

## **HALIFAX REGIONAL MUNICIPALITY**

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### **HALIFAX REGIONAL COUNCIL MINUTES AUGUST 25, 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  
John Cunningham  
Jerry Blumenthal  
Graham L. Downey  
Larry Uteck  
Sheila Fougere  
Russell Walker  
Bill Stone  
Ron Hanson  
Stephen Adams  
Barry Barnet  
Bob Harvey  
Peter Kelly  
Jack Mitchell

**REGRETS:**

Councillor Clint Schofield

**STAFF MEMBERS:**

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

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**1. INVOCATION**

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

**2. PROCLAMATIONS - NONE**

**PRESENTATION**

Mayor Fitzgerald presented a Commemorative Plaque to the family of the Late Peter McNab Kuhn, on their land donation - Cole Harbour Marshes - to the Province.

The granddaughter of Mr. McNab Kuhn addressed Council providing background information on the family.

Councillor McInroy, on behalf of Councillors Cooper and Hendsbee, thanked the family for the donation, noting that the Districts of all three Councillors encompassed the overall area of the land in question (2300 acres).

**DARTMOUTH PIPE AND DRUM BAND**

Mayor Fitzgerald presented a plaque to a member of the Executive of the Dartmouth Pipe and Drum Band Association, expressing Council's appreciation to the group for performing in Grand Parade, prior to the Council Session.

**DARTMOUTH MOOSEHEAD DRY SENIOR BASEBALL TEAM**

Upon recommendation of Councillor Greenough, it was agreed that a letter of congratulations be forwarded to the Dartmouth Moosehead Dry Senior Baseball Team on winning the Canadian Senior Baseball Championship, held in Weyburn, Saskatchewan, on Sunday, August 23, 1998.

**3. APPROVAL OF MINUTES - NONE**

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

The Clerk requested addition of the following items to the agenda:

- 13.1 Councillor Dooks - Extended Water/Sewer Service - Middle Musquodoboit
- 13.2 Tender No. 98-311 - Maynard Street Paving & Sewer Renewal

Councillor Kelly requested the following item be moved to the Regular Agenda:

13.3 Information Item #4 - Year 2000 Project Update

Councillor Blumenthal requested the addition of the following item to the agenda:

13.4 Update - District Capital Projects.

The Municipal Clerk noted the following item was being added to the Information Agenda:

#5 - Tender #97-063R - Remove Chiller and Install New Brine Chiller at Metro Centre.

**MOVED by Councillors Sarto and Uteck 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. **PUBLIC HEARINGS** - NONE

10. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

10.1 **PETITIONS**

10.1.1 **Councillor Cunningham - Curb and Gutter - Lakeside Terrace, Dartmouth**

Councillor Cunningham submitted a petition supporting the installation of curb and gutter on Lakeside Terrace, as well as a letter of opposition to the street improvements, suggesting the project be considered during next year's Capital Budget deliberations.

10.1.2 **Councillor Sarto - Parking drop off and pick up of students being restricted to the school side (south side) of Dorothea Drive, during school hours.**

Councillor Sarto submitted a petition on the above-noted, to Council.

11. REPORTS

11.1 MEMBERS OF COUNCIL

11.1.1 Councillor Blumenthal - Change in Council Meeting Date

- A memorandum prepared for Councillor Blumenthal requesting a Regional Council Meeting date change from September 29, 1998 to September 28, 1998, for religious reasons, was before Council.

Councillor Blumenthal advised that the Council Session scheduled for Tuesday, September 29 falls on a religious holiday (Yom Kippur). Accordingly, the Councillor requested the meeting be changed to Monday, September 28.

**MOVED by Councillors Blumenthal and Adams that should there be business that Council needs to deal with, a Council meeting will be held on Monday, September 28 as opposed to Tuesday, September 29. MOTION PUT AND PASSED UNANIMOUSLY.**

11.1.2 Councillor Snow - Circus Animals

- A memorandum prepared for Councillor Snow, requesting an update on the status of the above-noted, was before Council.

Councillor Snow requested a status report on the issue of Circus Animals.

11.1.3 Councillor Snow - Proposed Pesticide By-Law

- A memorandum prepared for Councillor Snow, requesting an update on the status of the above-noted, was before Council.
- An information report, prepared for Ms. Val Spencer, Director, Priority and Policy, on the above-noted, was before Council, as well as correspondence from Mr. Howard Epstein, MLA, Halifax-Chebucto.

Within the staff report, it was noted the province has not passed the required amendment to the HRM Act which would provide the ability to enact a by-law dealing with the use of pesticides.

Mr. Wayne Anstey, Municipal Solicitor, referenced correspondence from the Honourable Robert Harrison, MLA, noting it stated that HRM appeared not to be prepared, nor interested, in having this matter go forward through the Legislature. Mr. Anstey advised this statement was incorrect. Mr. Howard Epstein, MLA, sponsor of the

Bill, would like a formal indication from HRM Council that it still supports the legislation. Accordingly, it was suggested a resolution to that affect be forwarded to the Honourable Harrison, so the position of HRM can be clarified.

**MOVED by Councillors Uteck and Fougere that correspondence be forwarded to the Honourable Robert Harrison advising that Halifax Regional Council supports an amendment to the HRM Act which would provide the ability to enact a by-law dealing with the use of pesticides. MOTION PUT AND PASSED.**

**11.2            HARBOUR EAST COMMUNITY COUNCIL**

**11.2.1        Montague Road - Suburban Area Boundary**

- A memorandum prepared for Councillor Cooper, Chair, Harbour East Community Council, on the above-noted, was before Council. Copies of correspondence from Cynthia and Jeff Sawler, M.S. Burse, D.G. Uhrick and a petition from residents of Gold Lane, were also before Council.

**CONFLICT OF INTEREST**

Councillor Greenough declared a Conflict of Interest, as his brother-in-law was one of the proponents of this application for tax relief, and removed himself from discussions.

Harbour East Community Council was recommending that Regional Council include the area of Montague Road, including Gold Lane, Montague Gold Mines, and Burnhope Drive, in the Suburban Area Boundary.

Councillor Cooper requested this matter be deferred to permit presentations to Council.

**MOVED by Councillors Cooper and Hendsbee to defer this matter to the third Tuesday in September. MOTION PUT AND PASSED.**

It was agreed that staff would distribute past reports on this issue to Council.

Councillor Greenough resumed his place at the meeting.

**11.3            CHIEF ADMINISTRATIVE OFFICER**

**11.3.1        Award of Tender No. 98-260 RA-5 Overhead Crosswalk Signs**

- A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Sarto and Hetherington to award Tender No. 98-260, RA-5 Overhead Crosswalk Signs to Ocean Contractors Limited for materials and services specified at the unit prices quoted at a Tender Price of \$79,637.50 and a Total Project Cost of \$91,584 with funding provided as outlined in the Budget Implications section of the staff report dated August 17, 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.2      Award of Tender No. 98-261, Springvale Avenue Phase 2, Road Reconstruction and Sewer Works, Halifax**

- A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Hanson and Adams that:**

- a) Council waive the abutters' right to petition and approve the replacement of asphalt curb with concrete curb and gutter on both sides of the street with the recovery of Local Improvement Charges by frontage;**
- b) Council award Tender No. 98-261, Springvale Avenue Phase 2, Road Reconstruction and Sewer Works, Halifax, to Tidewater Construction Company Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$191,304 and a Total Project Cost of \$220,000 with funding authorized as per the Budget Implications section in the staff report dated August 20, 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.3      Alderney Landing - Phase 2 (Theatre/Market Building) - Award of Tender No. 98-251 - Miscellaneous Metals**

- A memorandum prepared for Mr. Dan English, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Cunningham and Greenough to Award Tender No. 98-251, Miscellaneous Metals, to Cherobini for metals and services listed at the unit prices quoted for a Total Tender Price of \$279,760. The total project cost of \$321,724 is provided in the 1998/99 Capital Budget. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.4      First Reading - Amendment to By-Law L-100, Local Improvement Charges and former Halifax County By-Law 58, Charge for Water Services (Request for Deferral)**

**MOVED by Councillors Barnet and Mitchell to defer First Reading of Amendment to By-Law L-100, Local Improvement Charges and former Halifax County By-Law**

**58, Charge for Water Services. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.5 Metro Turning Point - Relocation Update**

- A memorandum prepared for Mr. Ken Meech, Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Downey and Cunningham that the improvements to date, and the continuing care which will be provided by Turning Point staff improves the situation to the point of permitting occupancy for several more months, while the new shelter is being constructed. The Municipality will do what it can to facilitate the timeliness of that construction. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.6 Sub-Lease of Lease (City of Halifax and Canadian Red Cross)**

- A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Kelly and Downey to consent to the sub-lease of a lease dated November 30, 1967 between the Canadian Red Cross Society and the former City of Halifax for the premises located at 1940 Gottingen Street (as amended by agreement dated December 16, 1983) to the Canadian Blood Service and that the Mayor and Clerk be authorized to execute a form of consent on behalf of the municipality. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.7 Appointment of Development Officer**

- A memorandum prepared for Mr. Dan English, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Greenough and Snow to appoint Mr. Sean Audas as a Development Officer for Halifax Regional Municipality, as required by Sections 84 and 104 of the Planning Act. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3.8 Appointment of the Traffic Authority**

- A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Hetherington and Cunningham to approve the amendment to Administrative Order Number 12 to reflect the appointment of Mr. David McCusker, P. Eng., as the Traffic Authority. MOTION PUT AND PASSED**

**UNANIMOUSLY.**

A brief discussion ensued on the authority granted to the Traffic Authority. Mr. Wayne Anstey, Municipal Solicitor, advised there are certain matters that are within the jurisdiction of the Traffic Authority, which are not within the jurisdiction of Council. In other words, the Traffic Authority could deny a request by Council for the posting of a stop sign.

**MOVED by Councillors Hetherington and Cunningham that the rules and regulations of the Traffic Authority be tabled with Council for a future meeting. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Greenough stated it was for the benefit of the public that these rules/regulations be clarified.

Mr. Ken Meech, Chief Administrative Officer, suggested the rationale behind the jurisdiction of the Traffic Authority be clarified in the report as well.

At the request of Councillor Cunningham, staff is to review existing stop signs to ensure they are appropriately located.

**11.3.9        \$25,000 Funding Request for Atlantic Canada Vehicle Extrication Competition and Learning Symposium**

- A memorandum prepared for Mr. Dan English, Deputy Chief Administrative Officer, on the above-noted, was before Council.

Staff was recommending that Council deny the request from the Atlantic Canada Vehicle Extrication Competition and Learning Symposium for funding in the amount of \$25,000 as funds are not available in the Fire Service budget.

Deputy Mayor Rankin suggested that Council adopt alternative #2 - "that Council take a lead role in lobbying other levels of government and businesses for major sponsorship."

**MOVED by Deputy Mayor Rankin and Councillor Uteck that Council take a lead role in lobbying other levels of government and businesses for major sponsorship, for this year.**

It was noted there was not much time to secure funding for this year, however, by supporting the Motion, it was an indication that Council was doing its best, at this time.

**MOTION PUT AND PASSED UNANIMOUSLY.**

12. **MOTIONS** - NONE

13. **ADDED ITEMS**

13.1 **Councillor Dooks - Extended Water / Sewer Service - Middle Musquodoboit**

- A memorandum prepared for Councillor Dooks, on the above-noted matter, was before Council.

**MOVED by Councillors Dooks and Cunningham that the matter of extending water and sewer service on Glenmore Drive, Middle Musquodoboit, be considered by staff. Further, that a report on this issue be brought back to Council as soon as possible. MOTION PUT AND PASSED UNANIMOUSLY.**

13.2 **Tender No. 98-311 - Maynard Street Paving and Sewer Renewal**

- A memorandum prepared for Mr. George McLellan, Deputy Chief Administrative Officer, on the above-noted, was before Council.

**MOVED by Councillors Downey and Sarto to award Tender 98-311 - Option "B" - Maynard Street Paving & Sewer Renewal, to Dexter Construction Co. Ltd. at a tender price of \$199,295 and a Total Project cost of \$229,189 with funding to be made available as noted in the Budget Implications sections of the staff report dated August 25, 1998. MOTION PUT AND PASSED UNANIMOUSLY.**

13.3 **Councillor Kelly - Information Item #4 - Year 2000 Project Update**

- Information Item #4 - Year 2000 Project Update - was brought forward to the Regular Agenda, for discussion. The memorandum was prepared for Mr. Dan English, Deputy Chief Administrative Officer, and pertained to the above-noted.

Councillor Kelly requested clarification from staff, on the following:

- a) projection of time lines for completion of this project requested;
- b) no reference made in the staff report of any cooperation as it pertains to this project, with FCM, UNSM, AMA;
- c) ensurance that equipment / programs purchased are Y2K compliant prior to being purchased;
- e) updated budget projections requested.

**MOVED by Councillors Kelly and Adams that a staff report be prepared**

addressing the above-noted issues. **MOTION PUT AND PASSED UNANIMOUSLY.**

**13.4            Councillor Blumenthal - Update District Capital Projects**

Councillor Blumenthal enquired when a staff report, on the above-noted, would be brought before Council. Mr. Ken Meech, Chief Administrative Officer, advised the report was near completion. In the meantime, the status of a particular project raised by the Councillor on August 18, 1998, could be provided within the next few days.

**14.            NOTICES OF MOTION**

**14.1            Councillor Snow**

TAKE NOTICE that at the meeting of Halifax Regional Council to be held on Tuesday, September 1, 1998, I intend to introduce a motion requesting staff investigate the feasibility and probability of having the Provincial Government initiate the necessary amendments to applicable provincial acts and statutes which would permit the Municipality to form it's own Board of Health whose responsibilities and coverage would be strictly limited to the confines of Halifax Regional Municipality.

**15.            ADJOURNMENT**

**MOVED by Councillors Blumenthal and Cunningham to adjourn the meeting 6:45 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
MUNICIPAL CLERK