

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES**

**February 6, 2001**

**PRESENT:**

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

**ABSENT:**

Councillor Bruce Hetherington

**STAFF MEMBERS:**

Mr. Ken Meech, Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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1. **INVOCATION**

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

2. **PROCLAMATIONS**

2.1 **White Cane Week**

The week of February 4 - 10, 2001 was proclaimed to be White Cane Week.

2.2 **HRM Millennium Committee**

Mayor Kelly presented plaques to the members of the HRM Millennium Committee in recognition and appreciation of their work.

2.3 **Raising the Roof**

Deputy Mayor Blumenthal addressed Council regarding the "Raising the Roof" campaign which is dedicated to finding long term solutions to homelessness. The Mayor and Deputy Mayor expressed thanks to the organizers of the campaign for their efforts, as well as the numerous organizations that worked with them and the public for its support of the initiative.

3. **APPROVAL OF MINUTES - January 23, 2001**

Councillor Mosher noted a correction on Page 8 of the January 23, 2001 minutes. The phrase "one and half month's rent" should read "one-half month's rent."

**MOVED by Councillor Sarto, seconded by Councillor Cunningham, that the minutes of January 23, 2001, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

9.2.3 Presentation - Information Item #6 (Third Quarter 2000/2001 Financial Report)

10.4.4 Procedure re Committee Meetings

12.1 Councillor Colwell:

- i) SPCA's Handling of Complaints

(This item was deleted from the agenda, at the request of the Councillor.)

- ii) Snow Removal in District 3 by Provincial Department of Transportation

12.2 Councillor Adams - Request for Proposals - HRM Office Space

12.3 Legal Matter - Shore Road, Bedford

12.4 Legal Matter - Appeal of CRTC Decision

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the Order of Business be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

**5. BUSINESS ARISING FROM THE MINUTES - NONE**

**6. MOTIONS OF RECONSIDERATION - NONE**

**7. MOTIONS OF RESCISSION - NONE**

**8. CONSIDERATION OF DEFERRED BUSINESS - NONE**

**9. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Petitions**

**9.1.1 Councillor Fougere - Skate Sharpening Shop on Windsor Street**

Councillor Fougere served a petition containing approximately 464 signatures of residents in support of the continued operation of a skate sharpening shop on Windsor Street. The Councillor requested that the petition be forwarded to Development Services for action and clarification regarding business occupancy of non-conforming uses.

**9.1.2 Councillor Goucher - Youth Drop In Centre, Bedford**

Councillor Goucher served a petition containing approximately 245 signatures of residents in support of the Bedford Youth Development Association's establishment of a youth drop in centre in Bedford.

**9.1.3 Councillor Cooper - Community Centre: Lake Loon Rd. and Cherry Brook Rd.**

Councillor Cooper served a petition containing approximately 120 signatures of residents in support of a new community centre being erected on the existing property located at the corner of Lake Loon Road and Cherry Brook Road. The Councillor requested that the covering letter from the Lake Loon and Cherry Brook Development Association be copied for all members of Council.

**9.1.4 Councillor Smith - Three-way Stop Request: Joseph Young Drive and Highfield Park Drive**

Councillor Smith served a petition containing approximately 587 signatures of residents in support of a three-way stop sign being erected on the corner of Joseph Young Drive and Highfield Park Drive. The Councillor requested that the petition be referred to Traffic Services.

**9.2 Presentations**

**9.2.1 Snow Removal - Mr. Arthur R. Canning**

Mr. Arthur Canning made a presentation to Council with respect to snow removal. A summary of his comments and recommendations were previously circulated to Council.

Mayor Kelly thanked Mr. Canning for his comments.

**9.2.2 Sewage Separation**

**i) Mr. Peter Young**

C Correspondence from Mr. Peter Young, dated February 1, 2001, regarding sewage separation, was before Council for its consideration.

C Correspondence from Mr. Alan Ruffman, dated February 1, 2001, regarding the above, was before Council for its consideration.

Mr. Peter Young made a presentation to Council regarding sewage separation reviewing the information provided in his correspondence. Mr. Young urged Council to continue with its commitment to this separation work.

Mayor Kelly thanked Mr. Young for his comments.

ii) **Ms. Olathe Clarke**

Ms. Olathe Clarke made a presentation to Council with respect to the use of solar aquatic sewage treatment as a positive alternative sewage treatment solution which would also provide year round green spaces.

Mayor Kelly thanked Ms. Clarke for her comments.

**9.2.3 Third Quarter 2000/2001 Financial Report**

Ms. Dale MacLennan, Director of Financial Services, presented the Third Quarter 2000/2001 Financial Report to Council. Copies of her presentation were circulated to Council.

In response to a question of Councillor Uteck, Ms. MacLennan agreed to provide clarification to Council as to whether or not the Province includes GST in the property tax assessments.

Responding to a question of Councillor Walker, Ms. MacLennan stated the actual statements provide more detailed information, and the information in the report is very summarized.

Mayor Kelly thanked staff for their presentation.

**10. REPORTS**

**10.1 MEMBERS OF COUNCIL**

**10.1.1 Councillor Fougere:**

**i) Letter from Michael Murray, Director of Maritime Museum**

C Correspondence from Michael Murray, Director of Maritime Museum of the Atlantic, dated January 26, 2001, was before Council for its consideration

Councillor Fougere requested that the correspondence from the Maritime Museum of the Atlantic be referred to Real Estate Services, Parks and Recreation Services, and Tourism, Culture and Heritage for consideration and input. Mayor Kelly advised that staff have been working on a report regarding this matter and it will be coming before Council in the near future. If this is the same location that is presently used by another private enterprise, Councillor Cooper requested that the report also address how it will be affected.

**ii) Utility Review Board Direction to Reduce Size of Halifax Regional Council**

Councillor Fougere noted one of the main concerns during the review of the District boundaries last year was the short time frame given for the review. The Councillor suggested the matter of the Utility and Review Board's direction to reduce the size of Council by 2004 should be referred to staff for a report now to allow sufficient time to look at all sides of the issue.

**MOVED by Councillor Fougere, seconded by Councillor Goucher, that a staff report be requested to present to Council some options on how the matter of the Utility and Review Board's direction to reduce the size of Halifax Regional Council by 2004 needs to be pursued in the near future.**

Councillor Cooper requested that an educational process be included in this to advise members of Council of the conditional items contained in the Review Board's recommendation and their effects.

Councillor Rankin stated the report may also address some suggestions from staff regarding the composition of the Committee. The Councillor suggested there may be some benefit to reappointing some members of the previous committee for the benefit of their experience and continuity. Councillor Rankin also suggested the report could identify other scenarios such as maintaining the status quo and perhaps even increasing the size of Council, as well as the possibility of the Committee reviewing the matter of remuneration.

Councillor Warshick suggested the information from the upcoming national census should be incorporated in this matter; or, once the census results are released, that a further report be presented to Council.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 MEMBERSHIP SELECTION COMMITTEE**

**10.2.1 Recommendations for Citizen/Councillor Appointments to Boards & Committees**

C A revised report from the Membership Selection Committee, regarding the above, was circulated to Council for its consideration.

**MOVED by Councillor Walker, seconded by Councillor Goucher, that:**

- 1. Citizen appointments to those boards, committees and commissions, as outlined in Appendix A of the Committee report dated February 1, 2001, be made at this time;**

2. Citizen representation on the Halifax-Dartmouth Natal Day Steering Committee be increased from eighteen to nineteen.
3. A second Member at Large be appointed to the Investment Policy Advisory Committee.
4. Councillors Brad Johns, Harry McInroy, Diana Whalen and Keith Colwell be appointed to the Tax Structure Review Working Group, in addition to Councillors Cooper and Walker previously appointed by Regional Council on August 29, 2000.
5. Councillor Diana Whalen be appointed to the Appeals Committee to replace Councillor Colwell.
6. Halifax Regional School Board representation on the Task Force on Education Funding be increased from two members to four members.

Councillor Rankin suggested Mr. Jack Mitchell should be appointed to the Community Monitoring Committee as he provided substantial contributions to the work of developing the overall solid waste strategy, and, in particular, Site A, while serving on Council.

**MOVED by Councillor Rankin, seconded by Councillor Streach, that Mr. Jack Mitchell be nominated for membership on the Community Monitoring Committee.**

Councillor Walker noted there were over 100 applications received for boards and committees, and the Membership Selection Committee followed the proper review process. Therefore, the Councillor stated he could not support the nomination on the floor.

Councillor Cunningham suggested the citizen component of the composition could be expanded to three to accommodate an additional member.

**MOVED by Councillor Cunningham, seconded by Councillor Streach, that this matter be referred back to the Membership Selection Committee for consideration of expanding the citizen membership of the Community Monitoring Committee to three.**

**MOTION PUT AND PASSED.**

Councillor Uteck expressed concern with respect to the composition of the Task Force on Supplementary Education Funding. Mayor Kelly stated all applications were forwarded to the Membership Selection Committee which attempted to ensure the representation on this

Committee was as broad as possible. Councillor Sarto expressed similar concerns and requested that information be given to Council as the Districts in which the members of this Committee reside.

Councillor Rankin stated the criteria for re-applying for an additional term on a Committee was not stated in the advertisement. The Councillor stated if there is a policy with respect to this, the community should be made aware of it. Councillor Rankin noted he did not recall any such policy coming before Council either. Mayor Kelly stated there is generally a three year maximum time to serve on a Committee, unless there are vacancies that cannot otherwise be filled.

Several Councillors expressed concern with not receiving appointments to the Board of Police Commissioners, but it was noted that there are only three Councillors appointees on this Board, who generally serve three year terms, and, therefore, the turnover is relatively low.

Several members of Council requested that the selection criteria be reviewed, and that information regarding this criteria be provided to the public and Council so they fully understand the selection process.

Councillor Sloane requested that staff provide information as to when the last time District 12 was represented on the Board of Police Commissioners.

Concerns were expressed regarding whether or not equal geographical representation is being provided on the Task Force on Education Funding, and whether or not a Councillor member on this, or any, Committee should be considered to be sufficient representation for the District he or she represents.

Councillor Cunningham noted at one time in the former City of Dartmouth, the Police Commission was made up of the entire Council plus one citizen appointee. The Councillor inquired if Provincial legislation has precluded this from taking place now. Mr. Anstey agreed to look into this and provide a report to Council on this for the next meeting.

The vote was taken on the motion which now read as follows:

**MOVED by Councillor Walker, seconded by Councillor Goucher, that:**

- 1. Citizen appointments to those boards, committees and commissions, as outlined in Appendix A of the Committee report dated February 1, 2001 be made at this time; WITH THE EXCEPTION OF THE COMMUNITY**

**MONITORING COMMITTEE WHICH WAS REFERRED BACK TO THE MEMBERSHIP SELECTION COMMITTEE for consideration of expanding the citizen representation on this Committee to three members.**

2. **Citizen representation on the Halifax-Dartmouth Natal Day Steering Committee be increased from eighteen to nineteen.**
3. **A second Member at Large be appointed to the Investment Policy Advisory Committee.**
4. **Councillors Brad Johns, Harry McInroy, Diana Whalen and Keith Colwell be appointed to the Tax Structure Review Working Group, in addition to Councillors Cooper and Walker previously appointed by Regional Council on August 29, 2000.**
5. **Councillor Diana Whalen be appointed to the Appeals Committee to replace Councillor Colwell.**
6. **Halifax Regional School Board representation on the Task Force on Education Funding be increased from two members to four members.**  
**MOTION PUT AND PASSED UNANIMOUSLY.**

### **10.3 REGIONAL HERITAGE ADVISORY COMMITTEE**

#### **10.3.1 Heritage Case H00019 - Review of Proposed Addition and Alterations to 5725 Inglis Street, Halifax, NS**

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

**MOVED by Councillor Uteck, seconded by Councillor Fougere, that Regional Council approve the addition and alterations to 5725 Inglis Street, as proposed in the staff report dated January 2, 2001, with the amendment that the back window be retained with an interior guard.**

Responding to a question of Councillor Fougere, Mr. Kevin Barrett, Planner, stated what was built on this property was different than what was approved by Council. A stop work order was placed, and a new application was submitted for the revised proposal which is now before Council for approval.

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Fougere questioned if a better process is needed to ensure what is approved is actually what takes place.

Councillor Uteck put forth the following motion with respect to stop work orders and heritage properties:

**MOVED by Councillor Uteck, seconded by Councillor Fougere, that a staff report be requested to respond to the following issues:**

- 1) **A better process to be facilitated for stop work orders as they relate to heritage properties**
- 2) **The possibility of issuing stiff fines for stop work order violations. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4 CHIEF ADMINISTRATIVE OFFICER**

**10.4.1 RFP 00-118 Fleet, Access-a-Bus**

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

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sarto, that Regional Council authorize the award of RFP 00-118, a three year purchase agreement for the supply of up to twelve (12) Access-A-Bus vehicles to Perry Rand Limited. The total award is for \$1,021,752.00 plus taxes and contingency. Perry Rand is recommended as they received the highest scoring and submitted the lowest total price. This award covers budget years 2000-2001, 2001-2002 and 2002-2003 and is contingent on Council approving funds through the Capital Budget process for each of the stated years.**

It was noted that the buses that are being replaced will be sold at public auction as they are close to the end of their useful life.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4.2 Facility Management Agreement for the old Bedford Fire Hall Between HRM and the Bedford Youth Development Association**

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

Councillor Goucher introduced members of the Bedford Youth Development Association who were present in the gallery, and put forth the following motion:

**MOVED by Councillor Goucher, seconded by Councillor Mosher, that HRM staff be authorized to enter into a Facility Management Agreement with the Bedford Youth Development Association utilizing the Old Bedford Fire Hall as a community youth centre.**

Mr. Bob Nauss, Regional Coordinator, Parks and Recreation, responded to questions of Councillor Uteck, stating there were various meetings held with Building Management Services and they are aware of this project. There was no advertisement placed declaring that this property was becoming surplus. Although she supported this initiative, Councillor Uteck reminded Council of the process it agreed to follow with respect to surplus properties.

Councillors Johns, Hines, Rankin, Warshick and Sarto spoke in support of this project.

**MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.4.3 Halifax-Mexico Community Alliance**

- C A staff report prepared for K. R. Meech, Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Cunningham, seconded by Councillor Rankin, that the Notice of Motion served on January 30, 2000, by Councillor Rankin regarding the Halifax-Mexico Alliance be deferred pending receipt of a report and advice from the Greater Halifax Partnership. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **10.4.4 Committee Meetings**

- C In response to an issue that previously arose regarding whether the Program and Service Review Committee meetings should be open or held in camera, an Information Report from the Municipal Solicitor was circulated to Council.

Councillor Cooper expressed concerns with how this would affect the budget process and put forth the following motion:

**MOVED by Councillor Cooper, seconded by Deputy Mayor Blumenthal, that a further staff report be requested to provide clarification of the budget process for Regional Council and whether or not it can be considered an internal operation until such time that the budget is released to all members of Council. MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Councillor Colwell:**

**i) SPCA's Handling of Complaints**

During Approval of the Order of Business, this item was deleted from the agenda at the request of the Councillor.

**ii) Snow Removal in District 3 by Provincial Department of Transportation**

Councillor Colwell requested that the Mayor write to the Minister of Public Works and Transportation on behalf of Council indicating the problems experienced with snow removal in District 3. The Councillor noted he received a call from a resident whose street had not been cleared four days after a storm, even though he and his neighbours placed several calls to the Department. Councillor Colwell also asked that the letter request a schedule of badly need maintenance for the East Chezzetcook Road.

**MOVED by Councillor Colwell, seconded by Councillor Cooper, that the Mayor write to the Minister of Public Works and Transportation on behalf of Council indicating the problems experienced with snow removal in District 3 and requesting a schedule of badly need maintenance for the East Chezzetcook Road. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Smith requested that staff provide clarification as to what is the responsibility of the Province with respect to Woodland Avenue.

**12.2 Councillor Adams - Request for Proposals - HRM Office Space**

Councillor Adams questioned why District 18 and most of District 17 were eliminated from participation in the RFP for HRM office space. Councillor Mosher stated accessibility criteria and proximity to District 17 or 18 should be taken into consideration.

**MOVED** by Councillor Adams, seconded by Councillor Mosher that this matter be referred to staff for a report providing clarification on the Request for Proposals for HRM Office Space and the location specifications set out in the RFP, and why District 18 and most of District 17 have been eliminated for participation in this process. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3 Legal Matter - Shore Road, Bedford**

**C** This matter was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED** by Councillor Goucher, seconded by Councillor Sloane, that Halifax Regional Council grant an easement across Parcel 1, Shore Drive for the purpose of a water line to service the Roy property, and grant the remaining interest in the parcel to Mr. & Mrs. Creighton, but the deeds will not be delivered for 30 days. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 Legal Matter - Appeal of CRTC Decision**

**C** This matter was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

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

1. **Authorize staff to continue to consult with and assist the Federation of Canadian Municipalities in preparing any appeal or other response to the CRTC decision; and**
2. **To appeal or take such other action such as an application to the CRTC to review and vary its decision, to protect the interests of the HRM. MOTION PUT AND PASSED UNANIMOUSLY.**

**13. NOTICES OF MOTION**

**13.1 Councillor Rankin - Administrative Order 26**

**TAKE NOTICE** that, at the next regular Regional Council meeting, to be held on Tuesday, the 13<sup>th</sup> day of February 2001, I propose to introduce for adoption by Council as a policy pursuant to Section 521 of the Municipal Government Act, Administrative Order 26, the Western

Community Council Administrative Order, the purpose of which will be to form a new Community Council made up of District Number 22, Hammonds Plains - Timberlea, District Number 23, St. Margaret's Bay - Prospect, and that area of District Number 18, Spryfield - Herring Cove which is situated within the boundaries of the former Halifax County Municipality effective April 1, 2001.

**14. ADJOURNMENT**

**MOVED by Deputy Mayor Blumenthal, seconded by Councillor Sloane, that the meeting adjourn at 8:45 p.m. MOTION PUT AND PASSED UNANIMOUSLY.**

Vi Carmichael  
Municipal Clerk