

# **HALIFAX REGIONAL MUNICIPALITY**

---

## **HALIFAX REGIONAL COUNCIL MINUTES September 3, 2002**

**PRESENT:**

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

**REGRETS:**

Councillors: Harry McInroy  
Jerry Blumenthal

**STAFF MEMBERS:**

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

**Table of Contents**

1.	INVOCATION .....	4
2.	APPROVAL OF MINUTES - AUGUST 20, 2002 .....	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS .....	4
4.	BUSINESS ARISING OUT OF THE MINUTES .....	5
5.	MOTIONS OF RECONSIDERATION .....	5
5.1	Councillor Walker - Re: First Reading of By-Law R-106 to repeal By-Law S- 200, the Smoking By-Law .....	5
6.	MOTIONS OF RESCISSION - NONE .....	5
7.	CONSIDERATION OF DEFERRED BUSINESS .....	5
7.1	Request for Proposal 02-054 - Interior and Exterior Bus and Ferry Terminal Poster Advertising Contract(Aug. 20/02) (supp report) .....	5
8.	CORRESPONDENCE, PETITIONS & DELEGATIONS .....	5
8.1	Correspondence - None .....	5
8.2	Petitions .....	5
8.2.1	Councillor Sarto - Three-Way Stop Sign Request, Topsail/Plaza .	5
8.2.2	Councillor Hines - Street Paving Request, Bolton Drive .....	6
8.2.3	Councillor Streach - Recognition, Mrs. Betty Tefler .....	6
8.3	Presentations .....	6
8.3.1	Bullying Awareness Week - Art Work (Police Services) Corporate Communications Limited - Mr. Chester Goluch .....	6
8.3.2	Grandparents Rights for Nova Scotia - Howard and Pauline Glenn .....	6
9.	REPORTS .....	8
9.1	HALIFAX REGIONAL TAXI AND LIMOUSINE COMMITTEE .....	8
9.1.1	Amendment to By-law T-108 - Meter Rate Increase Councillor Adams - Move First Reading - By-law T-122 .....	8
9.2	CHIEF ADMINISTRATIVE OFFICER .....	8
9.2.1	Change in Holiday Solid Waste Collection for 2003 .....	8
9.2.2	First Quarter 2002/2003 Financial Report (to be circ) .....	9

10.	MOTIONS .....	9
11.	ADDED ITEMS .....	9
	11.1 RFP #02-094 - Metropolitan Field - Athletic Field Upgrade .....	9
12.	NOTICES OF MOTION - None .....	9
13.	ADJOURNMENT .....	10

1. **INVOCATION**

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Cunningham.

2. **APPROVAL OF MINUTES - AUGUST 20, 2002**

**MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that the minutes of August 20, 2002 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items was added to the agenda:

11.1 RFP #02-094 - Metropolitan Field - Athletic Field Upgrade

In Camera Item - Halifax Harbour Solutions Update

Councillor Smith requested a staff report for next week regarding the SPCA contract which expired at the end of July.

It was agreed to defer Item 5.1 Councillor Walker - Re: First Reading of By-Law R-106 to repeal By-Law S-200, the Smoking By-Law until Councillors Johns and Warshick arrived at the meeting.

On a **Point of Privilege**, Councillor Uteck raised the issue of the recent news release issued by HRM regarding the Halifax Harbour Solutions project funding and requested that Council be given an update on the matter. Councillor Hetherington noted this is a legal matter and suggested that Council move In Camera for the discussion.

**MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Council meet In Camera following the regular session to discuss the following item: Legal Matter - Halifax Harbour Solutions Update.**

In response to a question of Councillor Uteck, Mayor Kelly stated HRM has been in discussions with the provincial and federal governments, and it is his understanding that the Province's request for infrastructure funding will be expanded to include HRM's request for Halifax Harbour Solutions.

**MOTION PUT AND PASSED.**

**MOVED** by Councillor Goucher, seconded by Councillor Hetherington, that the Order of Business, Additions and Deletions, be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

**5. MOTIONS OF RECONSIDERATION**

**5.1 Councillor Walker - Re: First Reading of By-Law R-106 to repeal By-Law S-200, the Smoking By-Law**

This item was addressed later in the meeting.

**6. MOTIONS OF RESCISSION - NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS**

**7.1 Request for Proposal 02-054 - Interior and Exterior Bus and Ferry Terminal Poster Advertising Contract(Aug. 20/02) (supp report)**

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

C Correspondence from Herman S. Dykeman, Viacom, regarding the above, was circulated to Council for its consideration.

**MOVED** by Councillor Hetherington, seconded by Councillor Sloane, that Council award RFP #02-054 to DayNite Neon Limited and staff be authorized to enter into a new one year-term contact, effective September 2002 or earliest possible date, renewable on an annual basis up to five (5) years maximum, on terms and conditions outlined in the supplementary report dated August 29, 2002, for the exclusive rights to provide interior and exterior poster advertising on Metro Transit buses and at the Halifax and Dartmouth Ferry Terminals. **MOTION PUT AND PASSED UNANIMOUSLY.**

**8. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**8.1 Correspondence - None**

**8.2 Petitions**

**8.2.1 Councillor Sarto - Three-Way Stop Sign Request, Topsail/Plaza**

Councillor Sarto served correspondence from a resident requesting a three-way stop sign at the intersection of Topsail Blvd. and Plaza Drive.

**8.2.2 Councillor Hines - Street Paving Request, Bolton Drive**

Councillor Hines submitted a petition from residents of Bolton Drive, Fall River Village, requesting that their street be paved.

**8.2.3 Councillor Streach - Recognition, Mrs. Betty Tefler**

Councillor Streach recognized and congratulated Mrs. Betty Telfer, Fall River, for receiving the MacDonald-Cartier Award at the National Progressive Conservative meeting held in Edmonton, Alberta, in August.

**8.3 Presentations**

**8.3.1 Bullying Awareness Week - Art Work (Police Services)  
Corporate Communications Limited - Mr. Chester Goluch**

Mr. Chester Goluch, Senior Vice President and Chief Creative Officer, CCL, outlined the Bullying Awareness Campaign to be officially launched on Thursday, September 5<sup>th</sup> at 10:00 a.m. at Fairview Junior High. Posters and a television video to be used as part of the campaign were shown to Council. Mr. Goluch responded to questions of Council regarding the campaign.

**8.3.2 Grandparents Rights for Nova Scotia - Howard and Pauline Glenn**

Mr. Howard Glenn and Mrs. Pauline Glenn made a presentation to Council regarding Grandparents' Rights for Nova Scotia and asked for Council's support in grandparents having access to their grandchildren.

Several Councillors spoke in support of grandparents' rights and the following motion was put on the floor:

**MOVED by Councillor Hetherington, seconded by Councillor Cunningham, that a letter be sent to the Hon. Michael Baker, Minister of Justice, and Premier John Hamm (with a copy to the Grandparents Rights for Nova Scotia Association) expressing Council's support for Grandparents Rights for Nova Scotia. MOTION PUT AND PASSED UNANIMOUSLY.**

**5.1 Councillor Walker - Re: First Reading of By-Law R-106 to repeal By-Law S-200, the Smoking By-Law**

- C The following motion was adopted by Council on August 27, 2002: *MOVED by Councillor Adams, seconded by Councillor Blumenthal, that Council give First Reading to By-Law R-106 to repeal By-law S-200, the Smoking By-law.* However, at that time, a **Notice of Motion of Reconsideration** was served by Councillor Walker.
- C Correspondence, regarding the above, was received from the following: Robert Strang, Krista Canning, Susan Wedlake, Valerie Payn, Maureen Summers, Kitty Wiley, Steve Machat, Jim Smith, Danny Graham, Sharon MacIntosh, Robert Stead, Mayor John Morgan (CBRM), Jane Farquharson, David Logie, Robert Cook, Matthew Dubois, Lila Hope-Simpson, Juanita MacPhee, Ann Grantmyre, Ruth Fox, Heather McKay, Rick & Linda Savage, Harold Hawkins, Louise Schurman, Krista Canning, Ryan Sommers, Maureen MacDonald, Bill VanGorder, Mayor Anna Allen, (Town of Windsor), Linda Callard, Sharon Hollingsworth, Matthew Lafond, Katherine Cote, Kaylan Sunderam, Larry Horton, The Guysborough Antigonish Strait Tobacco Advisory Committee, Robert Miller, Jeff Bonang, Janice Sheppard, Dawn Burstall, Parent Resource Centre, Lara Sheehan, Karl and Pat Nightingale.

**MOVED by Councillor Walker, seconded by Councillor Fougere, that Council reconsider its motion of August 27, 2002 regarding First Reading of By-Law R-106 to repeal By-law S-200, the Smoking By-law.**

Speaking in support of the motion, Councillor Walker made the following points:

- C HRM is a leader in the setting standards for others to follow and rise to.
- C The provincial by-law regarding smoking is not better than HRM's by-law.
- C HRM has by-laws regarding other issues such as C&D, pesticides, and solid waste, that are stronger than provincial regulations.
- C A by-law should not be thrown out based on the fact that it cannot be enforced all the time.
- C He noted that he received many phone calls supporting his request for reconsideration and none opposing it.

A **Recorded Vote** was requested.

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Harvey, Councillors: Cooper, Sarto, Smith, Cunningham, Fougere, Walker, Whalen, Johns, and Meade.

Members of Council voting **against** the motion: Councillors Streach, Hines, Colwell, Warshick, Hetherington, Sloane, Uteck, Mosher, Adams, Goucher and Rankin.

**MOTION DEFEATED. (11 in favour, 11 against)** (Councillors McInroy and Blumenthal were absent.) Therefore, the motion of August 27, 2002 stands.

**9. REPORTS**

**9.1 HALIFAX REGIONAL TAXI AND LIMOUSINE COMMITTEE**

**9.1.1 Amendment to By-law T-108 - Meter Rate Increase  
Councillor Adams - Move First Reading - By-law T-122**

C A report from the Taxi and Limousine Committee dated August 28, 2002 regarding the above, was before Council for its consideration. The report recommended *that Council approve First Reading and set a date for a public hearing to consider an amendment to By-Law T-108 to provide that:*

- (a) The taxi meter drop rate increase by \$1.00*
- (b) Taxi meter rates be reviewed annually in the spring for a fall implementation*
- (c) A \$50 cleaning fee and a \$50 opportunity cost fee (lost time) be incorporated into By-Law T-108*

Councillor Adams requested that this matter be deferred for one week to allow Legal Services the opportunity to review Item (c) of the Taxi and Limousine Committee's recommendation contained in its report dated August 28, 2002.

**MOVED by Councillor Adams, seconded by Councillor Johns, that this matter be deferred for one week.**

Councillor Sloane also requested clarification of Item (a) of the recommendation and how it will affect the number of taxis on the street. Councillor Adams requested that the report also address the issue of paying fares up front in the evenings and if there are any other municipalities that utilize this system. Councillor Sloane requested that flat rates to certain areas also be examined.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2 CHIEF ADMINISTRATIVE OFFICER**

**9.2.1 Change in Holiday Solid Waste Collection for 2003**

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

**MOVED by Councillor Fougere, seconded by Councillor Sloane, that:**

- 1. For 2003, HRM provide previous Saturday collection for holidays which occur on Monday and Tuesday.**

2. Supporting communication be provided in the form of newspaper advertising, radio, and calendar highlights.
3. Staff provide a report to Council in the fall of 2003 on the experience with this alternate approach to holiday collection. **MOTION PUT AND PASSED UNANIMOUSLY.**

**9.2.2 First Quarter 2002/2003 Financial Report (to be circ)**

- C An Information Report prepared for Dale MacLennan, Director, Financial Services, regarding the above, was before Council for its information.

Ms. Pam Caswill, Manager of Accounting, presented the First Quarter 2002/2003 Financial Report to Council. Copies of her presentation were circulated to Council.

**MOVED by Councillor Goucher, seconded by Councillor Hetherington, that Council table the First Quarter 2002/2003 Financial Report. MOTION PUT AND PASSED UNANIMOUSLY.**

**10. MOTIONS**

**11. ADDED ITEMS**

**11.1 RFP #02-094 - Metropolitan Field - Athletic Field Upgrade**

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

**MOVED by Deputy Mayor Harvey, seconded by Councillor Johns, that Council:**

1. Authorize an increase to Account No. CPC00675 - Track and Field Upgrades in the amount of \$54,939.00 with funding provided from Account No. CRESPOOL, the Capital Pool, as indicated in the Budget Implications Section of the staff report dated August 26, 2002.
2. Approve the award of RFP #02-094 Metropolitan Field Athletic Field Upgrade to DeFargo/Southwest Recreation Industries for materials and services specified at the unit prices quoted for a price of \$196,345.00 plus net HST, for a total project cost of \$208,958.02 from Capital Account CPC 00675, as outlined in the Budget Implications Section of the staff report dated August 26, 2002. **MOTION PUT AND PASSED UNANIMOUSLY.**

**12. NOTICES OF MOTION - None**

13. ADJOURNMENT

There being no further business, Council adjourned at 6:55 p.m. and moved In Camera to address the following Item: Legal Matter - Halifax Harbour Solutions Update.

Vi Carmichael  
Municipal Clerk