

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES October 22, 2002

PRESENT:

Mayor Peter J. 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
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Stephen Adams
Brad Johns
Len Goucher
Reg Rankin
Gary Meade

STAFF:

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

TABLE OF CONTENTS

1.	INVOCATION	04
2.	APPROVAL OF MINUTES - October 8 & 15, 2002	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	04
4.	BUSINESS ARISING OUT OF THE MINUTES	04
5.	MOTIONS OF RECONSIDERATION - NONE	04
6.	MOTIONS OF RESCISSION - NONE	04
7.	CONSIDERATION OF DEFERRED BUSINESS - NONE	04
8.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
8.1	Correspondence - None	04
8.2	Petitions	04
8.3	Presentation	
8.3.1	Greater Halifax Partnership (GHP) - Quarterly Report Stephen Dempsey, President & CEO	05
8.3.2	Regional Development Agency (RDA) - Quarterly Report Gene Frampton, General Manager	05
9.	REPORTS	
9.1	CHIEF ADMINISTRATIVE OFFICER	
9.1.1	Tender 02-061 - Water Pollution Control Plants Study	06
9.1.2	Tender 02-253 - Bruce Street Pumping Station Forcemain Replacement - Eastern Region	06
9.1.3	Tender 02-298 - Shoreline Stabilization, Shore Road, East Region	07
9.1.4	Request for Proposal 02-029R - Electronic Copying Equipment and Software	07
9.1.5	Case 00511 - Various Amendments to the Municipal Planning Strategy and Land Use By-law, Bedford	07
9.1.6	Beaver Bank Sewer and Water Servicing - Adjustment to Area Rate Application and Update	08
10.	MOTIONS	
10.1	Councillor Streach - Designation all areas within HRM boundary as single local dialing zone	08

11.	ADDED ITEMS	
11.1	Councillor Goucher - Federal Charitable Status for Community Recreation Groups	09
11.2	Councillor Sloane - Posting of Signage (Jake Brakes)	09
11.3	Municipal Elections Act Review Committee Discussion Paper	10
11.4	Halifax Harbour Solutions Project -Financing Options	11
11.5	Status Sheet Review and Recommendations	12
12.	NOTICES OF MOTION	13
13.	ADJOURNMENT	13

1. **INVOCATION**

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

2. **APPROVAL OF MINUTES - October 8 & 15, 2002**

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the minutes of October 8 & 15, 2002 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 11.1 Councillor Goucher - Federal Charitable Status for Community Recreation Groups
- 11.2 Councillor Sloane - Posting of Signage (Jake Brakes)
- 11.3 Municipal Elections Act Review Committee Discussion Paper Recommendations
- 11.4 Halifax Harbour Solutions Project - Financing Options
- 11.5 Status Sheet Review and Recommendations

MOVED by Councillor Goucher, seconded by Councillor Sloane, 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 - NONE**

8. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

8.1 **Correspondence - None**

8.2 **Petitions**

Councillor Sloane served a petition on behalf of concerned residents of West, Robie, Cunard, Moran, Davidson, John, Sarah and Moran Streets requesting an impact study regarding the proposed development for the corner of Cunard, Robie and West Streets.

Councillor Sloane submitted correspondence from Ms. Carolyn Conde regarding taxis honking their horns on Harvey Street during the early morning hours.

Councillor Sloane submitted correspondence from Mr. Thom Gillis regarding noise from patrons leaving bars in the early hours of the morning.

Councillor Rankin served a petition containing 143 signatures regarding a dangerous curve at 1440 and 1443 St. Margarets Bay Road. The Councillor advised a number of accidents have happened in the area, noting there is a large rock near the address which should be removed.

8.3 Presentation

8.3.1 Greater Halifax Partnership (GHP) - Quarterly Report

- A copy of a report entitled "Greater Halifax Partnership Quarterly Progress Report to Halifax Regional Municipality For the Period April 1 to September 30, 2002" was circulated to Council.
- A copy of the PowerPoint slides was circulated to Council.

Mr. Stephen Dempsey, President and CEO, and Mr. Fred Morley, Vice President and Chief Economist, with the aid of a PowerPoint presentation, provided an update on the Partnership including the Economic Forecast and Partnership Initiatives including:

- Revenue Sources;
- Projected Expenditures;
- Growth Sectors;
- Performance Indicators;
- World Energy Cities Partnership;
- Halifax-Moncton Growth Corridor and its objectives;
- Atlantica and its objectives.

Mayor Kelly thanked the Mr. Dempsey and Mr. Morley for the presentation.

8.3.2 Halifax Regional Development Agency (RDA) - Quarterly Report

- A copy of a report entitled "Halifax Regional Development Agency Second Quarter and Year to Date Results Performance" was circulated to Council.

Mr. Gene Frampton, General Manager, and Mr. Jerry Archibald, Chair, with the aid of a slide presentation, presented the report outlining the following:

- Statement of Context: RDA Partnership Development Duty;

- Key Partnership Results Targeted;
- Website Development Partnership established;
- Relationships established to facilitate rural community input into Regional Plan;
- Atlantic wide Regional Development Partnership initiative;
- Development of standard criteria for assessing LMDA applications;
- Participation in rollout of N.S. Business Inc. Business Expansion program.

Mayor Kelly thanked Mr. Frampton and Mr. Archibald for the presentation.

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Tender 02-061 - Water Pollution Control Plants Study

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 10, 2002, on the above noted, was before Council.

MOVED by Councillor Hetherington, seconded Councillor Smith, that Council award Proposal Call #02-032, to Dillon Consultants/ABL Environmental Consultants at a submitted price \$52,144.00 plus net HST for a total of \$55,497.00 with funding available from approved Wastewater Treatment Reserve (Q122) as per the Budget Implications section of the report dated October 10, 2002.

Councillor Cooper suggested there is a need for an update at Council on the future of development, particularly with the recent announcement of the Bedford area, and what the impact is going to be on the rest of the Municipality, whether or not the Dartmouth area is going to suffer a delay and be held in place for a number of years.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Tender 02-253 - Bruce Street Pumping Station Forcemain Replacement - East Region

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 16, 2002, on the above noted, was before Council.

MOVED by Councillor Sarto, seconded by Councillor Warshick, that Council award Tender No. 02-253, Bruce Street Pumping Station Forcemain Replacement - East Region to ACL Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$91,385, plus net HST for a total of \$97,260, from Account No. CGR00371, Pumping Station and Forcemain Upgrades, with funding

authorized as per the Budget Implications section of the report dated October 16, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.3 Tender 02-298 - Shoreline Stabilization, Shore Road - East Region

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 16, 2002, on the above noted, was before Council.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Council award Tender No. 02-298, Shoreline Stabilization, Shore Road - East Region to Fred M. Dunphy Excavating & Construction Limited for materials and services listed at the unit prices quoted for a revised Tender Price of \$89,368.50 plus net HST for a total of \$95,114 from Account No. CGU00026, Shore Road Bank Stabilization, with funding authorized as per the Budget Implications section of the report dated October 16, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.4 Request for Proposal 02-029R - Electronic Copying Equipment and Software

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 16, 2002, on the above noted, was before Council.

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

- 1. Council authorize the award of Proposal #02-029R to the highest ranking proponent, Office Imaging, for a 60 month lease of two black and white copiers and one colour copier at a total lease cost of \$119,220 plus HST, pending written approval from the Minister of Service Nova Scotia and Municipal Relations as required under Section 88(4) of the Municipal Government Act.**
- 2. Council authorize the award of Proposal #02-029R to the highest ranking proponent, Office Imaging, for the purchase of a Print on Demand system, contingent upon the approval of capital funding in the 2003/04 capital budget. Office Imaging has agreed to hold the price of \$107,042 plus HST quoted in their proposal until the 2003/04 Capital Budget is approved.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.5 Case 00511 - Various Amendments to the Municipal Planning Strategy and Land Use By-law, Bedford

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 8, 2002, on the above noted, was before Council.

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

1. **Approve the request to initiate the plan amendment process to give consideration to the appropriate designation and zoning of waterfront areas along the Bedford Basin, the floodway area of the Sackville River and general housekeeping matters within for the Bedford Municipal Planning Strategy and Land Use By-Law.**
2. **Request staff to follow the public participation program as approved by Council in February, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.6 Beaver Bank Sewer and Water Servicing - Adjustment to Area Rate Application and Update

- A report prepared for Mr. Dan English, Acting Chief Administrative Officer, dated October 15, 2002, on the above noted, was before Council.

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

1. **The approved area rate be applied as properties receive sewer and water services.**
2. **The area rate boundary for water be the same as sewer with the associated water servicing costs being carried by the Halifax Regional Water Commission until such time as water service is provided.**

MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS

10.1 Councillor Streach

MOVED by Councillor Streach, seconded by Councillor Hines, that the Mayor request Aliant Telecom (MTT) designate all that area within the physical boundaries of the Halifax Regional Municipality a single local dialing zone, eliminating the requirement for long distance dialing from within Halifax Regional Municipality to

other points within our boundaries.

Councillor Streach noted that there are many communities within the boundaries of HRM that incur long distance charges when calling from one to the other. The Councillor noted Municipalities across the country have been given the ability to initiate this process on behalf of the small communities.

Councillor Hetherington expressed concern that there may be a cost to HRM as a result of this initiative and suggested a staff report be requested.

Mr. McLellan, Chief Administrative Officer, advised staff would look at the implications and provide a report to Council.

Without a vote being taken on the motion on the floor, the following motion was placed.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal that this issue be deferred for one week and referred to staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

11. ADDED ITEMS

11.1 Councillor Goucher - Federal Charitable Status for Community Recreation Groups

MOVED by Councillor Goucher, seconded by Councillor Walker, that the Mayor write a letter to the Federal Minister of Finance asking for support and consideration for local recreation organizations or groups for charitable tax status. Further, Councillor Walker, as the FCM representative, bring the issue to the attention of the FCM. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Councillor Sloane - Posting of Signage (Jake Brakes)

Councillor Sloane advised there are large trucks traveling along Morris and Lower Water Streets and requested staff provide information as to what HRM can do to alleviate the traffic on these streets and redirect it in another direction.

Mr. McLellan, Chief Administrative Officer, advised he would examine the situation in consultation with the Councillor and staff, noting a staff report would be based on new information.

Councillor Mosher stated this is an HRM wide issue not just in the downtown area of Halifax and submitted correspondence from Mr. Brent Vulcano regarding this issue.

Councillor Cooper suggested that the option of being able to charge the drivers using these brakes in residential areas under the Noise By-Law should be examined.

11.3 Municipal Elections Act Review Committee Discussion Paper

MOVED by Deputy Mayor Harvey, seconded by Councillor Hetherington that Halifax Regional Council endorse the recommendations contained in the Municipal Election Act Review Committee Discussion Paper with the following exceptions:

1.1 Residency Requirements (Section 14(c))

Council not endorse recommendation but recommended maintaining the status quo.

1.2 Ordinary Resident/Student Voting (Section 16(2))

Council not endorse recommendation but recommended maintaining the status quo.

6.6 Tax Credits for Campaign Donations

Council not endorse recommendation but recommended the following:

“There is support for a rebate scheme for donations to municipal or school board election campaigns”

7.8 Time off Work in Order to Vote (new Section 82A)

Council not endorse the recommendation but recommended maintaining the status quo.

9.1 Presence of Candidates at the Polling Station (Sections 69 and new 107(4))

Council not endorse Part 1 of the recommendation and recommended maintaining the status quo.

Council endorse Part 2 of the recommendation.

9.3 Candidates Acting as Their Own Agents (Sections 71(4) and 72)

Council did not endorse the recommendation and recommended maintaining the status quo.

11.2 Mail-In Voting (new Section 146A)

Council did not endorse the recommendation and recommended maintaining the status quo.

12.1 Issues Regarding the Combined Municipal/School Board Elections

Council recommended Option #3 to separate all School Board elections from municipal elections.

Further Council recommended referral of items under #13 to the Halifax Regional School Board as well as recommendation #12.1.

MOTION PUT AND PASSED.

11.4 Halifax Harbour Solutions Project - Financing Options

Councillor Sloane requested a recorded vote and Council agreed to vote on each recommendation separately.

Councillor Uteck noted that in 1988 the two levels of government committed \$73.4 million dollars each to this project but they are now contributing \$30 million and \$19.8 million respectively. HRM is now committing to two thirds of the funding and noted there will probably be a water increase in the future as a result.

MOVED by Councillor Adams, seconded by Councillor Hetherington that the condition precedent related to funding from the other levels of government, as currently stipulated in the Harbour Solutions Development Agreement, be lifted unconditionally and HRM proceed with the Project in its entirety. MOTION PUT AND PASSED. (23 In Favour, 1 Against)

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Harvey, Councillors Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Hetherington, Smith, Cunningham, Blumenthal, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Those voting **against** were: Councillor Sloane.

MOVED by Councillor Adams, seconded by Councillor Hetherington that staff be instructed to amend the current Canada/Nova Scotia Infrastructure List to reflect the remaining level of funding sought for the Harbour Solutions Project of \$56M, and the program be brought back to Regional Council as part of the 2003/04 business planning process. MOTION PUT AND PASSED. (23 In Favour, 1 Against)

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Harvey, Councillors Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Hetherington, Smith, Cunningham, Blumenthal, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Those voting **against** were: Councillor Sloane.

MOVED by Councillor Adams, seconded by Councillor Hetherington that Council approve the Harbour Solutions Project cost elements as outlined in the body of the report dated October 16, 2002. MOTION PUT AND PASSED. (23 In Favour, 1 Against)

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Harvey, Councillors Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Hetherington, Smith, Cunningham, Blumenthal, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Those voting **against** were: Councillor Sloane.

MOVED by Councillor Adams, seconded by Councillor Hetherington that staff be instructed to continue to investigate other federal/provincial funding opportunities and report back to Regional Council once per quarter on these and other revenue sources which might be considered or available to offset the HRM portion of the HSP and, to the extent that additional funds cannot be raised, Council from time to time shall raise the required funds through the Pollution Control Charge (not to exceed \$0.29) to build the complete project. MOTION PUT AND PASSED. (21 In Favour, 3 Against)

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Harvey, Councillors Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Hetherington, Cunningham, Uteck, Fougere, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Those voting **against** were: Councillor Smith, Blumenthal and Sloane.

MOVED by Councillor Rankin, seconded by Councillor Streach, that the Mayor, on behalf of Council, send a letter to former Councillor Larry Uteck in recognition of his services with regards to the Halifax Harbour clean up. MOTION PUT AND PASSED UNANIMOUSLY.

11.5 Status Sheet Review and Recommendations

MOVED by Councillor Whalen, seconded by Councillor Cunningham that the

following improvements regarding the Council Status Sheet be implemented to enhance Council's decision making and ability to respond to community issues and concerns within a reasonable timeframe:

1. The format of the Council Status Sheet be revised to include additional information to enhance its usefulness.
2. Average response time for a staff report should be adjusted from two to three weeks.
3. Requests for Information that arise at Council meetings should provide clear direction to staff.

MOTION PUT AND PASSED.

12. NOTICES OF MOTION - NONE

13. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

Vi Carmichael
Municipal Clerk