

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES FEBRUARY 11, 2003

PRESENT:

Mayor Peter Kelly
Councillors: Steve Streach
Gary Hines
Keith Colwell
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sheila Fougere
Russell Walker
Diana Whalen
Linda Mosher
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT WITH REGRETS:

Deputy Mayor Harry McInroy
Councillors: Sue Uteck
Stephen Adams

STAFF:

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

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1. **INVOCATION**

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

2. **APPROVAL OF MINUTES - NONE**

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

Additions

- 12.1 Councillor Harvey - Provincial Smoking Legislation
- 12.2 Councillor Mosher - Sir Sanford Fleming Park
- 12.3 Councillor Sloane - Budget Implications of Proposed Boundary Change
- 12.4 Legal Matter - Collection Area 7, Residential Collection Contract
- 12.5 Legal Matter - Harbour Solutions - Legal Action - 2153 Barrington Street

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, 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**

5.1 **Councillor Blumenthal - First Reading By-Law S-203 Respecting Smoke Free Work Places in HRM**

- A draft from the February 4, 2003 Regional Council minutes, on the above noted, was before Council.
- Correspondence from Carolyn Vaughan, Sheet Harbour, Nova Scotia, was circulated to Council.
- Correspondence from Michael Toulany, M&B Enterprises, dated February 10, 2003, was circulated to Council.

Councillor Blumenthal withdrew his Motion of Reconsideration.

5.2 Councillor Mosher - the awarding of Request for Proposal 02-097, Provision of Services for Collection and Transportation of Source Separated Solid Waste for Area 1 (Halifax) to HRDA

- A draft from the February 4, 2003 Regional Council minutes, on the above noted, was before Council.
- Correspondence from Joey Warwick, District Manager, Canadian Waste. dated February 6, 2003, on the above noted, was circulated to Council.

MOVED by Councillor Mosher, seconded by Councillor Walker, that the motion of reconsideration be deferred to February 18, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

6. MOTIONS OF RESCISSION - NONE

7. CONSIDERATION OF DEFERRED BUSINESS - NONE

8. PUBLIC HEARING

8.1 Case 00455: Application for amendment to the Halifax Municipal Planning Strategy and Land Use By-Law for 1252-54-56 Hollis Street

- An extract from the draft January 21, 2003 Regional Council meeting, on the above noted, was before Council.
- A report from Councillor Fougere, Chair, Peninsula Community Council, dated January 14, 2003, on the above noted, was before Council.

Ms. Holly Richardson, Planner, with the aid of overheads, presented the staff report.

Mayor Kelly called three times for those wishing to speak in favour of or in opposition to the proposed amendment. Hearing none, the following motion was placed.

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

DECISION OF COUNCIL

MOVED by Councillor Sloane, seconded by Councillor Fougere, that Regional

Council adopt the amendments to the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law presented in Attachment V of the December 18, 2002 staff report.

In response to a concern by Councillor Smith with respect to parking, Ms. Richardson advised there is no parking provided for the tenants but there is monthly rental parking nearby.

MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

Councillor Sloane submitted correspondence from the Association of Canadian Food and Restaurants regarding the Smoking By-Law.

10. REPORTS

10.1 CHEBUCTO COMMUNITY COUNCIL

10.1.1 Case 00538: Cost Sharing for Oversized Streets, Glenbourne Subdivision

- A report from Councillor Linda Mosher, Chair, Chebucto Community Council, dated February 3, 2003, on the above noted, was before Council.

MOVED by Councillor Whalen, seconded by Councillor Walker, that Regional Council:

- 1. Approve a municipal expenditure in an amount not exceeding \$34,998 (HST included in total) from account CDC00111 (Oversize Streets) to allow for payment of previous cost-sharing obligations to Annapolis Group Incorporated for over sizing a municipal street (Parkland Drive) in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phase 5B.**
- 2. Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$953,718 (HST included in total) from**

account CDC00111 (Oversize Streets) to allow for cost sharing with Fares Development Partnership for over sizing a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I and II Development Agreements, Glenbourne Subdivision, Phases 3B and 5A.

3. Pending approval of funds in the 2003/04 Budget, approve a municipal expenditure in an amount not exceeding \$28,525 (HST included in total) from account CDC00111 (Oversize Streets) to allow for cost sharing with Cygnet Properties Limited for over sizing a portion (sidewalk only) of a municipal street (Parkland Drive), to be funded as outlined in the proposed 2003/04 Capital Budget, in accordance with the terms of Stage I Development Agreement, Glenbourne Subdivision.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 CHIEF ADMINISTRATIVE OFFICER

10.2.1 Quotation 2002M735, Five Year Agreement for Coinage and Armoured/Secured Vehicle Service

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated January 23, 2003, on the above noted, was before Council.

MOVED by Councillor Warshick, seconded by Councillor Hetherington, that Council authorize the award of Quotation #2002M735 to Independent Armoured Transport Atlantic for services at the unit prices quoted for a five year total price of \$185,083.20 plus net HST for coinage and armoured/secured vehicle services with funding outlined in the Budget Implications section of the report dated January 23, 2003.

MOTION PUT AND PASSED.

10.2.2 Request for Proposal 02-157, Architectural Design Services - North Preston Community Centre

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated January 30, 2003, on the above noted, was before Council.

MOVED by Councillor Colwell, seconded by Councillor Sloane, that RFP 02-157 - Architectural Design Services - North Preston Community Centre be awarded to the highest ranking evaluated proposal, Sperry and Partners for a cost of \$171,400.00

from Capital Account CB100095 North Preston Recreation Centre, with funding authorized as per the Budget Implications section of the report dated January 30, 2003. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.2.3 Project 00382, Bedford West Master Plan

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated January 17, 2003, on the above noted, was before Council.
- Correspondence from Mike Laycock, Assistant General Manager, Annapolis Group, dated February 4, 2003, was before Council.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that Regional Council refer the report back to staff.

Councillor Cooper requested staff look at the wording of the original motion with respect to adjacent lands. The Councillor stated he has concerns that there are adjacent lands that are larger than the original proposals which goes beyond the scope of adjacent lands.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.4 Third Quarter 2002/2003 Financial Report

- An information report from Dale MacLennan, Director of Financial Services, dated February 3, 2003, on the above noted, was before Council.

Ms. Pam Caswell, Manager of Accounting, presented the Third Quarter 2002/03 Financial Report noting:

- There is a projected operating deficit projected (\$986,000);
- There is a deficit in Snow and Ice Program (\$4.3 million);
- Each business unit is identifying specific actions to eliminate the deficit by March 31, 2003;
- There are increases in permit fee revenue, deed transfer taxes and own source revenues;
- There is an on-going review on technical and underground services and funding from Wastewater/Strom water Management Reserve, snow and ice program, Sackville Sports Stadium, Eastern Shore Recreation Centre, cash flows in the Sale of Land Reserves, changes in rules regarding valuation allowance and compensation and benefits.

MOVED by Councillor Cooper, seconded by Councillor Goucher, that Council receive

and file the report. **MOTION PUT AND PASSED UNANIMOUSLY.**

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Colwell - Condition of Gravel Roads

MOVED by Councillor Colwell, seconded by Councillor Hetherington that the Mayor write to the Minister of Transportation regarding the condition of the gravel roads in the Carter and Romans Subdivision and Keltic Gardens in Lawrencetown and request that the roads be properly repaired and maintained. MOTION PUT AND PASSED UNANIMOUSLY.

10.3.2 Councillor Hines - All Terrain Vehicle Etiquette and Safety

Councillor Hines advised the East Hants Stakeholders (ATV) have developed a pamphlet regarding ATV safety and etiquette.

MOVED by Councillor Hines, seconded by Councillor Sarto, that staff examine the document and prepare a report to Council with an endorsement for use as an education piece in the Municipality.

Councillor Johns requested staff look at the New Brunswick legislation relative to this issue in preparing the report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3.3 Councillor Meade - Leave of Absence

MOVED by Councillor Meade, seconded by Councillor Hetherington, that Councillor Meade be granted a leave of absence for three consecutive meetings - March 4, 18 and 25, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Harvey - Provincial Smoking Legislation

MOVED by Councillor Harvey, seconded by Councillor Walker, that the Mayor write to the Province requesting that they not enforce the provincial legislation (Smoke

Free Places Act) fully until HRM reaches the end of the process with respect to the proposed By-Law S-203. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Mosher - Sir Sanford Fleming Park

Councillor Mosher advised that Dr. Brian Cuthbertson will be presenting the report regarding the heritage designation of the Sir Sanford Fleming Park at the Armdale Yacht Club on February 17th. The Councillor noted Ottawa will be considering the application in the spring.

12.3 Councillor Sloane - Budget Implications of Proposed Boundary Changes

MOVED by Councillor Sloane, seconded by Councillor Smith, that staff provide a report on the budget implications of restructuring the current polling boundaries from 23 to 20, as well as the costs involved to rewrite the Halifax Regional Municipality By-Laws that will be affected as a result of the proposed boundary changes. MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Legal Matter - Collection Area 7, Residential Collection Contract

MOVED by Councillor Colwell, seconded by Councillor Hetherington, that Council direct staff to negotiate with Leo J. Beazley (1996) with respect to the price submitted for solid waste collection services in Area 7, and report back with results within two weeks. MOTION PUT AND PASSED UNANIMOUSLY.

12.5 Legal Matter - Harbour Solutions - Legal Action - 2153 Barrington Street

MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Council approve that all claims of Rolls Auto Glass Inc. and 3007153 Nova Scotia Limited respecting the title and right to possession of 2153 Barrington Street be settled for the all inclusive sum of \$120,000.00. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

13.1 Councillor Cooper

Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 18th day of February 2003, I propose to place before Council for adoption as a policy pursuant to the Municipal Government Act an amendment to Administrative Order Number 1, the amendment being to add to Section 52(1) thereof an additional clause as

follows:

- (f) shall require for approval an affirmative vote of two-thirds of the members present.

This amendment will require that a minimum of two-thirds of the members of Council present at a meeting vote in favour of a motion that “the question be now put” in order that it be approved, thereby ensuring that an overwhelming majority of Council desires to end the debate and deal with the substantive motion on the floor before such a motion is successful.

14. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

Vi Carmichael
Municipal Clerk