

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES November 6, 2001**

**PRESENT:**

Mayor Peter J. Kelly  
Deputy Mayor Robert P. Harvey  
Councillors: Stephen Streach  
Gary Hines  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Brian Warshick  
Condo Sarto  
Bruce Hetherington  
Jim Smith  
John Cunningham  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Russell Walker  
Diana Whalen  
Linda Mosher  
Stephen D. Adams  
Brad Johns  
Len Goucher  
Reg Rankin  
Gary Meade

**REGRETS:**

Councillor Sheila Fougere

**STAFF MEMBERS:**

Mr. Dan English, Acting Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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1. **INVOCATION**

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation led by Councillor Harvey.

2. **PROCLAMATIONS**

2.1 **Atlantic Bowl Week - November 11 - 17, 2001**

The week of November 11 - 17, 2001 was proclaimed to be Atlantic Bowl Week.

Councillor Warshick requested that the Mayor write a letter to the President of the CIS asking them to reconsider its decision and allow Halifax to continue to be the host of the Atlantic Bowl on an annual basis.

On a **Point of Personal Privilege**, Councillor Rankin raised concerns with respect to recent newspaper articles regarding perceived urban sprawl and the interpretation of the problems. The Councillor expressed concern with comments made by the Regional Planning Coordinator regarding encouraging development in Peninsular Halifax, Dartmouth, Clayton Park, Bedford, Lr. Sackville and Cole Harbour and that large residential developments, such as Kingswood and Glen Arbor, should never have been allowed. Councillor Rankin stated he contacted the staff person regarding the article and a retraction was issued for one of the articles. The Councillor further stated that he advised staff that he believes the analysis exercise needs to take place before opinions are stated. Councillor Rankin stated he believes the whole approach to regional planning analysis has been prejudiced by these remarks. In response, Mayor Kelly stated the issue of the newspaper articles has been raised with the Regional Planning Coordinator and there will be some outcomes of that discussion. Council will be advised of and involved in the process of how information will be given out in the future, where it is coming from and on what basis.

On a **Point of Personal Privilege**, Councillor Uteck stated there has been a lot of misinformation circulated regarding the current traffic calming trial at the Armview/Connaught/Pryor/Jubilee corridor. The Councillor stated that she firmly believes that one small segment of her District has been unfairly maligned by the media. Councillor Uteck noted that Council agreed to a specific set of principles when it agreed to this current trial. The Councillor noted the major principle was that changes on Quinpool Road would be done before any other changes would take place, and the residents of the Armview/Pryor corridor clearly understood and accepted that recommendation. However, that did not happen; and, therefore, the predicted commute time of a minute and a half was not achieved. Councillor Uteck stated the residents of the Armview/Pryor corridor are being unfairly bashed over the situation. The Councillor stated the commuters should advocate their concerns to the Traffic Authority and not the area residents.

On a **Point of Personal Privilege**, Councillor Warshick also asked that the Mayor write a letter to the President of Air Canada and the Federal Minister of Transportation asking that the decision to close the Air Canada office located in HRM be reconsidered.

**3. APPROVAL OF MINUTES - October 23 and October 29, 2001**

Councillor Walker noted an error on the cover page of the October 29, 2001 minutes as Councillors Hetherington and Uteck were listed in both the Present and Absent sections.

**MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the minutes of October 23, 2001, be approved, as circulated, and that the minutes of October 29, 2001, be approved, as amended. 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:

- 14.1 Councillor Hines - Use of Public Funds by School Boards
- 14.2 Councillor Uteck - Point Pleasant Sewer Project
- 14.3 Property Matter - Property Disposal - Lot G, Crane Lake Drive, Bayers Business Lake
- 14.4 Buy-Back - Lot 64-9D Crane Lake Drive, Bayers Lake Business Park
- 14.5 Property Matter - Sale of 43 Wentworth Street, Dartmouth
- 14.6 Legal Matter - Pension Claim
- 14.7 Personnel Matter - CAO Review Committee Recommendation

**MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the Order of Business, Additions and Deletions be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**5. BUSINESS ARISING OUT OF THE MINUTES**

**6. SELECTION OF DEPUTY MAYOR**

Mayor Kelly expressed thanks and appreciation to Deputy Mayor Blumenthal for his service as Deputy Mayor over the past year. In response, Deputy Mayor Blumenthal stated it was an honour and privilege to serve in this position, and he extended thanks to both Mayor Kelly and Council and offered his support to the new Deputy Mayor. Deputy Mayor Blumenthal also expressed thanks to his wife and family for their support.

Earlier in the meeting, Councillor Johns expressed thanks to Deputy Mayor Blumenthal for the time and commitment he put forth over the past year as Deputy Mayor.

Mayor Kelly called for nominations for the position of Deputy Mayor.

**MOVED by Councillor Mosher, seconded by Councillor Colwell, that Councillor Cooper be nominated for the position of Deputy Mayor.**

Speaking in support of the nomination, Councillor Mosher stated Councillor Cooper has shown effective leadership qualities as the Chair of the Program and Service Review Committee. The Councillor stated she believes that Councillor Cooper would be an excellent representative of HRM. Councillor Mosher noted Councillor Cooper was a former Deputy Mayor of the former Halifax County Council. Besides being outgoing, personable and approachable, Councillor Mosher stated Councillor Cooper has many interests and experiences that would allow him to represent the diverse nature of HRM. She noted his firsthand knowledge of various communities in HRM would serve him well in the position of Deputy Mayor. Councillor Mosher noted that Councillor Cooper also has extensive community service experience providing valuable insight into community interests. Councillor Mosher stated Councillor Cooper has been on all committees that HRM offers and has effectively represented the diverse interests of his District. In closing, Councillor Mosher stated Councillor Cooper is a reliable, honest, and forthright member of Council and would serve Council well in the position of Deputy Mayor.

**MOVED by Councillor Adams, seconded by Councillor Cunningham, that Councillor Harvey be nominated for the position of Deputy Mayor.**

Speaking in support of the nomination, Councillor Adams stated that Councillor Harvey has a distinguished twelve year political career, and has established himself as a true leader. Councillor Harvey was first elected to Halifax County Council in 1989. During his extensive years of community service, he has been Chair of several boards and committees and the North West Community Council. From a professional perspective, Councillor Adams noted that Councillor Harvey received the Service Award to the Irish Nova Scotia community by the Charitable Irish Society in 1993, and the Ted B. Blackburn Award of the Sackville Heritage Society in 1981. Councillor Adams stated Councillor Harvey is a true gentleman illustrated by the manner in which he conducts himself in Council, demonstrating respect for the Mayor, Council, staff and the citizens of HRM. Councillor Adams stated Councillor Harvey maintains a positive demeanour at all times, even during the fiercest debates, often bringing Council back to a level of civility. In closing, Councillor Adams stated he is honoured to nominate Councillor Harvey for the position of Deputy Mayor.

Hearing no further nominations, Mayor Kelly invited the two nominees to briefly address Council.

Councillor Cooper thanked Councillors Mosher and Colwell for their kinds words and support in nominating him. Councillor Cooper spoke about the various roles of the Deputy Mayor stating he believes that he can meet those requirements: supporting the Mayor and his functions and activities on behalf of the Municipality, working on behalf of the Councillors' Office, and working with Council members. In closing, Councillor Cooper stated it is a privilege to run for the position of Deputy Mayor, to represent the Municipality, to assist the Mayor and Members of Council, and if elected, he will work to the best of his ability.

Councillor Harvey thanked Councillors Adams and Cunningham for their generous words and for the nomination. The Councillor also thanked all Members of Council for their courtesy as he spoke to each of them over the last few weeks regarding his intention to seek the office of Deputy Mayor. Councillor Harvey stated Council makes decisions as a team, which means everyone should be open to persuasion and, at the end of the day, everyone respects each others differences. Decisions are reached following the proper process, thereby advancing the interests of the residents. Councillor Harvey stated he believes that he has demonstrated that he is prepared to listen to all opinions, and that he respects Council's process in reaching decisions. As Deputy Mayor, Councillor Harvey stated he would seek to advance Council's team approach and to work with the Mayor and Council in achieving HRM's goals. Councillor Harvey stated that the present Deputy Mayor, Councillor Blumenthal has maintained the high standard set by his predecessors, and he thanked him for his services during the past year. If selected as the new Deputy Mayor, Councillor Harvey pledged his best efforts in fulfilling Council's expectations.

The vote was taken for the position of Deputy Mayor. Following the ballot count, it was announced that **Councillor Harvey had been selected as the new Deputy Mayor.**

Councillor Cooper offered congratulations to Deputy Mayor Harvey, and put forth the following motion:

**MOVED by Councillor Cooper, seconded by Councillor Hetherington, that the selection of Councillor Harvey as the new Deputy Mayor be made unanimous and that the ballots be destroyed. MOTION PUT AND PASSED UNANIMOUSLY.**

7. **MOTIONS OF RECONSIDERATION - NONE**
8. **MOTIONS OF RESCISSION - NONE**
9. **CONSIDERATION OF DEFERRED BUSINESS - NONE**
10. **PUBLIC HEARINGS - 6:00 P.M.**



**10.1 Case 00123 - Request to Amend the Halifax Municipal Planning Strategy and Land Use By-Law for 5515/5517/5519 and 5523 Inglis St., Halifax (prev circ Oct. 9)**

- C A report from the Chebucto Community Council, dated October 2, 2001, regarding the above, was previously circulated to Council.
- C The proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Halifax Land Use By-Law, as presented as Attachment IV to the staff report dated September 8, 2001, passed First Reading on October 9, 2001 and were now before Council for a Public Hearing.

With the use of overheads, Ms. Grace Ho, Planner, presented the report to Council, noting this is a joint Public Hearing between Regional Council and the Chebucto Community Council. The issue before Regional Council is the proposed amendments to the LUB and MPS, and approval will enable the Chebucto Community Council to consider the development agreement. Ms. Ho stated that staff is recommending that Council approve the amendments presented as Attachment IV to the staff report dated September 8, 2001.

Responding to a question of Councillor Smith, Ms. Ho stated the fifth storey of the building is recessed in the middle of the building.

In response to a question of Councillor Hines regarding green space, Ms. Ho stated a landscaping plan must be submitted before the development permit is issued.

Mayor Kelly called for members of the public wishing to speaking either in favour of or against the proposal.

**Roberto Menendez**

Mr. Menendez, the architect for the proposed development, addressed Council to clarify the issue of the fifth level. With the use of a drawing, Mr. Menendez indicated that the unit consists of 32 condominiums. The fifth level of the building is recessed in the middle and will not be seen from the street level. Mr. Menendez also noted that both ends of the building will have recreational facilities. With respect to the condition of the existing properties, Mr. Menendez showed photographs illustrating that they are in bad condition and are not consistent with the other buildings on Inglis Street. The proposed building will be more in line with the architecture of the area. With regards to open space, Mr. Menendez stated more than required is being provided.

Mayor Kelly called three times for any further speakers. Hearing none, the following motion was put on the floor:

**MOVED by Councillor Warshick, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.**

**COUNCIL DECISION**

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council approve the proposed amendments to the Halifax Municipal Planning Strategy and Peninsula Halifax Land Use By-Law, presented as Attachment IV to the staff report dated September 8, 2001.**

Speaking in support of the motion, Councillor Uteck stated it is important to note how much the developer has worked with the community on this development.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**11.1 Petitions**

**11.1.1 Councillor McInroy - Crosswalk Guard, Astral Drive**

Councillor McInroy served a petition containing approximately 107 signatures of residents opposing the removal of the crosswalk guard at the Astral Drive entrance to the school.

**11.1.2 Councillor Johns - Commercial Entertainment Use, 991 Beaver Bank Windsor Junction Cross Rd.**

Councillor Johns served a petition containing approximately 350 signatures of residents in support of Case 00404 - Request to amend the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law to permit a Commercial Entertainment Use at 991 Beaver Bank Windsor Junction Cross Rd. (Item 12.2.2)

**11.1.3 Councillor Sarto - Flooding Problems, Stephen Cross Drive**

Councillor Sarto submitted correspondence from a resident with respect to ongoing flooding problems at 32 Stephen Cross Drive. The Councillor requested that the correspondence be referred to staff to address the concerns.

**11.2 Correspondence**

**11.2.1 Trade Centre Limited - Renaming of Carmichael Street, Halifax**

- C Correspondence from the Trade Centre Limited, dated October 26, 2001, requesting that Council consider renaming Carmichael Street to "Kate Carmichael Street" to ensure a continuing legacy for Kate Carmichael, was before Council for its consideration.

**MOVED by Councillor Sloane, seconded by Councillor Blumenthal, that the request to rename Carmichael Street, Halifax, be referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Warshick expressed concern with the motion noting the Program and Service Review Committee is proposing that double named streets no longer be permitted. Councillor Cooper, Chair, Program and Service Review Committee, stated the report from the Committee is not yet finalized, and there will be a need to look at special circumstances.

#### **11.2.2 Service Nova Scotia and Municipal Relations - Wild Animals and Circuses**

- C Correspondence from The Honourable Angus MacIsaac, Minister, Service Nova Scotia and Municipal Relations, dated October 19, 2001, regarding the above, was before Council for its consideration.

Councillor Adams expressed concern that members of the Society for the Prevention of Cruelty to Animals (SPCA) and the Nova Scotia Veterinary Medical Association were only consulted as to whether or not they believed there should be standards. However, the Councillor noted they were not consulted in the actual development of the standards. Therefore, Councillor Adams put forth the following motion:

**MOVED by Councillor Adams, seconded by Councillor Sloane, that a further letter be sent to the Minister of Service Nova Scotia and Municipal Relations requesting that the Minister meet with members of the SPCA and the Nova Scotia Veterinary Medical Association. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **11.2.3 Halifax Regional School Board** **(i) Northbrook School Transfers**

- C Correspondence from David Reid, Superintendent, Halifax Regional School Board, dated October 17, 2001, was before Council for its consideration.

Councillor Smith expressed concern with needed improvements to Northbrook School not being done by the school administration as they are operating under the assumption that the school will be closed. The Councillor stated this is unfair to the children of the school noting some classrooms are in dire need of curtains and are being withheld. Councillor Smith stated

that if the Court rejects the appeal, he hopes the School Board will take the necessary steps to bring Northbrook School up to the proper standard.

**(ii) Rockingstone Heights School Student Transportation**

- C Correspondence from David Reid, Superintendent, Halifax Regional School Board, dated October 29, 2001, regarding the above, was before Council for its consideration.

Councillor Adams noted some children must walk a total of ten miles a day to travel back and forth to school. The Councillor stated these children were put in this situation because of a decision by the School Board to relocate the students from B. C. Silver School to Rockingstone Heights. Councillor Adams stated the affected children are being treated unfairly, and he hopes the Department of Education will come forward and intercede on their behalf.

**11.2.4 Harbour Solutions Project**

At this time, Councillor Adams read into the record correspondence from former councillor Larry Uteck regarding the Harbour Solutions Project. Copies of the correspondence were circulated to members of Council.

**11.3 Presentation**

**11.3.1 North End Community Gardening Association  
2002 Project Proposal - David J. McCall, Chair**

- C Correspondence and an information brochure from David J. McCall, Chairman, North End Community Gardening Association, regarding the above, was before Council for its consideration.

Mr. David McCall made a presentation to Council, regarding the North End Community Gardening Association 2002 Project Proposal. Copies of his presentation were circulated to Council.

Responding to a question of Councillor Streach, Mr. McCall stated organic farming is paying maximum attention to the needs of the soil and trying to work with nature by crop rotation, companion planting, etc. It also precludes the use of chemicals.

Councillor Uteck thanked Mr. McCall for his presentation and stated that she is looking forward to community gardens on the Peninsula.

Mayor Kelly thanked Mr. McCall for his comments.

**12. REPORTS**

**12.1 NORTH WEST COMMUNITY COUNCIL**

**12.1.1 Project 00106(c) - Sackville Drive Design Study**

C A report from the North West Community Council dated October 29, 2001, regarding the above, was before Council for its consideration.

**MOVED by Deputy Mayor Harvey, seconded by Councillor Goucher, that Regional Council consider the detailed engineering street design study as a Capital Budget Item for 2002/03. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.2 HERITAGE ADVISORY COMMITTEE**

**12.2.1 Case H00065 - Application to Consider the Deregistration of Two Existing Heritage Properties (to set date for Heritage Hearing - Dec.11) 2445 Brunswick St., Hfx. & 150 Ochterloney St., Dart.**

C A report from the Heritage Advisory Committee regarding the above, was before Council for its consideration.

**MOVED by Councillor Cunningham, seconded by Councillor Blumenthal, that Regional Council set the date of December 11, 2001 for a Public Hearing to consider the deregistration of 2445 Brunswick Street and 150 Ochterloney Street, as per the Heritage Property Act. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.2.2 Case 00404 - Request to amend the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law to permit a Commercial Entertainment Use at 991 Beaver Bank Windsor Junction Cross Rd.**

C A report from the Heritage Advisory Committee regarding the above, was before Council for its consideration.

Councillor Johns suggested an amendment to the Committee's recommendation in that the fees should be paid by HRM as this amendment is not site specific and can be applicable to any heritage site within the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy.

**MOVED by Councillor Johns, seconded by Deputy Mayor Harvey, that Regional Council direct staff to:**

- (a) Initiate the process to consider amending the Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy and Land Use By-Law to allow for any land use in a registered Heritage Property, subject to the provision of a development agreement, to permit a Commercial Entertainment Use at 991 Beaver Bank Windsor Junction Cross Road.**
- (b) Undertake the public participation process in accordance with the public participation resolution adopted by Halifax Regional Council on February 25, 1997.**
- (C) That the applicable fees be paid by Halifax Regional Municipality.**

Councillor Cooper expressed concern with the wording to allow any land use in a registered heritage property.

Responding to questions of Councillor Warshick regarding VLTs, Councillor Johns stated HRM can limit what the owners can do on the property with a special premises license. Mr. Andrew Bone, Planner, added that HRM has the ability, through the development agreement, to control the type of license available to the applicant.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3 MEMBERSHIP SELECTION COMMITTEE**

**12.3.1 Appointments to Boards & Committees**

- C A report from the Membership Selection Committee regarding appointments to Boards and Committees was before Council for its consideration.**

**MOVED by Councillor Streach, seconded by Councillor Hetherington, that:**

- 1. Mr. William MacLennan be appointed to the Deadman's Island Committee as a result of a resignation from that Committee.**
- 2. The representation on the Membership Selection Committee from each Community Council remain at one member.**

3. The membership of the CAO Review Committee be increased to seven (7) members, one of whom shall be the Deputy Mayor, and Council approve the additional Councillors to that Committee as identified on Appendix "A" of the Committee report dated October 31, 2001.
4. The term of the current members of Council currently serving on the Trade Centre be extended for one year with future terms being two years to commence with appointments in the fall of 2002.
5. A Council Status Sheet Review Committee be established, consisting of three Councillors to be appointed by Council and two staff members appointed by the Acting CAO.
6. Regional Council approve the Councillor appointments to the Boards and Committees as outlined in Appendix "A" of the Committee report dated October 31, 2001.

Councillor Johns stated it was his understanding that one position on the CAO Review Committee was to be filled by one of the newer members of Council. Councillor Blumenthal suggested the complement of the Committee could be expanded by one member to resolve the situation.

**MOVED by Councillor Johns, seconded by Councillor Adams, that Councillor Mosher be added to the CAO Review Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

With regard to the appointments to the Halifax/Dartmouth Bridge Commission, Councillor Cunningham suggested that this item be deferred for two weeks to allow Mayor Kelly the opportunity to meet with the Chair of the Board to seek clarification of the Committee. Councillor Sloane also expressed concern with the length of terms on this Committee.

**MOVED by Councillor Cunningham, seconded by Councillor Blumenthal, that the appointments to the Halifax/Dartmouth Bridge Commission be deferred for two weeks.**

Councillor Blumenthal stated it is important to have continuity on the Committee.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Warshick noted that the Terms of Reference for the Halifax/Dartmouth Canada Day Committee should be revised to reflect the change in length of term for the Councillor representative and brought back to Council for approval.

The vote was then taken on the main motion.

**MOTION PUT AND PASSED.**

**12.4 CHIEF ADMINISTRATIVE OFFICER**

**12.4.1 Award of Tender 01-166, Metro Transit - Bus Parking Expansion**

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Sarto, seconded by Councillor Smith, that Regional Council approve the award of Tender 01-166 Metro Transit - Bus Parking Expansion to the low bid of \$52,699.38 (including net taxes), from J. R. Eisner Contracting, with funds to be derived from Account #CBR000748. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4.2 Adjustments to Lot Pricing - Bayers Lake Business Park**

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Whalen, seconded by Councillor Hetherington, that Council approve the adjustments to lot selling prices in the Bayers Lake Business Park as set out in Attachment "C" to the staff report dated October 25, 2001, with the price adjustments to be effective as of October 25, 2001.**

Mr. Tom Rath, General Manager, Business Parks and Special Projects, presented the staff report and responded to questions of Councillor Whalen.

Councillor Whalen inquired if a staff report could be brought to Council that would designate some of the lot price increase to deficiencies in the Park. Mr. Rath responded that there is a request for a staff report and this can also be addressed in that report.

**MOTION PUT AND PASSED UNANIMOUSLY.**



**12.4.3 Noise By-Law Exemption Application - Summer Cove, 50 Nelson Landing Blvd., Bedford**

- C A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.
- C Correspondence from Jacques A. Rohrer, Project Manager, Summer Cove Condominium Inc., dated October 29, 2001, regarding the above, was before Council for its consideration.

Councillor Goucher requested clarification as to whether or not there is a definite requirement for a Public Hearing to consider a Noise By-law Exemption application. In response, Mr. Peter James, Regional Coordinator, By-Law Enforcement, stated an application was received and processed which now requires a Public Hearing. Mr. Wayne Anstey, Municipal Solicitor, added that Section 6(3) of the By-Law states Council should give the applicant the opportunity to be heard, and any persons in opposition of the application also have the right to be heard.

**MOVED by Councillor Goucher, seconded by Councillor Sloane, that Council set the date of November 27, 2001 for a Public Hearing to consider Summer Cove Condominium Incorporated application for exemption from the provisions of HRM By-Law N-200 Respecting Noise and that Council render a decision on this application pursuant to any matters raised at the Public Hearing.**

Councillor Uteck requested an information report, at some point, in time to address the issue of the concrete pouring at the building on Hollis Street, a commercial building, and whether or not a public hearing was required, for future clarification.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4.4 Case 00398 - Application by Scotia Nursing Homes Ltd. to amend the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy to Consider a Re-development and Expansion of the Beaver Bank Villa Site to allow Manufactured Housing**

- C A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Johns, seconded by Councillor Streach, that Regional Council:**

1. Approve the request to initiate the process to amend the Beaver Bank, Hammonds Plains, Upper Sackville Municipal Planning Strategy and Land Use By-Law for the Beaver Bank Villa property in Beaver Bank, to allow re-development and expansion of the housing site to manufactured housing.
2. Request staff to follow the public participation program as approved by Council in February 1997. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4.5 First Reading -By-Law S-700, Swimming Pool By-Law  
Move First Reading - Councillor Rankin**

- C A supplementary staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Rankin, seconded by Goucher, that Regional Council give First Reading to proposed By-Law Number S-700, the Swimming Pool By-Law, attached as Appendix "A" of the supplementary staff report dated October 17, 2001.**

It was noted that the Public Hearing will likely be held the first week of December.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4.6 First Reading - Amendment to Former City of Halifax Ordinance 179  
Move First Reading - Councillor Uteck**

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council give First Reading to the Amendment to Former City of Halifax Ordinance 179.  
MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5 MEMBERS OF COUNCIL**

**12.5.1 Councillor Mosher**

- (i) **Sir Sandford Fleming Park / Dingle Tower - National Historic Site Designation**

- C Historical information regarding the Sir Sandford Fleming Park/Dingle Tower was before Council for its information.

**MOVED by Councillor Mosher, seconded by Councillor Adams, that staff be requested to prepare a report outlining the process Council must follow to ensure Dingle Park achieves a National Historic Designation. Further, that staff do a "needs**

**assessment' of this property, with regard to, but not limited to: washroom facilities, park patrol, street lighting and seawall restoration.**

Councillor Mosher noted the intent of her request is two-fold:

- 1) Historical designation will assist to emphasize the national significance of this site.
- 2) HRM could access federal Heritage Canada to aid in this restoration, thereby easing HRM's financial burden.

Deputy Mayor Harvey spoke in support of the request.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**(ii) Traffic Calming Study Status - Quinpool Rd. Area**

- C The following motion was adopted by Regional Council on September 25, 2001: *THAT Halifax Regional Council approve the alternative solution to the short-cutting issue on Armview/Pryor/ Jubilee corridor consisting of partial intersection closures on Quinpool Road at Armview Avenue, Prince Arthur Street and Bloomingdale Terrace and traffic calming measures on Norwood, Beech and Pepperell Streets.*
- C Correspondence from the following was circulated to Council: Sharon Boudreau, N. Wayne Sajko, Patricia Horne Parker, Phyllis Burke, Nancy Kitchen, A. H. Gladwin and Linda Furze.

Councillor Mosher referenced a staff report from February 9, 1977, regarding the above issue, noting that the partial street closures off Quinpool Road did not work at that time and were removed. The Councillor noted the same situation is taking place today. Therefore, the Councillor put forth the following motion:

**MOVED by Councillor Mosher, seconded by Councillor Adams, that the Rules of Order be suspended to allow her to put forth a Motion of Rescission with respect to the motion passed on September 25, 2001 regarding traffic calming measures. MOTION PUT AND PASSED.**

On a **Point of Privilege**, Councillor Uteck stated she had inquired if this issue was coming forward this evening and was told it was not. The Councillor stated she wanted it noted in the record that the District Councillor was not informed of this matter before it was brought forward to Council. In response, Mr. Wayne Anstey, Municipal Solicitor, clarified that it was his understanding that a Notice of Motion was to be given at this meeting, and the Motion of

Rescission would be dealt with next week. He noted that it was only just shortly before the meeting when he became aware that Councillor Mosher was going to request that the rules be suspended.

**MOVED by Councillor Mosher, seconded by Councillor Adams, that Council rescind the following motion adopted by Halifax Regional Council adopted at a regular meeting held on the Council held on September 25, 2001: THAT Halifax Regional Council approve the alternative solution to the short-cutting issue on Armview/Pryor/Jubilee corridor consisting of partial intersection closures on Quinpool Road at Armview Avenue, Prince Arthur Street and Bloomingdale Terrace and traffic calming measures on Norwood, Beech and Pepperell Streets.**

Speaking in support of the motion, Councillor Adams stated he could not support the closing of these three streets. The Councillor noted these closures are adding from 25-35 minutes to the drive into town. Councillor Adams stated he appreciates the fact that the citizens in the area have traffic concerns; however, he noted the measures taken for the 63 homes in the corridor have put an extremely heavy impact on the commuters in HRM. The Councillor stated this is probably one of the most contentious issues before Council, and he takes offence to the manner the residents of Armview/Pryor and the lower part of Jubilee Road have been unfairly maligned in the media.

(Mayor Kelly left the meeting at 8:10 p.m., and Deputy Mayor Harvey assumed the Chair.)

Speaking against the motion, Councillor Uteck agreed that this issue has been on-going since 1977, and the September 25, 2001 motion finally put the matter to rest for at least six months. The Councillor stated Council approved the previous report on the recommendation of the Traffic Authority which stated they could make changes to Quinpool Road that would add one to one and a half minutes to the commute time. Councillor Uteck stated these changes to Quinpool Road did not occur. The Councillor noted there are other street closures throughout HRM. Councillor Uteck stated she tried to the best of her ability to get stop signs and speed humps instead, but this was not accepted by the Traffic Authority. The Councillor noted the Connaught Street residents did not want the lights at Connaught/Jubilee, and she agrees with them. Councillor Uteck stated that there have been no safety improvements, nor the realignment of Quinpool Road, which Council agreed would be the first principles. However, one week into the six month trial, due to political pressure, Council wants to go the opposite way. Councillor Uteck stated she has received over 730 calls and over 900 emails on this issue, but she is standing firm on her position and implored Council to allow the trial to proceed for six months and to ask the Traffic Authority to move ahead on the measures to fix Quinpool Road.

Also speaking against the motion, Councillor Walker stated when Council made its decision on September 25, 2001, when it decided to give it a six month trial. Yet tonight, Council is

willing to change its mind without the benefit of a staff report. The Councillor suggested that Council should ask staff what will happen hereon in and what the complications will be. (Mayor Kelly returned to the meeting at 8:15 p.m. and assumed the Chair.)

Councillor Walker stated, in his opinion, the traffic calming policy is gone and there is no longer such a thing as a residential street: they are all arterials and collectors. The Councillor questioned if this is what Council really wants. Councilor Walker cautioned Council to take a long hard look at what it is doing, as there are a lot of questions yet to be answered.

Speaking against the motion, Councillor Cunningham stated Council has not given staff the opportunity to work this out. If it is adding 25-30 minutes to the commute on Quinpool Road, the Councillor questioned how many cars must be travelling on these residential streets. Councillor Cunningham stated staff needs to have a chance to iron out the bugs of the trial. Staff had requested a six month trial period, and this is what Council endorsed. The Councillor noted six months may be too long, but he stated a week is not long enough. Councillor Cunningham also expressed concern with the amount of debate that has taken place at Regional Council on this very localized traffic problem, and suggested it should be addressed at the Community Council level where a recommendation can be formed and brought back to Regional Council.

Councilor Streach expressed concern with some of the inappropriate comments and actions made by some of the commuters with respect to this issue. Responding to a question of the Councillor regarding Quinpool Road, Mr. David McCusker, Manager, Traffic and Transportation Services, staff identified the following work to be done to the Quinpool Road corridor in the coming budget year: the issue of pedestrian push buttons at the Connaught/Quinpool intersection and the installation of pedestrian half-signals at Beech and Harvard Streets. This was included in a supplementary report and staff indicated these signal changes could be completed by May 2002. The difficulty with the conversion of the half-signals is that it requires new control units which have an ordering time of 10-16 weeks. The push buttons are more straightforward and half of that installation is already completed with the remaining to be completed within two weeks.

Councillor Streach suggested it would have been more appropriate to wait until some of these measures were put in place before implementing the partial street closures. However, the Councillor stated he will support the motion as the needs of the many outweigh the needs of the few.

Councillor Blumenthal stated the process was completed backwards and asked why the changes were not made to Quinpool Road first as agreed to by Council. The Councillor stated Council directed the Traffic Authority to follow a certain sequence of steps and this was not done. Councillor Blumenthal stated the lights at the corner of Connaught and Jubilee should have remained in place as it was his understanding that they worked. With respect to the

current barricades, the Councillor stated they should come down until the Quinpool Road measures are done in the proper order, the way Council asked staff to do so.

Deputy Mayor Harvey expressed concern with the level of intolerance with respect to this issue as demonstrated in various email received by Council and Letters to the Editor. The Deputy Mayor stated the changes to Quinpool Road are needed to give this trial a fair opportunity to prove itself. However, Deputy Mayor Harvey stated his concern now is that if this motion passes, then Council needs to bring forth a motion to rescind the Traffic Calming Policy because it is not prepared to stand behind it.

Councillor Meade stated he received a fair amount of calls from residents of his District with respect to this issue. The Councillor stated on November 12<sup>th</sup> the ramps on the BiHi will be closed off for a two week period which will result in a fair amount of traffic being diverted to the Armdale Rotary. Councillor Meade noted he did not vote for the original motion and will support the motion to rescind it.

Responding to a question of Councillor Colwell regarding the crosswalk guards, Mr. McCusker stated staff have attempted in the past to provide information to the crossing guards and their contractor to give them directions as to when it is and is not appropriate to interrupt traffic. However, more often than not, it is not complied with over a long period of time. Mr. McCusker stated even without the crossing guards present, there is interruption of traffic with the pressing of the push buttons. Councillor Colwell stated this type of local issue should go to the Community Council before coming to Regional Council. In response, Mr. Anstey stated there is nothing to prevent Regional Council from requesting the Community Council to discuss the issue and to bring back a recommendation some time in the future. If the Motion of Rescission passes, he noted such a motion could then be made.

(Mayor Kelly left the meeting at 8:35 p.m. and Deputy Mayor Harvey assumed the Chair.)

In response to questions of Councillor Sloane, Mr. McCusker stated the staff report that Council voted on with respect to the measures related to Armview had no recommendations for Quinpool Road. The mention of potential signal improvements was given in a supplementary report when staff was asked to elaborate on potential measures that may help the traffic flow on Quinpool Road. Mr. McCusker also noted these are minor signalization changes. They will have a small impact on delays along Quinpool Road, certainly enough to warrant the cost of installation, but clearly not of a magnitude that would have significant improvements on traffic flow on Quinpool Road. With respect to the ordering time for the parts, Mr. McCusker stated this was known from the beginning and Council was advised of this in the September 18<sup>th</sup> staff report. In terms of installing the current measures, Mr. McCusker stated it took approximately 1.5 days, and they can be removed in approximately three hours. Councillor Sloane stated she would support the removal of the barricades until such time that the light changes on Quinpool Road are made.

On a **Point of Personal Privilege**, Councillor Colwell asked that this whole matter be referred back to the Community Councils affected to come back to Regional Council with a recommendation. In response, Mr. Anstey stated this could only be done if the Motion of Rescission on the floor is deferred, and then the advice of the Community Councils sought. The effect of the deferral would be that the barricades would remain in place until such time that the recommendation comes back from the Community Councils for Council to make the final decision.

**MOVED by Councillor Colwell, seconded by Councillor Sarto, that the Motion of Rescission be deferred, and that the advice of the affected Community Councils be sought on this issue with a recommendation to be brought back to Regional Council.**

Councillor Whalen stated she would like to see the issue resolved at Regional Council as that is where it originated.

Speaking in support of the deferral, Councillor Sarto questioned if there would be merit in setting up a meeting with staff and the Councillors involved in this issue to see if a mutually acceptable solution could be reached.

Also speaking in support of the deferral, Councillor Smith stated enough time has not passed to determine whether or not the measures taken are proper. The Councillor expressed concern with the amount of money that will now need to be spent to remove the barricades after they have only been in place for one week.

Speaking against the deferral, Councillor Adams stated if it is passed, there will no longer be any traffic calming measures on a regional basis and everything will be done on a Community Council level. The Councillor stated it will be difficult to determine who will deal with what. In this particular case, Councillor Adams stated it should be addressed here as this is where it originated.

Councillor Mosher also spoke against the deferral, stating Council voted for these measures and Council now needs to deal with them. The Councillor stated if some Councillors do not support the Motion of Rescission, they should vote against it, but the issue should not be deferred.

Also speaking against the deferral, Councillor Blumenthal suggested the other measures in the original agreement, such as the light changes on Quinpool Road, need to be made first. The Councillor noted the next Community Council meeting is not until December, and if the matter is deferred, the problem will just continue.

The vote was then taken on the deferral.

**MOTION DEFEATED.**

The Motion of Rescission was back on the floor.

Speaking in support of the motion, Councillor Whalen stated if things were done in a different order, there may have been a different outcome. However, the Councillor stated the daily commuters do not have confidence in this trial and people are being adversely affected. Councillor Whalen stated Council needs to admit if it has gone too far or made a mistake. The Councillor noted speed humps and stop signs are needed for slowing traffic, but the partial street closures are wrong in principle. Councillor Whalen further stated that the six month trial is too long, and she believes that Council made a mistake and should take some action to correct it. The Councillor noted if the motion passes, Council needs to ensure the other traffic calming elements in the report for the Armview/Pryor corridor are maintained.

Councillor Goucher stated issues of traffic calming are very difficult and there is never a winner. The Councillor expressed concern with the level of intolerance and accusations of bias in the emails received regarding this issue. Councillor Goucher stated he does not believe there is a solution for Peninsular Halifax as people favour their cars and there are many travelling with only one passenger. The Councillor suggested Council needs to find a way to discourage this. Councillor Goucher stated if the motion is passed, Council will officially be out of the traffic calming business.

(Mayor Kelly returned to the meeting at this time and assumed the Chair.)

Responding to a question of Councillor Smith, Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, stated the cost to remove the asphalt curb extensions would be \$3,000 - \$4,000. Councillor Smith agreed with Councillor Blumenthal that the traffic calming measures should have been completed in the proper order.

In response to a question of Councillor Blumenthal, Mr. Dhillon stated approximately \$90,000 - \$100,000 has been spent since 1997 on traffic calming in the Armview/Pryor corridor. The Councillor inquired when the lights will be changed at the Quinpool Road/Connaught Avenue intersection, and Mr. Dhillon responded that this could be done in two to three weeks. Councillor Blumenthal suggested the Motion of Rescission should be deferred for three weeks so these changes can be made and that the residents be informed that this will help improve the traffic situation. Mr. Dhillon noted there is another light change to be made at Beech and Quinpool Road which cannot occur in three weeks.

**MOVED by Councillor Blumenthal, seconded by Councillor Uteck, that the motion be deferred for three weeks.**



Councillor McInroy stated that it is his understanding that the reason for the deferral is that whatever traffic signal improvements are undertaken at Connaught/Quinpool will substantially alleviate the traffic situation on Quinpool Road. However, the Councillor stated it is also his understanding from earlier comments by Mr. McCusker that, while these are positive improvements, they are not substantial in the sense that things will not be much different at that intersection as they are now, if all else remains the same. Mr. McCusker confirmed that this was correct. In response to a question of Councillor Adams, Mr. Dhillon clarified staff does not know what the actual impact will be until the changes are made.

Speaking against the deferral, Councillor Adams stated 40 percent of the residents in the area are new residents since 1987, and they purchased these properties knowing the traffic situation.

Also speaking against the deferral, Councillor Mosher stated the experts in Traffic and Engineering have said the light changes on Quinpool Road will not make a dramatic difference.

Councillor Uteck expressed concern with the comments now begin made about the signalization changes, noting that Council was told that the signalization improvement would result in an average commute time of a minute to a minute and a half. The Councillor reiterated that Council agreed to a six month trial and that should be maintained.

Closing the debate, Councillor Blumenthal stated Council needs to give the trial a chance to see what impact the signalization changes will actually be.

The vote was then taken on the deferral.

#### **MOTION DEFEATED.**

Responding to a question of Councillor McInroy, Mr. McCusker stated there were two other alternatives to the street closures that were identified in the staff report. With regards to long-term measures for traffic flow on Quinpool Road, Mr. McCusker stated the difficulty is the traffic volume exceeds the street's capacity, and a more appropriate measure would be to take steps to remove a portion of that traffic to parallel roadways, and that will part of the regional transportation plan.

In response to a question of Councillor Johns, Mr. McCusker stated staff was directed by a motion of Council, as a result of a staff report, to install the partial curb extensions.

Responding to a question of Councillor Uteck, Mr. Dan English, Acting Chief Administrative Officer, stated the report that went to Council on September 18, 2001, dealt strictly with the restrictions of right-hand turns off Quinpool Road. At the September 25, 2001 Council meeting, there was some question about other measures to take place on Quinpool Road.

In that report, it was pointed out some of those measures could not be undertaken until May 2002. Therefore, the Council motion of September 25<sup>th</sup> only dealt with the right-hand turning restrictions. In response, Councillor Uteck stated it was her understanding that there was to be a six step process and the first step was the signalization changes. The Councillor questioned why 7,000 cars are permitted to travel through this residential area, and suggested the commuters need to take some responsibility for the manner in which they drive and how they access this area. With respect to the signalization changes, Councillor Uteck stated she would not have proposed this solution if Council was told it would have a minor impact. The Councillor stated because the measures were not made in the proper order, the area residents are going to be penalized.

Responding to a question of Councillor Goucher regarding the former traffic lights at Jubilee/Connaught, Mr. McCusker stated the lights were bagged at the end of the trial, at which time staff was asked to consider an alternative trial which involved physical traffic calming measures. In response to a further question of the Councillor, Mr. McCusker stated he believes the lights were a successful trial in achieving the objectives of the short-cutting policy.

Councillor Cooper stated the money that has been spent on this issue could have been applied to two or three sets of traffic lights in other areas of HRM where they are needed, possibly saving some lives.

In response to a question of Councillor Blumenthal regarding any impacts of the signalization changes on Quinpool Road, Mr. Dhillon stated when the green time is increased, obviously there will be some impact, but he could not say how much.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that this matter be deferred for two weeks to allow the opportunity for the light signalization changes to be made. MOTION DEFEATED.**

The Motion of Rescission was back on the floor.

Councillor McInroy stated he believes that whatever improvements are made to Quinpool Road, they will not materially affect the volume of traffic on that street. The Councillor stated people would not have a legitimate complaint if traffic control measures such as traffic lights, stop signs and speed humps were implemented. However, he stated it is different when access to public roads is restricted. Councillor McInroy stated he believes the traffic lights at Jubilee/Connaught were effective, and there was not as much of an uproar when they were in place for the duration of the trial as there was after only one week of this particular trial.

Councillor Adams noted not all Councillors voted in support of the current trial.

Responding to a question of Councillor Streach, Mr. Dhillon stated if the Motion of Rescission passes, staff will still do the Quinpool/Connaught traffic signalization improvements. The four-way stop signs at Beech/Norwood would remain in place, as well as other changes made to Jubilee and Connaught. The asphalt curb extensions would be removed, which he believes were the major objection.

Closing the debate, Councillor Mosher stated there are over 30,000 people coming from the arterial roads through to the Armdale Rotary and people are getting very upset. For the record, the Councillor stated she did not support the motion to implement this trial. The Councillor stated she respects Councillor Uteck's efforts in protection her residents, but these partial closures are not working and need to be removed. The Councillor stated the magnitude of this problem will not go away, and it needs to be addressed. In closing, Councillor Mosher reiterated that a mistake has been made and Council needs to rectify it and look at other options to resolve the issue.

The vote was then taken on the motion. A **Recorded Vote** was requested.

Members of Council voting **in favour** of the motion: Mayor Kelly, Councillors: Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Sloane, Whalen, Mosher, Adams, Johns, Goucher and Meade.

Members of Council voting **against** the motion: Deputy Mayor Harvey, Councillors: Smith, Cunningham, Blumenthal, Uteck, Walker and Rankin.

**MOTION PASSED. (15 in favour, 7 against).** (Councillors Hetherington and Fougere were absent.)

**MOVED by Councillor Uteck, seconded by Councillor Blumenthal, that staff come forward next week with a report as to what will happen now for the residents in the Armview/Pryor/Jubilee corridor. MOTION PUT AND PASSED.**

**MOVED by Councillor Uteck that a staff report be brought back next week identifying all streets within HRM that are subject to a partial or full closure under the current standard and that these residential streets also be reopened.**

There was no seconder to the motion. **MOTION LOST.**

#### **12.5.2 Councillor Johns - Removal of Garbage from the Metro Food Bank**

Councillor Johns requested that this item be deferred to next week.

**MOVED by Councillor Johns, seconded by Councillor Warshick, that this item be deferred to November 13<sup>th</sup>. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5.3 Councillor Adams - Ketch Harbour Barrens and Backlands**

C Correspondence from the Ketch Harbour Area Residents' Association, Barrens and Backlands Sub-Committee, dated July 22, 2001, was before Council for its consideration. The correspondence requested that:

- 1) Regional Council support, in principle, the designation of the Proposed Herring Cove Backland Wilderness Areas as a Wilderness Area under the *Wilderness Areas Protection Act*, and
- 2) Halifax Regional Municipality staff contact the Province to discuss joint management of the site as a Wilderness Area by the Province, the Halifax Regional Municipality, and the residents and ratepayer associations that border the site.

Councillor Adams stated he would like the Association's request to be sent to staff for a report.

**MOVED by Councillor Adams, seconded by Councillor Meade, that the request from the Ketch Harbour Area Residents' Association, Barrens and Backband Sub-Committee be referred to staff for a report. MOTION PUT AND PASSED.**

**13. MOTIONS**

**13.1 Councillor Smith - Financial History of Burnside Industrial Park**

*"That a staff report be requested outlining the financial history of the Burnside Industrial Park"*

**MOVED by Councillor Smith, seconded by Councillor Cunningham, that a staff report be requested outlining the financial history of the Burnside Industrial Park using the same criteria that was in place for the motion recently adopted regarding the Bayers Lake Business Park. MOTION PUT AND PASSED UNANIMOUSLY.**

**14. ADDED ITEMS**

**14.1 Councillor Hines - Use of Public Funds by School Boards**

Councillor Hines referenced a recent newspaper article the use of public funds by school boards. The Councillor expressed concern with expense accounts, mileage allowances and credit cards being allocated to school board members. Councillor Hines stated there are 576 bureaucrats currently in the school system. The Councillor suggested those higher level members of the school boards are overpaid, noting one in HRM receives \$135,000 per year with considerable staff report. Councillor Hines stated the municipality cannot afford these kinds of expenditures, and there would be \$40 million available if the school board system was restructured. The Councillor stated it is time to do this and Council should support the Honourable Jane Purves, Minister of Education, in terminating the school board system which has saddled taxpayers with a tremendous bill of expense.

**MOVED by Councillor Hines, seconded by Councillor Colwell, that the Mayor send a letter to the Minister of Education in support of the cessation of school boards and the beginning of the much needed restructuring of the education department.**

Speaking in support of the motion, Councillor Colwell stated the money that is currently used for school boards should be put into the classrooms where it is desperately needed. The Councillor stated the Halifax Regional School Board was to come back to Council by October 30<sup>th</sup> with information as to how the supplementary funding has been spent. Councillor Colwell stated it is time Council received accountability from the School Board.

Councillor Walker noted Council is dealing in an issue where it has no control, and Council can only make a recommendation to the Province.

Speaking in support of the motion, Councillor Warshick stated the recent actions by the Minister in this regard are long overdue. The Councillor cited an example of a church in his District that will be facing a classroom rental rate increase of almost 100 percent. The Councillor contacted members of the School Board regarding this issue and was given conflicting information. Councillor Warshick stated there needs to be another avenue for Council to pursue if it is not happy with responses received, and put forth the following motion:

**MOVED by Councillor Warshick, seconded by Councillor Smith, that the motion be amended to add that Council pursue some sort of legislation that allows municipalities, if they are not pleased with the answers and actions received from the School Board, to take further action, whether it be directly through to the Province or within the municipality's own legislation under the School Board Act.**

Mayor Kelly noted it was now 9:59 p.m., and the following motion was placed on the floor.

**MOVED by Councillor Walker, seconded by Councillor Adams, that the meeting extend until the agenda is completed. MOTION DEFEATED.**

Mayor Kelly noted there was one minute left to address this issue, and called for the question on the motion on the floor.

The vote was then taken on the amendment.

**MOTION PUT AND PASSED.**

The main motion, as amended, was now on the floor. The amended motion read as follows:

**MOVED by Councillor Hines, seconded by Councillor Colwell, that the Mayor send a letter to the Minister of Education in support of the cessation of School Boards and the beginning of the much needed restructuring of the education department. Further, that Council pursue some sort of legislation that allows municipalities, if they are not pleased with the answers and actions received from the School Board, to take further action, whether it be directly through to the Province or within the municipality's own legislation under the School Board Act.**

As it was now 10:00 p.m, the meeting adjourned without a vote being taken on the amended motion. The matter will be carried over to the next meeting.

The remaining Added Items were also deferred to the next meeting:

- 14.2 Councillor Uteck - Point Pleasant Sewer Project
- 14.3 Property Matter - Property Disposal - Lot G, Crane Lake Drive, Bayers Business Lake
- 14.4 Buy-Back - Lot 64-9D Crane Lake Drive, Bayers Lake Business Park
- 14.5 Property Matter - Sale of 43 Wentworth Street, Dartmouth
- 14.6 Legal Matter - Pension Claim
- 14.7 Personnel Matter - CAO Review Committee Recommendation

**15. NOTICES OF MOTION**

**16. ADJOURNMENT**

The meeting adjourned at 10:00 p.m.

Vi Carmichael  
Municipal Clerk