

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES

**August 3, 2010**

**PRESENT:**

Mayor Peter Kelly  
Deputy Mayor Brad Johns  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
Bill Karsten  
Jackie Barkhouse  
Jim Smith  
Mary Wile  
Jerry Blumenthal  
Dawn M. Sloane  
Sue Uteck  
Jennifer Watts  
Russell Walker  
Debbie Hum  
Linda Mosher  
Stephen D. Adams  
Robert P. Harvey  
Tim Outhit  
Reg Rankin  
Peter Lund

**STAFF:**

Mr. Wayne Anstey, Acting Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Sherryll Murphy, Deputy Municipal Clerk  
Ms. Shawnee Gregory, Legislative Assistant  
Ms. Krista Tidgwell, Legislative Assistant  
Ms. Chris Newson, Legislative Assistant

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**1. INVOCATION**

The Mayor called the meeting to order at 9:58 a.m. with the invocation being led by Councillor McCluskey.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGMENTS**

Councillor McCluskey congratulated Mr. Wayne Anstey, Acting Chief Administrative Officer, on becoming a grandfather. She thanked the Natal Day Committee including Chair Clyde Paul and Vice Chair Tim Rissesco for four days of successful events. Councillor McCluskey also congratulated Mayor Kelly for running the six mile Natal Day event.

Deputy Mayor Johns advised that Weir Rockin' would take place on August 21, 2010; noting that the main band was Loverboy and tickets were selling well.

Councillor Mosher stated that the third annual Dingle Beach Party had taken place on August 2, 2010 and that the plaque conveying Dingle Tower as a National Historic Site had been officially unveiled as well. She wished to thank the following people who helped make the event possible: Mr. Tony Adams, Mr. John Henry, Ms. Karen Bagnell, Ms. Karen Lowery, Mr. Wayne Jay, Mr. James Campbell, Mr. Stephen Rice, Ms. Pat Wells, Ms. Mary-Jane Martin, Mr. Wade Betts, Ms. Ellen Henneberry, Mr. Jacob Goulden, Mr. Sam Wilkie, Ms. Eleni Panagopoulos, Mr. Jacob Dobias, Ms. Bridgette DeCoste, Mr. Drew DeCoste, Mr. Elliot Cavanaugh, Ms. Julieanne Harnish, and Ms. Laura MacNevin. Councillor Mosher also wished to thank the following financial sponsors: Halifax Regional Municipality, HRM Recreation, Halifax Water, Tim Horton's - Osborne St., Armdale, At the Dingle Eatery, SNC Insurance-Herring Cove Road, Bowlerama Spryfield, Sobey's Spryfield and RBC.

Councillor Blumenthal congratulated staff and Mr. Paul as the parade in the North End on August 2, 2010 had taken place without a flaw. He apologised to Councillor Mosher for being unable to attend the Dingle Beach Party due to the parade.

**3. APPROVAL OF MINUTES - June 22 & July 6, 2010**

Amendments:

June 22, 2010:

Item 2, Page 7 - *Auburn* rather than *Alburn* Drive

Item 9.1., Page 9 - there should be no s on *exists*

Item 9.1., Page 10 - Under Mr. Michael Hackett, it should read *staff's recommendation was that the*

Item 9.1, Page 11 - Ms. Beverley Miller lives on *Inglis Street* rather than in *North End, Halifax*

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that the minutes of June 22, 2010 be approved as amended and the minutes of July 6, 2010 be approved as presented. MOTION PUT AND PASSED.**

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

Deferral:

10.1.2 1588 Barrington Street as an Arts & Culture Incubator

**MOVED by Deputy Mayor Johns, seconded by Councillor Watts, that item 10.1.2 be deferred to the August 10, 2010 meeting. MOTION PUT AND PASSED.**

Mayor Kelly suggested that Council deal with item 8.1 Phase 1 Recommendation - District Boundary Review after all other agenda items.

**MOVED by Councillor Blumenthal, seconded by Deputy Mayor Johns, that item 8.1 be dealt with at the end of the agenda. MOTION PUT AND PASSED.**

Additions:

- 12.1 Councillor Adams - Formula Used to Decrease Business Improvements District (BID) Funding
- 12.2 Information Item 9 - Memorandum from Director, Community Development dated July 12, 2010 re: Petition - Municipal Planning Strategy / Land Use By-Law Amendments for the area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue (BARTIS)
- 12.3 Supporting Progress of the Local Food Movement - Councillor Watts
- 12.4 U - Pass Concerns - Councillor Hum & Councillor Uteck

**MOVED by Councillor Karsten , seconded by Councillor McCluskey, 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 DEFERRED BUSINESS**

**8.1 Phase 1 Recommendation - District Boundary Review**

This item was dealt with later in the meeting. Please see page 14.

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Tender 10-163 - Construction of the Dutch Settlement & Area Fire Station (Station 40), Dutch Settlement, Lantz**

- A staff report dated July 12, 2010 was before Council.

**MOVED by Councillor Streach, seconded by Councillor Karsten, that Halifax Regional Council:**

- 1. Reallocate budget in the amount of \$75,000 from Project No. CBG00720 - Prospect Road Community Centre, \$150,000 from Project No. CBJ00168 - Fire Station 45, and \$225,000 from Project No. CB200454 - Gordon R. Snow Community Centre to Project No. CBJ00979 - Dutch Settlement Fire Station.**
- 2. Award Tender No. 10-163 to Bird Construction Company for a Total Tender Price of \$1,613,304.42 (net HST included), with funding from Project No. CBJ00979 - Dutch Settlement Fire Station.**

A discussion on the motion ensued with staff responding to questions.

Mr. Roy Hollett, Deputy Chief Director, Fire and Emergency Services, stated that fire stations which were no longer in use were usually given back to Transportation and Public Works.

Mr. Phil Townsend, Director of Infrastructure and Asset Management, noted that properties such as this would be put through HRM's surplus property process.

Mr. Townsend also indicated that there was a substantial amount of unallocated money for these facilities and it was staff's understanding that there were enough funds remaining to deal with any outstanding deficiencies.

Regarding funding, Ms. Cathie O'Toole, Director of Finance, stated that staff were attempting to move money within capital accounts in order to minimize the use of reserves and to increase savings.

Councillor Barkhouse entered the meeting at 10:19 a.m.

**MOTION PUT AND PASSED.**

**10.1.2 1588 Barrington Street as an Arts & Culture Incubator**

This item was deleted from the agenda under the approval of the order of business.

**10.1.3 Case 15964 - Bedford South Capital Cost Contribution**

- A staff report dated June 18, 2010 was before Council.

**MOVED by Councillor Outhit, seconded by Councillor Hum, that Halifax Regional Council give First Reading to the proposed amendments to the Regional Subdivision By-Law as presented in Attachment "A" of the June 18, 2010 staff report and schedule a public hearing for September 14, 2010. MOTION PUT AND PASSED.**

**10.1.4 Community Facility Lease Agreement - 28975 Highway #7 - Moser River Community Hall Association**

- A staff report dated June 24, 2010 was before Council.

**MOVED by Councillor Streach, seconded by Councillor McCluskey, that Halifax Regional Council authorize the Mayor and the Municipal Clerk to enter into a Facility Lease Agreement with the Moser River Community Hall Association to manage and operate the Moser River Community Hall, as per the key terms and conditions set out in Table 1 of the June 24, 2010 staff report. MOTION PUT AND PASSED.**

**10.1.5 Appointment of Development Officer**

- A staff report dated July 5, 2010 was before Council.

**MOVED by Deputy Mayor Johns, seconded by Councillor Nicoll, that Halifax Regional Council appoint Erin MacIntyre as a Development Officer for the Halifax**

**Regional Municipality as required by Chapter VIII, Section 258 (1) of the *Halifax Regional Municipality Charter*. MOTION PUT AND PASSED.**

**10.1.6 2011 Census Long Form Survey**

- A staff report dated July 9, 2010 was before Council.

**MOVED by Councillor Karsten, seconded by Councillor Wile, that Halifax Regional Council request the Mayor write to the Government of Canada and request that its decision to eliminate the mandatory Long Form Census Survey for the 2011 Census be reversed, and refer the issue to the Union of Nova Scotia Municipalities (UNSM) and encourage them to adopt a resolution in supporting the retention of the mandatory Long Form Census Survey. MOTION PUT AND PASSED.**

**10.1.7 Four Pad Arena Funding**

- A staff report dated July 16, 2010 was before Council.

**MOVED by Councillor Outhit, seconded by Councillor Karsten, that Halifax Regional Council approve:**

- 1. An increase to the gross budget of CBX01144 Four Pad Arena by \$400,000 to recognize grant funding from the Green Municipal Fund (GMF).**
- 2. An increase of \$3.51M to Project No. CBX01144 Four Pad Arena with funding identified as an unscheduled reserve withdrawal from account Q126 (Strategic Growth) in the amount of \$1.51M and a transfer from Project No. CBW00978 - Central Library, funded by Q126 as well, in the amount of \$2M.**
- 3. A repayment to reserve Q126 - Strategic Growth, in the amount of \$1.51M in the 2011/12 Project Budget.**
- 4. A repayment to Project No. CBW00978 - Central Library, in the amount of \$2M in the 2011/12 Project Budget.**



A discussion on the motion ensued with staff responding to questions.

Mr. Townsend advised that some of the cost overruns were caused by the facility having to be moved due to its positioning on a wetland area. He noted that it was not unusual to have cost rises of up to 15% during a project. Mr. Townsend also indicated that staff were borrowing funds from the reserve as there was capacity there and it would be replaced next year.

Ms. O'Toole advised that strategic growth reserve funds could be used to provide infrastructure where there was a need due to growth; noting that there was also a stipulation that there had to be some cost sharing as there was with this project between HRM and the Province.

Mr. Townsend stated that the net budget impact of the overages were in the range of \$200,000 and noted that staff did bring an additional \$400,000 to the table via a grant to offset costs.

Councillor Hum clarified, for the record, that at the time that the four pad funding approval was brought forward for debate, Council did discuss the urgency of this project and also discussed what would happen if no Federal funding was provided; noting that Council had decided to manage that on their own. She stated that she wished to reinforce the message, however, that Council would welcome any Federal funding at any time.

#### **MOTION PUT AND PASSED.**

##### **10.1.8 Renewable Electricity Plan - Feed-In Tariff - Draft Regulations**

- A staff report dated July 29, 2010 was before Council.
- A presentation was submitted.

Ms. Mary Ellen Donovan, Municipal Solicitor, advised that the Province had adopted some amendments to the Electricity Act in the spring of 2010 and that a companion piece to those amendments were draft recommendations which had been circulated for public comment. She stated that the comments had been due on July 23, 2010, however, since Council was on break at the time, they had been granted an extension until August 4, 2010; provided that a draft submission is submitted for their staff to review. Ms. Donovan stated that the comments which staff offered the Province were in the interest of trying to have a robust set of regulations to support what were fairly aggressive Provincial targets such as hitting 25% renewable electricity by 2015, with a goal of 40% five years out. She stated that the Province has requested that 100 megawatts of energy be set aside for municipalities or community based organizations to provide. She advised that the development of the generation of power is difficult and

challenging regardless of the means in which it is created as it required a large amount of financial and technical capacity; noting that HRM was suggesting that the 100 megawatts be changed in the Act to remain permanent and not lost at the end of five years.

Ms. Donovan stated that staff were also suggesting a number of minor points, including definitions and clarifications regarding net metering and distribution zones as well as biomass and the definition of 'run- of - the river' with regard to hydroelectricity.

A discussion ensued with staff responding to questions.

Mr. Gord Helm, Manager of Solid Waste Resources, advised that, regarding obtaining energy from waste technology, HRM was at a point where staff were investigating what their residual fuel was as there were a number of technologies available such as biochemical, bio fuel or fuel to energy. He indicated that he had discussed this with both the Department of Energy and Department of Environment and that all parties were taking an 18 month window to review this matter. Mr. Helm stated that staff would continue to examine the Edmonton and Enerchem bio chemical recycling process and returning to Council with recommendations in 2011 with the end date of implementation around the 2015 time frame.

**MOVED by Councillor Karsten, seconded by Councillor Walker, that Halifax Regional Council approve the attached staff comments, as contained in the July 29, 2010 staff report, in respect of the Province of Nova Scotia draft Renewable Electricity Plan Regulations and direct staff to file them with the Province of Nova Scotia as HRM's official input to the said Regulations.**

A discussion on the motion ensued.

Councillor Hendsbee entered the meeting at 11:09 a.m.

In response to a question by Councillor Hendsbee regarding individually owned turbines, Ms. Donovan noted that, based on her reading of the regulations there would not be a premium for individual turbines through the feed in tariff process.

**MOTION PUT AND PASSED.**

**10.1.9 First Reading Proposed By-Law S-606, An Amendment to By-Law S-600, Respecting Solid Waste Resource Collection and Disposal**

- A staff report dated June 24, 2010 was before Council.

**MOVED by Councillor Lund, seconded by Councillor Nicoll, that Halifax Regional Council give First Reading to By-Law S-606, An Amendment to By-Law S-600, Respecting Solid Waste Collection and Disposal, Charges on Outstanding Accounts, as outlined in Appendix “A” of the June 24, 2010 staff report. MOTION PUT AND PASSED.**

**10.1.10 Second Reading By-Law S-430, An Amendment to By-Law S-400, Respecting Local Improvement Charges - 2009 Projects**

- An Extract of Draft Regional Council Minutes - July 6, 2010 was before Council.
- A staff report dated May 21, 2010 was before Council.

**MOVED by Councillor Hendsbee, seconded by Councillor McCluskey, that Halifax Regional Council approve By-Law S-430, An Amendment to By-Law S-400, Respecting Local Improvement Charges, New Paving Projects Outside the Core Area 2009, as outlined in the staff report of May 21, 2010. MOTION PUT AND PASSED.**

**10.1.11 Second Reading By-Law S-309, An Amendment to By-Law S-300, Respecting Streets, and Amendments to Administrative Order 15, Respecting License, Permit & Processing Fees**

- An Extract of Draft Regional Council Minutes - July 6, 2010 was before Council.
- A staff report dated June 7, 2010 was before Council.

**MOVED by Councillor Walker, seconded by Councillor Nicoll, that Halifax Regional Council approve By-Law S-309, an amendment to By-Law S-300, Respecting Streets and associated amendments to Administrative Order 15, Respecting License, Permit and Processing Fees, with the exception of a fee for block parties, as set out in Attachments “A” and “B” of the June 7, 2010 staff report. MOTION PUT AND PASSED.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Councillor Adams - Formula Used to Decrease Business Improvements District (BID) Funding**

Councillor Adams expressed concern that the BID funding did not seem to be fair in its allocation as smaller BIDs appeared to be bearing the brunt of reductions.

**MOVED by Councillor Adams, seconded by Councillor Mosher, that Halifax Regional Council request a staff report to explain the method used in applying reductions to Business Improvements District (BID) Funding and an explanation of the variances in the reductions. MOTION PUT AND PASSED.**

**12.2 Information Item 9 - Memorandum from Director, Community Development dated July 12, 2010 re: Petition - Municipal Planning Strategy / Land Use By-Law Amendments for the area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue (BARTIS)**

**MOVED by Councillor Uteck, seconded by Councillor Watts, that Halifax Regional Council:**

- 1. Initiate the process to consider amending the South End Area Plan of the Halifax Municipal Planning Strategy and the Land Use By-law to reflect the character of the area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue (BARTIS); and**
- 2. As part of the Municipal Planning Strategy, initiate a public participation program; and**
- 3. That staff consider, as part of the report, the five amendments outlined in the submitted petition.**

A discussion on the motion ensued with staff responding to questions.

Mr. Paul Dunphy, Director of Community Development, stated that there was a risk of duplication if the Urban Design Task Force were to decide that the South End was a design review area; noting that staff would have to be quite narrow in their amendments. He indicated that if the process were to be carried out only in the extent discussed there would be no impact on the visioning program; advising that staff did agree that urgent issues would be dealt with and Councillor Uteck had requested a limited number of zoning amendments.

Councillor Uteck stated that this was an urgent matter; the intent of which was to retain the character in the neighbourhood.

**MOTION PUT AND PASSED.**

**12.3 Supporting Progress of the Local Food Movement - Councillor Watts**

**MOVED by Councillor Watts, seconded by Councillor Outhit, that Halifax Regional Council request a brief report regarding how HRM can influence, impact and support the progress of the local food movement.**

A discussion on the motion ensued.

In response to a question from Councillor Streach, Councillor Watts indicated that her motion did intend to bridge the urban and rural realities.

Mr. Townsend suggested that the report be investigated in two stages; the first would discuss the various areas of impact with little expansion and then, secondly, staff would ask Council which areas they wished to further investigate.

**MOTION PUT AND PASSED.**

**12.4 U - Pass Concerns - Councillor Hum & Councillor Uteck**

Councillor Hum indicated that this issue had been brought to her attention by the Vice President of Mount Saint Vincent University regarding the increased cost for the U - Pass program this coming fall. She stated that universities had been notified of the increase to \$132 in April 2010 after students had left for the school year and 2010/2011 calendars had been printed. Councillor Hum advised that the universities would now be required to hold a referendum due to the lack of sufficient notice regarding the increase. She stated that the increase had already gone through HRM's budget process and, therefore, this matter needed to be addressed quickly.

**MOVED by Councillor Hum, seconded by Councillor Walker, that Halifax Regional Council request a staff report for the August 17, 2010 Regional Council meeting outlining the impact of the increased cost of the U - Pass on HRM students.**

A discussion on the motion ensued.

Councillor Uteck advised that she had attended a meeting with the local university representatives; noting that this issue had actually been resolved for next year. She requested an update from staff on the matter.

**MOTION PUT AND PASSED.**

### **13. NOTICES OF MOTION**

#### **13.1 Councillor Wile**

Take notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 10<sup>th</sup> day of August, 2010, I propose to move First Reading of By-Law S-901 and proposed amendments to By-Law S-900, the purpose of which is to add a stretch of roadway (part of Washmill Lake Drive) to the list of controlled access roads.

#### **13.2 Councillor Uteck**

Take notice, that at the next regular meeting of Council to be held on Tuesday, August 10, 2010, I intend to introduce a motion to amend Administrative Order Number One, Respecting the Procedures of Council for In Camera meetings that would include the following:

1. That a solicitor will remain in the room at all times
2. No secret ballots will be allowed

and affirm sections 9(6) and 9(7) of Administrative Order One, related to minutes of In Camera meetings and ratification of motions in open Council, will apply.

#### **13.3 Councillor Smith**

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on August 10, 2010, I intend to introduce a motion to amend Administrative Order 1, Section 56 (2) to provide that a motion of reconsideration may only be brought forward by a member of Council who had voted in the affirmative as per Robert's Rules of Order.

A discussion ensued regarding how item 8.1. would be dealt with.

**MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Halifax Regional Council suspend the rules of order for Item 8.1 and move to Committee of the Whole prior to going back into Regional Council. MOTION DEFEATED.**

**MOVED by Councillor Karsten, seconded by Councillor Hendsbee, that Halifax Regional Council have the ability to discuss all four recommendations under Item 8.1. separately. MOTION DEFEATED.**

The meeting recessed at 11:54 a.m.

The meeting reconvened at 1:30 p.m. with all members of Council present.

### **8.1 Phase 1 Recommendation - District Boundary Review**

The following items were before Council:

- A spreadsheet of the average population and voters based on number of districts.
- An email from Chris Richness dated June 18, 2010 in support of a reduction in Council.
- An email from Valerie Payn, President & CEO, Halifax Chamber of Commerce, dated June 21, 2010 encouraging a reduction in Council size.
- A presentation dated August 3, 2010 entitled: HRM's Governance & District Boundary Review, Phase 1 - Governance.
- A report dated June 11, 2010 with attached binder entitled "Your Council. Your say. District Boundary Review".
- An email from Jack Novack, Professor & Program Director, Public Sector Programs, Dalhousie University, to Councillor Sloane dated April 1, 2010 indicating that Council's review should be directed towards broad policy and strategic issues rather than District specific concerns.

**MOVED by Councillor Hum, seconded by Councillor Uteck, that Halifax Regional Council direct the Governance and District Boundary Review Committee's recommendation contained in the June 11, 2010 report to the Utility and Review Board without debate and/or discussion. MOTION PUT AND DEFEATED.**

**MOVED by Councillor Rankin, seconded by Councillor Dalrymple, that Halifax Regional Council:**

- 1. Approve the reduction of Halifax Regional Council to 20 Councillors plus the Mayor, with four Community Councils each composed of five Districts;**
- 2. Seek amendments to the *HRM Charter* that will allow Halifax Regional Council to delegate general authority to Community Councils for local matters, with the intent that the delegation of this authority evolve over time;**
- 3. Approve in principle the vesting of authority to Community Councils for the establishment of area rates for enhanced services deemed by Halifax Regional Council to be local, if the necessary amendments to permit this are made to the *HRM Charter*; and**

**4. Approve the adoption in principle by Halifax Regional Council of the use of Consent Agendas, with the goal of achieving greater effectiveness at Regional Council meetings.**

Councillor Sloane indicated that she has spoken with Jack Novack, Professor & Program Director, Public Sector Programs, Dalhousie University, respecting the size of Council. As indicated in Mr. Novack's April 1<sup>st</sup> email, *the real issue is not the size of Council but rather how Council's agenda is determined and exercised. Council needs to spend more time on broad policy and strategic issues rather than on District specific concerns.*

Councillor Sloane made the following suggestions:

- focus should be on reviewing HRM's governance to make Council more effective; then discussion can take place respecting the number of seats
- Community Councils needs to be bolstered with more powers and some should be realigned
- request that the Province amend it's legislation to allow Council to be more effective

Councillor Walker noted the importance of identifying the number of seats before discussion could take place respecting Community Councils and governance.

**MOVED by Councillor Walker, seconded by Councillor Dalrymple, that the motion be amended to address recommendation 1 of the June 11, 2010 report only and defer 2, 3 and 4 together until a decision has been reached on the number of seats.**

Mayor Kelly advised that the amendment requires two-thirds majority.

Councillor Rankin commented that the amendment would allow the Committee and staff to start working on identifying the boundary areas. He noted that the Utility and Review Board (UARB) is looking for the number of seats based on the Municipality's governance model. Issues such as what powers may be endowed to the Community Councils can be a subsequent discussion.

In response to a question raised by Councillor Dalrymple, Mayor Kelly clarified that the amendment is different from Councillor Karsten's earlier motion because the recommendation would become two separate debates and not four debates, which Councillor Karsten had requested.



Councillor Sloane expressed concern respecting Council's process, reiterating that Council should be discussing the governance structure prior to the size of Council.

Councillor Smith expressed concern with amending the motion, noting that Council had indicated earlier in the meeting that they would discuss the Committee's recommendation as one motion.

Mayor Kelly called for the question. **MOTION to AMEND PUT AND PASSED.**

Council entered into discussion on recommendation one, 20 Councillors plus the Mayor.

Councillor Barkhouse noted the following points and concerns respecting a reduction to Council:

- debate is being portrayed as a negative, or that it creates inefficiency
- 20 Councillors is merely a reduction that is token; suggestions of 15, 16 and 17 Councillors are poorly masked attempts to make 20 Councillors an acceptable alternative/compromise
- it is an assault on democracy and will create hardship for those who are at risk of having their voices heard the least
- residents are of the impression that Council needs to reduce to save money; this belief is perpetuated by false information, of which HRM has done nothing to correct; a reduction will not save money
- residents want their local Councillor to be available to them to personally address their concerns; Council risks making a decision that could effect their involvement with their constituents
- District Councillors' roles will need to change to meet the demands of a decreased Council; work loads will be delegated largely to staff; Councillors will require additional staff to handle their workloads and the workloads that HRM citizens feel Councillors should be doing

Councillor Barkhouse commented that staying with status quo is not about saving jobs, it is about democracy. Residents are being ill-advised and misinformed and she has no interest in becoming a rubber stamp.

Councillor Karsten expressed the following points and concerns:

- a reduction in Council will not change HRM citizens' perception of Council
- due to the nature of the business, the ill-conceived reputation that Council often wears is no different from other Councils across Canada

- prior to amalgamation the various areas that now make up HRM had a total of 60 representatives plus 4 Mayors
- Harbour East Community Council lost one member during the 2004 election due to boundary reviews; the residents of Dartmouth would not be pleased to see another reduction in Council size
- the approach to governance should be determined by the number of Councillors required to conduct Regional Council matters
- concerned with how the Halifax Chamber of Commerce has lobbied Council to reduce its size

Councillor Sloane noted the following points and concerns making reference to *The Grassroots of Democracy* by Mr. Jack Novak:

- Councillors are elected as representatives for their communities and residents expect them to be accountable for their actions
- a reduction in Council will not make a Councillor's job easier, nor change the way Council does business unless the governance is changed first
- concern with the size of some of the Community Councils, as well as, how residents are being educated with respect to HRM's process
- HRM is a public institution not a corporation.

Councillor Uteck reminded Council that no matter what decision Council arrives at, the UARB makes the final decision.

Councillor Hum expressed concern with the lack of citizen representation on the Governance and District Boundary Review Committee (GDBRC), noting that the Committee has the Mayor and six Councillors. Reducing the size of Council will affect Councillors' roles, citizens' expectations and demands on staff.

Further points and concerns noted during the debate where:

- Councillors need to remove their emotions from the debate and do what is in the best interest of the Municipality
- it would be an injustice to the residents and the GDBRC not to vote on the issue
- certain Councillors presently represent over 20,000 constituents, where other only represent approximately 13,000 constituents
- 16 members may be more in line with how private corporations/businesses operate
- the status quo is too top heavy and cumbersome
- the public consultation process held in District 1 received over 200 attendees; the majority of residents indicated that they do not want less representation; however, communities of interest need to be protected

- under the Provincial Law, HRM's Districts must be within 10% of population of one another; District boundaries must be realigned to meet this mandate
- Councillors are allotted the same Councillor District Funds whether they have 20,000 or 13,000 residents; there is a lack of equity for larger Districts

Councillor Hendsbee expressed concern with the Province duplicating the boundary review process in 2013. There are presently 52 MLAs that serve the Province of which approximately 18 are within HRM boundaries. He commented that Provincial levels are supposed to be larger than the Municipal seats and should not transcend Municipal boundaries. Councillor Hendsbee made the following suggestions that the Provincial legislature should be considering:

- mandate a 10% reduction in all seats for all Municipalities across the Province, including the legislature
- encourage more amalgamations throughout Nova Scotia
- consider aligning Provincial constituency boundaries with the new HRM boundaries.

Further points noted during the debate:

- residents want to feel well represented and have their voices heard
- page 4 of the June 11, 2010 report indicates that during the public consultation process, the GDBRC did not hear an overwhelming desire for a reduction in Councils size
- of the 55 Municipalities within the Province of Nova Scotia, HRM in conjunction with Cape Breton represents more than 50% of the population
- District boundaries should be determined based on the communities of interest and where residents feel they live
- the June 11, 2010 report identifies the following under the budget implications:
  - there could be a modest savings but no significant cost savings would be anticipated
  - the status quo would have no significant cost impact
  - modest efficiencies may be achieved through alignment of the Community Councils
- HRM Districts no matter how divided will still require Municipal maintenance (streets, lawns, snow plowing, etc.)
- the only cost saving would be the reduction of three Councillor's salaries
- the UARB recommended Council reduce its size during the 2000 boundary review; municipalities similar to HRM had higher populations (averages between 23,000-40,000)
- in 2003 the UARB reminded HRM that the number of seats had not been addressed

- with a 20 seat scenario over 1/3 of Council is already in compliance with the boundary requirements
- Council's mandate is for policy formation based on resident input; Council is often discussing local issues that should be directed to the Community Councils
- the GDBRC recommended 20 seats based on effectiveness and governance from a Community Council perspective
- the Halifax Chamber of Commerce has 16 members on their Board of Directors with several sub-committees ranging from 12 members to 39 members
- HRM's population has increased dramatically since amalgamation
- there are 441 Municipal elected representatives within the Province of Nova Scotia of which HRM has 40% of the population, 46% of the revenues and 5.4% of the voting members; concern that the reduction of Council will dilute the public's voice at the Municipal level going forward to the Province

Councillor Nicoll noted that she agreed that governance issues must come first. She does not want to see the number of districts change at the peril of loss of community identity. She noted specifically that the residents of Cole Harbour and Cherrybrook have strong views as to what constitutes their community and had previously petitioned the UARB to address those concerns. She noted that residents' views of their communities need to be taken into consideration when determining representation.

Council recessed at 3:00 p.m.  
Council resumed at 3:18 p.m.

Following a brief discussion, it was **MOVED by Councillor Walker, seconded by Councillor Outhit, to amend the motion and reduce the size of Halifax Regional Council to 16 Councillors plus the Mayor.**

The Municipal Solicitor confirmed that an amendment to 16 Councillors is germane to the original motion and is in order.

Council entered into discussion respecting the amendment to 16 Councillors plus the Mayor. The following points and concerns were noted:

- reducing the size of Council does not hurt democracy; empowering Community Council's enhances democracy by having Councillors address issues within their communities
- fewer Districts and larger boundaries will promote more effective decision making

- other Canadian Municipalities that have 15 Councillors do not have an extra level of deliberation for local decision making (ie. Community Councils)
- reducing Council to 16 could allow for discussions to take place respecting the placement of constituency offices and a staff support person within each District
- during Council's recent budget debate, members of Council discussed the need to review staffing levels; Council needs to do the same review and lead by example

Councillor Streach recognized and welcomed Minister Bill Estabrooks who was in attendance.

Councillor Sloane commented that a reduction to 16 would be the disembowelment of democracy. She reiterated the importance of addressing governance prior to the number of seats. Democracy means good representation not strong representation. Council has to have the right kinds of governance to be effective.

Councillor Hum commented that she is not opposed to reducing Council to 16 but is concerned with the process. Supporting evidence has not been provided for a reduction to 16 Councillors. She further expressed concern that Council has not completed its debate/discussion respecting a reduction to 20 Councillors. She suggested that if Council is willing to support a reduction to 16, then information should be made available that supports this number. Without supporting information, Council is just sending the UARB a number.

Councillor Watts challenged the concept that reducing the number of Council seats will help Council to think more regionally. She commented that it is the Councillors who are elected and have the perspective of what it means to be a Councillor for their District and the Region. She recommended that it is the perspective of each Councillor who is elected and their interpretation of what it means to be a Councillor for both their districts and the region. She added that the Councillors' perspective is not dependant on the size of Council.

In response to a concern raised by Councillor McCluskey respecting the Dartmouth area potentially losing two Councillors, Mayor Kelly advised that once the number has been established the GDBRC will be reviewing the boundary areas.

Councillor McCluskey commented that the Districts that support HRM's revenue deserve adequate representation.

Councillor Uteck suggested the option of having two different Councils with shared services. Prior to amalgamation Halifax and Dartmouth were moving toward a shared services model.

Mayor Kelly reiterated that governance can not be discussed until the number of seats is established.

The discussion ensued with many members of Council expressing their concern that the number 16 seems to have been put forward without supporting evidence.

Councillor Rankin requested Council defer this matter to the GCBRC and request a supplementary report with the various governance models for reducing Council to 16, 18 and 20. There being no seconder, Council continued with the debate.

Councillor Barkhouse reiterated that a reduction to 16 is a poorly masked attempt to reach an alternative. She reminded Councillors that they have an obligation to protect the residents of HRM.

Councillor Lund expressed concern for the potential backlash from residents if a Councillor for their area is cut.

Councillor Outhit indicated that polls taken throughout HRM from Environics, Corporate Research Associates and the Halifax Herald range from 58% to 91% of residents in support of reducing the size of Council. He commented that many residents who attended the public consultation meeting are the same individuals who attend most of the Community Council meetings.

Councillor Karsten expressed concern with how the questions were phrased within the Corporate Research Associates survey.

Councillor Walker indicated that Council will make sure that their "homework" is done before sending a recommendation to the UARB. He cautioned Council that even if they are not in support of a reduction to 16 Councillors, the UARB could determine that this is the appropriate number of seats. Councillor Walker called for the question to be put.

The motion before Council:

**MOVED by Councillor Walker, seconded by Councillor Outhit, to amend the motion and reduce the size of Halifax Regional Council to 16 Councillors plus the Mayor.**

**A Recorded Vote was taken. MOTION PUT AND DEFEATED.**

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Johns, Councillors: Dalrymple, Harvey, Outhit, Rankin, Streach, Uteck, Walker.

Members of Council voting **against** the motion: Councillors: Adams, Barkhouse, Blumenthal, Fisher, Hendsbee, Hum, Karsten, Lund, McCluskey, Mosher, Nicoll, Sloane, Smith, Watts, Wile.

**MOVED by Councillor Hendsbee, seconded by Councillor Outhit, that Halifax Regional Council reduce the size of Halifax Regional Council to 18 Councillors plus the Mayor.** Councillor Hendsbee called for the question to be put.

Mayor Kelly advised that there has been a call for the question, and two-thirds majority is required to affirm the motion.

**THE MOTION TO CALL FOR THE QUESTION WAS PASSED.**

A **Recorded Vote** was taken. **MOTION PUT AND DEFEATED.**

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Johns, Councillors: Dalrymple, Harvey, Hendsbee, Lund, Nicoll, Outhit, Rankin, Streach, Uteck.

Members of Council voting **against** the motion: Councillors: Adams, Barkhouse, Blumenthal, Fisher, Hum, Karsten, McCluskey, Mosher, Sloane, Smith, Walker, Watts, Wile.

Councillor Hendsbee called for the question to be put on the original motion of 20 Councillors plus the Mayor.

The motion before Council:

**MOVED by Councillor Rankin, seconded by Councillor Dalrymple, that Halifax Regional Council approve the reduction of Halifax Regional Council to 20 Councillors plus the Mayor, with four Community Councils each composed of five Districts.**

A **Recorded Vote** was taken. **MOTION PUT AND DEFEATED.**

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Johns, Councillors: Adams, Dalrymple, Fisher, Hendsbee, Lund, Mosher, Nicoll, Outhit, Rankin, Streach.

Members of Council voting **against** the amended motion: Councillors: Barkhouse, Blumenthal, Harvey, Hum, Karsten, McCluskey, Sloane, Smith, Uteck, Walker, Watts, Wile.

**MOVED by Councillor Walker, seconded by Deputy Mayor Johns, that Halifax Regional Council approve status quo of Halifax Regional Council at 23 plus the Mayor.**

In response to a question of calcification raised by Councillor Karsten, the Municipal Solicitor advised that the legislation requires Council to submit an application to the UARB identifying the number of seats they are recommending.

Mayor Kelly indicated that should the motion of status quo be defeated, then Council would choose another number, whether it be greater than or less than the status quo, and reenter into debate.

**MOVED by Councillor Mosher, seconded by Councillor Sloane that the question now be put.**

Mayor Kelly clarified that when a motion is lost there is no reconsideration of that motion.

There being no two-thirds majority, **THE MOTION TO CALL FOR THE QUESTION WAS DEFEATED.**

Council recessed at 4:57 p.m.

Council reconvened at 6:05 p.m. with all Members present with the exception of Councillors Uteck and Rankin.

**MOVED by Councillor Walker, seconded by Deputy Mayor Johns, that Halifax Regional Council approve status quo of Halifax Regional Council at 23 plus the Mayor.**

Councillor Streach expressed concern that with the motion for status quo there may be a “hung jury” and that was not the message they wanted to send to the Nova Scotia Utility and Review Board. He inquired, if the status quo remained, whether Council would be required to continue with a boundary review.

Mayor Kelly clarified that the process was for the boundary review to go forward and that Regional Council was mandated to send a recommendation to the Nova Scotia Utility and Review Board.



In response to a question by Councillor Streach on what would occur if the motion to maintain status quo were lost, Ms. Mary Ellen Donovan, Municipal Solicitor, advised that Council would have the option of considering a Council size not yet debated.

Councillor Streach commented that he would have to support the motion to maintain status quo otherwise they could be placing numbers in a hat and picking one.

Councillor Dalrymple advised that he was not in support of maintaining the status quo. He inquired whether Recommendations 2, 3, and 4 were still on the floor now that Recommendation 1, a proposed Council size of 20 with four Community Councils, has been defeated.

Mayor Kelly clarified that Recommendations 2, 3 and 4 would remain for debate by Council as the only change would be in regard to the four proposed Community Councils comprised of five districts. The four proposed Community Councils may remain with a change to five *or more* districts in each.

In response to Councillor Dalrymple's concern that anything discussed in regard to Recommendations 2, 3, and 4 would not be the recommendation of the Governance and Boundary Review Committee, Mayor Kelly advised that the recommendations may still be debated by Regional Council.

Councillor Harvey advised that he was not in support of maintaining 23 Councillors. He explained that to have an effective Regional Council the number of districts had to be reduced. There are still some options between 1 and 23 to be considered. He noted that it was disappointing that after the lengthy process, once again Council ends up with 23.

Councillor Sloane advised that she was in support of maintaining the status quo with a redistribution of the district boundaries. The issue of Governance, and how much power would be delegated to the Community Councils, had to be discussed. A community may not want issues brought to Regional Council as the matter may be overturned by the majority of Council. Councillor Sloane suggested that Council invite Mr. Jack Novak, an expert in the area of Municipal Governance, to discuss the matter objectively with Regional Council.

Mayor Kelly clarified that there would be changes to the boundaries to equal out voter population. He noted that there was also a willingness to consider more powers for Community Councils and Regional Council has to determine how much power they want to give to Community Councils.

Councillor McCluskey advised that she was in support of the motion to maintain the status quo as she is looking out for her residents in Dartmouth and does not want to

see less representation. Small businesses in her district do not belong to the Chamber of Commerce and someone has to fight for them and she is fighting for the small businesses. A reduced Council size would not be more effective nor save money as more Office Assistants would be required.

Councillor Outhit commented that some people would consider today's result as democracy in motion, however, in regard to a tie vote, he considers that to be paralysis not democracy. He advised that he could not support the status quo as people have been saying for a year that governance reform was needed, that they would like to see more power provided to Community Councils, however; many also believe that as a region, a city, even a province, they are over governed. He has received comments encouraging him to keep fighting for a smaller Council. Sending a motion to maintain status quo is not good for the Municipality as it is a questionable decision. He advised that he was not in support of maintaining the status quo.

In response to a question by Deputy Mayor Johns on whether Council would have the option to bring forward a Motion of Reconsideration on one of the previously debated numbers, Mayor Kelly advised that Council would have to suspend the Rules of Order for that to occur.

A recorded vote was requested on the revised Recommendation 1 as follows:

**MOVED by Councillor Walker, seconded by Deputy Mayor Johns that Halifax Regional Council recommend that the status quo of 23 Councillors plus the Mayor be maintained.**

**MOTION PUT AND PASSED.**

Those voting in favour of the motion were Councillors: Barkhouse, Blumenthal, Fisher, Karsten, Lund, McCluskey, Mosher, Sloane, Smith, Walker, Watts and Wile.

Those voting against the motion were Councillors: Adams, Dalrymple, Harvey, Hendsbee, Hum, Deputy Mayor Johns, Mayor Kelly, Nicoll, Outhit and Streach.

Those absent for the vote were Councillors: Uteck and Rankin.

Deputy Mayor Johns expressed concern that two Members of Council were absent for the vote on a substantial matter and the result was basically split down the middle.

Mayor Kelly concurred that it was possible that there may have been a tie if the two absent Councillors had been in attendance.

**MOVED by Deputy Mayor Johns, seconded by Councillor Outhit that a Motion of Reconsideration be brought forward at the next meeting of Regional Council due to the split vote and that the matter be deferred to August 10, 2010.**

Councillor Mosher noted that some members of Council were elected by a close vote of only 20 or so and questioned whether those results should have been sent back. If a Motion of Reconsideration is permitted for a close vote, in future, she would bring forward Motions of Reconsideration for every contentious issue before Council. The result of the vote was 12 to 10 and whatever the majority vote was is the result; that is the democratic process.

Mayor Kelly noted that the Rules of Procedure permit Motions of Reconsideration and they must be followed unless Council, collectively, wishes to change those rules.

Councillor Sloane commented that for ten years Council has accepted the vote that wins and the rules should not be changed.

Councillor Adams commented that debate on Recommendations 2, 3 and 4 should be held in abeyance until after the Motion of Reconsideration has been dealt with.

Mayor Kelly advised that debate on Recommendations 2, 3 and 4 may still take place as the only effect the decision on Recommendation 1 would have is on the size of Council.

Councillor Hum inquired what would be included in the submission to the Nova Scotia Utility and Review Board if the status quo were maintained.

Deputy Mayor Johns noted that he has put forward a Notice of Motion for a Motion of Reconsideration, therefore; there should be no further debate on the matter until the next regular Council meeting.

In response to a request by Councillor Blumenthal for clarification on whether the two absent Councillors would be able to vote on the matter next week, Mayor Kelly advised that all Members of Council would be able to vote on the Motion of Reconsideration.

Ms. Donovan confirmed that Members of Council in attendance for the Motion of Reconsideration could vote on the motion.

Councillor Walker noted that the Motion of Reconsideration could be dealt with at this Council session with a 2/3 majority vote to Waive the Rules of Order for the Notice of Motion. He expressed concern that Council could be facing unending Motions of Reconsideration as the vote could be one vote either way.

**MOVED by Councillor Walker that Halifax Regional Council Waive the Rules of Order to permit the Motion of Reconsideration to be dealt with at this time.**

Mayor Kelly and Ms. Donovan clarified that the only item on the floor for Council's consideration at this time was the Notice of Motion advising that a Motion of Reconsideration would be presented at the next regular Council meeting. The process is, under the current rules, that the Mover of the Notice of Motion has the option of moving forward with the Motion of Reconsideration this evening or, wait until next week.

Councillor Walker explained that the process appears different this evening than a year ago when another Councillor brought forward a Notice of Motion and the matter was dealt with that same evening by a 2/3 majority vote of Council.

Ms. Donovan explained that other Members of Council present this evening may bring forward their own Notices of Motion on the same topic which could take over the agenda.

In response to a request for clarification from Deputy Mayor Johns that the intent of a Notice of Motion was to give notice to those Councillors not in attendance that a significant matter was coming forward, Ms. Donovan explained that there were a variety of benefits to considering a Motion of Reconsideration with the primary benefit being the opportunity for additional thought between the original vote and the time of reconsideration.

**MOVED by Councillor Barkhouse, seconded by Councillor Sloane that Halifax Regional Council suspend the Rules of Order in regard to the Notice of Motion in order to deal with the Motion of Reconsideration at this time.**

Councillor Sloane requested a recorded vote.

In response to a concern raised by Councillor Hendsbee, Mayor Kelly advised that a vote of fifteen in favour was required in order for Councillor Barkhouse's motion to pass to suspend the rules of order so that Council could debate the Motion of Reconsideration this evening.

**MOTION PUT AND DEFEATED.**

Those voting in favour of the motion were Councillors: Barkhouse, Blumenthal, Fisher, Hendsbee, Karsten, McCluskey, Mosher, Nicoll, Sloane, Smith, Walker, Watts and Wile.

Those voting against the motion were Councillors: Adams, Dalrymple, Harvey, Hum, Deputy Mayor Johns, Mayor Kelly, Lund, Outhit and Streach.

Those absent for the vote were Councillors Uteck and Rankin.

Mayor Kelly clarified that since the motion to waive the rules of order had been defeated, Council would deal with the issue of the Motion of Reconsideration at the next Council meeting (August 10, 2010).

**MOVED by Councillor Streach, seconded by Deputy Mayor Johns that Halifax Regional Council defer further debate on Recommendations 2, 3, and 4, until the result of the Motion of Reconsideration is determined on August 10, 2010.**

Councillor Streach explained that there was nothing more to be added to a debate that has been ongoing since 10:00 a.m. The matter should be deferred until the Motion of Reconsideration is brought forward.

Councillor Karsten expressed concern that, if the matter were deferred, Council would be blamed for not being able to make a decision. Although two Members of Council opted not to return this evening, Council should move forward and he was not in support of deferring debate to next week.

Councillor Walker advised that he was not in support of the deferral. He explained that when a vote is lost there is a lot more work to do and he was prepared to work until 10:00 p.m.

Councillor McCluskey advised that she was not in support of the deferral. She requested clarification on why Deputy Mayor Johns' Notice of Reconsideration was being treated differently than a previous Notice of Motion.

Ms. Donovan responded to Councillor McCluskey that a Notice of Motion for Reconsideration is owned by the mover until the Motion of Reconsideration is brought forward unlike other motions which are owned by the Council.

Deputy Mayor Johns advised that he was withdrawing his Notice of Motion. He explained that he was not comfortable with the result of the vote, however; he realized that there was only a slim chance for a change next week.

Mayor Kelly advised that the result of the vote (12 - 10) on Recommendation 1 to maintain the status quo for a Council of 23 plus the Mayor would stand.

Councillor Barkhouse advised that was she also withdrawing her Notice of Motion.

**MOTION TO DEFER PUT AND DEFEATED.**

Council recessed at 7:08 p.m.

Council reconvened at 7:26 p.m.

Discussion continued on Recommendations 2, 3, and 4 which are now shown as Recommendations 1, 2 and 3.

**MOVED by Councillor Streach, seconded by Councillor Sloane that Halifax Regional Council:**

- 1. Seek amendments to the *HRM Charter* that will allow Halifax Regional Council to delegate general authority to Community Councils for local matters, with the intent that the delegation of this authority evolve over time;**
- 2. Approve in principle the vesting of authority to Community Councils for the establishment of area rates for enhanced services deemed by Halifax Regional Council to be local, if the necessary amendments to permit this are made to the *HRM Charter*; and**
- 3. Approve the adoption in principle by Halifax Regional Council of the use of Consent Agendas, with the goal of achieving greater effectiveness at Regional Council meetings.**

Councillor Streach advised that he was in support of giving more powers to Community Councils, however; he would not want to see any amendments brought forward that would affect the business of the Marine Drive Valley and Canal Community Council nor how they do things. If the number of Councillors does not change, he does not see the need to change the Marine Drive Valley and Canal Community Council. He expressed concern with Community Councils determining local tax rates as that should be done at Regional Council.

Councillor Sloane commented that the motion was a positive move forward. She stressed the importance of changes to the Community Councils evolving over time into something more effective for the communities. The Community Council form should be developed by what ever fits best such as rural, urban and suburban, or; having four or five Community Councils. She noted that the Chebucto Community Council was once part of the Peninsula Community Council but was divided into two.

Councillor Karsten suggested that the recommendations be revised to include “*approve in principle*” for the local matters delegated to Community Councils as he would prefer more information listing what those local matters would be.

Mayor Kelly clarified that the power to delegate authority to the Community Councils on local matters is not in the current HRM Charter. The proposals would return to Regional Council, who would decide what matters were deemed “local”.

In response to Councillor Karsten’s request for clarification on who would determine what would be included in the consent agenda, Mayor Kelly advised that consent agendas would contain mostly Tender matters and First Readings.

Councillor Walker expressed concern with how Recommendation 1 would be received by the province and how much latitude they would be willing to give to a Community Council that may only be made up of 3 districts. He expressed concern with Recommendation 2 and Community Councils establishing area rates without coming to Regional Council as tax bills would rise. He noted that Council was hesitant to implement area rates and now there is a potential that fewer votes would put them forward. In regard to Recommendation 3, Councillor Walker noted that he was not a supporter of consent agendas as the Chief Administrative Officer has the power to approve up to a certain dollar amount prior to the matter coming to Council.

Councillor Dalrymple advised that he was in support of the proposals, however; requested clarification from staff on any concerns they may have in regard to Recommendation 2.

Ms. Cathie O’Toole, Director, Finance, explained that staff were scheduled to meet with the Governance and District Boundary Review Committee to work out details in regard to Recommendation 2. If the proposed amendments were to be approved by the Province, staff would be required to revise the area rate policy and tax rate structure to ensure that there were no areas of inequity for have/have not areas.

Councillor Mosher explained that one important detail obtained from the public feedback was that most members of the public were not even aware that Community Councils existed and others stated that they were not comfortable attending Council meetings at City Hall. Currently, Regional Council deals with issues that get into the minutia of local issues and those type of issues should go to Community Councils as the residents most closely affected have suggestions on those issues they experience every day. Regional Council meetings would be more focussed if more power were provided to Community Councils. The request to obtain more legislative authority for Community Councils should be done now with the details to be worked out once that power is obtained. She suggested a workshop, open to the public, to determine the details of the authority to be delegated to Community Councils and that each

Community Council also bring forward recommendations on their perspective of how Community Councils function. Councillor Mosher advised that she was in support of Community Councils implementing area rates as long as the parameters were established by Regional Council. Providing more power to the Community Councils would provide more access to the public in regard to governance.

Councillor McCluskey advised that she was in support of Recommendation 1 as there were six districts represented on the Harbour East Community Council who worked very well together.

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the motion be amended by deleting Recommendation 2.**

Councillor McCluskey explained that Community Councils setting area rates for enhanced services may result in some areas having things that other areas could not afford.

Councillor Smith supported the deletion of Recommendation 2 as it could create a lot of conflict between what some areas get that others do not, as well as the potential for some things being funded through the area rates rather than through the general budget. The decision on Recommendation 2 would be easier once the number of Councillors were determined as giving that type of authority to a Community Council comprised only of three would not be a good position.

Councillor Lund commented that Local Improvement Charges are under the Community Councils, however; the bigger issue in regard to establishing area rates would be items such as recreation facilities that should be under Regional Council as they would affect more people. The rural areas seem to have a lot of area rates which is essentially a tax increase. Councillor Lund advised that the power to set area rates should remain with Regional Council.

Councillor Watts advised that she was comfortable with the recommendations, including Recommendation 2, as long as Regional Council has input prior to the proposal being forwarded to the province. She encouraged the Governance and District Boundary Committee to work with Finance staff in regard to Community Councils implementing "local" area rates. She inquired whether it would be possible to have budget money set aside for Community Councils that could be used for some services.

Mayor Kelly and Ms. O'Toole clarified for Councillor Watts that under the current HRM Charter, Regional Council could allocate budget money to Community Councils during the budgetary process similar to the Capital District Fund process. The Community Councils would have authority over how that fund was spent guided by a policy



approved by Regional Council so that all Community Councils were dealing with the fund in the same way. The process could also be done with the Operating Fund budget.

Ms. O'Toole noted the two following areas of concern:

- C In regard to area rates being implemented by Community Councils - a decision on what should/could be area rated versus general rated will be a difficult decision similar to the Tax Reform debates.
- C Providing a budget per Community Council would have to include discussion on how much revenue is generated per area as regional projects may be jeopardized if areas want to keep revenue generated in their area for their area.

Councillor Sloane noted that a Supplementary Report was needed that would provide more detail on the proposed recommendations, specifically Recommendations 2 and 3, as each district is unique. She noted that the Peninsula Community Council has been very good at pooling their Building Community Funds for a common project such as the Westmount Accessible Playground and a Skateboard Park.

In response to a request from Councillor Streach for clarification on why the use of area rates was not as prevalent as they once were and why the desire to move the authority of implementing area rates from Regional Council to Community Councils, Ms. O'Toole explained that area rates had been problematic in the past as they created inequities between communities and were applied differently in different areas resulting in residents reviewing their tax bills and seeing a different tax bill than those in another area.

Councillor Streach supported the removal of Recommendation 2 as implementing area rates should remain the authority of Regional Council with input from the Community Council to alleviate the potential for inequities.

Councillor Dalrymple advised that he was in support of maintaining Recommendation 2 as the motion is to "approve in principle" with more detail to come back to Regional Council following detailed discussion between the Governance and District Boundary Committee and Finance staff. If the proposal is deleted now, there would be no opportunity for further discussion. He noted that three years ago Regional Council disregarded a Community vote and implemented an area rate for a Recreation Centre.

Councillor Hum advised that she was not in support of Recommendation 2 as more detail was required outlining clear parameters to address the concern of potential inequities if the proposal were to be approved.

Councillor Outhit commented that there are already inequities as some areas, for example, do not have sidewalks or a library. Community Councils need to be empowered to deal with the inequities that already exist and they will receive more respect if they are also provided spending authority for local issues. He advised that he was in support of the motion in its entirety, however; more detail is required.

Councillor Walker advised that following debate on the matter he was now in support of removing Recommendation 2 as he has more questions such as decisions on area rates being made by a Community Council of only three districts.

Councillor Sloane suggested that, to address the issue of potential inequities with area rates, 10% of money raised in an area remain in that area. She added that Recommendation 2 should remain.

Councillor Karsten expressed concern with providing spending power to Community Councils and delegating authority for them to implement area rates. He does not support area rates and Recommendation 2 should be removed.

Councillor Dalrymple noted that the Governance and Boundary Review Committee had not recommended spending authority for Community Councils, only the authority to implement area rates for such items as sidewalks.

#### **MOTION TO AMEND PUT AND DEFEATED.**

Discussion continued on the motion on the floor as follows:

**MOVED by Councillor Streach, seconded by Councillor Sloane that Halifax Regional Council:**

- 1. Seek amendments to the *HRM Charter* that will allow Halifax Regional Council to delegate general authority to Community Councils for local matters, with the intent that the delegation of this authority evolve over time;**
- 2. Approve in principle the vesting of authority to Community Councils for the establishment of area rates for enhanced services deemed by Halifax Regional Council to be local, if the necessary amendments to permit this are made to the *HRM Charter*; and**
- 3. Approve the adoption in principle by Halifax Regional Council of the use of Consent Agendas, with the goal of achieving greater effectiveness at Regional Council meetings.**

Councillor Blumenthal advised that he supported Councillor Mosher's comment that Community Councils should deal with local issues and Regional Council would deal with regional issues. Council has to look at what can be done to make governance better.

Councillor Harvey explained that the purpose of Community Councils, at the time of amalgamation, was to decentralize Council and to placate certain areas of the municipality who wanted to break away from the Regional Municipality. He noted the following points for consideration:

- C the HRM Charter should be reviewed to determine what powers are currently granted to Community Council prior to seeking an increase to those powers.
- C clarity on what would be considered local issues was required to protect against an evolving process becoming too large in regard to what was considered local.
- C he does not support four or five super Community Councils at the expense of Regional Council's decision making authority as some may consider that a step toward de-amalgamation through the back door.
- C Community Councils work well and currently have considerable power.
- C the Capital District in the downtown core belongs to all.
- C proof of a broad/regional consideration of issues was provided when Councillors from off the Peninsula area contributed to various projects such as the Westmount School Accessible Playground.
- C would Regional Council's budget be "chunked" up in order to provide more spending power to the Community Councils and what would Community Council spend those funds on; a regional or local asset?
- C prior to amalgamation there were Community Service Rates for such items as a Fire Departments and those rates had to be ratified by the Community Council.

Councillor Harvey expressed concern that too much evolving of power to Community Councils brings visions of pre-amalgamation days. He advised that he was in support of the motion in principle.

In response to a concern expressed by Councillor McCluskey, Mayor Kelly clarified that any item in a consent agenda could be discussed individually at a Council meeting by request of a Councillor and would not require the consent of the whole of Council.

Councillor Lund advised that he was in support of the motion, however; he had some concerns with reducing the number of Community Councils and with the potential for "super" Community Councils. The number of Councillors on a Community Council

should be based on demographics. He explained that he currently serves on two Community Councils as his district is split and it works well.

Councillor Walker inquired whether the option still existed for a Councillor to decide which Community Council he/she wanted to belong to and suggested that the Governance and Boundary Review Committee examine that option.

Councillor Watts and Sloane requested clarification on whether or not a Councillor had to belong to a Community Council as Councillors represent the public and need to engage in the governance of HRM.

**MOTION PUT AND PASSED.**

**14. ADJOURNMENT**

The meeting was adjourned at 8:36 p.m.

Cathy Mellett  
Municipal Clerk

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**INFORMATION ITEMS**  
**August 3, 2010**

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1. Memorandum from Chair, Energy & Underground Services Advisory Committee dated July 16, 2010 re: HRM Corporate Greenhouse Gas Emissions Inventory 2008
2. Memorandum from Acting Director, Transportation and Public Works dated July 9, 2010  
re: Request for Speed Bumps - Valkyrie Crescent
3. Memorandum from Acting Director, Transportation and Public Works dated July 9, 2010  
re: Westmount Elementary School Petition Response
4. Memorandum from Director, Infrastructure and Asset Management dated June 24, 2010  
re: Environmental Goals and Sustainable Prosperity Act Annual Report, 2010 and Corporate Sustainable Transition Team
5. Memorandum from Director, Infrastructure and Asset Management dated July 15, 2010 re: The Natural Step: Best Practices Scan of Sustainability Decision Making and Planning for the Municipal Sector
6. Memorandum from Director, Infrastructure and Asset Management dated July 26, 2010 re: Province of Nova Scotia - Proposed Non Essential Pesticide Control Regulations
7. Memorandum from Director, Community Development dated July 9, 2010  
re: Petition - Case 01278, Mountain View Mobile Home Park Application, Lake Echo
8. Memorandum from Director, Community Development dated July 8, 2010  
re: Petition - Lounges in Restaurants on Quinpool Road (Case 16038)
9. Memorandum from Director, Community Development dated July 12, 2010  
re: Petition - Municipal Planning Strategy / Land Use By-Law Amendments for the area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue (BARTIS)
10. Memorandum from the Municipal Clerk dated July 29, 2010  
re: Requests for Presentation to Council - Community Action on Homelessness  
re: Development of Affordable Housing