

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES May 12, 1998

PRESENT:

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

STAFF MEMBERS:

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

Table of Contents

1.	INVOCATION	5
2.	PROCLAMATIONS	5
2.1	North American Occupational Safety and Health Week (May 18-24) ...	5
2.2	National Public Works Week (May 17-23)	5
2.3	Royal Week (May 16-24)	5
2.4	National Nurses Week (May 11-17)	5
3.	APPROVAL OF MINUTES - April 28, 1998	5
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	5
5.	BUSINESS ARISING OUT OF THE MINUTES - None	6
6.	PUBLIC HEARINGS	6
6.1	Civic Nos. 213-217 Bedford Highway - Metro Food Bank	6
6.2	Amendment to By-Law T-100 Respecting a Regional Taxi and Limousine Committee	7
7.	MOTIONS OF RECONSIDERATION - NONE	13
8.	MOTIONS OF RESCISSION - NONE	13
9.	CONSIDERATION OF DEFERRED BUSINESS - NONE	13
10.	REPORTS	13
10.1	MEMBERS OF COUNCIL	13
10.1.1	Councillor Kelly - Leaf and Yard Waste Collection Program	13
10.2	COMMITTEE OF THE WHOLE - <i>Meeting of May 5, 1998</i>	14
10.2.1	Tender 98-041, Alterations - Computer Room, Market Mall ..	14
10.2.2	Tender 98-043, Janitorial Services, 11 Turner Drive	14
10.2.3	Tender 98-039, Three Hydraulic Ride On Turf Mowers	14
10.2.4	Tender 98-045, Fourteen Unmarked Police Vehicles	14
10.2.5	Tender 98-048, Twelve Rear Wheel Drive Pursuit Vehicles & Four Front Wheel Drive Police Pursuit Vehicles	15
10.2.6	Tender 97-358, Chipsealing of Gravel Roads	15

10.2.7	Request for Proposal #98-014 - Wide Area Network Services for HRM	15
10.2.8	Request for Proposal #98-044 - 1649 Brunswick Street (The Former School Board Offices)	16
10.2.9	Operation of Materials Recovery Facility - RFP #98-016	16
10.2.10	Debenture Issue	16
10.2.11	Fire Protection on Exempt Properties	16
10.2.12	Pollution Control Charges as defined in By-Law S-100 - Amended	17
10.2.13	Halifax Regional Development Agency: Services to Urban Core	17
10.2.14	Acquisition of Lot 134 Buckingham Drive, Haliburton Hills ...	17
10.2.15	Fultz House - Sackville Heritage Park	17
10.2.16	Discussion of By-Law T-201 Respecting Tax Exemptions for Non-Profits	18
10.2.17	Fencing for Properties in MacIntosh Estates	18
10.2.18	Request - Nova Scotia International Air Show, Rodger Sorsdahl, Executive Director	18
10.2.19	Land Matter - Greenvale School Building	19
10.2.20	Land Matter - School Board Sub-System Office	19
10.2.21	Land Matter - Penhorn Park School Building/Operations Building	19
10.2.22	Lease - Soccer Nova Scotia	19
10.3	CHIEF ADMINISTRATIVE OFFICER	19
10.3.1	Approval of 1998/99 Operating and Capital Budget	19
10.3.2	First Reading By-Law B-300 Respecting Blasting	19
10.3.3	First Reading of By-Law S-401 to Amend S-400 Respecting Street Improvements	20
10.3.4	First Reading By-Law T-400 Respecting Truck Routes	20
10.3.5	First Reading By-Law L-100 Respecting Charges for Local Improvements	21
10.3.6	Tender 98-353, Asphalt Resurfacing of Streets - Central District	21
10.3.7	Tender 98-306, Resurfacing Part 1, Various Locations - West District	21
10.3.8	Award of Tender No. 98-355, Asphalt Resurfacing of Streets - Central District	21
10.3.9	Award of Tender 98-310, T.V. Inspection and Cleaning Services	22
10.3.10	Tender 98-054, Eastern Passage WPCP Odour Control	22

11.	CORRESPONDENCE, PETITIONS	22
11.1	Petitions	22
11.1.1	Councillor Kelly	23
12.	MOTIONS	23
12.1	Councillor Cunningham	23
12.2	Councillor Kelly	23
13.	ADDED ITEMS	23
13.1	Councillor Stone - Traffic Calming Policy	23
13.2	Councillor Adams - Event at Dartmouth Sportsplex	24
13.3	Ratification - Appointments to Boards and Committees	24
13.4	Ratification - In Camera Matter - Assessment and Potential Management - E-911 Call Taking, Police/Fire Dispatching Centre	25
13.5	Supplementary Education Funding	25
13.6	1998/99 Operating and Capital Budgets	25
14.	NOTICES OF MOTION	25
14.1	Councillor Hendsbee	25
15.	ADJOURNMENT	25

1. INVOCATION

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

2. PROCLAMATIONS

2.1 North American Occupational Safety and Health Week (May 18-24)

Mayor Fitzgerald proclaimed the week of May 18-24 as North American Occupational Safety and Health Week.

2.2 National Public Works Week (May 17-23)

Mayor Fitzgerald proclaimed the week of May 17-23 as National Public Works Week.

2.3 Royal Week (May 16-24)

Mayor Fitzgerald proclaimed the week of May 16-24 as Royal Week.

2.4 National Nurses Week (May 11-17)

Mayor Fitzgerald proclaimed the week of May 11-17 as National Nurses Week.

3. APPROVAL OF MINUTES - April 28, 1998

MOVED by Councillors Hetherington and Blumenthal that the Minutes of April 28, 1998 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

The following items were requested to be added to the agenda.

- 13.1 Councillor Stone - Traffic Calming Policy
- 13.2 Councillor Adams - Event at Dartmouth Sportsplex
- 13.3 In Camera Ratification - Appointments to Boards and Committees
- 13.4 In Camera Ratification - Assessment and Potential Management - E-911 Call Taking, Police/Fire Dispatching Centre
- 13.5 COW Recommendation (May 12) - Supplementary Education Funding
- 13.6 1998/99 Operating and Capital Budgets

Councillor Kelly requested that Item 10.1.1 Leaf and Yard Waste Collection Program, be deleted from the agenda, as the matter has been resolved. The Councillor also requested that Item 12.2 Motion - Councillor Kelly - Setbacks from sidewalks and bus routes that pertain to charges thereof, be referred to the budget deliberations.

Councillor Hetherington requested that Items 10.2.1 - 10.2.8 be grouped together as one item, with one motion adopting the COW recommendations.

MOVED by Councillors Schofield and Blumenthal that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - None

6. PUBLIC HEARINGS

6.1 Civic Nos. 213-217 Bedford Highway - Metro Food Bank

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- Correspondence from Dianne Swinemar, Executive Director, Metro Food Bank Society, regarding the above, was before Council for consideration.
- Correspondence from Peter Greer, President, Local 83 Building Co., Ltd., regarding the above, was before Council for consideration.

Mr. Simpson McLeod presented the staff report, noting the property was appraised in October 1997 at \$290,000. However, the Metro Food Bank Society is only able to offer a total of \$181,250 for this property. This sum is comprised of \$72,500 from the Metro Food Bank Society and \$108,750 from the Province of Nova Scotia. Mr. McLeod noted HRM will be receiving 62.5 percent of the market value of the property. The sale will be accomplished through a lease to purchase agreement, with a term of 10-15 years, with interest to be paid on the outstanding balance by the Metro Food Bank Society, at the interest rate at which HRM is able to borrow money. The Metro Food Bank Society will also pay all applicable property taxes.

Mayor Fitzgerald called for members of the public wishing to speak on the matter.

Dianne Swinemar, Executive Director, Metro Food Bank Society

Ms. Dianne Swinemar, Executive Director, Metro Food Bank Society, expressed thanks to members of Council for making this move possible. Ms. Swinemar stated the Metro Food Bank Society is delighted with its new location. For example, she noted a recent tractor trailer load of product was able to be accepted, which could not have been done in the former location. This resulted in \$50,000 worth of product going to families in need in Nova Scotia. Ms. Swinemar noted the new location is also more accessible to donors and the public. In closing, Ms. Swinemar expressed a heartfelt thank you to Council.

Ms. Trish Spark, Stepping Stone Association

Ms. Spark spoke in support of the recommendation noting the Metro Food Bank Society operates ten services in the Municipality, ranging from meeting basic needs to encouraging and supporting clients' efforts towards independence. There are more than 40 member agencies that directly benefit from the services provided by the Metro Food Bank Society. Ms. Spark noted the Metro Food Bank Society delivers daily to Stepping Stone. In closing, Ms. Spark stated Council's support of the Metro Food Bank Society's application to purchase this property at lower than market value, would give the Municipality the opportunity to recognize and support the valuable work of the organization in a very tangible way.

Mayor Fitzgerald called three times for additional speakers either for or against the recommendation. No one came forward.

MOVED by Councillors Hetherington and Greenough that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Deputy Mayor Rankin and Councillor Kelly that Council approve the sale of the property at 213-217 Bedford Highway to the Metro Food Bank Society for \$181,250.00, plus applicable taxes and usual adjustments on closing, through a lease to purchase agreement, with \$72,500 to be paid by the Society, and \$108,750.00 by the Province of Nova Scotia, through a lease to purchase agreement. MOTION PUT AND PASSED UNANIMOUSLY.

6.2 Amendment to By-Law T-100 Respecting a Regional Taxi and Limousine Committee

- First Reading of the Amendment to By-Law T-100 Respecting a Regional Taxi and Limousine Committee occurred on April 14, 1998. The Amendment was now before Council for Second Reading.

- Correspondence from J. P. Gallant, President of United Cab Drivers Association of Halifax, dated May 7, 1998 and May 12, 1998, regarding the above, was circulated to Council.
- A minute extract from the December 15, 1998 Taxi and Limousine Committee, regarding support for the Chairman of the Committee, was circulated to Council.

MOVED by Councillors Adams and Hetherington that the Amendment to By-Law T-100 Respecting a Regional Taxi and Limousine Committee be given Second Reading.

In response to a request by Councillor Cooper for an explanation of the amendment, Councillor Adams made the following comments:

- An in camera meeting was held to appoint a member of the UCDA to the Regional Taxi and Limousine Committee, at which time it was decided that this appointment not be approved. Advice was received from the Municipal Solicitor to eliminate this position from the Committee.
- A UCDA member was appointed to the Committee in 1995, after the UCDA suggested it represented 430 taxi drivers. Since that time, the representation has been more self interest than anything else.
- It is his understanding that the number of members of the UCDA is much less than 430.
- A membership list has never been provided to the Regional Taxi and Limousine Committee, although it has been requested on numerous occasions.

Mayor Fitzgerald called for members of the public wishing to speak either in favour or against the recommendation.

Mr. Mike Briand, Driver, Super City Cab

Mr. Briand spoke in support of maintaining UCDA representation on the Regional Taxi and Limousine Committee offering the following opinions:

- The UCDA member on the Committee is the only member of the Regional Taxi and Limousine Committee who will provide information to the cab drivers as to the activities of the Committee.
- The cab drivers do not have a representative on the Committee to look out for them.
- Most cab drivers are not aware of taxi related issues, such as the driver training program.

- The Committee was not put together properly from its commencement, and the same people are appointed year after year.
- The membership composition of the Committee is not fair.
- The UCDA representative can alert drivers of proposed changes being considered by the Committee.

In response to comments made by Mr. Briand, Councillor Uteck stated the Regional Taxi and Limousine Committee is like any other committee of Council, and members are appointed fairly and selected from applications received. The terms are not unlimited, and there is a turnover of membership.

Responding to Mr. Briand's comments, Councillor Adams stated everything the Committee does is in the open and advertised fully, with the exception of appeals.

Based on the comments made so far at this public hearing, Councillor Hetherington stated Council needs to realize the Regional Taxi and Limousine Committee does not work. With regards to Mr. Briand's comments regarding the interests of the taxi drivers, Councillor Hetherington stated the Regional Taxi and Limousine Committee is in place for the residents of HRM, and not the brokers, drivers, owners or Councillors.

Councillor Cooper inquired if Mr. Briand is a member of the UCDA; and, if so, has he attended any meetings recently. Mr. Briand replied he is a member of the UCDA, but referred the question regarding recent meetings to the Association, stating it is not necessary for him to attend its meetings, as he is in daily contact with members of the industry.

Mr. John Gray, Driver, Casino Taxi

Mr. Gray read from a written document given to him by individuals requesting that he speak on their behalf, making the following comments:

- A number of issues were set forth by the UCDA at different Council meetings without the knowledge of the membership, and they do not want to be part of an organization that operates in this manner.
- Membership in the Association does not necessarily mean support of all matters coming from the Association.
- Notices should have been presented to each member of the UCDA, stating the nature of the business being set forth, with a place for the members to record their vote.

With respect to representation on the Regional Taxi and Limousine Committee, Mr. Gray stated the industry will still be represented by the taxi driver position on the committee.

Mr. Ed Benoit, Co-Owner, Green Cab

- Mr. Benoit circulated copies of a letter from J. P. Gallant, President of UCDA, regarding the elimination of the UCDA representative from the Regional Taxi and Limousine Committee if the UCDA position is deleted.

Mr. Benoit spoke in support of UCDA representation on the Regional Taxi and Limousine Committee, noting he is the past representative, making the following comments:

- He resigned from the Committee at the end of his term. The UCDA appointed Mr. Darshan Virk to replace him. The move to remove the UCDA position from the Committee did not come forward until after Mr. Virk was appointed by the UCDA to fill this position.
- In response to an earlier question from Councillor Cooper, the last meeting of the UCDA was held in April 1997 due to the lawsuit.
- He questioned why this matter has bypassed the Membership Selection Committee.
- Members of the UCDA support the Association.
- The question is whether or not the taxi industry is being fairly represented by the Regional Taxi and Limousine Committee.

Councillor Barnet noted a concern raised by Mr. Briand was that there are too many owners and brokers on the Committee. The Councillor stated Mr. Benoit, being an owner when he was on the Committee, would add to Mr. Briand's concern. Councillor Barnet suggested it would be more appropriate for Council to appoint the four taxi drivers to ensure there is a balance on the Committee. The Councillor noted one member from the UCDA on the Committee would not have the effect to sway decisions one way or another, due to the number of Committee members. Mr. Benoit replied having a UCDA representative on the Committee would provide the Association the opportunity to receive first hand information.

Councillor Barnet asked if the person being proposed to be the UCDA representative on the Committee is an owner, broker or co-owner of a company, and how was he appointed by the UCDA. Mr. Benoit replied he is a broker and was appointed by the Executive of the UCDA.

Councillor Harvey inquired if the UCDA is a registered society under the Societies Act to which Mr. Benoit replied in the affirmative. Mr. Benoit noted Councillor Walker has reviewed the UCDA membership list and can verify the number of members. Councillor Walker confirmed he counted 430 members on the membership list. Due to the length

of time since its last meeting, Councilor Harvey questioned the validity of the UCDA in terms of the Registry of Joint Stocks.

Councillor Greenough suggested this matter should be referred to the Membership Selection Committee for review and a report back to Council as soon as possible.

Councillor Cooper inquired about the reference to petitions in correspondence received from the UCDA. The Councillor asked what topics did the petitions refer to and the approximate number of signatures. Mr. Benoit replied all the petitions were presented to Council and the Regional Taxi and Limousine Committee on numerous occasions, and dealt with topics such as limitations. With regards to the number of signatures, Mr. Benoit stated each petition had the option of signing for or against. He stated the petitions could be reproduced if necessary, and they were not limited to just UCDA members.

Mr. Bob Richards, Owner, A.A.A. Taxi

Mr. Richards stated he has been a member of the Regional Taxi and Limousine Committee for many years. Mr. Richards made the following comments regarding the issue:

- Each year the opportunity is given to Committee members to reapply.
- His membership to the UCDA was terminated as he owns a limousine company.
- No paperwork has been sent to the Committee from the UCDA indicating there was a membership meeting on any issue with a motion to be forwarded to the Committee.
- The UCDA works against the Regional Taxi and Limousine Committee.

Mr. Leo Greenwood, Member, Regional Taxi and Limousine Committee

Mr. Greenwood spoke on the matter, making the following comments:

- It is very important to have both drivers and brokers on the Committee. They do not create a conflict of interest, as Council makes the final decisions.
- The UCDA has been requested many times to provide a membership list, but it has never been submitted.
- It has been indicated that the Executive of the UCDA has been passing its motions, and not the membership at large.
- Representation on the Committee should be equal across the three zones.

Rev. Wayne Campagna, Schooner Limousine and Taxi

Rev. Campagna spoke on the matter, making the following comments:

- All meetings of the Committee are announced and advertised.
- When Mr. Benoit quit the Committee, he did not indicate anyone from UCDA would be replacing him.
- The Committee is doing the best job it can to provide the best service to the residents of HRM.

Councillor Blumenthal asked Rev. Campagna if he believes the UCDA should have a position on the Committee, to which he responded in the negative, as he does not believe they represent the number of cab drivers they claim to represent. Rev. Campagna noted there is a list available of over 300 people who have cancelled their UCDA membership, or have stated they do not want anything to do with the Association.

Mr. Doug MacDonald, A Cab

Mr. MacDonald stated the Ordinance says any owners of a taxi company cannot serve in that seat.

Mr. Darshan Virk, Past President, UCDA

Mr. Virk spoke on the matter making the following comments:

- Every petition that the UCDA put forward was signed by the majority of drivers.
- There needs to be fair representation on the Committee.
- By having a UCDA representative on the Committee, it ensures that the drivers it represents are aware of matters being discussed and decided upon by the Committee.

Councillor Blumenthal asked Mr. Virk if he is an owner of a taxi company, to which Mr. Virk responded in the affirmative.

Mayor Fitzgerald called three times for additional speakers either for or against the recommendation. No one came forward.

MOVED by Councillors Greenough and Blumenthal that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Walker spoke against the motion, stating on April 2, 1998, he counted 430 names on the membership list of the UCDA. The Councillor stated nothing in writing

has been brought forward to disprove this. In response to a question from Councillor Adams inquiring about the date of the membership list, Councillor Walker stated most were 1994 - 1995. Councillor Adams expressed concern with the accuracy of the list due to its age.

Petition

At this time, Councillor Adams submitted a petition containing 137 names of taxi drivers stating they do not support the UCDA, its executive, nor its position on the Halifax Regional Taxi and Limousine Committee.

Councillor Adams stated all meetings of the Regional Taxi and Limousine Committee are announced over all taxi dispatch systems in HRM. The only items dealt with in camera are appeals, and this is done out of respect for the individuals involved.

MOVED by Councillors Greenough and Snow that this matter be referred to the Membership Selection Committee for a report on the validity, in terms of representation of the membership on the Regional Taxi and Limousine Committee, and that this report be brought back to Council as soon as possible.

Councillor Cooper spoke in support of the motion to refer this matter to the Membership Selection Committee. He inquired if it is possible for this Committee to look at this matter in a closed format to ensure anonymity for those concerned of possible ramifications of coming forward. Mr. Anstey replied if there is valid public interest that names remain confidential, the Committee could treat them in that manner, if that is how the information is offered.

Councillor Adams stated it is his understanding there was another petition presented about a year ago from former UCDA members. He requested that this be brought forward.

MOTION PUT AND PASSED.

7. **MOTIONS OF RECONSIDERATION - NONE**
8. **MOTIONS OF RESCISSION - NONE**
9. **CONSIDERATION OF DEFERRED BUSINESS - NONE**
10. **REPORTS**

10.1 MEMBERS OF COUNCIL

10.1.1 Councillor Kelly - Leaf and Yard Waste Collection Program

- A memorandum from Councillor Kelly regarding the above, was before Council for consideration.

This item was deleted during Approval of the Order of the Business.

10.2 COMMITTEE OF THE WHOLE - Meeting of May 5, 1998

During the Approval of the Order of Business, it was agreed to deal with Items 10.2.1 - 10.2.8 in one group. However, Councillor Hendsbee stated he had some questions to raise regarding Item 10.2.7, and suggested only items 10.2.1 - 10.2.6 be dealt with in one group, with the remaining tenders to be voted on individually. Council agreed to this change in the Order of Business.

10.2.1 Tender 98-041, Alterations - Computer Room, Market Mall

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole, that Council award Tender #98-041, Alterations - Computer Room, Market Mall, Duke Tower, Scotia Square, to Gilson Construction for materials and services specified at the unit prices for a Total Tender Price of \$54,994.00, plus applicable taxes, with funding available from Capital Account #02-87018, Computer Facilities Upgrade. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.2 Tender 98-043, Janitorial Services, 11 Turner Drive

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole, that Council award the contract for Janitorial Services for 11 Turner Drive to the lowest evaluated bidder, Modern Building Cleaning Inc., for a three (3) year contract at a total cost of \$79,484.55 including H.S.T. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Tender 98-039, Three Hydraulic Ride On Turf Mowers

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole that Council award Tender 98-039 for three (3) Hydraulic Ride On Turf Mowers to Eastern Turf Products Ltd., the lowest evaluated bidder, for a total tender price of \$52,764.30. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 Tender 98-045, Fourteen Unmarked Police Vehicles

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole, that Council authorize the award of Tender #98-045 for the purchase of fourteen (14) 1998 Chevrolet Lumina unmarked vehicles to the lowest bidder meeting specifications, O'Regan Chev Olds, at a cost of \$265,972.00 plus H.S.T. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.5 Tender 98-048, Twelve Rear Wheel Drive Pursuit Vehicles & Four Front Wheel Drive Police Pursuit Vehicles

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole, that Council authorize the award of Tender #98-048 for the purchase of Twelve (12) 1998 Rear Wheel Drive Ford Crown Victoria Pursuit Vehicles to the lowest bidder meeting specifications, Wood Motors Limited at a cost of \$316,983.00 plus H.S.T. and four (4) Front Wheel Drive Chevrolet Lumina Pursuit Vehicles to the lowest bidder meeting specifications, Forbes Chev Olds, at a cost of \$82,500.00 plus H.S.T. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Schofield clarified his comments made at the May 5 Committee of the Whole meeting regarding this matter. The Councillor noted he said he would like to see Volvo cars in the fleet, but he also referred to the Volvo proposal, which indicated the price would be lower than the other cars. Councillor Schofield stated his comments were based on this information.

10.2.6 Tender 97-358, Chipsealing of Gravel Roads

MOVED by Councillors Hetherington and Uteck, as recommended by Committee of the Whole, that Council approve the following:

- 1. Merganser Avenue be added to the list of streets to be chipsealed under Tender #97-358, Chipsealing of Gravel Roads.**
- 2. Award Tender #97-358, Chipsealing, Gravel Roads, to Dexter Construction Co. Ltd., for materials and services specified in the unit prices quoted for a Total Adjusted Tender Price of \$150,040.00 and a Total Adjusted Project Cost of \$172,546.00, with funding from the Capital Account Number noted in the Budget Implications section of the staff report dated April 27, 1998.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.7 Request for Proposal #98-014 - Wide Area Network Services for HRM

Councillor Hendsbee expressed concern with prices for the other companies not being provided in the report that was before Committee of the Whole last week, regarding this matter. The Councillor requested clarification with regards to a non tariff requirement with respect to some of the applications of the tender. It was agreed to defer this item until later in the meeting, in order to obtain a response from staff. However, the matter was not raised again during the meeting; and, therefore, was deferred.

10.2.8 Request for Proposal #98-044 - 1649 Brunswick Street (The Former School Board Offices)

Councillor Schofield inquired about the report he requested at the May 5 Committee of the Whole meeting, examining the possibility of a portion of the revenue from the sale of this property being made available to heritage properties. The Councillor stated he would like to ensure this report is forthcoming. Mr. Meech replied a staff report will be prepared on this matter.

MOVED by Councillors Downey and Greenough, as recommended by the Committee of the Whole, that Council authorize the award of Proposal #98-044 to the submission receiving the highest overall score, Salter Street Films Limited, at a purchase price of \$711,000.00, plus all applicable taxes and adjustments with proceeds from the sale to be deposited in the Sale of Land Capital Reserve Account. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.9 Operation of Materials Recovery Facility - RFP #98-016

MOVED by Councillors Uteck and Sarto, as recommended by the Committee of the Whole, that Halifax Regional Municipality, subject to final negotiations, award a contract with Miller Waste Systems for the operation of the Materials Recovery Facility, for the period of July 1, 1998 to June 30, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.10 Debenture Issue

MOVED by Councillors Barnet and Hetherington, as recommended by the Committee of the Whole, that the Mayor and Municipal Clerk be authorized to sign the Issuing Resolution between Halifax Regional Municipality and the Nova Scotia Municipal

Finance Corporation to enable the Halifax Regional Municipality to issue a debenture in the amount of \$35,000,000. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.11 Fire Protection on Exempt Properties

MOVED by Councillors Blumenthal and Barnet, as recommended by the Committee of the Whole, that this matter be deferred to the Operating Budget discussions, pending receipt of staff reports previously requested. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.12 Pollution Control Charges as defined in By-Law S-100 - Amended

MOVED by Councillors Greenough and Barnet, as recommended by the Committee of the Whole, that the split between the Environmental Control charge and the Wastewater charge per 1000 gallons be adjusted from \$0.87 and \$0.87 to \$0.82 and \$0.92 respectively, retroactive to April 1st for water billed by the Water Commission. The total Pollution charge of \$1.74 would not be increased. **MOTION PUT AND PASSED.**

10.2.13 Halifax Regional Development Agency: Services to Urban Core

MOVED by Councillors Walker and Mitchell, as recommended by the Committee of the Whole, at this time, the Halifax Regional Development Agency not provide services to the urban core. Staff will continue to work with the HRDA to determine the need and approach to facilitating community economic development in the urban core.

Councillor Hendsbee requested that this item be deferred until the Halifax Regional Development Agency has had an opportunity to meet and discuss the report.

MOVED by Councillors Hendsbee and Blumenthal that this matter be deferred until the Halifax Regional Development Agency has had the opportunity to meet and discuss the matter. **MOTION PUT AND PASSED.**

10.2.14 Acquisition of Lot 134 Buckingham Drive, Haliburton Hills

MOVED by Deputy Mayor Rankin and Councillor Mitchell, as recommended by the Committee of the Whole, that Council approve the acquisition of Lot 134, located on Buckingham Drive in Haliburton Hills Subdivision and shown on the sketch attached to the staff report dated April 30, 1998, for \$21,000 as settlement in full plus any additional taxes and adjustments that may be applicable from Haliburton Hills Developments. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.15 Fultz House - Sackville Heritage Park

MOVED by Councillors Harvey and Barnet, as recommended by the Committee of the Whole, that:

1. **A Call for Expressions of Interest be issued for consultants to prepare a Conservation Plan for Fultz House and the Sackville Heritage Park, and**

- 2. Council approve an expenditure of up to \$10,000 from the Heritage Fund to develop the conservation plan in conjunction with the Sackville Heritage Park Advisory Committee and the community.**

In response to concerns raised by Councillor Mitchell regarding \$10,000 being granted to a privately owned home, Councillor Harvey stated this is not a privately owned home. It is a property that is held by the community for heritage purposes; and, if it ceases to be used as a non-profit heritage museum, it reverts back to the Province. The Councillor stated this conservation study involves three parcels of land, one being the Fultz House property, the remaining parcels are leased by HRM from the Province for a heritage park purpose and a cenotaph site. Councillor Rankin noted although one component of this proposal is a community museum, this proposal does not imply municipal support for capital or operating expenses, as HRM is not in the museum business.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.16 Discussion of By-Law T-201 Respecting Tax Exemptions for Non-Profits

MOVED by Councillors Hendsbee and Mitchell, as recommended by the Committee of the Whole, that By-Law T-201 Respecting Tax Exemptions for Non-Profits be referred back to the Grants Committee for further review and revision. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.17 Fencing for Properties in MacIntosh Estates - Collette Bonomo

MOVED by Councillors Adams and Uteck, as recommended by the Committee of the Whole, that a staff report be prepared, as soon as possible, exploring options of municipal assistance, with respect to fencing for properties in MacIntosh Estates, to include, but not limited to, the installation of a fence, cost sharing of a fence, or the installation of a walkway. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.18 Request - Nova Scotia International Air Show, Rodger Sorsdahl, Executive Director

MOVED by Councillors Hetherington and Greenough, as recommended by the Committee of the Whole, that Council provide the Nova Scotia International Air Show written permission for the Canadian Forces Snowbirds, the Northern Lights, and the United States Navy Blue Angel Aerobatic flight teams, to fly over populated areas on the days of the Nova Scotia International Air Show. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.19 Land Matter - Greenvale School Building

MOVED by Councillors Cunningham and Hetherington that the motion adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.20 Land Matter - School Board Sub-System Office

MOVED by Councillors Dooks and Hendsbee that the motion adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.21 Land Matter - Penhorn Park School Building/Operations Building

MOVED by Councillors Greenough and Hetherington that the motion adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.22 Lease - Soccer Nova Scotia

MOVED by Councillors Stone and Walker that the motion adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

10.3 CHIEF ADMINISTRATIVE OFFICER

10.3.1 Approval of 1998/99 Operating and Capital Budget

This item was deleted from the agenda.

10.3.2 First Reading By-Law B-300 Respecting Blasting

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Schofield and Hetherington that By-Law B-300 Respecting Blasting, be given First Reading.

Councillor Kelly noted he raised questions at a previous meeting regarding this By-Law, and requested that answers be provided before there is any further debate on this matter. The Councillor noted some of the issues he raised dealt with the Province and the time of the approvals, setbacks and the well situation. Councillor Dooks noted he also raised concerns previously and requested staff to provide clarity to those matters.

It was noted that this By-Law will be brought back to Committee of the Whole before proceeding to Second Reading.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 First Reading of By-Law S-401 to Amend S-400 Respecting Street Improvements

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.
- A revised By-Law S-401 was circulated to Council.

MOVED by Councillors Stone and Hanson that By-Law S-401 to Amend S-400 Respecting Street Improvements, be given First Reading.

Councillor Greenough requested that Mountbatten Avenue be removed from Schedule B as it is to be charged by frontage charges rather than area rate.

Mr. Kulvinder Dhillon, Director, Engineering and Transportation Services, noted after further review, it has been determined that HRM can charge, for capital works, the charges to all the assessed properties, including commercial properties. Therefore, a revised By-Law was circulated to Council.

Councillor Hendsbee requested that it be clarified that the properties to the south of Long Lake as well as the property that is just south of the compass marking are excluded from the area. The Councillor noted these properties are shaded on the map for simplicity, but are to be excluded. Mr. Dhillon replied staff will provide the necessary information.

Councillor Sarto requested that the charge for curb and gutter for Tacoma Drive be clarified. Mr. Dhillion agreed to clarify this when the matter is brought back to Committee of the Whole. Councillor Sarto noted Stuart Harris Drive is located in District 7 and not District 10 as indicated in the staff report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.4 First Reading By-Law T-400 Respecting Truck Routes

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Blumenthal and Downey that By-Law T-400 Respecting Truck Routes, be given First Reading. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3.5 First Reading By-Law L-100 Respecting Charges for Local Improvements

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Cooper and Hetherington that By-Law L-100 Respecting Charges for Local Improvements, be given First Reading.

Councillor Cooper requested that staff provide a report regarding an uncompleted project regarding the Long Hill View Plan charges, when this matter is before Committee of the Whole.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.6 Tender 98-353, Asphalt Resurfacing of Streets - Central District

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Snow and McInroy that Council award Tender No. 98-353 to Dexter Construction Co. Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$319,930.00 and a Total Project Cost of \$367,919.50 with funding from the Capital Account number quoted in the Budget Implications section of the staff report dated April 30, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.7 Tender 98-306, Resurfacing Part 1, Various Locations - West District

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Blumenthal and Hetherington that Council award Tender No. 98-306 to Dexter Construction Co. Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$287,385.00 and a Total Project Cost of \$330,506.00 with funding from the Capital Account number noted in the Budget Implications section of the staff report dated April 30, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.8 Award of Tender No. 98-355, Asphalt Resurfacing of Streets - Central District

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Barnet and Harvey that Council aware Tender No. 98-355 to Dexter Construction Co. Ltd. for materials and services specified at the unit prices quoted for a Total Tender Price of \$152,720.00 and a Total Project Cost of \$175,628.00 with funding from the Capital Account number noted in the Budget Implications section of the staff report dated April 28, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.9 Award of Tender 98-310, T.V. Inspection and Cleaning Services

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors Greenough and Sarto that Council award Tender No. 98-310, TV Inspection and Cleaning Services for 1998 to Video Industrial Services Ltd. based on the unit prices quoted for a Total Tender Price of \$70,013.15 plus 15 percent contingencies for a Total Project Cost of \$80,515.10 with funding provided as outlined in the Budget Implications section of the staff report dated May 1, 1998. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.10 Tender 98-054, Eastern Passage WPCP Odour Control

- A staff report prepared for George McLellan, Deputy Chief Administrative Officer, regarding the above, was before Council for consideration.

MOVED by Councillors McInroy and Hetherington that:

- 1. Council approve the low tender bid of \$230,000.00 (HST included) to L&R Construction for the Eastern Passage Water Pollution Control Plant Odour Control Upgrade.**
- 2. Council authorize the transfer of \$75,050.00 from Capital Account #02-83029 (Aerotech Lagoon Clean Out) to the 1998/99 Eastern Passage WPCP Odour Control Upgrade project.**
- 3. Council approve the award of this tender prior to the approval of the 1998/99 Capital Budget to ensure that construction is completed before the onset of the summer of 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

11. **CORRESPONDENCE, PETITIONS**

11.1 **Petitions**

11.1.1 **Councillor Kelly**

Councillor Kelly submitted a petition containing signatures of over 600 residents of the Bedford/Sackville area opposing to the fire protection charges being imposed on religious properties and community cemetery corporations.

12. **MOTIONS**

12.1 **Councillor Cunningham**

MOVED by Councillors Cunningham and Hetherington that a staff report be requested to begin the process of street closure respecting Green Road abutting Mount Herman Cemetery. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 **Councillor Kelly**

- A notice of motion was submitted by Councillor Kelly on April 28, 1998, requesting that a policy be introduced with respect to setbacks from sidewalks and bus routes that pertain to charges thereof.

During approval of the Order of Business, this matter was referred to the budget deliberations.

13. **ADDED ITEMS**

13.1 **Councillor Stone - Traffic Calming Policy**

Councillor Stone requested a staff report to examine the traffic calming policy, particularly from a legal aspect, as a result of concerns raised at the public meeting held last night at Clayton Park Junior High School.

Councillor Stone requested that staff re-examine the traffic calming policy, as, apparently, both the policy and the process appear to be flawed. The policy appears to be very narrow in scope and self serving. The Councillor stated there is not enough community involvement, and the community at large was very upset with what could be imposed upon them and the effect on the neighbourhood streets. Councillor Stone stated the residents'

main concern was with regards to the process of voting approval by citizens on a single street and a block beyond. The residents questioned if this would be acceptable in a legal challenge, as they believe there is not enough involvement of the whole community in deciding to restrict the use of the street.

Councillor Harvey clarified that this request for a staff report will not interfere with traffic calming processes on going in the Municipality.

MOVED by Councillors Stone and Blumenthal that a staff report be requested regarding the Traffic Calming Policy. MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Councillor Adams - Event at Dartmouth Sportsplex

Councillor Adams stated the Bill Lynch Show applied for permission to operate on the grounds of the Dartmouth Sportsplex in May. The application was refused, but Councillor Adams noted this request can still be approved by a motion of Council. The Councillor referred to Section 44 (e) of the Planning By-Law, which states circuses, sports meets or uses of a similar nature, are permitted in a P Zone for limited periods of time, on a motion of Council. Councillor Adams noted this event would provide some much needed revenue for the Dartmouth Sportsplex.

MOVED by Councillors Adams and Schofield that the Bill Lynch Shows be permitted to operate on the grounds of the Dartmouth Sportsplex at 95 Victoria Road from May 20 to June 1, 1998, inclusive, as per Section 44 (e) of the Planning By-Law. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Ratification - Appointments to Boards and Committees

MOVED by Councillors Kelly and Uteck that Mrs. Suzanne Johns be appointed to the Bedford Days Executive Committee (to fill remainder of two year term - term to expire November 2000). MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Adams and Barnet that Mr. James Harold McBurney be appointed to the Regional Taxi and Limousine Committee (to fill remainder of a one year term - to expire November 1999). MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Uteck and Downey that Mr. James Murphy and Ms. Sally Walker be appointed to the Point Pleasant Park Advisory Committee (terms to be decided upon by the Committee) (Janet Kitz and Peter Herschorn to remain as honorary members). MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillors Blumenthal and Hetherington that Mr. Peter James be appointed to the Fences Arbitration Committee (replacement for Kelly Denty) (two year term expiring April 2000). MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Ratification - In Camera Matter - Assessment and Potential Management - E-911 Call Taking, Police/Fire Dispatching Centre

MOVED by Councillors Greenough and Sarto that the motion adopted In Camera be ratified. MOTION PUT AND PASSED UNANIMOUSLY.

13.5 Supplementary Education Funding

This item was not addressed.

13.6 1998/99 Operating and Capital Budgets

It was noted there will be a Council meeting held on Tuesday, May 19, 10:00 a.m., to continue budget discussions.

14. NOTICES OF MOTION

14.1 Councillor Hendsbee

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on May 26, 1998, I intend to introduce a motion to request Council to allow the HRM Grant Committee to start considering applications from various organizations and agencies; and,

BE IT RESOLVED that these requests in total do not exceed the 50 percent limit of the total 1998-99 Grant Committee budget allocation, and that all Grant Committee recommendations must receive consent of the Council before such grants are approved and awarded.

15. ADJOURNMENT

MOVED by Councillors Blumenthal and Sarto that the meeting adjourn at 8:25 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

Vi Carmichael
Municipal Clerk