

HALIFAX REGIONAL COUNCIL

MINUTES

February 26, 2013

PRESENT:

Mayor Mike Savage
Deputy Mayor Reg Rankin
Councillors: Barry Dalrymple
David Hendsbee
Bill Karsten
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Matt Whitman
Steve Craig
Brad Johns
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Mr. Ted Aubut, Legislative Assistant

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1. INVOCATION

Mayor Savage called the meeting to order at 1:00 p.m. with the Invocation being led by Councillor Whitman.

Councillors Outhit and Dalrymple arrived at 1:01 pm.

2. SPECIAL COMMUNITY ANNOUNCEMENTS AND ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

3. APPROVAL OF THE MINUTES – February 5, 2013

Councillor McCluskey noted that the name of the seconder for item 12.2.1 (page 7) needs to be added.

MOVED by Councillor Hendsbee, seconded by Councillor Nicoll that minutes of February 5, 2013 be approved, as amended. MOTION PUT AND PASSED.

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

Deletions:

10.1.1 Request for Proposal No. P12-123, Supply of up to Eighty (80) 12.2 metre Transit Buses

The Clerk indicated that item 10.1.1 would be brought forward to the March 5, 2013 meeting of Regional Council.

Additions:

13.1. In Camera – Personnel Matter

13.1.1 2013 HRM Volunteer Recognition and Award Recipients

In addition to these changes, Regional Council agreed to discuss item 10.1.2 immediately following item 10.2 and to discuss in camera items 12.1 and 13.1.1 in public session.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the agenda be approved, as amended. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION- NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRRED BUSINESS

8.1 Stormwater Infrastructure Funding – Interim Solution

A staff report dated December 6, 2012 was before Regional Council.

MOVED by Councillor Craig, seconded by Councillor Karsten that Halifax Regional Council:

- 1. Approve the interim two-year stormwater infrastructure solution, including the Community Affordability Feature, as per the attachment to the report of December 6, 2012;**
- 2. Limit this annual financial commitment from the Halifax Regional Municipality (HRM) to a maximum of \$3 million (Net HST included), sourced from the annual Halifax Water dividend payment to Halifax Regional Municipality; and**
- 3. Direct staff to:**
 - (A) Jointly prepare, within two years, an Integrated Stormwater Policy, which includes an accountability matrix with respect to stormwater management; and a five-year stormwater infrastructure capital program with permanent funding options, for the consideration of HRM, Halifax Water, and the Nova Scotia Utility and Review Board (NSURB), for a permanent program; and**
 - (B) Provide bi-annual updates to the Environment and Sustainability Standing Committee and the Board of Directors of Halifax Water on completion and progress on identified outstanding responsibilities in the accountability matrix.**

At Councillor Craig's request, Regional Council agreed to vote on the three recommendations separately.

Councillor Craig described the proposed interim solution as an important, albeit small, first step. He noted a number of shortcomings in the plan, including the fact that homeowners, as set out in recommendation 1, will be required to pay for a service that should already exist. Many homeowners, he added, have had to pay high insurance costs as a result of insufficient services. He did not want to further burden low and middle income homeowners. On these grounds, he would be voting against recommendation 1 but supporting recommendations 2 and 3.

Councillor Mosher arrived at 1:14 pm.

Councillor Karsten indicated that he would not be supporting recommendation 1 either. He found the aim of the report to be admirable but did not think it was fair to ask affected residents to pay one-third of the cost of infrastructure provision. Under the proposed model, homeowners in Cow Bay could be charged up to \$10,000 plus connection fees for improvements from which they may not even benefit. He indicated that if recommendation 1 is defeated, he would table an alternative.

Councillor Walker asked if the funding allocated will be enough to complete all projects. If this is not the case, then he wanted to know how projects would be prioritized and who would be selecting them.

Mr. Richard MacLellan, Manager of Energy and Environment, indicated that HRM would need \$20 million a year over 30 years to cover all projects. Given this, staff will evaluate projects against criteria outlined in the attachment of the report. The most acute projects will be addressed first as will those that can most easily be accessed. Staff will also endeavor to integrate these projects with other public works projects to avoid ripping up roads twice. On the last point, Mr. MacLellan explained that Halifax Water is best positioned to take the lead on these projects, but that HRM senior management would also be involved, in consultation with the Environment and Sustainability Standing Committee and the consolidated Watershed Advisory Board.

Councillor Johns asked staff to clarify whether residents would be responsible for cost sharing new infrastructure or replacement infrastructure.

Mr. Carl Yates, General Manager of Halifax Water replied that the cost sharing model applies to new infrastructure or enhanced service.

Mr. MacLellan clarified for Regional Council that under the proposed model, a resident would pay one-third of the cost of the infrastructure in the right of way in front of their home as well as applicable hook-up charges, which is in the order of \$3,000-5,000.

Councillor Hendsbee outlined a number of his concerns with the approach presented by staff, including the lack of distinction between historic stormwater problems and new, emerging problems. He also raised the issue of fairness, noting that properties do not contribute equally to stormwater problems. Given this, he wondered if certain property owners should pay more than others. He indicated, as a final point, that it will be difficult to establish priorities and to identify the extent of stormwater problems.

Councillor Outhit indicated that some residents have already paid for the provision of stormwater infrastructure. If recommendation 1 is approved, he wondered if HRM should waive the Local Improvement Charge (LIC) for Giles Drive, Bedford.

Councillor Dalrymple explained that in his district, residents paid the full cost, not one-third of the cost. He asked staff to clarify whether the LIC process is built into the proposal. If this is the case, residents will vote on whether or not they wish to proceed and pay one-third the cost of the project.

Mr. MacLellan indicated that residents will go through the LIC process if a project is selected for their area.

Councillor Dalrymple felt that the proposed model, in which residents pay one-third of costs, is far better than current practice. He noted that residents of Monarch and Rivendale subdivisions went through the LIC process and ended up paying \$18,000 per home plus \$5,000 for service hook-up even though they had requested HRM and Halifax Water to offset the cost.

Councillor Mosher wished to know if the proposal takes into account unique situations, like flooding along Purcell's Cove Road. In this particular case, drainage problems on Purcell's Cove Road are a result of poor infrastructure on secondary streets. Who, then would pay – residents of Purcell's Cove Road, who are affected by, but not the cause of the problem, or residents of secondary streets, who have nothing to gain from the project, or both?

Mr. MacLellan indicated that all candidate projects would be evaluated against established criteria, one of which is public safety. In the case of Purcell's Cove Road, he thought that residents of the secondary streets should pay for it even though they are not experiencing the difficulty. As for Cow Bay, which was raised earlier by Councillor Karsten, he felt that the catchment area should include the entire sub-watershed.

Referencing the staff report, Deputy Mayor Rankin noted that a portion of funding will come from the general taxpayer. He believed this to be against the spirit of the agreement between HRM and Halifax Water, which states that the general taxpayer should not be subsidizing the individual utility customer. To this, he added that it is important that Council know where the program is going because the one-third model raises expectations, and it is unclear if HRM can meet them. Given these concerns, he indicated that he will not be supporting the motion.

Councillor Watts had similar concerns to those raised by Deputy Mayor Rankin. Referring to examples cited earlier (Cow Bay and Giles Drive), she noted that currently residents who pay an LIC are those who will benefit from the service. She asked staff to clarify how the proposal compares to current practices.

Mr. MacLellan explained that typically, in a catchment area, residents at the bottom of a hill experience problems while those on the hill, do not. In the interest of fairness, staff is recommending that the catchment area cover the whole sub-watershed.

Councillor Johns noted that in the past, the cost of extending water and sewer systems has often been shared. In other words, the recommendation on the floor is not precedent-setting; it simply applies a current practice to the area of stormwater. He asked if there was potential for other levels of government to offset project costs.

Mr. Jamie Hannam, Director of Engineering and Information Services for Halifax Water, indicated that provincial and federal funding opportunities would have to be explored.

Councillor Karsten indicated that there is an obvious need for stormwater services in his district yet projects have gone nowhere for decades. This is largely because of the LIC model. The LIC process requires that the majority of homeowners agree to the project. In Cow Bay, this will prove difficult because, of the 94 homes in the catchment area, only 20 are affected by flooding. As the remaining 74 homes will not benefit from the project, there is no incentive for them to vote for it. He worried that projects would continue to go nowhere if Regional Council did not approve the Alternative found on page 7 of the staff report. He acknowledged that approving the Alternative sets high expectations, but it also sets a precedent that staff could incorporate into policy.

Councillor Outhit felt that the recommendation brought forward by staff was innovative and appropriate. The report indicates that stormwater problems are hindering residents' enjoyment of their homes and their ability to sell them – and at no fault of their own. He expressed support for the recommendation. In the event that it is defeated, and an alternative with no LIC is approved, then Council will have to address the issue of fairness for residents, like those of Giles Drive, who had to pay the full cost.

Councillor Whitman wished to know if HRM or Halifax Water could charge the one-third LIC without holding a public hearing. He also asked staff to clarify who is (and who is not) the general taxpayer for stormwater related projects.

Mr. Bruce Fisher, Manager of Financial Policy and Planning noted that, to his knowledge, a public hearing would not be required to charge the fees. On the second point, he indicated that funds would come from the water dividend, that is, the profits of the Halifax Water Commission, which are raised by those who are on the water system. Residents on wells and septic systems are therefore not included.

Councillor Nicoll clarified that if an LIC becomes an area rate, then a public meeting is required. Otherwise, it is not required. She asked staff which projects they hoped to act on first.

Mr. MacLellan indicated that design engineering is already underway on one large project and staff has identified two other projects for which they could design solutions quickly.

Councillor Craig thanked staff for bringing this forward and Councillors for their indulgence on such an important issue. He reiterated the importance of moving on this file as it will allow staff to identify and remedy problems. He asked that his colleagues vote against recommendation 1.

Councillor Watts agreed that HRM must move forward, but doing so requires buy-in from residents. She also reminded Councillors that the recommendation before them is limited to \$3 million in dividends. She wished to know if either or both of these elements could slow down projects.

Mr. MacLellan replied that staff is ready to operationalize the program. If a project is not ready, then there are other projects that can be moved forward. In total, staff plan on managing three to five projects per year.

Councillor Watts asked if approval of the motion, which relies on the LIC model, would allow more projects to be completed.

Mr. MacLellan and Mr. Yates replied in the affirmative.

At this point, Regional Council was prepared to vote on recommendation 1, namely that Halifax Regional Council:

Approve the interim two-year stormwater infrastructure solution, including the Community Affordability Feature, as per the attachment to the report of December 6, 2012.

MOTION PUT AND PASSED (9 in favour, 8 against).

Voting in favour were Mayor Savage and Councillors Dalrymple, Hendsbee, Watts, Mosher, Walker, Adams, Johns and Outhit.

Voting against were Deputy Mayor Rankin and Councillors Karsten, Nicoll, McCluskey, Fisher, Mason, Whitman and Craig.

Regional Council then discussed recommendation 2.

Councillor Craig indicated that he is in favour of using the dividend rather than tax revenue, to fund the program.

Deputy Mayor Rankin noted that the intent is to cap the dividend contribution at \$3 million even though there is no certainty as to the total value of the dividend in the next few years.

Regional Council then proceeded to vote on recommendation 2, that Halifax Regional Council:

Limit this annual financial commitment from the Halifax Regional Municipality (HRM) to a maximum of \$3 million (Net HST included), sourced from the annual Halifax Water dividend payment to Halifax Regional Municipality;

MOTION PUT AND PASSED (16 in favour, 1 against).

Voting in favour of the motion were Mayor Savage and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig and Outhit.

Voting against was Deputy Mayor Rankin.

Regional Council then proceeded to vote on recommendation 3, that Halifax Regional Council direct staff to:

(A) Jointly prepare, within two years, an Integrated Stormwater Policy, which includes an accountability matrix with respect to stormwater management; and a five-year stormwater infrastructure capital program with permanent funding options, for the consideration of HRM, Halifax Water, and the Nova Scotia Utility and Review Board (NSURB), for a permanent program; and

(B) Provide bi-annual updates to the Environment and Sustainability Standing Committee and the Board of Directors of Halifax Water on completion and progress on identified outstanding responsibilities in the accountability matrix.

MOTION PUT AND PASSED (16 in favour, 1 against).

Voting in favour of the motion were Mayor Savage and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig and Outhit.

Voting against was Deputy Mayor Rankin.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - NONE

9.2 Petitions - NONE

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Request for Proposal P12-P123, Supply of Eighty (80) 12.2 metre Metro Transit Buses

This item was deleted from the agenda.

Councillors Johns and Outhit exited the meeting at 2:25 pm.

10.1.2 Request for Proposal No P12-124 – Supply of Six (6) Rural Transit Buses

This matter was discussed following item 10.2.1. See page 14.

10.1.3 Cost-Sharing Agreement – Nova Scotia Department of Transportation and Infrastructure Renewal – Rehabilitation of Various Bridges

A staff report dated January 23, 2013 was before Halifax Regional Council.

MOVED by Deputy Mayor Rankin, seconded by Councillor Nicoll that Halifax Regional Council authorize the Mayor and Clerk to sign an agreement with the Nova Scotia Department of Transportation and Infrastructure Renewal for \$99,071.70 (net HST included) with funding from Project Account No. CRU01077 Bridge Repair Program, as outlined in the Budget Implications section of the staff report dated January 23, 2013.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillors Johns and Outhit were not present for the vote.

Councillor Mosher exited the meeting at 2:28 pm.

Councillor Outhit returned to the meeting at 2:29 pm.

10.1.4 Councillor Appointments to Standing Committees and HRM Boards and Committees of Council

A report dated February 18, 2013 was before Halifax Regional Council.

MOVED by Councillor Dalrymple, seconded by Councillor McCluskey that Halifax Regional Council:

- **Appoint Councillor Craig and Councillor Karsten to the Environment & Sustainability Standing Committee for terms to expire no later than June 30, 2013; and**
- **Appoint Councillor Craig to Advisory Committee for Accessibility in HRM for a term to November, 2014.**

MOTION PUT AND PASSED UNANIMOUSLY.

Councillors Johns and Mosher were not present for the vote.

Councillor Johns returned to the meeting at 2:30 pm.

10.2 AUDIT AND FINANCE STANDING COMMITTEE

10.2.1 Metro Transit Planning Process for a New Five-Year Strategic Framework

A report dated February 13, 2013 was before Halifax Regional Council.

MOVED by Councillor Karsten, seconded by Councillor Nicoll that Halifax Regional Council approve the Metro Transit planning process for a new, five-year strategic framework.

Ms. Patricia Hughes, Supervisor of Service Design and Projects for Metro Transit drew attention to the presentation attached to the report before Council, noting that Metro Transit wishes to conduct a five-year strategic framework that would involve two rounds of public consultation.

Councillor Mosher returned to the meeting at 2:32 pm.

Councillor Hendsbee was disappointed that Metro Transit had not prepared a presentation outlining their request in greater detail, adding that Metro Transit should have completed its current five-year plan before moving to the next one. He hoped that promises made in the first round would be carried out, including extending MetroX service to Musquodoboit Harbour.

Councillor Johns asked staff to confirm media reports that the strategic framework will affect the extension of bus service along Lucasville Road.

Ms. Hughes replied that as part of the RP+5 regional planning process, which is underway, Metro Transit is proposing an urban transit service boundary. This proposal will be reviewed by the Community Design Advisory Committee and is connected to, but not part of, the five-year strategic framework requested by Metro Transit.

Councillor Johns expressed concern over the lack of infrastructure, including public transit in HRM's growth areas. He was of the understanding that infrastructure would follow development, but it has not. Instead, Metro Transit, as evidenced by the proposed urban transit service boundary, is moving away from servicing these areas. He noted that he has been lobbying for bus service along Lucasville Road for a number of years and hopes that Metro Transit would meet its commitment.

Councillor Dalrymple indicated that he will be supporting the motion, but that his support comes with a number of expectations. He requested that Metro Transit hold public hearings across HRM, including in rural areas. He similarly requested that community-based rural transit initiatives be discussed in the context of the five-year plan. With a small investment on the part of HRM, MusGo Rider and services like it could nicely compliment the Metro Transit network by transporting residents to park-and-rides.

At 2:40 pm, Mayor Savage exited the meeting. Deputy Mayor Rankin assumed the Chair.

Councillor Outhit indicated that the five-year plan must be all-encompassing instead of being prepared in a vacuum. He listed a number of elements he hoped would be addressed, including the north-west corridor study, the Bedford alternatives study, commuter rail opportunities, park-and-rides, downtown ferry service optimization, and

service integration between Metro Transit and rural providers. HRM, he added, is too big to be offering bus service on every street. He hoped that the strategic framework will be thorough in assessing how transit service should be delivered.

Councillor McCluskey was concerned by the lack of discussion about the ferry service at the last Community Design Advisory Committee. She hoped it would not be left out of the strategic framework as it supports density in the urban core.

At 2:46 pm, Mayor Savage returned to the meeting and reassumed the Chair.

Ms. Hughes explained that there will be two rounds to the consultation process. In the first phase, Metro Transit will ask value-based questions on ridership, network coverage and service connections. Based on the input received, Metro Transit will build a detailed service plan, which it will present to the public in the second phase.

Councillor Adams indicated that public consultations are indeed important but if there is no money for implementation, then nothing will get done. As for the proposed urban transit service boundary, he wished to know how it would impact existing service, such as bus service in Sambro.

Ms. Hughes clarified that the proposed urban transit service boundary is a long-term project in which community-based providers link outlying areas with the urban transit service. There is no intention to change existing routes in the short-term, so long as they meet transit standards.

Councillor Whitman expressed concern over park-and-ride projects that have not materialized and the distances residents must travel - up to 8 km in some cases - to access bus service on Hammonds Plains Road. He believed that accessibility and the poor quality of bus stops explained why ridership on this route was low. He then commented on the MetroX Tantallon service, noting that it has been so successful that there is standing-room only. He hoped that it would not take two to three years, as planned, to add more buses to this route. Finally, on the matter of community-based transit, he noted that organizations, like Bay Ride and MusGo Rider, are stepping up to fill service gaps but are frustrated by the slow response of HRM and the Province.

He asked Ms. Hughes to explain how Metro Transit will spend the \$175,000 requested for the strategic framework.

Ms. Hughes replied that the amount cited will fund two rounds of public consultation and the hiring of two additional staff.

Councillor Watts noted that the strategic framework will encourage an important, albeit difficult discussion around transit – difficult because many elements will be at play, including the Regional Plan. She hoped that the planning process will focus on big picture items rather than local needs so that the service can be built upon clearly identifiable values. To this, she added that HRM needs to explore alternative models for

rural areas and to work collaboratively with stakeholders, like MusGo Rider. She also hoped that Metro Transit will carefully structure the consultation process to maximize input and ensure accessibility.

Councillor Mason agreed with previous speakers that the strategic framework provides an opportunity to explore service alternatives, such as that offered by MusGo Rider. Just as importantly, it will help HRM move from anecdotal to documented information. He believed Metro Transit should favour ridership over coverage and hoped that the planning process would take the service provider to the next level.

Councillor Hendsbee noted that the five-year plans needs to be large in scope so that it takes into account, among other things, the ability of Metro Transit to expand its facilities and the need to widen certain streets. He pointed out that funding in the amount of \$325,000 was earmarked for rural transit yet service providers, like MusGo Rider, have had to jump through hoops to access it. If HRM is looking for rural partners, then it needs to help them by way of bulk bus purchasing and integrated service agreements.

THE MOTION WAS PUT AND PASSED UNANIMOUSLY.

Councillor Mosher exited the meeting at 3:10 pm.

10.1.2 Request for Proposal P12-P124 – Supply of Six (6) Rural Transit Buses

A report dated February 4, 2013 was before Halifax Regional Council.

MOVED by Councillor Karsten, seconded by Councillor Hendsbee that Halifax Regional Council award RFP No. P12-124 to the highest scoring proponent, Overland Custom Coach, for six (6) cutaway style rural transit buses at a Total Price of \$894,210.72 (net HST included) with funding from Project Account - CMX01104 – Rural Community Transit as outlined in the Financial Implications section of the report dated February 4, 2013.

Staff responded to questions of clarification regarding the use of the buses to be purchased, the quality and addition of stops along MetroX routes, and expansions plans for the Ragged Lake bus facility.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Mosher was not present for the vote.

Regional Council recessed at 3:19 pm and reconvened at 3:30 pm.

10.3 HERITAGE ADVISORY COMMITTEE

10.3.1 Case H00367: Proposed Demolition of a Municipally-Registered Heritage Property at 120 Ochterloney Street, Dartmouth

The following documents were before Halifax Regional Council:

- A staff report dated January 31, 2013
- A staff report dated January 15, 2013 with attached submissions from residents
- Correspondence from the Heritage Trust of Nova Scotia dated February 8, 2013
- Correspondence from Norman Schneiderman dated February 21, 2013
- Correspondence from Judy Coockey dated February 25, 2013

MOVED by Councillor Mason, seconded by Councillor Watts that Halifax Regional Council refuse the request to demolish the municipally-registered heritage building at 120 Ochterloney Street, Dartmouth.

Councillor Hendsbee explained that the recommendation put forward by the Heritage Advisory Committee had not been reached unanimously. He supported demolition, adding that if Council refuses it, then the applicant will simply have to wait three years before he can apply again. In the meantime, the property will not improve and the applicant's development plans will be stalled. He called on Council to vote against the motion.

Mr. Seamus McGreal, Heritage Planner, confirmed that the property owner can apply for demolition in September 2015 if it is not granted today.

Councillor Watts expressed support for the motion. She acknowledged that the building does not look like it is in good shape, but staff has confirmed that it is structurally sound. She reminded Councillors that policies have been put in place to protect buildings with historic value, like this plain style home built by an artisan. HRM should work with the owner over the next three years to save it rather than facilitate its demolition.

Councillor Mosher returned at 3:34 pm.

Councillor McCluskey indicated that she is in favour of maintaining heritage properties but that 120 Ochterloney Street, as is, detracts from the street and is reducing the value of adjacent homes. She felt that HRM should not maintain heritage properties for the sake of keeping them. This particular property will be demolished anyway, now or in three years. Refusing the permit today will hold up the development of the block.

Councillor Nicoll wished to know if there have been any renovations that have altered the heritage value of the property since the home was registered.

Mr. McGreal noted that the aluminum cladding was installed prior to the home's registration. As for the ornamentation on the front, including the window caps, it is authentic to the date of designation. Responding to a question from Councillor

McCluskey, he noted that staff does not have information relative to the addition off the back of the building.

Councillor Outhit wished to know if Councillor McCluskey, who represents the area, has received complaints.

Councillor McCluskey indicated that she has been receiving complaints and that local residents want it demolished.

Councillor Johns asked if the property is considered dangerous and unsightly.

Mr. McGreal clarified that demolition has been requested not because the property is dangerous and unsightly but because the owner wants to develop the block.

Councillor Watts felt that demolition was an extreme solution to the problem at hand. If the property were dangerous or unsightly, then there are by-law enforcement mechanisms to remedy the situation. Heritage properties are important - and this one, despite its appearance, is salvageable. The demolition policy, she continued, was changed from one year to three years precisely so that HRM could work with the developer to fix the problem.

Councillor Mason reminded Council that heritage registration is voluntary and can be withdrawn. To this, he added that the applicant accepted the business risk when he purchased the home knowing full well that it was a registered property.

MOTION PUT AND DEFEATED (3 in favour, 14 against).

Councillor Johns indicated that he had mistakenly voted in favour of the motion when he meant to vote against it.

Voting in favour of the motion were Councillors Mason, Watts and Mosher.

Voting against were Mayor Savage, Deputy Mayor Rankin and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Walker, Adams, Whitman, Johns, Craig and Outhit.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey that Halifax Regional Council approve demolition of the municipally-registered heritage building at 120 Ochterloney Street, Dartmouth.

MOTION PUT AND PASSED (15 in favour, 2 against).

Voting in favour of the motion were Mayor Savage, Deputy Mayor Rankin and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mosher, Walker, Adams, Whitman, Johns, Craig and Outhit.

Voting against were Councillors Mason and Watts.

10.4 MEMBERS OF COUNCIL

10.4.1 Councillor Adams – Dust Nuisance

An Information Report dated January 22, 2013 was before Halifax Regional Council.

Councillor Adams indicated that he was bringing this issue forward not to prevent construction in HRM but rather to minimize its impacts on nearby residents. In the case at hand, neighbours in the Leiblin Park area of Spryfield have endured significant amounts of dust in their homes and outdoor spaces. He wanted assurance from by-law enforcement staff that when issues like this occur that they will be addressed in a timely manner.

Ms. Tanya Philips, Manager of By-Law Standards committed to bringing the parties together with the goal of resolving the matter.

Councillor Watts noted that in situations such as this one it is important that residents call 311. This ensures that complaints are logged, tracked, and acted upon by by-law enforcement staff.

Councillor Hendsbee wished to know if HRM had a dust management plan to contain construction dust from blowing offsite. He also wished to know if HRM could bill the offender if the municipality must clean up after them.

10.4.2 Councillor Mosher – Captain William Spry Town Crier

A Councillor Request Form prepared by Councillor Mosher was before Halifax Regional Council.

MOVED by Councillor Mosher, seconded by Councillor Watts that Halifax Regional Council support the selection of Mr. Robert Raoul as the Captain William Spry Town Crier to represent the Peninsula West-Armdale electoral district including a large portion of the Spryfield community.

Councillor Mosher noted that Mr. Raoul is a resident of District 9, has experience as a town crier, and is a member in good standing of the Guild of Town Criers of Nova Scotia. She believed that having a town crier for the Spryfield area would bolster community pride, draw attention to the important role of Captain William Spry, and add formality to local events, like the Dingle Natal Day Party. She added that the cost of the uniform will be covered by District 9 and District 11 funds.

Councillor Mason expressed support for this motion, and wished to know if there are plans to have a HRM-wide town crier.

Mr. Richard Butts, Chief Administrative Officer, indicated that staff is looking into this, at the request of the Mayor.

Councillor Hendsbee indicated that he would like to see the town crier program reinvigorated as HRM has not had a town crier since the passing of Peter Cox. He suggested that HRM partner with Destination Halifax to secure an HRM-wide town crier. Councillor Karsten indicated that he would not be supporting this motion out of principle. While he liked the idea of having an HRM town crier, he did not see why community town criers needed to be officially endorsed by Council.

Following a further discussion, the **MOTION WAS PUT AND PASSED (16 in favour, 1 against).**

Voting in favour of the motion were Mayor Savage, Deputy Mayor Rankin and Councillors Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig and Outhit.

Voting against was Councillor Karsten.

10.4.3 Councillor Outhit - Request for an amendment to Administrative Order 46 respecting the Naming of HRM Assets

A Councillor Request Form prepared by Councillor Outhit was before Halifax Regional Council.

MOVED by Councillor Outhit, seconded by Councillor Johns that Halifax Regional Council direct staff to commence the process to amend Administrative Order 46, section 16(f), the purpose of which is to allow the naming of HRM assets recognizing people still living.

Councillor Outhit indicated that under the current policy, an asset can only be named in honour of someone who is deceased.

MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

11.1 Councillor Watts

An information report dated January 4, 2013 was before Halifax Regional Council.

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council direct staff to:

- 1. Re-route the "Type A" deadheads to Quinpool Road on a trial basis for up to one year beginning May 20, 2013 as identified in the staff report dated January 4, 2013 entitled "Metro Transit Bus Deadheading via Chebucto Road;" and**

2. Report back to Regional Council on the operational and budgetary impacts of this adjustment after the trial has been completed

Councillor Watts indicated that this request is a result of a petition, signed by 68 residents of Chebucto Road who expressed concern over the number deadhead buses on their street. She reminded Council that deadheads refer to empty, out of service buses that are returning to the garage. Currently, Metro Transit operates over 200 deadhead trips along Chebucto Road, the majority of which are on weekdays. Residents are particularly concerned about bus traffic on the stretch between Oxford and Windsor streets, because the road narrows and because there are a number of schools on it, namely Oxford Street School, King's View Academy, the Maritime Muslim Academy and the Maritime Conservatory of Music.

In response to these concerns, Councillor Watts asked Council to consider an alternate deadhead route along Quinpool Road. Rerouting to Quinpool Road would be cost neutral and would not add to the journey time of buses. She did not believe that Quinpool Road businesses would be negatively affected by this change, adding that any unforeseen effects would be uncovered during the trial period.

Councillor Mosher noted that the Quinpool Road Business Association is concerned about this proposal, as is former Councillor Sheila Fougere. During peak hours, Quinpool Road already suffers from congestion problems and illegal parking often reduces the road's four lanes to two. She wished to know if staff had compared the number of pedestrians and children on Quinpool Road relative to Chebucto Road.

Ms. Hughes replied that pedestrian and child counts had not been conducted along Quinpool Road. However, she did not believe that rerouting would have safety implications as Chebucto and Quinpool are both arterial roads. She noted, further, that Metro Transit finds the alternative agreeable because it is cost neutral.

Councillor Mosher indicated that the alternative simply shifts the problem to another street. As there was insufficient consultation along Quinpool Road, she would not be supporting the motion.

Councillor Watts explained that she had spoken with the Director of the Quinpool Road Business Association who had concerns about street parking and the length of the pilot project. The length of the pilot could indeed be shortened but only slightly as Metro Transit needs to collect data to evaluate the project. As for functionality, she agreed that Quinpool and Chebucto roads are both classified as arterial roads but the first is wider, has fewer homes and fewer schools than the second. These are important differences.

MOTION PUT AND DEFEATED (8 in favour, 9 against).

Voting in favour of the motion were Deputy Mayor Rankin and Councillors Dalrymple, Hendsbee, Nicoll, Fisher, Mason, Watts and Walker.

Voting against were Mayor Savage and Councillors Karsten, McCluskey, Mosher, Adams, Whitman, Johns, Craig and Outhit.

12. IN CAMERA

12.1 Personnel Matter

12.1.1 Citizen Appointments to Boards and Committees

Regional Council agreed to consider items 12.1.1 and 13.1 in public session.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council:

- 1. Increase the membership of the Investment Policy Advisory Committee by one member at large;**
- 2. Approve the appointment to the Investment Policy Advisory Committee as outlined in the Private & Confidential Report of February 13, 2013; and**
- 3. Release the list of citizen appointments to the public following ratification**

MOTION PUT AND PASSED UNANIMOUSLY.

12.1.2 Personnel Matter – Oral

This item was dealt with at a later in camera session.

12.2 Labour Relations

12.2.1 CUPE 108 Collective Bargaining Update – Oral

This item was dealt with at a later in camera session.

13. ADDED ITEMS

13.1 In Camera – Personnel Matter

13.1.1 2013 HRM Volunteer Recognition and Award Recipients

MOVED by Councillor Johns, seconded by Councillor Craig that Halifax Regional Council:

- 1. Retain the total number of awards of 100 with an updated distribution of 5 awards per district; 16 overall awards based on scoring, and 3 awards for community groups to reflect the new district configuration;**

2. **Approve the individual Adult and Youth award recipients as listed in Attachment B of the January 9, 2013 private and confidential staff report;**
3. **Approve the ten volunteers to receive the Provincial Volunteer Awards as listed in Attachment B of the January 9, 2013 private and confidential staff report;**
4. **Approve HRM's 2013 Volunteer of the Year as listed in Attachment B of the January 9, 2013 private and confidential staff report;**
5. **Approve the Community Group award recipients in three categories as listed in Attachment C of the January 9, 2013 private and confidential staff report;**
6. **Approve the Community Group recognition recipients as listed in Attachment C of the January 9, 2013 private and confidential staff report; and**
7. **Not release the private and confidential report to the public until the 2013 HRM Volunteer Awards Ceremony on April 17, 2013.**

MOTION PUT AND PASSED UNANIMOUSLY.

Regional Council agreed to discuss item 14 before going in camera.

14. NOTICES OF MOTION

14.1 Councillor Dalrymple

"Take notice that at the next regular meeting of Halifax Regional Council, to be held on Tuesday, March 5, 2013, I propose to move approval of Administrative Order 51 respecting Private Bridge Financing, the purpose of which is to provide property owners with the use of Local Improvement Charges to finance the repairing, upgrading or replacement of privately-owned bridges."

14.2 Councillor Walker

"Take notice that at the next meeting of Halifax Regional Council, to be held March 5, 2013, I intend to move a motion to amend Administrative Order 18 respecting Revenue Collections to establish fees for internal title review and report and tax sale deed replacements."

14.3 Councillor McCluskey

"Take notice that at the next meeting of Halifax Regional Council, to be held March 5, 2013, I intend to move a motion to amend Administrative Order 1 to provide clarity in regard to the intent of Council, Community Council or Appeals Committee in regard to the disposition of an appeal."

“Take notice that at the next meeting of Halifax Regional Council, to be held March 5, 2013 I intend to move a motion requesting a staff report outlining:

- The legislative authority, implications and precedence of a ban on lawn fertilizers containing phosphorous; and*
- How staff will respond to the Dartmouth Lakes Advisory Board request for HRM to develop a strategy to involve the community in helping manage their natural water resources.”*

14.4 Councillor Adams

“Take notice that at the next regular meeting of Halifax Regional Council to be held on March 5, 2013, I propose to move approval of Administrative Order SC-73, the purpose of which is to effect closure of a portion of the Lancaster Drive right-of-way, Herring Cove.”

At 4:30 pm, the public portion of the meeting concluded and Regional Council convened in camera.

15. ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Proclamation – National Nutrition Month - March 2013
2. Memorandum from the Director of Finance and ICT dated January 9, 2013 re:
Award of Contracts – CAO Approval
3. Memorandum from the Municipal Clerk dated February 19, 2013
re: Requests for Presentation to Council – None