

HALIFAX REGIONAL COUNCIL
MINUTES
APRIL 1, 1997

PRESENT:

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

REGRETS:

Councillor: Jerry Blumenthal

STAFF MEMBERS:

Mr. Ken Meech, Chief Administrative Officer
Mr. Barry Allen, Acting Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Jane Nauss, Assistant Municipal Clerk

TABLE OF CONTENTS

	NATIONAL ANTHEM	4
1.	INVOCATION.....	4
	LOGO UNVEILING	4
2.	PROCLAMATIONS	4
3.	APPROVAL OF MINUTES	4
4.	APPROVAL OF ORDER OF BUSINESS	4
5.	BUSINESS ARISING	5
6.	MOTIONS OF RECONSIDERATION	5
7.	MOTIONS OF RESCISSION	5
8.	CONSIDERATION OF DEFERRED BUSINESS	5
9.	REPORTS	5
9.1	AUDIT COMMITTEE	5
9.1.1	Audited Financial Statement - March 31, 1997	5
9.2	CHIEF ADMINISTRATIVE OFFICER	5
9.2.1	Dartmouth Sportsplex - Proposed Renovations	5
9.2.2	Plumbing By-Law - Amendments to HRM Act	5
9.2.3	Macdonald Bridge Approach Study - Bridge Approaches and Ramp Options	6
9.2.4	Prohibition of Motorized Craft on Small Lakes	8
9.2.5	Ratification - Request for Proposal #96-165 - Source Separated Organic Collection Containers	8
9.3	MEMBERS OF COUNCIL	
9.3.1	Deputy Mayor Greenough - Meeting Schedule (added)	9

10.	PUBLIC HEARINGS	9
10.1	Second and Third Reading - By-Law P-300 (Amendment to By-Law P-408, the City of Dartmouth Employees' Retirement Pension Plan)	9
11.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	10
11.1	Presentations	10
11.1.1	Dartmouth Sportsplex Community Association - Don Valardo, Chair	10
9.	REPORTS CON'T	10
9.2	CHIEF ADMINISTRATIVE OFFICER CON'T	10
9.2.1	Dartmouth Sportsplex - Proposed Renovations	10
11.	CORRESPONDENCE, PETITIONS AND DELEGATIONS CON'T	11
11.2	Correspondence	11
11.2.1	Proposed Moratorium - Housing Development in District 9 - Peggy A. Ferguson, Regional School Board Member, District 8	11
12.	MOTIONS	11
12.1	Councillor Kelly - Request to amend Administrative Order Number One - Section 8(2) respecting Regional Council Meeting Times	11
13.	ADDED ITEMS	12
13.1	Mr. Reg MacAusland, St. Margaret's Arena Association	12
14.	NOTICES OF MOTION	12
14.1	Councillor Adams - First Reading of Amendments to the Taxi and Limousine By-Law of each of the former municipalities to implement new taxi fares to take into account of the HST imposed by the Provincial and Federal Governments on April 1, 1997	12
15.	ADJOURNMENT	12

**NATIONAL ANTHEM - DALHOUSIE COOPERATIVE SCHOOL
CHILDREN**

Children from the Dalhousie Cooperative School were in attendance to lead Council in the singing of the National Anthem.

1. **INVOCATION**

Mayor Walter Fitzgerald called the meeting to order at 6:00 p.m. with the Invocation.

LOGO UNVEILING

Mayor Fitzgerald, upon unveiling the Halifax Regional Municipality Logo, thanked those who had been involved in developing a Logo for Halifax Regional Municipality. His Worship thanked the Logo Selection Committee, under the chairmanship of Mr. Paul Pettipas, staff and corporate sponsors, who worked tirelessly to develop this Municipal Logo.

Both Mr. Pettipas and Vice-Chair of the Committee, Councillor Hendsbee, addressed Council, thanking those involved.

MOVED by Councillors Hetherington and Hendsbee to accept the logo as presented by the Logo Selection Committee. MOTION PUT AND PASSED UNANIMOUSLY.

2. **PROCLAMATIONS** - NONE

3. **APPROVAL OF MINUTES** - NONE

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

The Municipal Clerk requested two items be added to the agenda:

13.1 Councillor Rankin - Mr. Reg MacAusland, St. Margaret's Arena Association - Request to speak regarding tax structure - Recreation Facilities

9.3 Deputy Mayor Jack Greenough - Meeting Schedule.

Councillor Walker requested that item 9.2.5 - Request for Proposal #96-165 - Source Separated Organic Collection Containers - be deferred.

MOVED by Councillors Sarto and Schofield, to approve the Order of Business, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

- 5. **BUSINESS ARISING OUT OF THE MINUTES** - NONE
- 6. **MOTIONS OF RECONSIDERATION** -NONE
- 7. **MOTIONS OF RESCISSION** -NONE
- 8. **CONSIDERATION OF DEFERRED BUSINESS** -NONE

9. **REPORTS**

9.1 **AUDIT COMMITTEE**

9.1.1 **Audited Financial Statement - March 31,1997**

! A report from the Audit Committee, prepared for Deputy Mayor Greenough, Chair, was before Council for discussion.

MOVED by Deputy Mayor Greenough and Councillor Hetherington, to approve the financial statement of Halifax Regional Municipality for the period May 19, 1995 to March 31,1996. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 **CHIEF ADMINISTRATIVE OFFICER**

9.2.1 **Dartmouth Sportsplex - Proposed Renovations**

It was agreed to discuss this item following item 11.1.1 - Presentation -" Dartmouth Sportsplex Community Association - Don Valardo, Chair."

9.2.2 **Plumbing By-Law - Amendments to HRM Act**

CONFLICT OF INTEREST

Councillor Adams declared a Conflict of Interest as he was part owner of a plumbing company, and removed himself from discussions.

! A report prepared for Mr. Dan English, Commissioner, Community Services, was before Council for discussion.

MOVED by Councillors Rankin and Mitchell that Council request the Province of Nova Scotia to amend the Halifax Regional Municipality Act to allow for licensing of plumbers.

In response to a concern expressed by Councillor Dooks that some businesses may fold if plumbers are forced to be certified, Mr. English advised that staff will be returning to Council with details on the qualification sections that will be included in the by-law and will also address this issue as well.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Adams resumed his place at the meeting.

9.2.3 **Macdonald Bridge Approach Study - Bridge Approaches and Ramp Options**

- ! A report prepared for Commissioners George McLellan, Val Spencer and Dan English, on the above-noted, was before Council for discussion.
- ! Correspondence from residents and a petition respecting heritage properties which may be affected by this project were distributed to Council (Elizabeth Pacey, R.J. Miller, Philip Pacey, David Brickman, Joyce McCulloch, HFH Pullen, Arthur Carter).

MOVED by Councillor Downey and Deputy Mayor Greenough that Council authorize detailed design and construction of the Dartmouth approaches for the third lane on the Macdonald Bridge, the Barrington Street southbound merge widening, the North Street bus transfer refuge, and the south side ramp Option "H3." It should be noted that the design team will include community representatives and HRM heritage planning staff to advise on reducing negative effects of the ramp.

Councillor Epstein addressed Council stating he was disappointed with staff's recommendation and that he suggested no ramps be built. Also, he stated a process needs to be put in place which would lead to the closure of Brunswick Street at the corner of North Street. This would alleviate the intense traffic on a residential street. Councillor Epstein suggested that cost was a big factor in this regard and Council has had no formal confirmation from the Halifax-Dartmouth Bridge Commission that \$3 million in cost sharing is actually available. Further, he stated that the Bridge Commission should finance the entire project.

Councillor Epstein stated, however, that should the ramps proceed, Halifax Peninsula Community Council is on record as stating they should be constructed on the north side and not the south side of North Street.

Councillor Epstein enquired if the Bridge Commission should be adding a third lane to the bridge. If so, this will encourage additional traffic flow onto the Halifax Peninsula area.

A general discussion ensued on the debt load the municipality could be facing if this project goes ahead and that perhaps the required funds for this project could be used elsewhere. Concern was also expressed respecting the impact this project would have on heritage property in the area.

Deputy Mayor Greenough reminded Council that the municipality is to receive \$3 million from the Halifax-Dartmouth Bridge Commission; further, there is the potential to

“tap” into the infrastructure program that is referenced in the staff report. On this basis, he requested Council support the recommendation.

MOVED by Councillors Sarto and Hetherington to amend the Motion to include “subject to discussions with the Halifax-Dartmouth Bridge Commission to seek 100% financing.”

A recorded vote on the amendment took place.

Those who voted **in favour** of the amendment were Mayor Fitzgerald and Councillors Dooks, McInroy, Sarto, Hetherington, Epstein, Walker, Adams, Barnet, Harvey, Kelly, and Mitchell.

Those who voted **against** the amendment were Deputy Mayor Greenough and Councillors Snow, Hendsbee, Cooper, Schofield, Cunningham, Downey, Uteck, Stone, Hanson and Rankin.

Councillor Blumenthal was **absent**.

MOTION PUT AND PASSED.

A recorded vote on the Main Motion, as amended, took place. The Motion now reads:

MOVED by Councillor Downey and Deputy Mayor Greenough to authorize detailed design and construction of the Dartmouth approaches for the third lane on the Macdonald Bridge, the Barrington Street southbound merge widening, the North Street bus transfer refuge, and the south side ramp Option “H3” subject to discussions with the Halifax-Dartmouth Bridge Commission to seek 100% financing. It should be noted that the design team will include community representatives and HRM heritage planning staff to advise on reducing negative effects of the ramp.

Those who voted **in favour** of the Main Motion as amended were Mayor Fitzgerald, Deputy Mayor Greenough and Councillors Snow, Hendsbee, Cooper, McInroy, Sarto, Schofield, Cunningham, Downey, Stone, and Rankin.

Those who voted **against** the Main Motion as amended were Councillors Dooks, Hetherington, Uteck, Epstein, Walker, Hanson, Adams, Barnet, Harvey, Kelly and Mitchell.

Councillor Blumenthal was **absent** for the vote.

MOTION PUT AND PASSED.

Another Motion was put on the floor.

MOVED by Councillors Harvey and Downey that staff prepare options as to the future of 5220 North Street, other than demolition. MOTION PUT AND PASSED.

9.2.4 **Prohibition of Motorized Craft on Small Lakes (Supplementary Report)**

! A supplementary report prepared for Chief Vince MacDonald, on the above-noted, was before Council for discussion.

MOVED by Councillor Hetherington and Deputy Mayor Greenough that Community Councils give consideration to the resources of the Canadian Coast Guard either directly or in concert with assisting community groups, i.e. Dartmouth Lakes Advisory Board, in the evaluation of the need for regulation with respect to the use of small lakes within the Halifax Regional Municipality.

Councillor Cooper expressed concern that no reference has been made to the fact that Settle Lake and Bissett Lake had been identified at Harbour East Community Council meetings, as experiencing problems with small craft. Further, Councillor Cooper enquired if other Community Councils had identified lakes that are not mentioned in this report. He suggested that staff review all Community Council minutes in this regard.

Councillor Hendsbee stated that cooperation from the Province is required for the provision of a “dead slow” zone on the #7 bridge at Porter’s Lake. Further, he noted that residents on Porter’s Lake and Lake Echo were experiencing problems with small craft.

Councillor Stone referenced page 2 of the staff report - “Chebucto Community Council - November 4, 1996.” Legal staff was requested to review the three month public involvement period mentioned, which had taken place in order to arrange a procedure whereby Kearney Lake could be divided for some allowance for motorized craft to a particular horsepower. Councillor Stone expressed concern that should this motion pass, it might jeopardize the public process which had taken place regarding Kearney Lake.

MOTION PUT AND PASSED.

9.2.5 **Ratification - Request for Proposal #96-165 - source Separated Organic Collection Containers**

This matter was deferred during Approval of the Order of Business.

Councillor Hendsbee assumed the Chair.

9.3 **MEMBERS OF COUNCIL**

9.3.1 **Deputy Mayor Jack Greenough - Meeting Schedule**

! A memorandum prepared for Deputy Mayor Greenough respecting the above-noted, was before Council for discussion.

MOVED by Deputy Mayor Greenough and Councillor Sarto to adopt the following recommendations:

- 1) That Committee of the Whole sessions be scheduled once per month, on the second Tuesday, from 2:00 p.m. to 5:00 p.m.;
- 2) All Public Hearings, except those required to come before Council, which involve the whole Council and not Community Councils to be scheduled for the Tuesday evening following the Committee of the Whole meeting at 6:00 p.m.;
- 3) In Camera sessions be scheduled from 3:00 p.m. to 5:00 p.m. in Halifax Hall, prior to Council;
- 4) Regular Council Sessions continue to begin at 6:00 p.m.;
- 5) A 10:00 p.m. curfew be instated on all evening sessions;
- 6) No meals be provided.

MOTION PUT AND PASSED.

It was noted this could be debated on April 15, 1997 at the time the amendments to Administrative Order Number One are brought before Council.

Mayor Fitzgerald assumed the Chair.

10. **PUBLIC HEARINGS**

10.1 **Second Reading - By-Law P-300 (Amendment to By-Law P-408, the City of Dartmouth Employees' Retirement Pension Plan)**

! First Reading of By-Law P-300 had been given on March 18, 1997.

Mayor Fitzgerald called for comments from the public. There was none.

MOVED by Deputy Mayor Greenough and Councillor Sarto to give Second Reading to By-Law P-300 which amends certain required contribution rates in the City of Dartmouth Employees' Retirement Pension Plan. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Deputy Mayor Greenough and Councillor Cunningham to give Third Reading to By-Law P-300 which amends certain required contribution rates in the

City of Dartmouth Employees' Retirement Pension Plan. MOTION PUT AND PASSED UNANIMOUSLY.

11. CORRESPONDENCE, PETITIONS AND DELEGATIONS

11.1 Presentations

11.1.1 Dartmouth Sportsplex Community Association - Don Valardo, Chair

! Mr. Don Valardo, Chair, Dartmouth Sportsplex Community Association, addressed Council, referencing documentation which had been previously distributed to Council.

Mr. Valardo reviewed the request of the Association, that being to secure a loan from the municipality to complete the Heritage Room Project which is projected at \$1,315,393, including the construction tender and internal improvements. The Sportsplex is to repay the full principal and interest over a ten year period; further, to award the Heritage Room tender to the low bid from Corkum Construction for \$915,393, including architect's fees and a 10% contingency fund exclusive of all tax.

Mr. Bob Quigley, General Manager of the Sportsplex, addressed Council as well, reviewing the reasoning behind the need for this expansion.

Mayor Fitzgerald thanked both Mr. Valardo and Mr. Quigley for their presentations.

9. REPORTS CON'T

9.2 CHIEF ADMINISTRATIVE OFFICER CON'T

9.2.1 Dartmouth Sportsplex - Proposed Renovations

! A memorandum prepared for Mr. Dan English, Commissioner, Community Services, on the above-noted, was before Council for discussion.

MOVED by Councillors Cunningham and Sarto that Regional Council:

- 1) Approve a temporary borrowing resolution for \$1,315,393, which will be used to finance the Dartmouth Sportsplex Community Association's renovations to the Dartmouth Sportsplex, at no cost to HRM; and**
- 2) Award a tender of \$915,393 to Corkum Construction, for renovations to the Dartmouth Sportsplex.**

MOTION PUT AND PASSED UNANIMOUSLY.

Following a ten minute recess, the meeting resumed at 8:10 p.m.

11. **CORRESPONDENCE, PETITIONS AND DELEGATIONS CON'T**

11.2 **Correspondence**

11.2.1 **Proposed Moratorium - Housing Development in District 8 - Peggy A. Ferguson, Regional School Board member, District 8**

! Correspondence from Ms. Peggy Ferguson, Regional School Board, on the matter of a proposed moratorium on development in School Board District 8, was before Council.

MOVED by Councillors Cunningham and Sarto to receive and file the correspondence from Ms. Peggy Ferguson, Regional School Board.

No vote was taken on the Motion.

Another Motion was put on the floor.

MOVED by Councillors Barnet and Harvey to forward this correspondence to staff for comment.

Deputy Mayor Greenough enquired if this letter reflected the position of the Regional School Board.

No vote was taken on the Motion.

There was a consensus to amend the Motion to request comments from the Halifax Regional School Board as well. The Motion now reads:

MOVED by Councillors Barnet and Harvey to forward this correspondence to staff and the Regional School Board for comment. MOTION PUT AND PASSED UNANIMOUSLY.

12. **MOTIONS**

12.1 **Councillor Kelly - TAKE NOTICE that at the meeting of Halifax Regional Council to be held on April 1, 1997, I intend to introduce a motion requesting Council to amend Administrative Order Number One - Section 8(2) respecting Regional Council meeting times.**

This Motion was withdrawn from the agenda.

13. **ADDED ITEMS**

13.1 **Mr. Reg MacAusland, St. Margaret's Arena Association**

Mr. MacAusland addressed Council on a tax structure for recreation facilities,. He noted that the St. Margaret's Arena was started by the community, for the community and was currently worth \$2.5 million, serving Districts 22 and 23. He further noted the facility is not funded completely by the municipality, and is a self supporting operation. In closing, Mr. MacAusland stated that as a non-profit organization, he was requesting the opportunity for the taxpayers' funds to be utilized in the area the funds were derived.

Mayor Fitzgerald thanked Mr. MacAusland for his presentation.

Councillor Rankin stated there were two issues at hand:

- 1) Committee of the Whole discussions will take into account what items should be included on the general tax base - recreation maintenance, recreation development.
- 2) If recreation maintenance and recreation development are on the general tax base, there should be no distinction on any recreational facility - be it community based - community owned - or HRM owned. In closing, Councillor Rankin enquired if recreation maintenance and recreation development should be included in the general rate (rural) due to the fact these services were not provided in the former Halifax County, in the general tax base.

14. **NOTICES OF MOTION**

- 14.1 Councillor Adams - TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on April 15, 1997, I intend to introduce a motion to move First Reading of amendments to the Taxi and Limousine By-Law of each of the former municipalities to implement new taxi fares to take account of the HST imposed by the Provincial and Federal Governments on April 1, 1997.

15. **ADJOURNMENT**

**MOVED by Councillors Walker and Hendsbee to adjourn the meeting at 9:00 p.m.
MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael
MUNICIPAL CLERK