

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 24, 2002

PRESENT:

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

ABSENT
WITH REGRETS:

Councillor Sheila Fougere

STAFF:

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

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REGIONAL COUNCIL MINUTES

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1. INVOCATION

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Walker.

Councillor Mosher extended congratulations to Ashley Williams of the East Coast Boxing Academy on her win of the Welterweight championship in Kansas City.

As Councillor Sarto was committed to a special community meeting, he excused himself from the meeting.

Councillor Warshick advised that the Dartmouth United Under 14, Under 16 and Under 18 girls soccer teams are representing the Province of Nova Scotia at national events throughout various locations in Western Canada.

Councillor Hines congratulated the LWF Baseball Association for winning the Provincial Pee Wee D championship and the Bantam B championship.

Councillor Cooper extended congratulations to Mr. Bill Stratton on receiving the honour of being named Kiwanian of the Year for the district of Eastern Canada and the Carribean.

2. APPROVAL OF MINUTES - September 10, 2002

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the minutes of September 10, 2002 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 11.1 Councillor Adams - Captain William Spry Lodge
- 11.2 Harbour Solutions Project
- 11.3 Property Matter - Sale of Former Windsor Junction School Site
- 11.4 Property Matter - Sale of 2739 Sackville Drive, Upper Sackville
- 11.5 Property Matter - Redevelopment, Former Sackville Heights Elementary School
- 11.6 Legal Matter - Settlement of Claim

Councillor Cunningham requested "Traffic Situation School Street, Dartmouth" be added to the agenda.

At a later point in the meeting, Councillor Uteck requested information item #5, Heritage

Incentive Program, be brought forward to the October 1, 2002 Regular Council agenda.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that the staff report regarding the Heritage Incentive Program be brought forward on October 1, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Hetherington, seconded by Councillor Warshick, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. MOTIONS OF RECONSIDERATION - NONE

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - September 17/02

7.1 Councillor Mosher - Subdivision Approvals - Land Contribution vs Cash in Lieu

At the request of Councillor Mosher this item was deleted from the agenda.

7.2 Councillor Goucher - DeWolf Bequest Distribution

MOVED by Councillor Goucher, seconded by Councillor Hines, that Halifax Regional Council approve a \$50,000 loan from the DeWolf Trust Fund to the Rocky Lake Development Association. The terms of repayment are 6% interest over a one-year period, with the provision that the repayment of interest can be forgiven by the DeWolf Family at a later time. MOTION PUT AND PASSED UNANIMOUSLY.

8. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions - None

8.3 Presentation

8.3.1 Winter Parking Ban - Les Holloway

- Correspondence from Mr. Holloway was before Council.

- A memorandum from Councillor Sheila Fougere, dated September 23, 2002, on the above noted, was before Council.

Mr. Les Holloway, 6141 Duncan Street, Halifax addressed Council regarding the issue of reestablishment of a winter parking ban. Mr. Holloway noted there are many homes in the Peninsula area that do not have parking. He requested Council examine the possibility of permit parking.

MOVED by Councillor Uteck, seconded by Councillor Walker, that a response to the presentation be requested from the Traffic Authority. Further, the Councillor requested the Residential Parking Policy for the urban areas of HRM be brought to Council as soon as possible. MOTION PUT AND PASSED UNANIMOUSLY.

9. REPORTS

9.1.1 DISTRICT BOUNDARIES ADVISORY COMMITTEE RECOMMENDATION

- A report from the District Boundaries Advisory Committee, dated September 4, 2002, was before Council.

Mr. Paul Hyland, Chair, District Boundaries Advisory Committee, outlined the report and recommendations.

Councillor Mosher referenced the total population by Polling District figures and stated they did not accurately reflect the numbers noting, development has taken place since the figures were compiled. The Councillor requested that the Statistics Canada information be accurately portrayed by the electoral boundaries for each of the Districts.

In response to Councillor McInroy, Mr. Anstey, Municipal Solicitor, clarified that it is Council that makes the application to the URB.

MOVED by Councillor Walker, seconded by Councillor Cunningham, that the report be referred to a Committee of the Whole Council session on October 8, 2002. Further, it is recommended that the Minority Position Paper be included for discussion at that time. MOTION PUT AND PASSED.

9.1.2 MUNICIPAL ELECTIONS ACT DISCUSSION PAPER

- Correspondence from Angus MacIsaac, Service Nova Scotia and Municipal Relations, dated September 11, 2002, was before Council.
- A copy of the Municipal Elections Act Review Committee Discussion Paper was before Council.

MOVED by Councillor Walker, seconded by Councillor Warshick, that the report be

referred to a Committee of the Whole Council session on October 8, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2 CHIEF ADMINISTRATIVE OFFICER

9.2.1 Tender 02-M838 - Brownlow Park Playground, Dartmouth

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 12, 2002, on the above noted, was before Council.

MOVED by Councillor Cunningham, seconded by Councillor Hetherington, that Council approve the award of Tender #02 - M838 - Brownlow Park Playground for materials and services specified at the unit prices quoted for a tender price of \$49,875.75 plus net HST, for a total project cost of \$53,082.26 from District 10 Capital Funds, Account #CCV00185, as outlined in the Budget Implications section of the report dated September 12, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.2 Tender 02 - 292 - Holland Avenue Paving Renewal and Storm Sewer - Central Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 18, 2002, on the above noted, was before Council.

MOVED by Councillor Goucher, seconded by Councillor Hetherington, that Council:

- 1. approve the recovery of Local Improvement Charges for the replacement of existing asphalt curb with concrete curb and gutter on both sides of Holland Avenue from Bedford Highway to the end, in the amount of \$17,743.44 to be applied to the general area rate of District 21.**
- 2. approve the recovery of Local Improvement Charges for the new concrete sidewalk on Holland Avenue from the Bedford Highway to the end, in the amount of \$19,268.04, to be applied to the general area rate of District 21.**
- 3. award Tender No. 02-292, Holland Avenue, Paving Renewal and Storm Sewer - Central Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$515,680, plus net HST for a total of \$548,833 from Account No. CYR00991, Paving Renewal Program and Account No. CSU00174, Holland Avenue, Bedford - Storm Sewer, with funding authorized as per the Budget Implications section of the report dated September 18, 2002.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.3 Tender 02-270 - Lakeside Terrace Paving Renewal - Eastern Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 18, 2002, on the above noted, was before Council.

MOVED by Councillor Cunningham, seconded by Councillor Smith, that Council:

1. **waive the right to petition for the replacement of asphalt curb with concrete curb and gutter, and for new concrete curb and gutter.**
2. **approve the recovery of Local Improvement Charges for the replacement of existing asphalt curb with concrete curb and gutter on both sides of Lakeside Terrace from Crichton Avenue to civic no. 3, in the amount of \$2,185.55 by levy of frontage charges based on the 2002/03 rates approved by Council.**
3. **approve the recovery of Local Improvement Charges for a new concrete curb and gutter on both sides of Lakeside Terrace from civic no. 2 to end, in the amount of \$14,649.75, by levy of frontage charges based on the 2002/03 rates approved by Council.**
4. **approve an increase in the Gross Budget for Account No. CYR00991, Paving Renewal Program, by \$45,073, with no change in the Net Budget, to cover the cost of the water main renewal on Lakeside Terrace from Crichton Avenue to the end.**
5. **award Tender No. 02-270, Lakeside Terrace, Paving Renewal - East Region to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$214,920, plus net HST for a total of \$228,737, from Account No. CYR00991, Paving Renewal Program, with funding authorized as per the Budget Implications section of the report dated September 18, 2002.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.4 Tender 02-291 - Intersection Improvements - Various Locations

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 16, 2002, on the above noted, was before Council.

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Council

award Tender No. 02-291, Intersection Improvements - Various Locations to Ocean Contractors Limited for materials and services listed at the unit prices quoted for a Tender Price of \$59,620, plus net HST for a total of \$63,453 from Account No. CTR00905, Intersection Improvement Plan, with funding authorized as per the Budget Implications section of the report dated September 16, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.5 RFP 01-063 - E-Commerce Portal

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated September 3, 2002, on the above noted, was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that Council authorize the award of Proposal #01-063 to the highest ranking proponent, Aliant Inc. for the development and the maintenance of the E-Commerce Portal within existing budgets.

Councillor Goucher suggested staff investigate alternate forms of HRM doing business, relative to the election, through portals such as this.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.6 Cost Sharing Agreement - Provincial Department of Transportation and Public Works and HRM re: Highway 102 Interchange Upgrading

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated September 18, 2002, on the above noted, was before Council.

MOVED by Councillor Whalen, seconded by Councillor Walker, that Halifax Regional Council authorize the Mayor and the Municipal Clerk to execute the Agreement between the Halifax Regional Municipality and the Province of Nova Scotia relative to the proposed upgrading works to Lacewood Drive and Highway #102 Interchange. MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS - NONE

11. ADDED ITEMS

11.1 Councillor Adams - Captain William Spry Lodge Elevator

MOVED by Councillor Adams, seconded by Councillor Goucher, that the Mayor write a letter to the Honourable Peter Christie, Minister of Community Services, regarding

the installation of an elevator at the Captain William Spry Centre to be cost shared with the Councillor. **MOTION PUT AND PASSED UNANIMOUSLY.**

11.2 Harbour Solutions Project

MOVED by Councillor Hines, seconded by Councillor Johns, that Regional Council reaffirm its commitment to the Halifax Harbour Solutions project. **MOTION PUT AND PASSED.**

11.3 Property Matter- Sale of Former Windsor Junction School Site

MOVED by Councillor Hines, seconded by Councillor Streach that:

- 1. Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Virginia Cox, for the sale of 454 Windsor Junction Road, former Windsor Junction School Site, subject to the terms and conditions set out in the September 13, 2002 Private and Confidential staff report.**
- 2. This report not be released to the public until the transaction has closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.4 Property Matter - Sale of 2739 Sackville Drive, Upper Sackville

MOVED by Councillor Johns, seconded by Councillor Hetherington, that:

- 1. Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the sale of 2739 Sackville Drive based upon the terms and conditions contained within the September 16, 2002 Private and Confidential staff report.**
- 2. This report not be released to the public until the transaction has closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.5 Property Matter - Re-development, Former Sackville Heights Elementary School

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

1. **Retention of the former Sackville Heights Elementary School site by HRM for re-development as a community center, conditional upon approval of an area rate in accordance with HRM's Interim Area Rate Guidelines.**
2. **A new capital project in the amount of \$264,000 funding up to a maximum of \$200,000 to be secured through a 10-year debenture re-paid through an area rate; other funding available is outlined in the Budget Implications of the June 27, 2002 Private and Confidential staff report; and, if the area rate is not approved, the asset will be sold to re-pay the debenture.**
3. **Release of the June 27, 2002 report to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.6 Legal Matter - Settlement of Claim

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that Halifax Regional Council settle this claim brought by the Plaintiff, as set out in the September 17, 2002 Private and Confidential staff report, in the amount of \$14,000 as settlement in full upon obtaining a full release from the Plaintiff from any further claims arising out of the accident which occurred on September 9, 1997. MOTION PUT AND PASSED UNANIMOUSLY.

11.7 Councillor Cunningham - Traffic Situation School Street, Dartmouth

Councillor Cunningham noted that speeding and short-cutting has become a problem on School Street since the realignment of Nantucket Avenue and the approach to the Macdonald Bridge. There have been many traffic problems in that area since the realignment and even though signals have been installed there are still complaints from the residents regarding the problem.

MOVED by Councillor Cunningham, seconded by Councillor Blumenthal that Traffic Services in conjunction with Police Services provide a report on this situation providing an assessment of the concerns by the residents. MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION - NONE

13. ADJOURNMENT

There being no other business, the meeting was adjourned at 6:50 p.m.

Vi Carmichael
Municipal Clerk