

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL

July 9, 1996

PRESENT:

Mayor Walter Fitzgerald
Councillors: Gordon R. Snow
David Hendsbee
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry Blumenthal
Graham L. Downey
Larry Uteck
Howard Epstein
Russell Walker
Bill Stone
Ron Hanson
Stephen Adams
Barry Barnet
Robert Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

REGRETS:

Councillors: John Cunningham
Bill Dooks

STAFF MEMBERS:

Commissioner Gary Greene, A/Chief Administrative Officer
Wayne Anstey, Municipal Solicitor
Vi Carmichael, Municipal Clerk
Julia Horncastle, Assistant Municipal Clerk

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1. INVOCATION

The Mayor called the meeting to order at 6:00 p.m. with an invocation.

Council observed a moment of silence in memory of Deputy Police Chief Lowell Misener. His Worship Mayor Fitzgerald extended sympathy to the family, friends, and co-workers of the late Deputy Chief Misener.

2. APPROVAL OF MINUTES

MOVED by Councillor Schofield and Mitchell that the minutes of the June 25, 1996 Council Session be approved. MOTION PUT AND PASSED.

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

Deletions:

10.4.6 Acadia School

Additions:

1. Mayor's Office - Appointment - Downtown Halifax Business Commission
2. Councillor Rankin -
 - 2.1 Request for Staff Report - Traffic Improvements Cost Recovery - Kingswood Subdivision
 - 2.2 Request for Staff Report - Traffic Improvements Cost Recovery - Haliburton Heights Subdivision
 - 2.3 Resolution of Support - Sable Island Offshore Natural Gas Project
 - 2.4 Resolution Re: Major Accident Causing Extensive Residential Damage - Lakeside (at a later point in the meeting, Councillor Mitchell, on behalf of Councillor Rankin, requested a report on this issue)
3. Councillor Walker - Musquodoboit Harbour Transfer Station
 - A report, dated July 2, 1996, from Jim Bauld, Manager of Solid Waste, entitled "Solid Waste Depot Musquodoboit Harbour Area" was submitted

to Council.

4. Councillor Kelly - Update - Union St. Flooding Situation
5. Councillor Cooper -
 - 5.1 Assessments
 - 5.2 School Bus Employees
6. Councillor Barnet - Weir Property

MOVED by Councillor Snow and Stone that the order of Business and Approval of Additions and Deletions be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

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

8. **PUBLIC HEARINGS - NONE**

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS PRESENTATIONS:**

Petitions

- 9.1 Councillor Adams noted, for the record, a petition had been passed to the Clerk from Bruce Chisholm on behalf of licensed taxi drivers regarding the makeup of the new taxi commission.
- 9.2 Councillor Uteck passed the Municipal Clerk a petition from 103 residents of Joseph Howe Manor who do not want the Seniors bus go to Bayers Road Shopping Centre, if it means that the traditional stops at Halifax and the West End Shopping Centres would be discontinued or adversely affected.
- 9.3 Councillor Barnet passed the Municipal Clerk a letter from Rick Graham regarding Canada Day festivities and the apparent exclusion of Sackville.
- 9.4 Councillor Schofield passed the Municipal Clerk a petition from the citizens of

Lancaster Ridge in Dartmouth requesting Halifax Regional Municipality have the water pressure on Sea King Drive increased.

9.5 Councillor Hanson passed the Municipal Clerk a petition from the residents in the area of Winchester Avenue requesting the provision of safe access/egress to Herring Cove Road.

! Council agreed to change the Order of Business in order to address issues under Section 10.2 - Solid Waste/Resource Advisory Committee.

10. REPORTS

10.2 Solid Waste/Resource Advisory Committee

10.2.1 Source Separated Organics Collection Containers

Councillor Rankin reviewed, for Council's information, the Committee report and recommendation.

MOVED by Councillor Rankin and Barnet that Council authorize a competitive RFP process be carried out for the supply of residential organics collection containers. The successful respondents who receive the highest evaluation ratings using the criteria listed in Appendix A of the staff report will be invited to participate in a residential demonstration project which will commence in September 1996. An evaluation of the results of the demonstration program combined with previous RFP evaluation will lead to a recommendation nominating the preferred residential container supplier by December, 1996.

The request for proposal will require proponents to respond, concurrently, to two separate but related opportunities:

- a) **Participating in a demonstration project aimed at determining the container that will best support HRM's residential source separation goals.**
- b) **Becoming the supplier of choice for all residential containers based on the following conditions:**
 - becoming one of the demonstration project participants
 - providing residential acceptance during the demonstration
 - providing containers for the whole region at a competitive unit price

- 2. That a 2,000 home demonstration project be implemented to achieve the following objectives:**
 - ! The type of residential containers that best encourage residential participation and compliance in the source separation behaviour element of the HRM's new solid waste/resource management program.**
 - ! The effectiveness of the communication and education strategies and tactics to encourage residential source separation behaviour.**
 - ! The impact of selected collection frequencies on source separation participation and compliance.**

- 3. That a suitable schedule be adopted to enable a full-scale residential source separated organics collection program to commence no later than June 1, 1997 in accordance with the provincial ban on the land filling of organics. This schedule will ensure that the implementation of the full scale container roll out will be "seamless" in that there will be no gaps in service between the expiration of the demonstration project and the full scale implementation.**

In response to a question from Councillor Kelly with respect to the use of garborators, Mr. Bauld informed Council that the use of garborators was not a viable process. In response to whether a composting site had been chosen, Mr. Bauld informed Council an interim composting site had been chosen by the Department of the Environment. Councillor Kelly stated he would like to be provided with operational costs. In response, Mr. Bauld noted this was an approval of a request for proposals and any expenditures would be brought back to Council.

In response to a question from the Mayor, Mr. Bauld informed Council the suppliers would assist in identifying the types and size of containers.

Councillor Stone suggested staff research the types of containers and associated costs from other parts of the country and come back with a report. In response, Council was informed this was felt to be a better way of ensuring competition and cost effectiveness.

Commissioner McLellan informed Council a long term policy on how to regulate the waste management program is being investigated by looking at the experiences of other communities.

It was noted apartment dwellers and owners need to be educated.

MOTION PUT AND PASSED UNANIMOUSLY

10.2.2 Reallocation of Funds - Regional Solid Waste/Resource Management Project Expenses

Councillor Rankin reviewed the Committee report and recommendation for Council.

MOVED by Councillor Rankin and Hetherington that Council authorize the reallocation of up to \$475,000.00 to fund various solid waste management projects including the Composting Demonstration Program, Household Hazardous Waste Program, the sale of backyard composters, expenditures related to the Solid Waste/Resource Advisory Committee and the Community Monitoring Committee; and other related projects as approved by Council and as identified in Supplementary Reports. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Interim Leaf and Yard Waste Collection

MOVED by Councillor Rankin and Mitchell that Council authorize staff to proceed with the provision of weekly leaf and yard waste collection in the urban/suburban area and to pursue the bi-weekly collection of leaf and yard waste in the rural areas of the municipality. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 Request for Proposals - Communication & Education Program - Stage 4

MOVED by Councillor Rankin and Hetherington that Council authorize staff to commence detailed commercial and contractual negotiations with LURA Group, the preferred consultant to manage the Communication & Education Strategy.

Councillor Epstein noted there has been a change in status of the LURA proposal since the time it was submitted and he would suggest that it be referred back to the Committee to be reevaluated.

Councillors spoke in favour and support of the recommendation stating they felt it was a good proposal and LURA Group has the capabilities to carry out the requirements of the communication and education program.

Mayor Fitzgerald noted, for the record, letters were received from CREED and PROBE expressing concern about the success of this aspect of the Waste Management Program.

Also the following the following correspondence was circulated on this matter:

- ! Memorandum from Jim Bauld, Manager of Solid Waste to Councillor Reg Rankin, Chairman, Solid Waste/Resource Advisory Committee
- ! Letter from Richard Cave of R. Cave and Associates Engineering Ltd.
- ! Letter from LURA
- ! Letter from Donald and Shirley Wright
- ! Barbara Upshon
- ! Desmond Fox
- ! David McCusker

MOTION PUT AND PASSED.

Mayor Fitzgerald asked if Clean Nova Scotia Foundation was a part of the LURA proposal.

Councillor Rankin suggested staff bring back a contract with alternatives for consideration. In response, Mr. McLellan said staff will now proceed to negotiate with LURA and, at the same time negotiations are taking place, staff will come back with an opinion as to whether Clean Nova Scotia Foundation should be included in whatever contract is decided with LURA.

In response to a question of conflict, Mr. Anstey suggested a solution may be to have members of the Clean Nova Scotia Foundation Board, who may have a conflict, withdraw.

Commissioner McLellan indicated written assurance could be obtained from the Foundation and LURA, supported by individual letters from those who are perceived to be in a conflict situation, that they will not participate at any level.

- ! Councillor Hendsbee noted, for the record, letters had been received from LURA, Donald and Shirley Wright, Barbara Upshon, Desmond Fox and David McCusker.

(Councillor Harvey arrived at 7:30 p.m.)

(Councillor Rankin left the meeting at 7:35 p.m.)

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS PRESENTATIONS
CONTINUED**

Presentations

9.1 Kiwanis Club of Armdale - Halifax re: Peanut Day

A member of the Kiwanis Club made a presentation to Council and outlined what the Kiwanis has accomplished and the types of activities they have undertaken as well as their support to community groups. The Kiwanis Club had requested permission to hold a Peanut Day to raise funds for community projects but was denied permission by staff due to safety concerns.

MOVED by Councillor Blumenthal and Adams that the day requested (first Friday after Labor Day) be offered to the Kiwanis Club.

Councillor Adams noted that if the Kiwanis Club has insurance and liability coverage, he does not perceive a problem. He suggested a policy be established that would cover such requests without the need for this and similar organizations having to come before Council each year before permission is granted.

Councillor Stone suggested these requests need to come forward on a yearly basis in order to be evaluated in case there are problems.

Councillor Hendsbee suggested a request be put forward to the special events task force to establish a policy with waiver of responsibility.

MOTION PUT AND PASSED.

10. REPORTS

10.1 City of Halifax Retirement Committee

10.1.1 Membership - Halifax Retirement Committee

A report from the Former City of Halifax Pension Committee was before Council.

MOVED by Councillor Epstein and Hetherington that Council approve Recommendation #1 - "Declare that the Retirement Committee provided for in Section 4 (1) of the Plan replaces the previous committee"

- "4. (1) The Retirement Committee, consisting of**
- (a) the Mayor;**
 - (b) the Deputy Mayor;**
 - (c) one Alderman appointed by the Council;
(am. 1970-71, c.83;)**
 - (d) the Director of Employee Relations;
(am.1970-71, c.83; 1992, c.42)**

- (e) the City Solicitor
- (f) the Director of Finance;
- (g) one member of the Plan elected by the International Association of Firefighters, Local Union No. 268;
- (h) one member of the plan elected by the Halifax Police Association;
- (j) one member of the plan elected by the Halifax Civic Workers Local Union No. 143, C.U.P.E.; (am. 1967, c.109)
- (k) one member of the plan elected by the Halifax Civic workers Local Union No. 108, (am 1981, c.68 s.2)
- (l) one member of the Plan from among the non-union employees, elected annually at a meeting of the non-union employees called by the City Management Association; (1981, c.68)
- (m) one member from among the members in receipt of benefits under the Plan, elected annually by such persons in an election to be conducted by the City Manager; (1981, c.68, s.2)

MOTION PUT AND PASSED.

Section 2 requires the appointment of two Councillors.

MOVED by Deputy Mayor Greenough and Councillor Epstein that Councillor Epstein and Blumenthal be appointed to the Committee. MOTION PUT AND PASSED.

10.1.2 Beechwood Subdivision Appeal

This item had been discussed at an In Camera session at 5:30 p.m. Council agreed, while In Camera, to place this item at this point on the agenda.

MOVED by Councillor Hetherington and Sarto that Council amend the Land Use By-law as directed by the Utility and Review Board for the parcel of land at the corner of Caledonia Road and Avenue du Portage from R-1 to R-2. MOTION PUT AND PASSED WITH DEPUTY MAYOR GREENOUGH OBJECTING.

10.3 GRANT COMMITTEE

10.3 Grant Committee Recommendations Report 1

Councillor Hendsbee, Chairman of the Grants Committee, outlined the report for Council. He indicated under Education - Dartmouth Literacy Network the figure should be

\$8,000.00 with 0% and adjusted the totals accordingly to reflect this.

MOVED by Councillor Hendsbee and Walker that Council 1) approve the Grant Committee Selection Criteria for Non-Profit Organizations, as found in APPENDIX 1 and 2) approve the Grant Committee's recommendations for Social Development grants, as found in APPENDIX 2, for a total value of \$379,767.00.

Councillor Cooper referenced paragraph 10 on Appendix 1 and expressed concern that these grants may be used to finance many community projects outside the Capital Budget.

Ms. Nehiley informed Council these grant funds would be for hospital buildings or major community facilities.

MOVED by Councillor Cooper and Hetherington that Appendix 1 be deferred to a future session in order to investigate what ramifications there may be.

After clarification on a number of issues by Councillors, the following motion was placed on the floor:

MOVED by Councillor Hendsbee and Walker that APPENDIX 2 in the amount of \$383,767.00 be approved as the grants to the Social Service agencies and organizations in Halifax Regional Municipality. MOTION PUT AND PASSED UNANIMOUSLY.

Council agreed that APPENDIX 1 would go back to the Grant Committee for further study.

10.4 CHIEF ADMINISTRATIVE OFFICER

10.4.1 Budweiser Powerfest '96

A report, dated July 3, 1996, from Dan English, Commissioner of Community Services, entitled "Budweiser Powerfest '96" was submitted to Council.

MOVED by Councillor Adams and Hetherington that Halifax Regional Municipality provide funding to Front Seat Marketing in the amount of \$25,000.00 in the form of a repayable loan.

Councillor Hendsbee suggested this be referred to the Grant Committee for recommendation back to Council on July 16, 1996.

MOVED by Councillor Hendsbee and Walker this request for funding from Front Seat Marketing be referred to the Grant Committee for their recommendation with a \$25,00.00 limitation on funds. MOTION PUT AND PASSED.

10.4.2 Proposed Travel Allowance

A report, dated June 25, 1996, from Larry Corrigan, Commissioner of Corporate Services, entitled "Proposed Local Travel Allowance Policy" was submitted to Council.

Deputy Mayor Greenough suggested that Council adopt the rate structure that is currently in place in the Province.

MOVED by Deputy Mayor Greenough and Blumenthal that Council adopt \$0.291/km with sections i and ii being adjusted accordingly to reflect the Provincial structure for a one (1) year period.

Mr. Rudy Vodicka, Research and Development Coordinator, Financial Planning over viewed the report and the suggested rate structure.

Clarification was provided with respect to the number of users and the variations in distances and frequency of use. It was noted this would not affect any rates currently covered under collective agreements as they would supersede this policy. It was pointed out that after 20,000 kilometres per year it becomes more feasible to provide the staff member with a vehicle.

MOTION PUT AND PASSED.

10.4.3 Route Maps & Schedule Booklets, Tender No. 96-119

A report, dated June 20, 1996, from Larry Corrigan, Commissioner of Corporate Services, entitled "Route Maps & Schedule Booklets, Tender No. 96-119, was submitted to Council.

MOVED by Councillor Sarto and Hetherington that Council authorize the award of a tender contract for route maps and schedule booklets to the low tenderer - Advocate Printing & Publishing Company Ltd. MOTION PUT AND PASSED

10.4.4 Acquisition of: 1532- 36 Hollis Street - Homburg Atlantic Limited and 1554-62 Hollis Street - Dino Vlahos

A report, dated June 28, 1996, from George McLellan, Commissioner of Regional

Operations was before Council.

MOVED by Councillor Downey and Uteck that Council authorize the withdrawal from the Sale of Land Account the sum of \$475,000 plus applicable taxes and adjustments for the acquisition of 1532-36 Hollis Street (parcel 7) representing the purchase price of \$500,000 less the option sum previously paid at \$25, 000; and the sum of \$532,000 plus applicable taxes and adjustments for acquisition of 1554-62 Hollis Street (parcel 10) representing the purchase price of \$560,000 less the option sum previously paid at \$28,000.

Without voting on the motion on the floor, Council agreed to defer this item to the end of the meeting (see page 19).

10.4.5 Alderney Gate - Change in Ownership

A report, dated July 3, 1996, from George McLellan, Commissioner of Regional Operations, entitled "Alderney Gate - Change in Ownership" was submitted to Council.

MOVED by Councillor Hetherington and Deputy Mayor Greenough that Council authorize the Mayor and Municipal Clerk to execute the Consent and Certificate of Completion document and Council acknowledge the conditions precedent for the assignment of the Ground Lease are met by Mutual Life executing the Assumption Agreement. MOTION PUT AND PASSED

10.4.6 Acadia School - deleted

11. MOTIONS

11.1 Regional Taxi & Limousine Committee By-law T-100 - Third Reading

By-law T-100, Regional Taxi and Limousine Committee was before Council for Third Reading, Second Reading having been received on June 25, 1996.

Councillor Adams indicated he does not feel that this is the time to make the changes in the Committee structure.

MOVED by Councillor Adams and Hetherington that Council approve Third Reading of By-law T-100, Regional Taxi & Limousine Committee, going back to the version as advertised.

Mr. Anstey confirmed that the amendment to the composition as proposed by Councillor Adams in his motion was not a major amendment and can be voted on.

Councillor Cooper expressed concern that the motion on the floor was contrary to what had been passed at Second Reading.

Circulated with this item was:

- ! A petition from Bruce Chisholm on behalf of licensed taxi drivers regarding the makeup of the new taxi commission
- ! Correspondence from United Cab Drivers Association

Councillor Sarto indicated he was in agreement with a member of the industry being on the Committee.

Councillor Adams informed Council the present committee was on an interim basis until December 31, 1996, with a new commission being put in place at that time.

Earlier, on page 3, a petition regarding this issue had been circulated and acknowledged.

MOTION PUT AND PASSED

12. ADDED ITEMS

1. Appointment to Downtown Halifax Business Commission - Mayor's Office

MOVED by Deputy Mayor Greenough and Councillor Barnet that Councillor Uteck be appointed to the Downtown Halifax Business Commission. MOTION PUT AND PASSED.

2. Councillor Rankin

Major Accident Causing Extensive Residential Damage - Lakeside

On behalf of Councillor Rankin, Councillor Mitchell put forward the following request:

That staff, through the office of Ken Meech and Emergency Measures as well as taking into account the Mayor's office, relative to a possible disaster, bring back a report for Council identifying the level of need brought about by this disaster and what, if anything, the Municipality can do in concert with the Province, to address any unmet needs.

Council agreed to Councillor Rankin's request for a staff report on the following two added items during the 5:30 In Camera session:

- ! Request for Staff Report - Traffic Improvements Cost Recovery- Kingswood Subdivision
- ! Request for Staff Report - Traffic Improvements Cost Recovery - Haliburton Heights Subdivision

Item number 2.3 - Resolution of Support - Sable Island Offshore Natural Gas Project was deferred to the July 16, 1996 Council agenda.

3. Councillor Walker

Musquodoboit Harbour Transfer Station

A report, dated July 2, 1996, from Jim Bauld, Manager of Solid Waste, entitled "Solid Waste Depot for Musquodoboit Harbour Area" was submitted to Council.

Councillor Walker stated this issue would be addressed in the overall picture but that may be too long for the people of Musquodoboit Harbour to wait as they have a problem with garbage.

**MOVED by Councillor Walker and Hendsbee that staff look at an interim solution.
MOTION PUT AND PASSED.**

4. Councillor Kelly

Update - Union Street Flooding Situation

Councillor Kelly informed Council this is an ongoing situation and the residents and developer want to know the status and when this project is expected to proceed. He asked that a staff report come forward at the next meeting indicating the status of this project.

5. Councillor Cooper

Assessments

Councillor Cooper informed Council numerous residents, after receiving their assessments, feel they cannot sell their houses as the assessed value placed by the Province is higher than the market value. He suggested the Provincial Assessment

Department is not following the criteria it had laid out. He requested that the Assessment Roll for all of the districts provided to the Councillors, and staff do an assessment of the Rolls to see if prices being recommended by industry reflect what had been recommended to the Province by the real estate industry.

It was suggested an ad be placed in the newspapers informing residents that assessments are a function of the Provincial government, not Municipal.

After lengthy discussion, Council agreed that this would be put as the first agenda item at the first meeting in August when Council resumes after summer break.

School Bus Employees

Councillor Cooper indicated it was his understanding that these employees would be continued and transferred with the same benefits. He indicated if this is not the case he would suggest that Council has a responsibility to look at the severance packages that are due for municipal employees. He requested a staff report come forward at the next meeting on this issue. It was agreed the letter, circulated to Council, from Ron Stockton, N.S. Public Employees, be forwarded to staff.

6. Councillor Barnet

Weir Property

Councillor Barnet informed Council a decision was made to purchase the Weir property but, to date, no action to transfer ownership to Halifax Regional Municipality has been undertaken.

MOVED by Councillor Barnet and Harvey that Council instruct staff take immediate action to close on this property within the next ten (10) days and report back to Council on July 16, 1996. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

Councillor Mitchell

Councillor Mitchell gave Notice of Motion that at the July 16, 1996 Council session he would bring forth the following motion:

Be it resolved that the Route 333 Senior's Association ask the Halifax Regional Municipality to include in the Municipal "Permit to Operate" the provision by the applicant of

safe and adequate entry and egress to the applicable premises by means of a ramp, handrails, wide doorways, proper door handles, and aisle widths. This requirement to better serve our physically disabled, arthritic and unsteady adults and children. This provision, for the serving of the public, to apply to both existing and new establishments and to be based on the latest architectural standards, the National Building Code, the Canadian paraplegic Association requirements or better, and to be enforced.

IN CAMERA RE: ITEM #10.4.4

At this point in the meeting, Council went In Camera to discuss item 10.4.4 (land matter)

MOVED by Councillor Epstein and Hendsbee that Council move In Camera to discuss this issue. MOTION PUT AND PASSED.

After having discussed this matter In Camera, Council reconvened into Regular Session and a vote was taken on the motion previously placed on the floor - text as follows:

MOVED by Councillor Downey and Uteck that Council authorize the withdrawal from the Sale of Land Account the sum of \$475,000 plus applicable taxes and adjustments for the acquisition of 1532-36 Hollis Street (parcel 7) representing the purchase price of \$500,000 less the option sum previously paid at \$25,000; and the sum of \$532,000 plus applicable taxes and adjustments for acquisition of 1554-62 Hollis Street (parcel 10) representing the purchase price of \$560,000 less the option sum previously paid at \$28,000.

MOTION PUT AND PASSED.

The following motion was then placed before Council:

MOVED by Councillor Epstein and Kelly that there be no demolition carried out by Halifax Regional Municipality, on any of the sites acquired on this block, pending receipt, by Council, of a full report from staff of the options respecting the use of the land. MOTION PUT AND PASSED.

14. ADJOURNMENT

MOVED by Deputy Mayor Greenough and Snow that the meeting be adjourned. MOTION PUT AND PASSED.

Meeting adjourned at 11:00 p.m.

Vi Carmichael
MUNICIPAL CLERK