

HALIFAX REGIONAL COUNCIL
MINUTES

June 26, 2012

PRESENT:

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

REGRETS:

Councillors: Jerry Blumenthal
Brad Johns
Robert Harvey

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Q.C., Acting Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Chris Newson, Legislative Assistant

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1. INVOCATION

The Deputy Mayor called the meeting to order at 3:30 p.m. with the Invocation being led by Councillor Rankin.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of acknowledgements and community events.

Councillor Smith entered the meeting at 3:32 p.m.

Councillor Mosher requested that the Mayor, on behalf of Council, send a congratulatory letter to Mr. Ryan Brewer, Pee Wee Lacrosse Coach, for being named Coach of the Year.

3. APPROVAL OF MINUTES – May 29, 2012

Councillor McCluskey: Page 5 – noted that her comment was “to be cognizant of the plumbing business. “

Councillor Nicoll: Page 9: requested that the Chief Administrative Officer’s response to her question be included in the minutes in regard to the Service Level Agreement with the Greater Halifax Partnership discussion.

MOVED by Councillor Nicoll, seconded by Councillor Fisher that the Halifax Regional Council minutes of May 29, 2012 be approved as amended. MOTION PUT AND PASSED.

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

MOVED by Councillor McCluskey, seconded by Councillor Sloane that the agenda, as presented, be approved. 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 – NONE

9. HEARINGS

9.1 PUBLIC HEARING – 6:00 P.M.

By-Law N-200, Respecting Noise – Exemption Applications

(i) Halifax Jazz Festival

This matter was dealt with later in the meeting. See page 16.

(ii) FIVB World Beach Volleyball Championship

This matter was dealt with later in the meeting. See page 17.

(iii) Halifax Pride Festival

This matter was dealt with later in the meeting. See page 16.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 12-241 – Intersection Improvements and Widening – Hammonds Plains Road (Kearney Lake Road to Kingswood Drive) – Central Region

The June 5, 2012 staff report was before Council.

MOVED by Councillor Lund, seconded by Councillor Wile that Halifax Regional Council award Tender No. 12-241, Intersection Improvements & Widening – Hammonds Plains Road (Kearney Lake Road – Kingswood Drive) – Central Region, to the lowest bidder meeting specifications, Atlantic Road Construction & Paving Limited for a Total Tender Price of \$1,228,347.25 (net HST included) with funding from Project Account Nos. CYX01345 – Street Recapitalization and CTU01086 – Intersection Improvements, as outlined in the Budget Implications section of the June 5, 2012 report.

Councillor Watts and Hendsbee expressed concern that there were no plans for an active transportation component to be included as part of this project.

In response to concerns raised, Mr. Ken Reashor, Director, Transportation and Public Works, explained that there is no active transportation component included with this project due to the constraints of the right-of-way. The project involves the combining of two signalized intersections to increase mobility at those intersection points. He noted that there are future plans for the potential paving of a portion of the road shoulder along the Hammonds Plains Road to allow for a bike lane. Halifax Water will be upgrading water mains along the Kearney Lake Road and therefore bike lanes for this area will be considered in future.

Councillor Streach entered the meeting at 3:54 p.m.

Councillor Hum requested that HRM and Halifax Water work together to ensure there is an active transportation component from the Hammonds Plains Road intersection to Kearney Lake Road to the Bedford West Connector Road that is now in the design process.

MOTION PUT AND PASSED with nineteen (19) in favour and one (1) opposed.

Those voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Those voting against were Councillors: Watts (1)

Those not present for the vote were Councillors: Blumenthal, Harvey, Johns, and Mayor Kelly. (4)

11.1.2 Tender 12-253 – Street and Watermain Renewal – Plateau Crescent (Clayton Park Drive – Glenforest Drive) – West Region

The May 31, 2012 staff report was before Council.

MOVED by Councillor Walker, seconded by Councillor Hum that Halifax Regional Council:

- 1. Approve a budget increase of \$341,884.44 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water, as outlined in the Budget Implications section of the May 31, 2012 report.**
- 2. Award Tender No. 12-253, Street and Watermain Renewal – Plateau Crescent (Clayton Park Drive – Glenforest Drive), to the lowest bidder meeting specifications, Brycon Construction Limited for a total Tender Price of \$703,409.07 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization as outlined in the Budget Implications section of the May 31, 2012 report.**

MOTION PUT AND PASSED with seventeen (17) in favour and three (3) opposed.

Those voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Smith, Streach, Uteck, Walker, Watts and Wile. (17)

Those voting against were Councillors: Deputy Mayor Karsten, Rankin and Sloane. (3)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns and Mayor Kelly. (4)

11.1.3 2012-13 Budgets and Business Plans for Area Rated Services

The June 1, 2012 staff report was before Council.

A revised Schedule of Area Tax Rates, Appendix B, was circulated to Council.

MOVED by Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council approve the attached Resolution to Approve Area Rates and Amend the Approved Operating Budget and Fire Protection Rates for Fiscal 2012-13 (Appendix A), Schedule of Area Tax Rates (Revised Appendix B), and the business plans and budgets for recreation services as detailed in Appendix C and D of the June 1, 2012 staff report. MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Sloane and Mayor Kelly. (5)

11.1.4 First Reading Proposed By-Law S-436, An Amendment to By-Law S-400 Respecting Local Improvement Charges, New Paving Projects Outside the Core Area 2011

The May 14, 2012 staff report was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Lund that Halifax Regional Council give First Reading of By-Law S-436, an amendment to By-Law S-400, new paving of subdivision streets outside the core area – 2011, as outlined in Attachment “A1” of the May 14, 2012 staff report. MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Sloane and Mayor Kelly. (5)

11.1.5 Second Reading Proposed By-Law L-135, An Amendment to By-Law L-100, Respecting Local Improvement Charges, Kings Road Bridges (Private Road) – Wellington

The following documents were before Council:

- Correspondence dated June 14, 2012 from Mr. Scott MacKnight,
- May 14, 2012 staff report.

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

1. Direct staff to provide financing assistance to the property owners for the replacement of two existing bridges on Kings Road, a private road located in Wellington;
2. Give Second Reading of By-Law L-135, an amendment to By-Law L-100, Respecting Charges for Local Improvements, as outlined in Appendix “A” of the May 14, 2012 staff report, for the replacement of the private bridges at Little Rawdon River and Golden Brook, Kings Road, Wellington, and the assignment of Local Improvement Charges for full recovery of HRM’s financing assistance; and
3. Require that the property owners be responsible for all facets of the project including but not limited to relevant design, construction, inspection and permits, and that upon completion of the bridge repairs, require that the property owners provide certification from a professional engineer that the bridge meets the load requirements for the safe passage of heavy fire fighting apparatus.

MOTION PUT AND PASSED with twenty (20) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (20)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns and Mayor Kelly. (4)

11.1.6 Joint Use Agreement and Facility Lease Agreement Lake and Shore Community Recreation Centre

The June 4, 2012 staff report was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Sloane that Halifax Regional Council:

1. **Authorize the Mayor and Municipal Clerk to enter into a Joint Use Agreement (Attachment 1) with the Halifax Regional School Board (HRSB) as per the key terms outlined in the body of the June 4, 2012 report under the heading Joint Use Agreement (JUA) Highlights; and,**
2. **Authorize the Mayor and the Municipal Clerk to enter into a Facility Lease Agreement (Attachment 2) with the Lake & Shore Community Recreation Society to lease and operate the new Lake & Shore Community Recreation Centre as per the key terms and conditions set out in Table 1 of the June 4, 2012 report.**

Councillor Hendsbee noted an error on Page 31 of the June 4, 2012 report, Schedule B, noting that 50% should be 80% and is to be read as follows: *“A facility meets the public use standards if during at least 80% of the time it is operating, any member of the public may access the amenity at either no cost or a cost reasonable for the type of facility use or service availability.”*

Discussion ensued with Ms. Denise Schofield, Manager, Community Development and Recreation, responding to questions of Council. She advised that:

- the templates for the Joint Use Agreements have been improved over the years based on experience with previous projects
- a less than market value sale report has gone to the Grants Committee in regard to the existing facility and the request from a community group to purchase that facility; the report will be coming to Council
- the community group interested in the existing facility proposes to offer programs/services that are unique in that they would be outside the municipality's mandate; the facility would be a REC location
- if a third party (not for profit) were to lease a space from a not for profit group in the facility, the not for profit group would be responsible for recouping the commercial tax from that tenant which is the standard agreement
- a report will be coming to Council in regard to the naming of individual rooms in a facility
- the funds deferred from the Lacewood Terminal project in 2010 for this project will be returned in next year's budget.

Councillor Watts, in reference to the potential for two community centres to be located in the area, commented that it was important to support community centres in both the rural and urban areas.

MOTION PUT AND PASSED with twenty (20) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (20)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns and Mayor Kelly.
(4)

11.1.7 Tender 12-219 – Joseph Howe Drive Turn Lanes – Halifax – West Region

The May 30, 2012 staff report was before Council.

MOVED by Councillor Walker, seconded by Councillor Mosher that Halifax Regional Council award Tender No. 12-219, Joseph Howe Drive Turn Lanes – West Region, to the lowest bidder meeting specifications, Dexter Construction Company Limited, for a Total Tender Price of \$912,189.64 (net HST included) with funding from Project No. CTU01286 – Joseph Howe Drive Turn Lanes & Project No. CTU01086 – Intersection Improvements, as outlined in the Budget Implications section of the May 30, 2012 report.

Discussion ensued with Mr. Ken Reashor, Director, Transportation and Public Works responding to questions from Members of Council. He explained that:

- there is no bike lane planned with this project as there is an active transportation off-road trail along Joseph Howe Drive that extends to the Bayers Lake area. Duplication of an on-street bike lane when there is an existing off-road trail would be an expensive process.
- this project is not in relation to any other improvements for Bayers Road as it is to facilitate the trucking corridor and proceeds on its own merits.

Councillor Watts noted that cyclists will need an on-road network, to access shopping / travel to work, and urged consideration to incorporate an on-road network with the COLTA (Chain of Lakes Trail Association) active transportation trail.

Councillor Mosher commented that the proposed improvement will enhance pedestrian, cyclist and vehicular safety.

MOTION PUT AND PASSED with twenty (20) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (20)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns and Mayor Kelly.
(4)

11.1.8 Halifax Regional Water Commission (HRWC) Act Amendments

The June 11, 2012 staff report was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Walker that Halifax Regional Council approve a motion of support for the proposed amendments to the Halifax Regional Water Commission (HRWC) Act for introduction in the fall 2012 session of the Provincial Legislature, in the substantive form attached to the June 11, 2012 report.

Mr. Richard Butts, Chief Administrative Officer advised that the document before Council contains required amendments to the Halifax Water Act that have become more significant with the transfer of assets from HRM to the Halifax Regional Water Commission. Halifax Water put forward some amendments that have been reviewed by HRM and Legal Services. The agreement put forward will protect the rights of HRM. The areas of risk have been mitigated with some requests, such as wind turbines, being required to come before Regional Council for approval.

Discussion ensued on the matter with Mr. Carl Yates, General Manager, Halifax Regional Water Commission, responding to questions of clarification from Members of Council. He explained that:

- Halifax Water could not form a legal entity with any other partner other than HRM
- currently there are only two methods for Halifax Water to send electricity back: net metering or COMFIT Route; any other means would require special permission from the Nova Scotia Utility and Review Board
- there is a possibility to create a potential energy distribution system close to an energy plant that would convert heat from sewage to energy for the plant.

Deputy Mayor Karsten noted the time; it was then **MOVED by Councillor Fisher, seconded by Councillor Wile that Halifax Regional Council continue the Council session past 5:00 p.m. MOTION PUT AND PASSED with sixteen (16) in favour and three (3) opposed.**

Voting in favour were Councillors: Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Smith, Uteck, Walker, Watts and Wile. (16)

Voting against were Councillors: Adams, Deputy Mayor Karsten and Streach. (3)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Sloane and Mayor Kelly. (5)

Discussion ensued on the motion on the floor.

Council recessed at 4:59 p.m.

Council reconvened at 5:12 p.m. with the same members in attendance with the exception of Councillor Adams.

Discussion continued on the motion on the floor.

Councillor Smith suggested that when a matter returns to Regional Council for approval, such as the matter of a wind turbine, that the requirement be for a 2/3 majority vote for the decision to pass as is done for less than market value property sales.

Ms. Marion Tyson, Solicitor, advised that Administrative Order 1 outlines that the current requirement is for a majority vote.

Deputy Mayor Karsten clarified that the 2/3 majority vote required for a less than market value sale is legislated and outlined in the HRM Charter. Currently, there is no legislative authority to require a 2/3 vote as proposed by Councillor Smith.

In response to comments raised by Councillor Rankin, Ms. Tyson explained that many of the amendments proposed are housekeeping items, however; some enable the use of by-products to be converted into energy to build revenue or to lease land for wind turbines; having the Council approval requirement is a safeguard.

A vote was then taken on the motion as follows: **MOVED by Councillor Dalrymple, seconded by Councillor Walker that Halifax Regional Council approve a motion of support for the proposed amendments to the Halifax Regional Water Commission (HRWC) Act for introduction in the fall 2012 session of the Provincial Legislature, in the substantive form attached to the June 11, 2012 report. MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.**

Voting in favour were Councillors: Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

11.2 AUDIT AND FINANCE STANDING COMMITTEE

11.2.1 Year End Financial Statements

The June 21, 2012 Audit and Finance Standing Committee report was before Council.

Mr. Louis de Montbrun, Manager, Financial Reporting, provided a brief presentation on the Year End Financial statements.

MOVED by Councillor Walker, seconded by Councillor McCluskey that Halifax Regional Council approve:

- **the Consolidated Financial Statements of the Halifax Regional Municipality and the Sackville Sports Stadium for the year ended March 31, 2012 included with the June 21, 2012 report from the Audit and Finance Standing Committee;**
- **The General Rate Surplus of Halifax Regional Municipality for the year ended March 31, 2012 included with the June 21, 2012 report from the Audit and Finance Standing Committee;**
- **The transfers of a portion of the General Rate Surplus for the year ended March 31, 2012 to reserves as outlined in the staff report presented on June 20, 2012 to the Audit and Finance Standing Committee and included with the June 21, 2012 report from the Audit and Finance Standing Committee.**

In response to a question by Councillor Hendsbee, Mr. de Montbrun advised that there will be a reduction in the accounts receivable account as funds from the Federal government, in relation to Hurricane Juan and White Juan, were received after the year end.

MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

11.2.2 Request for Proposal (RFP) 12-019 – External Audit Services

The June 20, 2012 Audit and Finance Standing Committee report was before Council.

MOVED by Councillor Walker, seconded by Councillor McCluskey that Halifax Regional Council award RFP#12-019, Request for Cost Proposals, External Audit Services, to the lowest qualified bidder, KPMG, for a one-year term renewable for a maximum of five (5) years, as outlined in the budget implications section of the June 12, 2012 staff report. MOTION PUT AND PASSED with seventeen (17) in favour and two (2) opposed.

Voting in favour were Councillors: Barkhouse, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (17)

Voting against were Councillors: Dalrymple and Lund (2)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

12. MOTIONS – NONE

13. ADDED ITEMS – NONE

14. NOTICES OF MOTION - NONE

15. IN CAMERA

15.1 In Camera Minutes – May 29, 2012

MOVED by Councillor Walker, seconded by Councillor Smith that Halifax Regional Council approve the In Camera minutes of May 29, 2012 as circulated. MOTION PUT AND PASSED.

15.2 Personnel Matter

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council:

- 1. Adopt the recommendation of the Environment and Sustainability Standing Committee regarding a citizen appointment to the Halifax Watershed Advisory Committee as outlined in the June 11, 2012 report.**
- 2. By way of this motion, expresses their appreciation to all residents who have put forward their names to serve on Boards and Committees of Council;**
- 3. That the June 11, 2012 report be released to the public following Council ratification.**

MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

15.3 Labour Relations

MOVED by Councillor Hendsbee, seconded by Councillor Barkhouse that Regional Council convene In Camera for the NSUPE Contract Negotiations matter. MOTION PUT AND DEFEATED with nine (9) in favour and ten (10) opposed.

Voting in favour were Councillors: Barkhouse, Dalrymple, Fisher, Hendsbee, Lund, McCluskey, Smith, Watts and Wile. (9)

Voting against were Councillors: Hum, Deputy Mayor Karsten, Mosher, Nicoll, Outhit, Rankin, Sloane, Streach, Uteck and Walker. (10)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

15.3.1 Nova Scotia Union of Public Employees (NSUPE) Contract Negotiations Update

The following documents were before Council:

- June 25, 2012 Private & Confidential report
- a copy of the Private & Confidential presentation dated June 26, 2012.

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council ratify the new Collective Agreement with NSUPE, Local 13, as per the key terms found in Table 1 of the June 26, 2012 Private & Confidential report.

Deputy Mayor Karsten advised that the report would remain confidential until such time as the contract is ratified by the Union.

MOTION PUT AND PASSED with sixteen (16) in favour and three (3) opposed.

Voting in favour were Councillors: Dalrymple, Fisher, Hum, Deputy Mayor Karsten, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Streach, Uteck, Walker, Watts and Wile. (16)

Voting against were Councillors: Barkhouse, Hendsbee and Smith. (3)

Not present for the vote were Councillors: Adams, Blumenthal, Harvey, Johns and Mayor Kelly. (5)

Council recessed at 5:54 p.m.

Council reconvened at 6:00 p.m. with Mayor Kelly in attendance and Councillor Rankin not in attendance.

9. HEARINGS

9.1 PUBLIC HEARING – 6:00 P.M. By-Law N-200, Respecting Noise – Exemption Applications

Council requested that Item 9.1 (iii) Halifax Pride Festival be dealt with at this time.

(iii) Halifax Pride Festival

The May 28, 2012 staff report was before Council.

Mayor Kelly opened the public hearing calling for speakers to come forward at this time.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Councillor Barkhouse, seconded by Councillor Fisher that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Sloane, seconded by Councillor Fisher that Halifax Regional Council approve the Halifax Pride's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the May 28, 2012 staff report and any matters raised at the public hearing. MOTION PUT AND PASSED with nineteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Mayor Kelly, Lund, McCluskey, Mosher, Nicoll, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Outhit and Rankin. (5)

(i) Halifax Jazz Festival

The following information was before Regional Council:

- Correspondence dated June 7, 2012 from Ms. Jennifer Angel, Director of Operations, Waterfront Development Corporation Limited re: Halifax Jazz Festival.
- May 25, 2012 staff report.

Mayor Kelly opened the public hearing calling for speakers to come forward.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by**

Councillor McCluskey, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Uteck that Halifax Regional Council approve the 2012 TD Halifax Jazz Festival's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the May 25, 2012 staff report and any matters raised at the public hearing. MOTION PUT AND PASSED with eighteen (19) in favour and zero (0) opposed.

Voting in favour were Councillors: Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Mayor Kelly, Lund, McCluskey, Mosher, Nicoll, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile. (19)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Outhit and Rankin. (5)

(ii) FIVB World Beach Volleyball Championship

The May 24, 2012 staff report was before Council.

Mayor Kelly opened the public hearing calling for speakers to come forward at this time.

Mayor Kelly gave the third call for speakers; hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Sloane that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Sloane, seconded by Councillor Nicoll that Halifax Regional Council approve the 2012 World Beach Volleyball Host Society's application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the May 24, 2012 staff report and any matters raised at the public hearing. MOTION PUT AND PASSED with eighteen (18) in favour and zero (0) opposed.

Voting in favour were Councillors :Adams, Barkhouse, Dalrymple, Fisher, Hendsbee, Hum, Deputy Mayor Karsten, Mayor Kelly, Lund, McCluskey, Mosher, Nicoll, Sloane, Streach, Uteck, Walker, Watts and Wile. (18)

Voting against were Councillors: (0)

Not present for the vote were Councillors: Blumenthal, Harvey, Johns, Outhit, Rankin and Smith (6)

16. ADJOURNMENT

The meeting was adjourned at 6:10 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS
June 26, 2012

1. Memorandum from the Municipal Clerk dated June 18, 2012 re: Requests for Presentations to Council - None
2. Memorandum from Acting Director, Legal Services dated June 6, 2012 re: Questions Surrounding Insurance Renewal RFP (Request for Proposal)
3. Memorandum from General Manager, Halifax Water dated June 13, 2012 re: Halifax Regional Water Commission 2010/2011 Annual Report
4. Memorandum from Chair, Audit and Finance Standing Committee dated June 20, 2012 re: Investment Activities – Quarter Ending March 31, 2012