

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES JANUARY 18, 2000

PRESENT: His Worship Mayor Walter Fitzgerald
Deputy Mayor John Cunningham
Councillors: Steve Streach
Keith Colwell
Ron Cooper
Harry McInroy
Jack Greenough
Condo Sarto
Bruce Hetherington
Clint Schofield
Jerry S. Blumenthal
Graham L. Downey
Sue Uteck
Sheila Fougere
Russell Walker
Bill Stone
Graham Read
Stephen D. Adams
David E. Merrigan
Robert P. Harvey
Peter J. Kelly
Reg Rankin
Jack Mitchell

**ABSENT WITH
REGRETS:** Councillor Gordon R. Snow

STAFF MEMBERS: Mr. Ken Meech, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Barbara Moar, Assistant Municipal Clerk

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1. INVOCATION

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

Condolences on the tragic death of John Morris Rankin

On behalf of Halifax Regional Council and the citizens of Halifax Regional Municipality, Mayor Fitzgerald extended deepest sympathy and prayers to the family of the late John Morris Rankin.

2. PROCLAMATIONS - None

PRESENTATIONS

Project Impact - Aventis Pharma, Atlantic Blue Cross Care and Atlantic Health and Wellness Institute

Cathy Lurette, Wellness Coordinator, gave an overview of a pilot project that HRM is involved in with sponsorship by Aventis Pharma, Atlantic Blue Cross Care and Atlantic Health and Wellness Institute. Project Impact is a program devoted to helping employees and elected officials identify and reduce the risks of cardiac disease. Since early December, HRM employees have had the opportunity to participate in pre-screening sessions to assist them in identifying their cardiac risk factors. This is the first step in improving their health, and some employees will participate in the study by virtue of having two or more risk factors identified through the screening process.

3. APPROVAL OF MINUTES

MOVED by Councillors Blumenthal and Hetherington that the Minutes of January 11, 2000 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 added to the Agenda:

- 13.1 Councillor Cooper - Crosswalk, Corner Sorocco Crescent & Auburn Drive
- 13.2 Councillor Colwell - Garbage, Rural Areas
- 13.3 Deputy Mayor Cunningham - School Closures. Deputy Mayor Cunningham asked that this be moved up to be heard following presentation by the School Board
- 13.4 Councillor Hetherington - Request to move Information Item #4 Disposal of Medical Waste to the Regular Council Agenda

- 13.5 Councillor Kelly - Snow Operations
- 13.6 Property Matter - Mainland Common, Sports Dome Proposal
- 13.7 Property Matter - Lots 4 and 5 - Highway #333
- 13.8 Property Matter - Dartmouth Crematorium Limited, Mount Hermon Cemetery
- 13.9 Property Matter - 1, 3 & 7 Wentworth Street - Block K-3, Dartmouth
- 13.10 Legal Matter - Banking Service Agreement, Councillor Blumenthal has asked that this item be moved up to be included in discussions for Item 11.1.4
- 13.11 Property Matter - Starr Manufacturing
- 13.12 Property Matter - Joyce Avenue - Williams Lake Road Lands

MOVED by Deputy Mayor Cunningham and Councillor Schofield that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.

5. BUSINESS ARISING OUT OF THE MINUTES - None

6. MOTIONS OF RECONSIDERATION

6.1 Councillor Walker - Armview Traffic Ballot

- The following motion was adopted at the January 11, 2000 Regional Council meeting:

MOVED by Councillors Uteck and Fougere that Council allow the residents within 60 meters of the project streets, regardless of their street classification, to be allowed to vote regarding the Armview Traffic ballot. MOTION PUT AND PASSED.

- At that meeting, Councillor Walker served a Notice of Motion of Reconsideration with respect to this matter.

Councillor Walker stated that he introduced the motion of reconsideration because he believed what was achieved at the last Council meeting on the shortcutting policy was not proper. Council voted without a staff report. As a result of this decision, all traffic calming policies have been put on hold, and it had to be determined if the whole intent of the traffic calming policy has been changed. Referring to Section 6.7 of the policy, Councillor Walker stated that he believes the intent of this section is to find out whether the people living on the project streets are willing, at this point in time, to continue with the changes.

Councillor Walker stated ballots were sent out to the residents living on the project streets asking them to vote for or against continuing with the changes that have been made. By passing a motion last week to allow residents living within 60 meters of the project streets *regardless of their street classification* to vote, Connaught Avenue and parts of Quinpool

Road are now included in the voting process. Councillor Walker believes this has drastically changed the intent of section 6.7.

The Councillor said at this point in the traffic shortcutting policy study, the intent is to find out whether the people that are supposed to be helped are happy with the changes. Council's motion changed the parameters of the vote and in his opinion Council did not follow the proper order in the process. Without a staff report, Council does not know what it did to the policy. Councillor Walker suggested the motion be put back on the table and Council vote for the motion of reconsideration.

MOVED by Councillors Walker and Mitchell that the motion adopted by Council on January 11, 2000 regarding the Armview Traffic Ballot be reconsidered. MOTION PUT AND PASSED.

The original motion adopted by Council on January 11, 2000 was now back on the floor. The motion read as follows:

MOVED by Councillors Uteck and Fougere that Council allow the residents within 60 meters of the project streets, regardless of their street classification, to be allowed to vote regarding the Armview Traffic ballot.

Councillor Uteck expressed concern with the vote, stating that last week sixteen Council Members voted for the motion because staff had not followed their own policy. The Councillor stated that staff changed the intent of the policy, not Council. The process started with a traffic calming policy that did not get before Council. But, as Mr. McCusker stated last week, staff decided to do a traffic shortcutting study, without following all the rules set out in the traffic shortcutting policy.

Councillor Uteck read sections from the traffic shortcutting policy (Sections 6.1, 6.2 , 6.3 and 6.4) that were not followed, stating that the people never got a chance to attend an open house, or to hold a Public Hearing on these new proposals. Staff sent out ballots for a vote calling it a traffic calming study, instead of a traffic shortcutting study. When this was pointed out to staff, Mr. McCusker responded that calling it a *traffic calming study* was a typing error. Councillor Uteck expressed her concern with his response and the fact that the rules were changed.

Councillor Walker stated that the study is now at the point identified in the policy as section 6.7. He pointed out that section 6.7 states the purpose of the vote is to give people living on the project streets, Armview, Pryor and Jubilee, a say in anything that is intended to benefit them. The results of the vote have not come back to Council yet.

In response to a question from Mayor Fitzgerald, Mr. McCusker advised that a Public

Hearing would be held if the residents on the project streets vote for it to go forward. All residents in HRM can attend to state whether they are happy or not with the proposed changes.

Councillor Fougere stated she would continue to support Councillor Uteck's original motion, and gave her reasons for doing so. She pointed out that this is an issue of quality of life in the neighbourhood. She stated that commuters are not being asked to vote, and neither are all the people that drive on the streets being asked to vote. It is the people that live within 60 meters of the project streets that are asking to vote on measures that were implemented in their neighbourhoods and, if approved, would affect them every day. The Councillor felt denying these residents the vote was very unjust.

Councillor Read stated that he supported Councillor Walker and he believes the intent of all the procedures were followed. As stated earlier, if the project streets vote to continue with the measures that have been taken, a Public Hearing would be held and every resident in HRM can speak for or against the changes.

Councillor Blumenthal agreed that the motion passed last week was wrong and Council should defeat it. He believes that it should be determined if the residents on the project streets want to continue with the changes. If they do, then the process would go to the next step and a Public Hearing would be held.

Councillor Sarto stated that he would continue to support Councillor Uteck because he believed it was unfair not to extend the vote to the residents of Connaught Avenue.

In response to a question from Councillor Walker on whether the motion passed last week changed the intent of section 6.7, David McCusker, Traffic Manager, responded that in staff's opinion it clearly did change the intent. Mr. McCusker said if the intention of Council was to change the policy, staff would have to rewrite that section, and it would be staff's recommendation to eliminate that section of the policy. It was never intended for the neighbourhood vote to be a significant issue in the process. It was intended to be a last minute check with the neighbourhood to see if they wanted to go forward with the changes. The way it is now being interpreted was not the intent.

Mr. McCusker stated that it would be staff's preference to continue this study with the policy as it is currently written. Staff would come back to Council at a later date with the suggestion to remove the section before getting to this point on any subsequent studies. He pointed out that there are two studies currently underway but they have not reached this point in the process.

Councillor Uteck closed the debate stating that a policy cannot be discontinued that was not started in the first place. She stated she is not asking for the traffic lights, and

barricades to be removed at this point in time, she is asking for fairness for the surrounding neighbourhoods. These residents did not have a say at a Public Hearing.

The vote was taken on the motion as follows:

MOVED by Councillors Uteck and Fougere that Council allow the residents within 60 meters of the project streets, regardless of their street classification, to be allowed to vote regarding the Armview Traffic ballot.

Councillor Kelly requested a **Recorded Vote**.

The following members of Council voted **in favour** of the motion: Mayor Fitzgerald and Councillors Colwell, Cooper, Sarto, Downey, Uteck, Fougere, Adams, Kelly, and Rankin (10).

The following members of Council voted **against** the motion: Deputy Mayor Cunningham and Councillors Streach, McInroy, Greenough, Hetherington, Schofield, Blumenthal, Walker, Stone, Read, Merrigan, Harvey and Mitchell (13).

Councillor Snow was absent with regrets.

MOTION DEFEATED.

7. MOTIONS OF RESCISSION - None

8. CONSIDERATION OF DEFERRED BUSINESS - None

9. PUBLIC HEARING

9.1 Case H00001 - 1260 Blenheim Terrace, Deregistration of Lots 2E-2 and 2A-1

- A report, dated December 9, 1999, from the Regional Heritage Advisory Committee, was before Regional Council at its December 14, 1999 meeting. A staff report, dated December 7, 1999 was also before Regional Council at its December 14, 1999 meeting.
- At its December 14, 1999 meeting, Regional Council set the date of January 18, 2000 for a Public Hearing to consider the Heritage Advisory Committee's recommendation to deregister Lots 2E-2 and 2A-1, 1260 Blenheim Terrace, as shown on the map attached to the staff report. Extract from December 14, 1999 Regional Council Minutes re the above was before Council.

Donna Davis-Lohnes, General Manager, Planning Services, reported that the application

involves a deregulation of two parcels of land on Blenheim Terrace. This is a requirement of the Heritage Agreement HRM has entered into that once the lots are developed for new residential development they are to be deregistered.

Mayor Fitzgerald called three times for members of the public wishing to speak either in favour or against the recommendation. Hearing none, the following motion was put on the floor.

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

COUNCIL DECISION

MOVED by Councillors Downey and Greenough that Regional Council approve the Heritage Advisory Committee's recommendation to deregister Lots 2E-2 and 2A-1, 1260 Blenheim Terrace, as shown, on the map attached to the December 7, 1999 staff report, in accordance with the approved Heritage Agreement and Section 16 of the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 PETITIONS

10.1.1 Councillor McInroy

Councillor McInroy submitted a petition from property owners and residents of the Caldwell Road, Astral Drive and Willowdale Drive areas of Cole Harbour, asking Council to remove the variance to the R-1 zoned property at 426 Caldwell Road. A copy of the petition will be sent to staff with a request for a report on this issue.

10.1.2 Councillor Uteck

Councillor Uteck submitted another petition to stop the traffic lights at the corner of Connaught Avenue and Jubilee Road. This brings the total number of signatures to 2,850.

10.2 PRESENTATIONS

10.2.1 Mr. Colin Stewart - Hemlock Ravine Park

- A letter, dated January 10, 2000, received from Mr. Colin Stewart requesting the opportunity to appear before Council regarding the above was before Council.

Mr. Stewart made a presentation that included recommendations to help specify the value and purpose associated with a property. Included in the presentation was a recommendation that the zoning designation *Parks and Institutional* be revised to include subdivisions, and suggested the following:

P1:Park - nature environment areas (eg. Hemlock Ravine, Point Pleasant), probably including historic sites (eg Dartmouth Commons and Public Gardens)

P2:Park - linear parks, connectors (eg Trans Canada Trail, Forest Hills trails)

P3:Park - recreational (playgrounds and ballfields)

P4:Buffer - land required as separation between uses; or unusable (note this category should not qualify for the 5% subdivision requirement)

Mayor Fitzgerald stated that he would like to see staff look at Mr. Stewart's recommendations and bring a report back to Council.

10.2.2 Supplementary Fund:

i) Halifax Regional School Board - Review of Comprehensive Impact Analysis Report

- Copy of Presentation, dated January 18, 2000, by the Halifax Regional School Board 'A Shared Vision for Education', regarding the above, was before Council for consideration.
- Letter dated January 14, 2000 received from the Teachers of English as a Second Language of Nova Scotia, regarding the above, was before Council for consideration.
- A letter, dated January 17, 2000, received from Joan Dobbie, regarding the above was before Council for consideration

Ms. Stella Campbell, Chairperson, and Mr. David Reid, Superintendent, for the Halifax Regional School Board spoke to Council on 'A Shared Vision for Education'. Five Principals from HRM schools spoke on the *Impact Analysis Report* strongly recommending Council's support to extend supplementary funding to all children within the jurisdiction of the Board and Municipality, at a standard rate, for implementation during the 2000-2001 school year.

There was a great deal of discussion and numerous questions raised by Members of Council resulting in the following motion:

**MOVED by Councillors Uteck and Sarto that the issue of supplementary funding be referred to a Committee of the Whole meeting to be held at the end of February.
MOTION PUT AND PASSED.**

The Mayor asked the Chairperson of the School Board to advise Council at this COW meeting on discussions the School Board has had with the Province on cost sharing the kinds of programs currently being paid by supplementary funding. It was suggested that Councillors representing the former Halifax County Municipality and Bedford areas should determine if their constituents are willing to pay supplementary funding.

The Halifax Regional School Board agreed to provide regular reports to HRM with respect to supplementary education funding. It was agreed that Members of Council would forward any questions they have on this issue to Mr. Ken Meech, CAO. Mr. Meech will compile these questions and forward them to the School Board for a response at the COW meeting.

10.2.2 (ii) Supplementary Funding (Info Memo from January 11)

This item was discussed later in the meeting - see Page 17.

Following a 10 minute break, Council reconvened at 8:45 p.m.

11. REPORTS

11.1 MEMBERS OF COUNCIL

11.1.1 Councillor Streach

i) Musquodoboit Valley

Noting that the report from the District Boundaries Advisory Committee is before Council this evening, Councillor Streach referred to the issue of the separation of Musquodoboit Valley from the rest of the municipality and its subsequent joining with Colchester County. The Councillor stated that he is totally against this separation, as is 85% of the residents of Musquodoboit Valley who voted for him. He referred to the Committee that was studying the separation issue, stating that he is pleased to inform Council that the results of the Committee are complete, and will be tabled within the next few weeks. The findings support Councillor Streach's position and he offered the Mayor and Councillors the support and commitment of the Musquodoboit Valley to the Halifax Regional Municipality.

ii) East Petpeswick Crosswalk Sign

This item was discussed later in the meeting - see page 16.

13.3 Deputy Mayor Cunningham - School Closures

Deputy Mayor Cunningham raised questions on the closure of schools yesterday. One group of callers felt all schools should be treated the same, and others were concerned on the lack of safety concerns for elementary age children that have to walk to school in inclement weather, making it very difficult for them. He asked for an explanation of the school policy.

Ms. Stella Campbell, Chairperson, Halifax Regional School Board, responded that the policy allowed flexibility because of the large geographic area. Under this policy, it is the Superintendent's responsibility to get in touch with Environment Canada and people in charge of roads and HRM. The information that was received by the HRSB indicated that the roads would not be safe until 9:00 am in the former County. Ms. Campbell stated that at 5:30 am, DOE reported that there would be 5 more cm of snow, and HRM staff had reported that by 7:30 am, all roads in the former cities would be plowed. However, the weather did not work out the way it was predicted. Ms. Campbell said all concerns were well noted.

11.1.2 Councillor Schofield - Shannon Park School

Councillor Schofield stated that the DND wants to sell the Shannon Park School property and have indicated that the school would be available for one more school year, at double the rental rate. The Councillor reviewed options to keep Shannon Park School open. He believes a better deal can be struck with DND and asked the School Board to allow time to review information that had been received, including research carried out at the library indicating a possibility that some of the land may belong to HRM. Councillor Schofield asked if the School Board would sit down and try to negotiate a better rental agreement for another year. Ms. Campbell, Chairperson, Halifax Regional School Board, agreed to pass this request on to administration

11.3 DISTRICT BOUNDARIES ADVISORY COMMITTEE

11.3.1 District Boundaries Review Recommendations

- A report, dated January 13, 2000, from the District Boundaries Advisory Committee, regarding the above, was before Council for consideration

The Committee was recommending:

- 1) *That Council endorse the 24 District proposal recommended by the District Boundaries Review Committee and direct staff to forward the same to the Utility and Review Board for approval;*
- 2) *That, in January 2002, Council appoint another District Boundary Review Committee to consider an alternative structure for Council for*

the 2004 municipal election, which would, amongst its options, consider a reduced Council scenario.

Mr. Bob Hayes, Chairman, District Boundaries Advisory Committee, introduced members of the Committee who were present in the audience - Phil Elliott, Debra Hum, Len Goucher, Terrence Henley, Paul Hyland and Stephen Mont.

Mr. Hayes stated that if Members of Council had any questions on the report before Council regarding details re tweaking (altering) the District lines, or any general questions, members of the Committee would respond.

MOVED By Councillor Kelly and Deputy Mayor Cunningham that the Committee's report be forwarded to the Utility Review Board (URB), without recommendation, and that the URB take the report in its entirety and go through the process as laid out to them by legislation.

Councillor Kelly stated that the Committee had done a very good job in going through the process, and he did not believe Council should change what is before them. It should be accepted as presented by the Committee. The URB will review the facts and information in parallel with the public process, and the URB will make the final decision. The Councillor suggested that the process should not be tainted by the opinions of Members of Council trying to influence the URB.

Councillor Blumenthal stated there was a triangle taken out of his area that is bounded by North Street, Almon Street and Gladstone Street. He explained why he felt the Committee should reconsider this change, and asked if it would be possible to do so before it was sent to the URB. Mr. Hayes responded that this cannot be done now that the report has been turned over to Council.

Deputy Mayor Cunningham stated that the URB would hold Public Hearings on this issue, and input from the public would be encouraged and permitted. The Deputy Mayor expressed the concern of residents living in the area of Dartmouth Cove being moved out of central Dartmouth into the Woodside area. It was pointed out that the Committee had to get a balance in the Districts to achieve voter parity, and it was felt appropriate to move this area into Woodside.

Councillor Stone stated that in his opinion the community of interest in Mainland North was not considered. It effectively splits Mainland North into two, by moving Timberlea in from the former County area. He pointed out that Dunbrack Street is the link that connects Mainland North to Mainland South, and it makes the community of interest. The Committee is using this to make the boundary line. The Councillor stated there is no link or roadway between Timberlea and Mainland North, other than through the Bayers Lake

Business Park. Councillor Stone stated that there could be some small areas taken at both ends of the District, but stressed that residents of District 16 want their District to stay generally as it now exists, including Mainland North. The Councillor questioned what was the community of interest between Timberlea and Mainland North.

Mr. Hyland said the community of interest in this redefined seat of Timberlea included the Timberlea area and the Bayers Lake Industrial Park. Information provided to the Committee stated that the area involved adjacent to Dunbrack Street and Lacewood Drive would continue to grow. Mr. Hyland stated that if HRM is going to be brought together it was time to let go of the old County and City of Halifax lines. This turned out to be one of the best first efforts to achieve this goal, and it also came down to parity and numbers.

Councillor Stone continued to express his concern with the Committee's decision, pointing out that included in the proposed separation is Mainland Commons, and he is not prepared to let the proposal go forward as it now stands. The Councillor asked that if this report is sent directly to URB, that consideration be given to putting the boundary of Mainland Commons back into District 16.

Ms. Henley responded that this was a very difficult and time consuming decision for the Committee and one that was researched very thoroughly. It was a concern because it was felt that Districts 15 and 16 were very close, not only in boundary area, but also the children do go to the same schools and churches. In trying to tweak the boundaries with District 15, the Committee looked at this street by street. The result was that by tweaking boundaries on either side, it tweaked everyone on Halifax Peninsula. Ms. Henley stated that as the Committee looked at adjustments, boundary by boundary, this scenario looked the best for all of HRM. It equalled the population and looked after geographic concerns.

Councillor Adams congratulated the Committee on the amount of work and concentrated effort they put into this report in a very short timeframe. With regard to the motion that Councillor Kelly had put forward, he suggested that the motion had a great deal of respect for the Committee's decision. Referring to an alternate recommendation from two of the Committee members, Councillor Adams asked if they were approached at all by Members of Council with regard to opinions put forward on the number of Councillors. Mr. Hayes responded that he was one of the two members, and he was not approached by any Councillor regarding how the Committee was doing its business.

Mr. Goucher agreed with Mr. Hayes stating emphatically that for each individual member of the District Boundaries Review Committee, there was **no** political interference from any Member of Council. The Committee involved Council at its first meeting in September by sending them a survey. Mr. Goucher stated that Council Members responded and the information was invaluable to the Committee.

Councillor Harvey sincerely thanked the Committee for volunteering to do this study, fulfilling their mandate. The Councillor asked the solicitor if Council could send the report to the URB, without recommendation. Mr. Wayne Anstey, Municipal Solicitor, responded that he would prefer the motion said 'send it forward'. If any of the Councillors had difficulties with any details of the report, they can appear before the URB and make representation. Councillor Harvey suggested that in future an independent Commission should be dealing with the redistribution issue on a regular basis. He believes it should not be a Committee of Council.

Councillor Cooper extended his appreciation for the time and effort the Committee put into this study. Councillor Cooper asked Councillor Kelly if his intent is to move the recommendations in the report to go forward. Councillor Kelly said that was not the intent. His motion is to send the report straight to the URB for them to conduct the Public Hearing process, without changing anything. Councillor Cooper had a concern with sending the report without Council's recommendation.

Councillor Read thanked the Committee for all their hard work. The Councillor pointed out that the District Boundaries Committee was an Advisory Committee mandated to assist Council in making a decision. He stated that it is up to Council to make a decision and that it should not go to the URB without Council's recommendation. Councillor Read said he would not support a motion to send the report to Council that did not include a recommendation from Council.

MOVED by Councillors Read and Cooper that the motion be amended to state that the report from the District Boundaries Advisory Committee be sent to the URB, with the support of Council, and as a Council report, as required by the Municipal Government Act.

Mayor Fitzgerald said this motion is contrary to Councillor Kelly's motion and was not accepted.

Other members of Council thanked the Committee for all the hard work the Committee had done to complete their mandate, and stated they would be supporting the motion.

Following a suggestion that Councillor Kelly's motion be referred to the solicitor to ensure that Council meets the requirements of the legislation, Mr. Anstey responded that he had worked with Councillor Kelly on a revised motion. The revised motion reads:

MOVED by Councillor Kelly and Deputy Mayor Cunningham that Council accept the report from the District Boundaries Advisory Committee and direct staff to forward same to the Utilities Review Board, pursuant to Section 369 (2) of the Municipal Government Act.

Mr. Meech suggested that once the submission goes to the URB, whether Council says it or not, it will be URB's assumption that this is the formal submission from HRM. It is HRM Council that had to make the application and the submission.

Councillor Fougere asked staff to ensure that Members of Council are notified of the Public Hearing dates and what steps need to be taken to make a presentation to the URB.

Councillor Uteck referred to the results of the Councillor's survey noting that the previous Councillor for District 13 had not filled out a survey. The Councillor's concern for not returning the survey was the possibility of political involvement in the process.

Responding to concerns of some Members of Council, Mr. Anstey said the practical effect is that the report will go to the URB and it will be the matter that is before the Board for consideration. The Board will hear Public Hearings with respect to that recommendation and then the Board with either order it or make changes after hearing the public input. The Board will make the final decision.

Councillor Kelly said he would accept the motion suggested by Mr. Anstey.

Mayor Fitzgerald called for the question on the motion, with a recorded vote.

The following members of Council voted **in favour** of the motion: Deputy Mayor Cunningham, Councillors Colwell, Cooper, McInroy, Greenough, Sarto, Hetherington, Schofield, Downey, Fougere, Walker, Read, Adams, Merrigan, Harvey, Kelly, Rankin and Mitchell (18).

The following members of Council voted **against** the motion: Mayor Walter Fitzgerald, Councillors Streach, Blumenthal, Uteck, and Stone (5).

Councillor Snow was absent with regrets.

MOTION PASSED.

It was agreed that the recorded vote would be sent to the URB.

Mayor Fitzgerald thanked the Committee for their valuable work

MOVED by Councillors Walker and Fougere THAT Council continue with business past 10:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.1 (ii) East Petpeswick Crosswalk Sign

Councillor Streach asked staff to provide a report on the status of the East Petpeswick illuminated crosswalk sign that has been missing for more than a year. It was located on the corner of the East Petpeswick Road and #7 Highway. The Councillor pointed out that HRM has a full service municipal facility located at this intersection. Directly adjacent to this building is a senior citizens complex, and across the highway is the Post Office, Royal Bank, Railway Museum and the main parking lot. Councillor Streach stated this is not only a safety concern, but it is an embarrassment, and stressed the urgency to replace the crosswalk sign.

10.2.2 (ii) Supplementary Funding (Info Memo from January 11)

- An Information Report, dated January 5, 2000, submitted by Wayne Anstey, Q.C., Municipal Solicitor, regarding the above, was before Council for consideration. This Information Report was included for the January 11, 2000 Regional Council meeting.

Councillor Adams referred to the staff report re supplementary funding for Holly Drive School and William King School. He requested that a letter be sent to the Minister of Municipal Affairs, with a copy to the Minister of Education, asking how the Municipal Government Act could be altered to accommodate the situation that has occurred with the children on Holly Drive going to William King School. The Councillor also requested that a letter be sent to the School Board to see if there is a way that the money that would be allocated to Holly Drive could be directed to the William King School to help with the education of these children. Council agreed to these requests and Mayor Fitzgerald agreed that he would send the letters.

11.1.3 Councillor Fougere - Photographic Presentations by the Real Estate Division

Councillor Fougere said she would like a staff report on making it a policy for the HRM Real Estate Division to provide photographic presentations on any property recommended for sale. Later in the meeting Councillor Fougere gave a Notice of Motion re this issue.

**11.1.4 Councillor Blumenthal - Royal Bank and
13.10 Legal Matter - Banking Services**

Councillor Blumenthal noted that there was a report discussed In Camera and asked that **Item 13.10 Legal Matter - Banking Services** be brought forward at this time.

MOVED by Councillors Stone and Adams that HRM remain with the Royal Bank until the end of the current five year contract which expires on April 1, 2001. Staff is to return to Council prior to the expiry of the contract with a recommendation on a

provider of banking services based upon a public request for proposals. MOTION PUT AND PASSED.

Councillor Blumenthal addressed his concerns with Council accepting this report. He felt that during the tendering process the Royal Bank and other big businesses should be advised that HRM citizens are to be treated fairly. The Councillor suggested that when HRM is tendering in the year 2001, that something be included in the tendering policy stating that business earned in HRM should stay in HRM.

Councillor Stone responded that everyone is concerned about the loss of jobs at the Royal Bank, but at the time the tender went out, the Royal Bank submitted the best contract for the HRM's banking services. That is why they were chosen. When the contract comes up for renewal in the year 2001, HRM would do the same as any other contract and call for proposals. HRM had to follow its tendering process. Because of the complexity of the banking business, HRM is becoming very intertwined with the Royal Bank, and Councillor Cooper asked staff to keep in mind that there may be some risk in HRM's involvement in one particular company or service.

11.2 HARBOUR EAST COMMUNITY COUNCIL

11.2.1 Pawn Shop By-Law for Dartmouth

- A report, dated January 10, 2000, received from the Harbour East Community Council, regarding the above, was before Council for consideration.

MOVED by Councillors Hetherington and Greenough that Halifax Regional Council implement a By-Law regulating pawnbrokers in all of HRM particularly in the City of Dartmouth. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 PUBLIC PRESENTATIONS SUB-COMMITTEE

11.4.1 Public Presentations

- A report, dated January 13, 2000, from the Public Presentations Sub-Committee, regarding the above, was before Council for consideration.

MOVED by Councillors Kelly and Fougere that Council accept the recommendations in the Public Presentations Sub-Committee Report, dated January 13, 2000.

Councillor Stone said he had read the report but felt it did not go far enough. He had asked that presentations that had to do with money and concessions should go immediately to the Grants Committee for presentation and their recommendation. The

Councillor asked that this be added to the recommendations in the January 13, 2000 staff report.

MOVED By Councillor Stone and Read THAT the recommendations in the Public Presentations Sub-Committee Report, dated January 13, 2000, be amended to state that Section 22. (1) (i) be amended to read:

- (i) correspondence, petitions and delegations “(Public Delegations shall be scheduled on an “as requested” basis with the exception of delegations requesting financial assistance/tax exemptions, which are to be forwarded to the Grant Committee)”**

MOTION PUT AND PASSED.

Mayor Fitzgerald suggested that presentations not be at every meeting, but that they be held twice a month. As an interim basis, the Mayor suggested they be held on the 1st and 3rd Tuesday or the 2nd and 4th Tuesday.

Referring to Sub-Section 3(iii), Mr. Meech questioned how is ‘relevant and timely’ defined. Councillor Fougere responded that following discussions with the Municipal Clerk’s Office, it was felt that by limiting it to two presentations per week, this would limit the amount of time Council spends on presentations. This allows members of the public to speak on an issue that is timely, rather than possibly having to wait until after the issue had been before Council. Any issue that is presented must be related to Council’s business.

Deputy Mayor Cunningham stated that he preferred to continue with presentations every third Tuesday. If an item is relevant and timely and someone wishes to address Council other than the third Tuesday, this can be done.

Councillors Read and Walker stated they agreed with the recommendations, pointing out that any long presentations would be gone from regular Council meetings, and would be dealt with at COW meetings. Councillor Hetherington stated that these recommendations would not only limit the number of presenters but the number of people that talk on one topic. If the time is controlled, the maximum time spent on presentations would be 20 minutes, if there are two presentations every Tuesday night.

The motion now reads:

MOVED by Councillors Kelly and Fougere that:

- 1. Section 29. (2) of Administrative Order Number One be amended to read “A delegation shall first arrange to be heard by applying to the Clerk in writing,**

either by letter, fax or e-mail, stating the essence of the presentation to be made, not later than 12:00 o'clock noon on Thursday immediately preceding each regular meeting of the Council".

2. Section 22. (1) (i) of Administrative Order Number One be amended to read:
 - (i) "correspondence, petitions and delegations "(Public Delegations shall be scheduled on an "as requested" basis with the exception of delegations requesting financial assistance/tax exemptions, which are to be forwarded to the Grant Committee)".
3. Presentations be subject to the following criteria:
 - (i) Maximum of two presentations (one topic per presentation) per meeting - maximum two persons per presentation/topic.
 - (ii) Presentations to be a maximum of five (5) minutes per presenter.
 - (iii) Presentations should be relevant and timely.
 - (iv) Presentations only with automatic referral to staff for review, recommendation or comment.
 - (v) Clerk's office will finalize the final list of presentations and notify individuals by noon on Friday.
 - (vi) When multiple requests have been made on a single topic for a given week, it is recommended that the item be moved to a Committee of the Whole prior to the Regular Council Session.

Mayor Fitzgerald called for the question on the motion as amended. MOTION PASSED.

11.5 CHIEF ADMINISTRATIVE OFFICER

11.5.1 Tender 99-188 Halifax City Hall Document Storage Vault

- A staff report, dated January 4, 2000, prepared for George McLellan, Deputy CAO, regarding the above, was before Council for consideration.

MOVED by Councillors Downey and Uteck that the tender be awarded to the low bid from Blunden Construction of \$86,146.50, including all taxes, plus a contingency of \$12,000.00. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.2 Amendment to Administrative Order 12 Respecting the Appointment of the Deputy Traffic Authority

- A staff report, dated January 6, 2000, prepared for Dan English, Deputy CAO, regarding the above, was before Council for consideration.

MOVED by Councillors Sarto and Stone that Council approve the amendment to Administrative Order Number 12 to reflect the appointment of Mr. Taso Koutroulakis as the Deputy Traffic Authority. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.3 Long Lake Park Parking Lot - Capital Reserve Fund

- A staff report, dated January 11, 2000, prepared for Dan English, Deputy CAO, regarding the above was before Council for consideration.

MOVED by Councillors Mitchell and Greenough that Council approve an additional capital project for 99/00 year of a parking lot along St. Margaret's Bay Road adjacent to Long Lake Provincial Park and that funds be approved in the amount of \$38,512.29 from the capital reserve fund, for its construction. MOTION PUT AND PASSED UNANIMOUSLY.

11.5.4 Otter Lake Receiving Hall Expansion

- A staff report, dated January 10, 2000, prepared for George McLellan, Deputy CAO, regarding the above, was before Council for consideration.

MOVED by Councillors Walker and Blumenthal that Council accept staff's recommendations that:

- 1. Council approve an increase to the capital budget in the amount of \$2,000,000 for the expansion of the receiving hall at the Otter Lake Front End Processing Facility.**
- 2. Council approve a withdrawal from the Sale of Land Reserve in an amount equal to the net proceeds on the sale of the Halifax Transfer Station to partially fund the expansion.**
- 3. Council approve a withdrawal from the Capital Surplus Reserve to provide the balance of the funding, such funding to be repaid through tipping fees from operations over five years, commencing in the fiscal year following the withdrawal, at an interest rate equal to HRM's short term investment rate.**
- 4. Council approve that any funding required in addition to that provided by #2 and #3 above, be provided by operations over three years via tipping fees.**

MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS - None

13. ADDED ITEMS

13.1 Councillor Cooper - Crosswalk, Corner Sorocco Crescent & Auburn Drive

Councillor Cooper asked the Traffic Authority to review the possibility of installing a crosswalk at the corner of Sorocco Crescent and Auburn Drive.

13.2 Councillor Colwell - Garbage, Rural Areas

Councillor Colwell asked to have a staff report on the garbage that is being created by flyer delivery in rural areas.

13.4 Councillor Hetherington - Information Item #4 Disposal of Medical Waste

Councillor Hetherington raised concerns on the disposal of medical waste. He asked that the public be made aware that drug stores, VG and the Dartmouth General Hospitals will take back sharps (needles) if they are placed in a safety container, including plastic containers. Staff advised that a report on this issue would be presented to Council in about a month.

13.5 Councillor Kelly - Snow Operations

Councillor Kelly asked to have a staff report on any problems with snow operations that occurred during the recent snow storm - January 16-18, including the number of complaints. The report is to include the number of roads that were not plowed within the 24 hour period, the cost factor and discuss the policy re raised plows. Council asked staff to advise the number of tickets that were issued in the former County. A question was also raised on why the snow was not moved towards the centre, the boulevard part of cul-de-sac on all streets.

The following In Camera recommendations were adopted by Council.

13.6 Property Matter - Mainland Common, Sports Dome Proposal

MOVED by Councillors Stone and Walker that staff enter into negotiations with "Eastcoast Golf Ltd." for the lease of lands on the Mainland Commons, for the purpose of constructing an indoor golf driving range and multipurpose facility as described in the In Camera report dated January 10, 2000. A subsequent report will be submitted to Council indicating a final recommendation as to the negotiated agreement. MOTION PUT AND PASSED UNANIMOUSLY

13.7 Property Matter - Lots 4 & 5 - Highway #333

MOVED by Councillors Mitchell and Hetherington that Halifax Regional Council authorize the purchase by the Halifax Regional Municipality of Lots 4 and 5 from Bayshore Enterprises for the price of \$29,000 plus applicable HST with closing set for on or before February 28, 2000. **MOTION PUT AND PASSED UNANIMOUSLY**

13.8. Property Matter - Dartmouth Crematorium Limited, Mount Hermon Cemetery

MOVED by Deputy Mayor Cunningham and Councillor Hetherington that Council authorize the Mayor and Municipal Clerk to enter into an agreement with the Dartmouth Crematorium Limited for the renewal of their lease for a further term of five (5) years based on the key business terms and conditions outlined in the In Camera report dated January 10, 2000, on the condition that HRM would have the right to early termination of the lease thirty (30) months after renewal of the contract. **MOTION PUT AND PASSED UNANIMOUSLY.**

13.9 Property Matter - 1, 3, & 7 Wentworth Street - Block K-3, Dartmouth

MOVED by Deputy Mayor Cunningham and Councillor Sarto that Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby Block K-3, comprised of approximately 19,616 square feet, as shown in Attachment "A" of the In Camera staff report dated January 7, 2000, is conveyed to the Waterfront Development Corporation Limited for the sum of \$1.00.

FURTHER, that Council grant permission to consolidate Block K-3 with Parcel WDC-3B in order for the Waterfront Development Corporation Limited to enter into an Agreement of Purchase and Sale with Chelton Ham Developments Limited for the combined properties for the sum of \$332,000. This permission is on the condition that on the receipt of the proceeds of the sale of the combined property, the WDCL shall pay HRM 33.4% of the proceeds of sale, being \$110,888. This percentage is based on the relative size of the two lots.

MOTION PUT AND PASSED UNANIMOUSLY.

13.10 Legal Matter - Banking Services Agreement

This item was discussed under Item 11.1.4 - see page 17.

13.11 Property Matter - Starr Manufacturing

MOVED by Councillor Hetherington and Deputy Mayor Cunningham that Council instruct staff to call for tenders for the demolition of the former Starr Manufacturing Buildings with provision for the stabilization and protection of aspects of the site with historical relevance, after consultation with a project team of municipal staff consultants and a representative from the Shubenacadie Canal Commission, the Industrial Heritage Society and the Heritage Advisory Committee, to be established to prepare the necessary demolition specifications. **MOTION PUT AND PASSED UNANIMOUSLY.**

13.12 Property Matter - Joyce Avenue - Williams Lake Road Lands

MOVED by Councillors Adams and Read that Halifax Regional Council approve the purchase of the right-of-way shown on Attachment "A" in the In Camera staff report dated January 12, 2000, Joyce Avenue from Olympia Developments Inc., for the price of \$50,000 plus HST, with funds for the purchase to be drawn from the Parkland Dedication Account. **MOTION PUT AND PASSED UNANIMOUSLY.**

14. NOTICES OF MOTION

14.1 Councillor Fougere

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on January 25, 2000, I intend to introduce a motion to make it policy for the HRM Real Estate division to provide as part of their presentations to HRM Council, video graphic or at the very least comprehensive photographic representation of any HRM property recommended for sale.

14.2 Deputy Mayor John Cunningham

TAKE NOTICE that at the next regular meeting of the Halifax Regional Council to be held on January 25, 2000, I propose to place before Council for adoption as a policy pursuant to the Municipal Government Act Administrative Order Number 20, the Cemetery Fees Administrative Order, the immediate purpose of which is to implement a fee schedule that will be consistent for all municipally owned cemeteries within the Halifax Regional Municipality.

15. ADJOURNMENT

MOVED by Councillor Blumenthal and Deputy Mayor Cunningham that the meeting adjourn at 11:05 pm. **MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael
Municipal Clerk