldermen Downey, Pottie, Grant, Hanson, Jeffrey, Flynn, Stone..(8)
- AGAINST: Aldermen Holland, Fitzgerald, Meagher, and Ducharme.....(4)

The Chairman pointed out that Council has not given approval to a structure or connection tonight. He noted that Council actually gave approval to the principals involved to move forward to reach a solution acceptable to Council. The Chairman advised that there is no advance approval of any structure.

The Acting Solicitor clarified that Council's decision tonight is subject to final approval under the Heritage Property Act.

-

(NOTE: Notice of Reconsideration with respect to this item was given later in the meeting.)

12:10 a.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor O'Malley taking the seat of the Chair.

MOTIONS

Notion Alderman Flynn Re: Amendment to Ordinance 121, the Retail Shop Closing Ordinance - FIRST READING

A staff report dated 1 February 1991 from the City Solicitor was submitted.

Notice of Motion was given with respect to this item at a meeting of City Council held on 17 October 1991.

MOVED by Alderman Flynn, seconded by Alderman Hanson that City Council approve FIRST READING of the

amendment to Ordinance 121, the Retail Shop Closing Ordinance, attached as Appendix " λ " to the staff report of the City Solicitor dated 1 February 1991.

Motion passed.

QUESTIONS

Question Alderman Neagher Re: <u>Street Lights - Lawrence Street</u>

Alderman Meagher expressed concern that the street lights on Lawrence Street have been out of service for the last two-week period. Pointing out that Thursday, 31 October, marks the annual observance of Halloween, the Alderman urged that staff be directed to replace these lights as soon as possible on Thursday morning (in making this request, the Alderman referred in particular to that portion of Lawrence Street between Chebucto Lane and Harvard Street).

Question Alderman Neagher Re: City Street Lights

Alderman Meagher noted that it would appear that the street lights on a number of City streets are kept in use throughout the entire day. The Alderman asked for information from staff as to the rationale underlying this practice and, in addition, whether there are any consequent cost implications for the City of Halifax.

Question Alderman Fitzgerald Re: Availability of Downtown Parking Spaces

Alderman Fitzgerald noted that the absence of sufficient parking spaces in the downtown area has frequently been cited by many as a major problem in the City of Halifax. In this context, the Alderman asked for information from staff as to whether there have been any recent studies undertaken in this regard.

Question Alderman Fitzgerald Re: False Alarms

Alderman Fitzgerald made reference to a newspaper article which appeared several years ago alleging that the City of Halifax is incurring substantial losses as a result of false alarms. The Alderman asked for information from

staff as to the extent of these losses and, in addition, the steps which are being taken to address this problem.

Question Alderman Fitzgerald Re: Transit Service - Nount St. Vincent University

Alderman Fitzgerald made reference to a letter recently distributed to members of Council from Elizabeth Parr-Johnston, President and Vice-Chancellor of Mount St. Vincent University concerning the institution of an interuniversity bus service.

The Alderman asked that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 6 November 1991.

Question Alderman Fitzgerald Re: Policing Policy - UNSM Proposal

Alderman Fitzgerald made reference to the fact that the Union of Nova Scotia Municipalities had been prepared to support a new policing program which would involve the Province of Nova Scotia uncapping its social assistance allowance. The Alderman indicated that he would appreciate receiving an update on this matter from staff.

Question Alderman Fitzgerald Re: Proposed Women's Prison (Halifax Area)

. sat

Alderman Fitzgerald requested information with regard to the submission made by the City with regard to the establishment of a women's penitentiary in the Halifax area.

Question Alderman Fitzgerald Re: Mardi Gras

Alderman Fitzgerald requested that "Mardi Gras" be placed on the agenda of a Committee of the Whole Council meeting as early as possible in November.

Question Alderman Fitzgerald Re: KLM Airlines - Halifax Service

Alderman Fitzgerald made reference to a recent letter from His Worship Mayor Wallace which appeared to be suggesting that KLM are planning to bypass Halifax. The Alderman asked for information as to whether this possibility is "real or imaginary."

Question Alderman Fitzgerald Re: Requirement for Certified Cheques- Halifax Police Department

Alderman Fitzgerald made reference to a recent incident in which an individual attempted to pay a traffic ticket by personal cheque at the Halifax Police Department. The Alderman emphasized that, despite the fact that the individual in question carried with him a variety of identification and credit cards, he was not allowed to pay his fine until he could produce a certified cheque.

The Alderman indicated that he would appreciate information as to why this policy has been implemented, adding that, in his opinion, it should be reviewed.

Question Alderman Fitzgerald Re: Sale of Wine and Beer in Nova Scotia Convenience Stores

Alderman Fitzgerald noted that there has been considerable discussion by other levels of government concerning the feasibility of allowing corner stores to sell beer and wine. The Alderman asked for comments from staff of the Development and Planning Department as to how the enactment of this legislation might impact on the City's Municipal Planning Strategy and Land Use Bylaw.

Question Alderman Fitzgerald Re: Tax-Free Properties -Provision of Sidewalks/Sidewalk Renewals

Responding to a question from Alderman Fitzgerald, the City Manager advised that, with regard to the provision of new sidewalks or of sidewalk renewals, the City's policy in this regard is applied universally, whether or not the abutting property in question is exempt from municipal taxes.

Question Alderman Jeffrey Re: <u>Curb - Corner of Brook and Doull Streets</u>

Alderman Jeffrey made reference to the condition of the curbs at the intersection of Brook and Doull Streets, emphasizing that they had been considerably damaged by snow plows. The Alderman asked that staff investigate the matter and take action to ensure that the situation is rectified.

Question Alderman Jeffrey Re: Vacant House - 21 Ashdale Avenue

Alderman Jeffrey advised that the house at 21 Ashdale Avenue is now vacant and that its grounds, in his

words, resemble "a jungle," much to the annoyance of abutting property owners. The Alderman therefore asked that Inspection Services be requested to investigate the matter and to ensure that the property in question is brought up to City standards.

Question Alderman Jeffrey Re: <u>Time Off For Voting - Municipal Elections</u>

Alderman Jeffrey advised that he had been informed by several employees of the Nova Scotia Liquor Commission that, on the morning of the municipal election, they had received a memorandum from their Supervisor, informing them that they would not receive time off on that day to vote. The Alderman indicated that, in his opinion, Provincial employees should be given the same opportunity on voting day as their municipal counterparts, and asked for a report on this matter.

The City Manager suggested that the Provincial Government has adopted a policy of requiring their employees to vote in one of the advance polls, should the regular election happen to fall on a regular working day.

Alderman Jeffrey reiterated that, in his opinion, such a policy was unreasonable, and asked for a written report on the matter. He further noted that it was his understanding the directive in question had been distributed by only one NSLC supervisor, and queried whether, under the circumstances, this policy had been applied to all employees.

Question Alderman Jeffrey Re: <u>Vehicular Parking - School Avenue</u>

Alderman Jeffrey advised that, despite the fact that School Avenue is a dead-end street with parking permitted on only one side, motorists have taken to parking their vehicles on both sides of the street.

Under the circumstances, therefore, the Alderman asked that staff investigate the matter to ensure that appropriate signage has been erected and is visible for all to see. He also requested that steps be taken to have these regulations better enforced.

On another but related matter, Alderman Jeffrey reported that grass is now growing through the asphalt sidewalks on School Avenue, and asked that this matter be placed in the 1992 Capital Budget for discussion purposes.

1.44.144

words, resemble "a jungle," much to the annoyance of abutting property owners. The Alderman therefore asked that Inspection Services be requested to investigate the matter and to ensure that the property in question is brought up to City standards.

Question Alderman Jeffrey Re: Time Off For Voting - Municipal Elections

Alderman Jeffrey advised that he had been informed by several employees of the Nova Scotia Liquor Commission that, on the morning of the municipal election, they had received a memorandum from their Supervisor, informing them that they would not receive time off on that day to vote. The Alderman indicated that, in his opinion, Provincial employees should be given the same opportunity on voting day as their municipal counterparts, and asked for a report on this matter.

The City Manager suggested that the Provincial Government has adopted a policy of requiring their employees to vote in one of the advance polls, should the regular election happen to fall on a regular working day.

Alderman Jeffrey reiterated that, in his opinion, such a policy was unreasonable, and asked for a written report on the matter. He further noted that it was his understanding the directive in question had been distributed by only one NSLC supervisor, and queried whether, under the circumstances, this policy had been applied to all employees.

Question Alderman Jeffrey Re: Vehicular Parking - School Avenue

Alderman Jeffrey advised that, despite the fact that School Avenue is a dead-end street with parking permitted on only one side, motorists have taken to parking their vehicles on both sides of the street.

Under the circumstances, therefore, the Alderman asked that staff investigate the matter to ensure that appropriate signage has been erected and is visible for all to see. He also requested that steps be taken to have these regulations better enforced.

On another but related matter, Alderman Jeffrey reported that grass is now growing through the asphalt sidewalks on School Avenue, and asked that this matter be placed in the 1992 Capital Budget for discussion purposes.

- 757 -

Question Alderman Jeffrey Re: Brook - 51 School Avenue

Alderman Jeffrey advised that there is a brook located behind the property at 51 School Avenue which, in the past, has had a tendency to flood adjacent properties. The Alderman asked for information from staff as to where this brook originates and whether, in fact, these problems have been addressed by the installation of a new storm sewer in this area.

Question Alderman Holland Re: Cooperative Education Program - Atlantic School for the Visually Impaired & Local 108

Alderman Holland requested a progress report on the cooperative education program taking place with the Atlantic School for the Visually Impaired and Local 108.

Question Alderman Holland Re: Grant Street and Fays Lane

Alderman Holland advised that both Grant Street and Fays Lane, at the south end of Tower Road going west, are dead-end streets. He noted that even though there are "No Exit" signs posted, a number of people travel to the end of these streets not realizing they are dead-end streets. The Alderman expressed concern about the children playing in the area and, as a result, the need for additional signage.

12:25 p.m. His Worship Mayor Wallace returned to the meeting with the Deputy Mayor taking her usual seat in Council.

Question Alderman Grant Re; Commission on City Government

Alderman Grant questioned if it was the intent of the newly elected Council to complete the report on the Commission on City Government that was started in 1982/83.

Question Alderman Grant Re: Computer Advisory Group

Alderman Grant noted that a resolution was approved on 12 March 1987 to set up a computer advisory group. During the preliminary discussions at that time, Alderman Grant advised that it was suggested that this advisory group be similar to the one set up for investments. However, Alderman Grant noted that he had received a report on 22 November 1989 from Mr. Calda, City Manager at that time, stating that, although a computer advisory group was established, it was decided to use a users' committee.

- 758 -

At a School Board meeting last evening, Alderman Grant advised that the Director of the School Board presented a report on the review of the school computer system. Alderman Grant advised that the report included the suggestion that there were numerous resource people available throughout the City who should be contacted by the school system to form a citizens' advisory group to work with staff in dealing with computers. The Alderman asked that the City Manager look into this matter.

Question Alderman Grant Re: Election Procedures Committee

Alderman Grant urged that the newly elected Council consider making appointments to the Election Procedures Committee immediately.

Question Alderman Grant Re: Accessory Buildings

Alderman Grant advised that habitable accommodations for animals in yards are considered accessory buildings the same as sheds. He questioned if buildings that house living creatures should be assessed the same as sheds are.

Question Alderman Hanson Re: Street Lighting along the North West Arm

Alderman Hanson requested that the NS Department of Transportation do an assessment of the lighting along North West Arm Drive. He noted that a week ago there were at least 12 lights out between Old Sambro Road and Cowie Hill connector road.

Question Alderman Hanson Re: Preventative Maintenance Plan for Street Lighting

Alderman Hanson questioned if the City had a preventative maintenance plan for street lighting whereby staff would do an assessment of the lights which are burnt out throughout the City.

Question Alderman Stone Re: Reduction in Speed Limit -Bedford Highway

Alderman Stone noted that he had received an information report regarding the maximum speed limit on the Bedford Highway between Bayview Road and Melody Drive. The Alderman noted that the report indicates that the speed limit has been reduced from 70 kilometres to 60 kilometres in this area. He advised that this change in speed limit was needed and has to be made know to the public. The

Alderman questioned when the signs indicating the reduction in the speed limit would be installed.

Question Alderman Stone Re: City Litter Baskets

Alderman Stone advised that an information report was received in August regarding City litter baskets and the possibility of having commercial advertising on these litter baskets. Alderman Stone asked for an update report in this regard.

Alderman Stone added that the report also indicated that notices are placed in the newspapers in September and October advising residents of the proper method of disposing of this litter. He noted that he would like to know if this was done and, if it was, whether there was a difference.

Question Alderman Stone Re: Deputy Police Chief

Alderman Stone noted that he had read in the newspaper that Inspector Don Boudreau had been promoted to Deputy Chief of the Halifax Police Department. The Alderman questioned if an information report had been circulated in this regard.

Question Deputy Mayor O'Malley Re: Federal Government Property - Robie Street and Normandy Drive

Deputy Mayor O'Malley requested a report on the status of the Federal Government property located at the corner of Robie Street and Normandy Drive. The Alderman noted that she would also like to know the zoning of this property.

Question Deputy Mayor O'Malley Re: Service Awards -Halifax Civic Hospital Employees

Deputy Mayor O'Malley noted that at the last meeting of City Council she had raised a question about the possibility of recognizing, by way of service awards, former employees of the Halifax Civic Hospital who are now at the Camp Hill Hospital. She noted that she had not received a response to this question, among other questions relating to the hospital, to date.

- 760 -

NOTICES OF MOTIONS

Notice of Reconsideration Alderman Fitzgerald Re: Item 15.5 (Historic Properties Rejuvenation)

Alderman Fitzgerald gave notice that at the next regular meeting of City Council to be held on 14 November 1991 he proposes to introduce a motion of reconsideration relating to agenda item 15.5 (Historic Properties Rejuvenation).

Responding to a question from Alderman Jeffrey, Alderman Fitzgerald advised that he was not asking for a "Stay of Proceedings" at this particular time.

Notice of Reconsideration Alderman Pottie Re: Item 11.4 (Award of Tender 91-26: Sewer and Water Services -St. Margaret's Bay Road)

Alderman Pottie gave notice that at the next regular meeting of City Council to be held on 14 November 1991 he proposes to introduce a motion of reconsideration relating to agenda item 11.4 (Award of Tender 91-26: Sewer and Water Services - St. Margaret's Bay Road).

Responding to a question from Alderman Hanson, the Chairman advised that there was no "Stay of Proceedings" on this item.

ADDED ITEMS

Award of Tender 91-135 - One 1992 Model Station Wagon

This item was added to the agenda at the request of the City Clerk.

A staff report dated 22 October 1991 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that authority be granted to award Tender 91-135 for one 1992 Model Station Wagon to the only bidder meeting specifications, Bob McDonald Chev Olds, for a total tendered priced of \$21,311.19, including all materials, and that funding be made available from account number 26104.8300.80002 titled Vehicle Reserves - Fire.

Motion passed.

- 761 -

Award of Tender 91-159 - Demolition of Vacant Building -Titus Smith School, 41 Main Avenue

This item was added to the agenda at the request of the City Clerk.

A staff report dated 25 October 1991 was submitted.

MOVED by Alderman Ducharme, seconded by Alderman Jeffrey that authority be granted to award Tender 91-159 to Maritime Excavators Ltd., the lowest bidder meeting specifications, in the amount of \$39,590.00 (taxes included), funding to be made available from account number 22417.0082.51405 titled Demolition.Real Estate.41 Main Avenue.

Motion passed.

Award of Tender 91-148 - Four 1992 Nodel Four Door Sedans

This item was added to the agenda at the request of the City Clerk.

A staff report dated 22 October 1991 was submitted.

MOVED by Alderman Downey, seconded by Alderman <u>Fitzgerald that</u> authority be granted to award Tender 91-148 for four 1992 Model 4-door Sedans to Collins Plymouth Chrysler Ltd., the only bidder meeting specifications, in the amount of \$56,538.80 (\$14,134.50/ea), funding to be made available from account number 26104.8300.80001 titled Vehicle Reserves - Police.

Motion passed.

Award of Tender 91-142 - Library Renovations -3rd Ploor, Main Branch

This item was added to the agenda at the request of the City Clerk.

A staff report dated 25 October 1991 was submitted.

MOVED by Alderman Stone, seconded by Alderman Ducharme that authority be granted to award Tender 91-142 for Library Renovations, 3rd floor Main Branch, to Janco Developments in the amount of \$37,343.00 and approve the total project cost of \$42,994.45, funding to be made

- 762 -

available from account number 22502.98002 titled Main Library Upgrading.

Motion passed.

Disposition of Riverview School

This item was added to the agenda at the request of the City Clerk.

A staff report dated 24 October 1991 was submitted.

This item was last discussed at a meeting of City Council held on 17 October 1991.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that City Council approve the form of lease attached as Appendix "A" to the staff report of 24 October 1991 and authorize the Mayor and City Clerk to execute the same on behalf of the City of Halifax.

Motion passed.

Assignment of License Agreement - Mar II Sailing Tours Ltd

This item was added to the agenda at the request of the City Clerk.

A staff report dated 30 October 1991 was submitted.

<u>MOVED by Alderman Fitzgerald, seconded by</u> <u>Alderman Holland that</u> the Mayor and City Clerk be authorized to execute an assignment of lease from Mar II Sailing Tours Limited to the Federal Business Development Bank.

Motion passed.

FAREWELL REMARKS - HIS WORSHIP MAYOR WALLACE

His Worship Mayor Wallace advised that it has been a great experience working with the various Councils over the past eleven years during his term as Mayor. Mayor Wallace extended his thanks to members of Council at this time and noted that it has been a great privilege to serve as Mayor of the City of Halifax. His Worship extended best wishes to everyone as they continue along working for the City.

- 763 -

available from account number 22502.98002 titled Main Library Upgrading.

Motion passed.

Disposition of Riverview School

This item was added to the agenda at the request of the City Clerk.

A staff report dated 24 October 1991 was submitted.

This item was last discussed at a meeting of City Council held on 17 October 1991.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that City Council approve the form of lease attached as Appendix "A" to the staff report of 24 October 1991 and authorize the Mayor and City Clerk to execute the same on behalf of the City of Halifax.

Motion passed.

Assignment of License Agreement - Mar II Sailing Tours Ltd

This item was added to the agenda at the request of the City Clerk.

A staff report dated 30 October 1991 was submitted.

<u>MOVED by Alderman Fitzgerald, seconded by</u> <u>Alderman Holland that</u> the Mayor and City Clerk be authorized to execute an assignment of lease from Mar II Sailing Tours Limited to the Federal Business Development Bank.

Motion passed.

FAREWELL REMARKS - HIS WORSHIP MAYOR WALLACE

His Worship Mayor Wallace advised that it has been a great experience working with the various Councils over the past eleven years during his term as Mayor. Mayor Wallace extended his thanks to members of Council at this time and noted that it has been a great privilege to serve as Mayor of the City of Halifax. His Worship extended best wishes to everyone as they continue along working for the City.

- 763 -

Mayor Wallace also extended thanks to the City Manager and all City staff.

There being no further business to be discussed, the meeting adjourned at approximately 12:45 a.m.

HIS WORSHIP MAYOR RON WALLACE AND DEPUTY MAYOR MARIE O'MALLEY CHAIRMEN

e al

E. A. KERR, CMC CITY CLERK

K*mmd

HEADLINES

and the

NINUTE8
APPROVAL OF THE ORDER OF BUSINESS,
ADDITIONS AND DELETIONS
Presentation to: His Worship Mayor Wallace
Miss Canada Contest
Long Service Award: Alderman Nicholas Meagher
Dr. Guy Henson Award734
DEFERRED ITEMS
Case No. 6399: Land Use Bylaw Amendment - Sect 34F(1)735
Heritage Hearing - Point Pleasant Park
· · · · · · · · · · · · · · · · · · ·
REPORT - FINANCE AND EXECUTIVE COMMITTEE
"Open Skies" Policy
Downtown Halifax Business Improvement Dist Commission
- Setting of Tax Rate
City Home Trust and Basinview Home Patient Trust Funds.737
Halifax Housing Authority - Window Replacement
Atlantic Downs Racetrack
2107 Oxford Street - Illegal Occupancy
TAP Building - Gottingen Street
Illegal Occupancy - 35 Coronation Avenue
Residential Taxes - Sale of Property
FCM Submissions for Local Art Initiatives
Service Station Closings743
REPORT - COMMITTEE ON WORKS
Duke Street Sever Outfall Extension
Award of Tender 91-28: Withrod Drive
Traffic Signals Automation
Award of Tender 91-26: Sever and Water Services -
St. Margaret's Bay Road
Traffic - Cunard Street, Windsor St and Compton Ave747
Storm Sewers Springvale/Fairmount Area (Ald Jeffrey)747
REPORT - COMMITTEE OF THE WHOLE COUNCIL,
BOARDS AND COMMISSIONS
Motion Alderman Pottie Re: Amendments to
Ordinance 19, the Bill Posters and Posting of
Bills Ordinance - SECOND READING
Motion Alderman Pottie Re: Amendments to Ord 166
Respecting Signs, Billboards & Advertising Structures
CECOND DEADING
Industrial Commission - Marketing Strategy
CITY COUNCIL 30 OCTOBER 1991

REPORT - CITY PLANNING CONNITTEE
Case No. 6265: Billboards
14/9 DALLINGTON STLEET - St. Matthew's Church 750
Date IOF nearing - Recommended Heritage Dronortion - 360
case No. 63/6; Development Agreement -
2080-90 Windsor Street.
Historic Properties Rejuvenation
NOTIONS
Motion Alderman Flynn Re: Amendment to Ordinance 121,
the Retail Shop Closing Ordinance - FIRST READING753
the Recuir shop crosing ordinance - FIRST READING753
QUESTIONS
Question Alderman Meagher Re:
Street Lights - Lawrence Street
Quastion Alderman Meacher Dev
City Street Lights
Question Alderman Fitzgerald Re:
Availability of Downtown Parking Spaces
Question Alderman Fitzgerald Re: False Alarms754
Question Alderman Fitzgerald Re:
Transit Service - Mount St. Vincent University755
Question Alderman Fitzgerald Re:
Policing Policy - UNSM Proposal
Question Alderman Fitzgerald Re:
Proposed Women's Prison (Halifax Area)
Question Alderman Fitzgerald Re:Mardi Gras
Question Alderman Fitzgerald Re:
KLM Airlines - Halifax Service
Question Alderman Fitzgerald Re: Requirement for
Certified Cheques- Halifax Police Department756 Question Alderman Fitzgerald Re: Sale of Wine
and Beer in Nova Scotia Convenience Stores
Question Alderman Fitzgerald Re: Tax-Free Properties
Provision of Sidewalks/Sidewalk Renewals
Question Alderman Jeffrey Re:
Curb - Corner of Brook and Doull Streets
Question Alderman Jeffrey Re:
Vacant House - 21 Ashdale Avenue
Question Alderman Jeffrey Re:
Time Off For Voting - Municipal Elections
Question Alderman Jeffrey Re:
Vehicular Parking - School Avenue
Question Alderman Jeffrey Re:
Brook - 51 School Avenue
Question Alderman Holland Re: Cooperative Ed Program
- Atlantic School - Visually Impaired & Local 108758
Question Alderman Holland Re: Grant St and Fays Ln758
Question Alderman Grant Re: Commission on City Gov't758
Question Alderman Grant Re: Computer Advisory Group758
Question Alderman Grant Re: Election Procedures Comm759
Question Alderman Grant Re: Accessory Buildings759
Question Alderman Hanson Re: Street Lighting along

Parties of

- 766 -

CITY COUNCIL 30 OCTOBER 1991

the North West Arm
Question Alderman Hanson Re: Preventative Maintenance
Plan for Street Lighting
Question Alderman Stone Re: Reduction in Speed Limit -
Bedford Highway759
Question Alderman Stone Re: City Litter Baskets
Question Alderman Stone Re: Deputy Police Chief
Question Deputy Mayor O'Malley Re: Federal Government
Property - Robie Street and Normandy Drive
Question Deputy Mayor O'Malley Re: Service Awards -
Halifax Civic Hospital Employees
······································
NOTICES OF NOTION
Notice of Motion Alderman Fitzgerald Re: Item 15.5
(Historic Properties Rejuvenation)
Notice of Motion Alderman Pottie Re: Item 11.4
(Award of Tender 91-26: Sewer and Water Services -
St. Margaret's Bay Road)
ber hargaree b baj heaujintententententententententententen
ADDED ITENS
Award of Tender 91-135 - One 1992 Model Station Wagon761
Award of Tender 91-159 - Demolition of Vacant
Building - Titus Smith School, 41 Main Avenue762
Award of Tender 91-148 - 4 1992 Model Four Door Sedans.762
Award of Tender 91-142 - Library Renovations -
3rd Floor, Main Branch
Disposition of Riverview School
Assignment of License Agreement - Mar II
Sailing Tours Ltd
BULLARY AWARD MONTHEFTER TO THE STATE
Farewell Remarks - His Worship Mayor Wallace

1.00

HALIPAX CITY COUNCIL OATH OP ALLEGIANCE AND OF OPPICE <u>MINUTES</u>

> Council Chamber Halifax City Hall 4 November 1991 10:00 a.m.

A Special Meeting of Halifax City Council was held on the above date to announce the results of the 19 October 1991 election and to administer the Oath of Allegiance and Office.

The meeting was called to order and those attending joined Reverend John Newton, Rector of St. Paul's Church, in the recitation of the Lord's Prayer.

PRESENT: Retiring Mayor Ron Wallace; Mayor Elect Moira Ducharme; and Aldermen Elect Lonny Holland, Walter Fitzgerald, Graham Downey, Nicholas Meagher, Marie O'Malley, Patrick Pottie, Stephen Adams, Ronald Hanson, Thomas Jeffrey, Vance MacDonald, Mary Ann Crowley, and Bill Stone.

ALSO PRESENT: His Honour the Lieutenant Governor Lloyd Crouse; Aide Major Burns; Mr. Edward A. Kerr, City Clerk; Mr. Donald F. Murphy, City Manager; and Mr. Wayne A. Anstey, City Solicitor.

The City Clerk announced the results of the election for Mayor and declared Moira Ducharme duly elected Mayor for the City of Halifax for a three year term. The City Clerk advised of the following results:

Bob Bezanson	- Eight hundred forty three (843)
Ron Cromwell	 Four thousand one hundred seventy-six (4,176)
Art Flynn	- Twelve thousand nine hundred seventy-five (12,975)
Moira Ducharme	- Fourteen thousand one hundred ninety-eight (14,198)

His Honour the Lieutenant Governor Lloyd Crouse administered the Oath of Allegiance and of Office to Mayor Moira Ducharme and placed the Chain of Office on the Mayor.

Retiring Mayor Wallace then left the Chair and Her Worship Mayor Ducharme assumed the Chair.

Special Council 4 November 1991

The City Clerk then individually announced the results of the election for Aldermen for Wards One to Twelve and declared the following Aldermen elected for a three year term as follows:

WARD 1

Blair Beed	- Three hundred twenty-eight
Brian Davis	(328) - Three hundred forty-eight (348)
Colleen Callan Lonny Holland	 - Eight hundred sixty-nine (869) - One thousand two hundred seventy-two (1,272)

WARD 2

Walter Fitzgerald	 Elected by acclamation (Only candidate officially nominated)

WARD 3

Irvine Carvery - One thousand fifty (1,050) Graham Downey - One thousand four hundred seventy-eight (1,478)

WARD 4

Two hundred forty-four (244)
Five hundred sixty-nine (569)
Six hundred seventeen (617)
One thousand sixty-one (1,061)

WARD 5

```
Marie O'Malley - Elected by acclamation
- (Only candidate officially
```

WARD 6

```
Gay Pottie - Six hundred fifteen (615)

Patrick Pottie - One thousand seven hundred

forty-three (1,743)
```

WARD 7

Ray Peter O'Connell - One hundred thirty-three (133)

nominated)

Special Council

		4 November 1991
	Walter Nolan Dennis Doyle	- Three hundred eight (308) - Three hundred twenty-three
	Steve Adams	<pre>(323) - One thousand one hundred forty- six (1,146)</pre>
WARD 8		
	Kay Dimock Pottie	 One thousand four hundred two (1,402)
	Ron Hanson	- One thousand six hundred thirty-six (1,636)
WARD 9		
	Ralph P. Maher	 One thousand three hundred sixty-six (1,366)
	Tom Jeffrey	 One thousand five hundred forty-five (1,545)
WARD 10		
	Blair D. Jackson Bob Hamilton Barb Fry Vance L. MacDonald	- Two hundred four (204) - Six hundred twenty-eight (628) - Six hundred ninety-nine (699) - Eight hundred eleven (811)
WARD 11		
	Ken Walker Murray Pickrem Bill Forbes	 One hundred sixty-two (162) Three hundred eight (308) Three hundred ninety-three (393)
	Graham G. Bowser Dave Tanner Hary Ann Crowley	- Four hundred eighty-seven (487) - Seven hundred ninety-six (796) - Nine hundred eighty-seven (987)
WARD 12		
	Dennis Connolly	- One thousand six hundred sixty-

And a second sec

- One thousand six hundred sixty-Dennis Connolly six (1,666) - Two thousand forty-one (2,041) Bill Stone

Following the declaration by the City Clerk for each Ward, His Honour administered the Oath of Allegiance and of Office to each Alderman and placed the Aldermanic Medals on each member of Council.

Special Council 4 November 1991

His Honour the Lieutenant Governor Lloyd Crouse then addressed Council and, following a prayer led by Reverend John Newton and the departure by His Honour, Her Worship the Mayor and members of City Council, accompanied by family and guests, signed the Council Scroll.

10:45 a.m. - The meeting adjourned.

RETIRING MAYOR RON WALLACE AND HER WORSHIP MAYOR DUCHARME CHAIRMEN

EDWARD A. KERR CITY CLERK

SPECIAL CITY COUNCIL M I N U T E S

> Council Chamber Halifax City Hall 5 November 1991 10:20 a.m.

A special meeting of Halifax City Council was held at this time.

The meeting was called to order with members of Council, led by Her Worship Mayor Ducharme, joining in the recitation of the Lord's Prayer.

PRESENT: Her Worship Mayor Ducharme, Chairman; Deputy Mayor O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Pottie, Adams, Hanson, Jeffrey, Macdonald, Crowley, and Stone.

ALSO PRESENT: City Manager; City Solicitor; City Clerk; and other members of staff.

APPOINTMENTS

A report from Her Worship Mayor Ducharme dated 5 November 1991 was submitted.

<u>MOVED Alderman Pottie, seconded by Alderman</u> <u>Downey that</u> the following appointments be approved:

Advisory Committee on Concerns of Ageing

Alderman R. Hanson Deputy Mayor M. O'Malley

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Holland, seconded by Alderman Fitzgerald that the following appointments be approved:

Arbitration Committee

Mayor M. Ducharme Alderman N. Meagher Alderman P. Pottie

Terms to expire 5 November 1992

Motion passed.

- 772 -

MOVED Alderman Fitzgerald. seconded by Alderman Downey that the following appointments be approved:

Art Allocation Committee

Alderman V. Macdonald Alderman L. Holland

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Downey. seconded by Deputy Mayor</u> <u>O'Malley that</u> the following appointments be approved:

Audit Committee

Mayor M. Ducharme Alderman L. Holland Alderman N. Meagher Alderman V. Macdonald Alderman T. Jeffrey

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Meagher. seconded by Deputy Mayor</u> <u>O'Malley that</u> the following appointments be approved:

Board of Health

Alderman P. Pottie Alderman T. Jeffrey Alderman S. Adams Alderman M.A. Crowley

Terms to expire 5 November 1992

Motion passed.

MOVED Deputy Mayor O'Malley, seconded by Alderman Pottie that the following appointments be approved:

Board of Harbour City Homes

Alderman G. Downey Alderman R. Hanson Deputy Mayor O'Malley

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Pottie, seconded by Alderman Adams that the following appointments be approved:

Bridge Commission

Alderman G. Downey Deputy Mayor O'Malley

Terms to expire 5 November 1994

Motion passed.

MOVED Alderman Adams, seconded by Alderman Hanson that the following appointment be approved:

Court House Commission

Alderman T. Jeffrey

Term to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Hanson, seconded by Alderman</u> <u>Jeffrey that</u> the following appointment be approved:

Design Advisory Committee

Alderman L. Holland

Term to expire 5 November 1992

Motion passed.

MOVED Alderman Jeffrey, seconded by Alderman Macdonald that the following appointment be approved:

Downtown Halifax BIDC

Alderman M.A. Crowley

Term to expire 5 November 1992

Motion passed.

- 774 -

HOVED Alderman Hacdonald, seconded by Alderman Crowley that the following appointments be approved:

Emergency Neasures Committee

Mayor M. Ducharme Deputy Mayor Alderman T. Jeffrey Alderman B. Stone

Terms to expire 5 November 1992

Motion passed.

Later in the meeting, after the appointment of the new Deputy Mayor, Alderman Downey was appointed to the Emergency Neasures Committee.

<u>MOVED Alderman Crowley, seconded by Alderman</u> <u>Stone that</u> the following appointments be approved:

Forum Commission

Mayor M. Ducharme Alderman T. Jeffrey Alderman G. Downey Alderman N. Meagher Alderman P. Pottie Alderman S. Adams

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Stone, seconded by Alderman Holland that the following appointments be approved:

Halifax-Hakodate Committee

Mayor M. Ducharme Alderman L. Holland Alderman M.A. Crowley

Terms to expire 5 November 1992

MOVED Alderman Holland, seconded by Alderman Fitzgerald that the following appointments be approved:

Halifax Water Commission

Mayor M. Ducharme Alderman R. Hanson

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Downey, seconded by Alderman Meagher that the following appointments be approved:

Heritage Advisory Committee

Alderman W. Fitzgerald Alderman V. Macdonald

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Meagher, seconded by Deputy Mayor</u> <u>O'Malley that</u> the following appointments be approved:

Industrial Commission

Mayor Moira Ducharme Alderman W. Fitzgerald Alderman V. Macdonald

Terms to expire 5 November 1992

Motion passed.

MOVED Deputy Mayor O'Malley, seconded by Alderman Pottie that the following appointments be approved:

Lakes and Waterways Advisory Committee

Alderman S. Adams

Term to expire 5 November 1992

Motion passed.

- 776 -

<u>MOVED Alderman Pottie. seconded by Alderman Adams</u> that the following appointments be approved:

Library Board

Alderman B. Stone Alderman M.A. Crowley

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Jeffrey, seconded by Alderman Macdonald that the following appointments be approved:

Mainland South Community Centre

Alderman S. Adams Alderman R. Hanson

Terms to expire 5 November 1993

Motion passed.

<u>MOVED Alderman Hanson, seconded by Alderman</u> <u>Jeffrey that</u> the following appointments be approved:

Metropolitan Area Planning Committee

Mayor M. Ducharme Alderman S. Adams

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Adams, seconded by Alderman Hanson</u> that the following appointments be approved:

Metropolitan Authority

Mayor M. Ducharme Alderman L. Holland Alderman V. Macdonald

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Macdonald, seconded by Alderman</u> <u>Crowley that</u> the following appointments be approved:

Natal Day Committee

Alderman P. Pottie Alderman M.A. Crowley

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Crowley, seconded by Alderman Stone that the following appointment be approved:

Neptune Theatre

Alderman L. Holland

Term to expire 5 November 1992

Motion passed.

MOVED Alderman Stone, seconded by Alderman Holland that the following appointments be approved:

Planning Advisory Committee

Mayor M. Ducharme Alderman W. Fitzgerald Alderman N. Meagher

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Fitzgerald, seconded by Alderman</u> <u>Downey that</u> the following appointments be approved:

Point Pleasant Park

Alderman L. Holland

Term to expire 5 November 1992

Motion passed.

MOVED Alderman Holland, seconded by Alderman Fitzgerald that the following appointments be approved:

Police Commission

Mayor H. Ducharme Alderman P. Pottie Alderman B. Stone

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Downey, seconded by Alderman Meagher that the following appointments be approved:

Recreation Committee

Mayor M. Ducharme Alderman S. Adams Deputy Mayor O'Malley Alderman W. Fitzgerald Alderman T. Jeffrey

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Meagher, seconded by Alderman</u> <u>Adams that</u> the following appointments be approved:

Retirement Committee

Mayor M. Ducharme Deputy Mayor Alderman L. Holland

Terms to expire 5 November 1992

Motion passed.

MOVED Deputy Mayor O'Malley, seconded by Alderman Pottie that the following appointment be approved:

Spring Garden Road BIDC

Alderman G. Downey

Term to expire 5 November 1992

MOVED Alderman Pottie, seconded by Alderman Hanson that the following appointments be approved:

Tax Concessions and Grants

Alderman G. Downey Alderman N. Meagher Deputy Mayor O'Malley Alderman V. Macdonald

Terms to expire 5 November 1992

Motion passed.

MOVED Alderman Jeffrey, seconded by Alderman Hanson that the following appointment be approved:

Taxi Commission

Alderman S. Adams

Term to expire 5 November 1992

Motion passed.

MOVED Alderman Adams, seconded by Alderman Hanson that the following appointments be approved:

Tourism Halifax

Mayor M. Ducharme Alderman W. Fitzgerald Alderman L. Holland Alderman B. Stone Alderman M.A. Crowley

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Macdonald, seconded by Alderman</u> <u>Crowley that</u> the following appointments be approved:

Trade Centre Limited

Alderman W. Fitzgerald Alderman R. Hanson Alderman B. Stone Alderman M. O'Malley

Terms to expire 5 November 1992

<u>MOVED Alderman Crowley, seconded by Alderman</u> Stone that the following appointments be approved:

Transit Advisory Committee

Alderman R. Hanson Alderman B. Stone Alderman L. Holland Alderman G. Downey

Terms to expire 5 November 1992

Motion passed.

1

State of the second s

<u>MOVED Alderman Holland. seconded by Alderman</u> <u>Fitzgerald that</u> the following appointments be approved:

Streets Committee

Mayor M. Ducharmo Alderman W. Fitzgerald Alderman G. Downey Alderman R. Hanson

Terms to expire 5 November 1992

Motion passed.

<u>MOVED Alderman Fitzgerald. seconded by Alderman</u> <u>Downey that</u> the following appointments be approved:

Tendering Committee

Alderman V. Macdonald Alderman P. Pottie Alderman N. Meagher

Terms to expire 5 November 1992

Motion passed.

APPOINTMENT OF DEPUTY MAYOR

MOVED by Deputy Mayor O'Malley. seconded by Alderman Jeffrey that Alderman Bill Stone be appointed the Deputy Mayor for 1991/92.

Deputy Mayor Stone extended thanks to members of Council for appointing him as the new Deputy Mayor and indicated that he appreciated this honor in serving the City of Halifax.

Appointment - Emergency Measures Committee

MOVED by Alderman Fitzgerald. seconded by Alderman O'Malley that, due to the appointment of Alderman Stone as Deputy Mayor, Alderman Downey be appointed to the Emergency Measures Committee for a term to expire 5 November 1992.

Motion passed.

10:50 p.m. the meeting adjourned.

DEPUTY MAYOR MOIRA DUCHARME CHAIRMAN

EDWARD A. KERR CITY CLERK

/MMD