

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES September 2, 2003

### PRESENT:

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

### STAFF:

Mr. George McLellan, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Sherryll Murphy, Legislative Assistant

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**1. INVOCATION**

The meeting was called to order at 6:00 p.m.

**2. APPROVAL OF MINUTES - August 19 & 26, 2003**

Councillor Harvey noted that he was absent with regrets at the August 19, 2003 meeting of Regional Council.

**MOVED by Councillor Hetherington, seconded by Councillor Blumenthal that the minutes of Halifax Regional Council held on August 19, 2003, as amended, and the minutes of Halifax Regional Council held on August 26, 2003, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**Additions:**

- 11.1 Councillor Smith - Renaming of Big Pinehill Park
- 11.2 Membership Selection Committee - Appointment to the Regional Taxi and Limousine Committee

**MOVED by Councillor Blumenthal, seconded by Councillor Hetherington that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

**5. MOTIONS OF RECONSIDERATION - None**

**6. MOTIONS OF RESCISSION - None**

**7. CONSIDERATION OF DEFERRED BUSINESS**

**7.1 Councillor Johns - District 19 Area Rate - Sidewalk Snow Removal**

- Consideration of this matter was deferred to this meeting from the August 26, 2003 meeting of Halifax Regional Council at the request of Councillor Johns.

Councillor Johns indicated that he has received a number of calls regarding the area rate for snow clearing in District 19. He went on to note that an outstanding amount from last year is being collected. Councillor Johns requested that staff provide a report breaking out the deficit for sidewalk snow removal in District 19. He went on to indicate that he was concerned that his District not be charged more than their share of the deficit given that this is paid for through an area rate.

**MOVED by Councillor Johns, seconded by Councillor Adams that staff provide a breakdown by District , and in particular District 19, of the deficit for sidewalk snow removal. MOTION PUT AND PASSED.**

**8. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**8.1 Correspondence - None**

**8.2 Petitions - None**

**9. REPORTS**

**9.1 CHIEF ADMINISTRATIVE OFFICER**

**9.1.1 Tender 03-252, St. Margaret's Bay Road New Sidewalk - West Region**

- A staff report dated August 22, 2003 prepared for George MacLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Rankin, seconded by Councillor Warshick that Regional Council:**

- 1. Approve the recovery of Local Improvement Charges for the installation of new concrete curb and gutter and new concrete sidewalk along the north side of St. Margaret's Bay Road, from Governor Drive to Wilbert Devoe Drive in the amount of \$104,660, by a special area rate applied to a portion of District 22, as shown on the sketch attached to the August 22, 2003 staff report.**
- 2. Award Tender No. 03-252, New Sidewalk - St. Margaret's Bay Road to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$439,975, plus net HST for a total of \$468,261, from Account No. CJR00956, New Sidewalk, with funding authorized as per the Budget Implications section of the August 22, 2003 staff report.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.2 Request for Proposal #03-097, Transit Oriented Development (TOD) and High Capacity Transit (HCT) Opportunities Analysis**

- A staff report dated August 20, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Sarto, seconded by Councillor Fougere that a contract be awarded to the highest ranking proponent, LEA Consulting, in the amount of \$130,428 plus 15% HST to total \$149,992.00 from Capital Account CDE00105.**

Following a brief questioning of staff, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

**9.1.3 Regional Planning Public Consultation Process**

- A staff report dated August 29, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.
- A presentation entitled 'Regional Planning, Public Consultation Process', was circulated to Council.

**MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council adopt the Regional Planning Public Consultation Process as outlined in Attachments 2 and 3 of the August 29, 2003 staff report, to complete the Regional Plan.**

Ms. Carol Macomber briefly reviewed the circulated presentation and responded to questions from members of Council.

Councillor Uteck urged the public to be involved in the process noting that the information was available to them.

The **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

**9.1.4 Harbour Solutions Funding through the Environmental Protection Levy**

- A staff report dated August 22, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Cunningham, seconded by Councillor Uteck that Council approve an increase in the Environmental Protection Levy component of the**

**Pollution Control Charge of five cents per cubic meter of water effective October 1, 2003.**

A brief discussion and questioning of staff ensued with Councillor Walker confirming that the contracted price for the collection system is now subject to inflation. Councillor Walker requested that staff provide a report of the cost of the collection system with inflation.

Councillor Adams, referring to comments made earlier in the meeting, urged staff to re-apply for infrastructure monies relative to the Herring Cove system. He went on to request that staff provide a report for the next meeting of in camera Council regarding the status of land acquisition in the Herring Cove area. The Councillor also requested that staff provide an update on the pre-design study. Councillor Adams indicated that he was planning to hold a meeting in the Herring Cove area, but required the information requested prior to moving forward.

Noting that there is a new Minister of Finance, Councillor Adams asked staff if it would be possible to contact the Minister with a view to reducing the term over which the municipality will receive the committed monies for the harbour clean up.

In response to a question regarding whether or not citizens will be rebated excess funds, Mr. McLellan noted that this project is one that will be ongoing for a number of years. Mr. McLellan cautioned that the final disposition of surplus funds would depend on when these funds are recognized (i.e. if there are surplus funds when the collection system is complete, it must be recognized that the project is not complete). In conclusion, Mr. McLellan indicated that staff would be accountable to Council and would be coming back to Council in this regard.

After a further short discussion the **MOTION WAS PUT AND PASSED.**

**9.1.5 Amendment to Administrative Order #12, Respecting the Appointment of a Traffic Authority - Motion - Councillor Walker - To Amend Administrative Order #12**

- A staff report dated August 26, 2003 prepared for George McLellan, Chief Administrative Officer, was before Council for consideration.

**MOVED by Councillor Walker, seconded by Councillor Blumenthal that Council approve the amendment to Administrative Order Number 12 to reflect the appointment of Mr. Rick Paynter, P.Eng., as the Traffic Authority on an interim basis. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2 MEMBERS OF COUNCIL**



### **9.2.1 Councillor Hetherington - Truck Routes in HRM**

Councillor Hetherington addressed Council commenting that a great deal of time and hard work has gone into developing truck routes for the Halifax Regional Municipality. The intent of the Truck Routes By-law is to control how large trucks travel through the municipality and to ensure they are not using residential streets. Councillor Hetherington indicated that he continues to receive complaints about trucks on residential streets and when he spoke with Police Services and the RCMP they did not know if any tickets had been issued under the By-law. Councillor Hetherington noted that he had been told that if a particular street is being used consistently, a patrol may be used on that street.

Councillor Hetherington expressed concern that this was just another case of having a By-law which is not enforced. He went on to suggest that it should be repealed if it is not going to be enforced.

**MOVED by Councillor Hetherington, seconded by Councillor Sloane that staff bring forward a report relative to what has been done and what will be done to administer the By-law and whether or not signage is adequate throughout the Halifax Regional Municipality.**

A discussion ensued including the following the following points:

- the problems with truck traffic is HRM wide
- there appears to be some confusion as to whether we sign truck routes or whether we sign roads that are not truck routes
- enforcement is required
- is there an enforcement body with the Province that issues tickets on highways which could be utilized within the City
- the trucking companies need to be educated as to where the truck routes are in HRM
- the use of engine or jake brakes is a cause for concern
- law enforcement must be able to cross jurisdictions (i.e. HRP and RCMP)

Councillor Mosher related a story of the successful use of the By-law in which offending companies were advised in writing that trucks should be using Chebucto Road rather than other streets. When this warning was not effective, the Department then issued 20 tickets at a cost of approximately \$185 per ticket. The Councillor noted that she has not received any complaints since that time. Councillor Mosher went on to note that smaller municipalities have erected signs prohibiting the use of engine or jake brakes and suggested that HRM adopt a similar approach.

Councillor Streach stressed that Council had no wish to send the wrong message. Council is not opposed to the trucking industry as a vital component of our economy. There is no intent to take issue with truckers, merely to clarify who is to enforce the By-law and whether signage is appropriate.

The **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

10. **MOTIONS** - None

11. **ADDED ITEMS**

11.1 **Councillor Smith - Renaming of Big Pinehill Park**

- This matter was added to the agenda during the setting of the agenda.

Referring to the fourth anniversary of the death of Jason MacCullough , it was **MOVED by Councillor Smith, seconded by Councillor Warshick that staff provide a report regarding the possibility of renaming the Big Pinehill Park the Jason MacCullough Memorial Park. MOTION PUT AND PASSED UNANIMOUSLY.**

11.2 **Membership Selection Committee - Appointment to the Regional Taxi and Limousine Committee**

- A report dated September 2, 2003 from Mayor Peter J. Kelly, Chair, Membership Selection Committee was distributed to members of Council

**MOVED by Councillor Blumenthal, seconded by Councillor Cunningham that Regional Council approve the appointment of Jeffrey Rozee to the Regional Taxi and Limousine Committee to fill an unexpired term to November, 2003. MOTION PUT AND PASSED UNANIMOUSLY.**

12. **NOTICES OF MOTION** - None

13. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:00 p.m.

Vi Carmichael  
Municipal Clerk