

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 7, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

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1. INVOCATION

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

2. APPROVAL OF MINUTES - None

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

The following item was withdrawn from the agenda at the request of the Councillor as the issue has been resolved:

7.1 Councillor Warshick - New Signage for Park Closures

The following item was withdrawn from the agenda at the request of the Councillor as she is addressing the matter with staff.

10.2.1 Councillor Uteck - Street Cleaning Practices

The following items were added to the agenda:

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

12.4 Contractual Matter - District Energy/Co-generation Project

Information Items:

1. Memorandum from Chief of Police dated September 2, 2004
re: Legislative Draft - Nova Scotia Police Act

Councillor Mosher requested that Item 10.2.3 Councillor Mosher - Improvements to the Armdale Rotary be addressed following Item 8 - Public Hearings and that Information Item #4 be brought forward at the same time.

Councillor Snow requested that Item 11.1 Motion - Councillor Snow be deferred to September 14, 2004.

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that Regional Council approve the Agenda, as amended. MOTION PUT AND PASSED

UNANIMOUSLY.

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

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - August 31, 2004**

7.1 **Councillor Warshick - New Signage for Park Closures**

This item was withdrawn from the agenda during Approval of the Order of Business.

8. **PUBLIC HEARINGS**

8.1 **By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Rates and Violations**

- By-Law P-502 passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was previously circulated to Council.
- Correspondence from the Spring Garden Area Business Association regarding the above was circulated to Council.

Ms. Catherine Sanderson, Manager, Revenue, presented the staff report to Council and responded to questions of clarification.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the by-law.

Mr. Paul MacKinnon, Ex. Director, Downtown Halifax Business Commission

Mr. MacKinnon addressed Council making the following points:

- Parking enforcement and parking meters are one of the most frequent topics of complaint calls received from members of the Downtown Halifax Business Commission.
- Parking meters are for the convenience and benefit of downtown businesses and, therefore, their comments should be considered by Council.

- Parking meters are tools to promote customer turnover and are not meant to be tools for revenue generation.
- The Commission strongly supports the elimination of issuing tickets for parking at broken meters.
- Increasing fines is not necessarily a bad thing. However, there are many questionable tickets issued. The current attitude of when in doubt, write a ticket, needs to change.
- The Commission supports HRM staff looking at other initiatives around parking revenue.
- There should be better coordination between the Traffic Authority and Financial Services.
- Further examination should be given as to how parking meter revenue is used as it makes sense that those revenues be reinvested in the Capital District for things such as enhanced ferry and transit service.
- The Commission does not support raising the meter rates from \$1.00 to \$1.55 as the downtown is in competition with free parking shopping areas.
- In closing, Mr. MacKinnon urged Council to reject the meter increase and accept the remaining amendments.

Mr. Tim Olive, Ex. Director, Downtown Dartmouth Business Commission

Mr. Olive addressed Council making the following points:

- The Downtown Dartmouth Business Commission supports the reduction in the parking fine formula, the Smart Card and the broken meter change.
- Council should commit to dedicate all revenues under this by-law to the Traffic Authority Transportation Reserve for dedicated use within the Capital District for transportation improvements and maintenance.
- The Commission opposes the second increase in parking fees for Dartmouth to \$1.50 which would amount to a total increase over two years of 67 percent.
- HRM has a serious parking enforcement issue and public perception of parking issues is negatively affected by the current delivery of this enforcement service.
- Each community has different needs based on its economic stability and while a standard approach to fee structures is laudable it is not always economically viable for the end users.

A copy of his presentation was provided for the record.

Mr. Bernard Smith, Spring Garden Area Business Association

Mr. Smith addressed Council making the following points:

- There is a serious problem with the way the parking meter issue is viewed.
- There is a finite amount of parking in the downtown and the idea is to use it to the

- maximum advantage of business.
- The Spring Garden Road area has enormous problems with trucks parking for intolerable lengths of time which are not addressed in the By-Law.
- The proposed fee increase is seen as a further burden to business and the Association is strongly opposed to it.

Mr. Scott Caldwell, Business Owner, Barrington Street

Mr. Caldwell addressed Council making the following points:

- The proposed increase in the meter fee is mind boggling when there appears to be no control over enforcement.
- The fee of \$1 for parking meters is reasonable, but downtown businesses will lose customers if there is an increase.

Mr. Ernie Brennan, Ketch Harbour

Mr. Brennan addressed Council making the following points:

- He supports the raising of parking meter fees as the meters are needed to turn the parking spaces and allow more customers the opportunity to park.
- Tickets should not be issued at broken meters.

Mr. Ross MacNeil, Dugger`s Men`s Wear, Spring Garden Road

Mr. MacNeil addressed Council making the following points:

- Parking is one of biggest problems for small businesses downtown and a fee increase will make it tougher for them to compete with businesses located where parking is free.
- It is important for the downtown core to grow and to entice people to visit and increasing the parking fee will adversely affect this.
- A parking meter fee increase should not even be considered at this time.

Mr. Charles Burchell, President and Manager, The Book Room, Barrington Street

Mr. Burchell addressed Council making the following points:

- The business has been in the downtown area for 165 years and would like to remain.
- He cannot support the parking meter fee increase.
- Better management of the current meters is the solution, not raising the fees.

Mayor Kelly called three times for any further members of the public wishing to speak either

in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Blumenthal, seconded by Councillor Goucher, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Councillor Sloane requested that the components of the amendments be voted on separately and put forth the following motions:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties.

In debate of the motions, the following points were made by members of Council:

- A definite dedication of some parking meter revenue in the 2005 budget process may make an increase more palatable to businesses.
- Parking enforcement issues need to be addressed.
- Downtown meter time limits should be no more than two hours as meters should be for short-term parking only.
- Perhaps rates for parking garages should be reduced to attract more customers.
- Hours for parking meters should be extended two hours from 6 p.m. to 8 p.m. to allow for a lower hourly rate.
- Many Councillors stated they would not support a parking meter fee increase.
- Other factors need to be taken into consideration when comparing meter rates between different municipalities.
- The business commissions should have been consulted further before proposing a meter fee increase.
- The differences in the communities within HRM have to be taken into consideration in determining parking meter rates.
- A parking meter fee increase would be counterproductive at this time.
- It has been 14 years since there was a parking meter fee increase and increased revenue could be used to improve parking enforcement.
- Alternative #1 of the July 13, 2004 staff report may be a better option as opposed

to a meter fee increase.

In response to a question of Councillor Fougere, Ms. Dale MacLennan, Director, Financial Services, staff was aware there was a risk associated with the projected revenue from a meter fee increase and they will come back to Council at a future date advising how the shortfall can be addressed.

MOVED by Deputy Mayor Streach, seconded by Councillor Snow, that the question be called.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Deputy Mayor Streach, Councillors: Snow, Sarto, Hetherington, Blumenthal, Sloane, Uteck, Fougere, Mosher, Adams, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Hendsbee, Cooper, McInroy, Warshick, Smith, Cunningham, Walker, Hum and Harvey.

(Councillor Johns was absent for the vote.)

MOTION PUT AND PASSED.

Votes were then taken on the individual motions as follows:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Mayor Kelly, Councillors: Cooper, Sarto, Hetherington, Blumenthal, Fougere, Walker, Hum, Harvey and Meade.

Members of Council voting **against** the motion: Deputy Mayor Streach, Councillors: Snow, Hendsbee, McInroy, Warshick, Smith, Cunningham, Sloane, Uteck, Mosher, Adams, Goucher and Rankin.

(Councillor Johns was absent for the vote.)

MOTION PUT AND DEFEATED.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 By-Law T-132, An Amendment to By-Law T-108, Respecting the Licensing of Taxis and Limousines

- Proposed By-Law T-132, as amended on July 13, 2004, passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A report from the Taxi and Limousine Committee, regarding the above, was previously circulated to Council.

Mr. Wayne Anstey, Municipal Solicitor, presented the report to Council and responded to questions of clarification.

Mayor Kelly called three times for members of the public wishing to speak either in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Adams, seconded by Councillor Blumenthal, that Regional Council give Second Reading to By-Law T-132 - An Amendment to By-Law T-108 - Roof Light Positioning and Application of Flat Rate to and from Airport. MOTION PUT AND PASSED UNANIMOUSLY.

It was agreed to deal with item 10.2.3 - Councillor Mosher - Improvements to the Armdale Rotary at this time.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

Mr. Ken Reashor, Traffic Authority, provided an overview of the Information Report

regarding improvements to the Armdale Rotary to Council.

Mr. Keith Boddy, Nova Scotia Department of Transportation and Public Works, made a presentation to Council regarding roundabouts in Nova Scotia. Copies of his presentation were circulated to Council.

In response to questions of Council, Mr. Reashor and Mr. Boddy made the following points:

- The timing of the legislative changes has not yet been finalized. It will be a group effort with consultation with HRM and other committee members to ensure that the implementation is done at an appropriate time.
- A parklo is not appropriate for the Armdale Rotary due to the amount and height of land required to separate the various movements. Also, some designs have implications to existing commercial businesses at the Rotary.
- The entry speed to the Armdale Rotary will be reduced with a roundabout and with free flow within the Rotary itself, gaps will be provided that will eliminate the kind of queues currently experienced.
- The consultants suggested the number of lanes in the Rotary will not have to be reduced. However, there will be some improvements to the entry angles.
- The consultants also recommended that the signals be removed and that the peak time restrictions be removed.
- The suggestion of having three lanes inbound on Quinpool Road in the morning and three lanes outbound on Quinpool Road during peak hours can be examined as part of the process.
- Modifications to the Armdale Rotary are estimated to be under \$2 million and it may be reduced depending on the level of improvements required.
- Public open houses will be held before any changes proceed as well as Council's support and approval obtained.

Mr. George McLellan, Chief Administrative Officer, stated that part of the reason for this presentation was to put the issue in some context since it has recently become a public issue. Staff do not have all the answers at this point in time. However, time will allow staff the opportunity to fill this in.

Councillor Mosher expressed thanks to the representatives for their presentation, stating she is very supportive of this initiative.

RECESS

A recess was taken at 8:05 p.m. The meeting reconvened at 8:20 p.m.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

None.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region

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

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

1. **Approve an increase in the amount of \$78,795 to Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, with funding from the Sewer Redevelopment Reserve (Q104), as outlined in the Budget Implications section of the staff report dated August 27, 2004.**
2. **Award Tender No. 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region to Brycon Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$188,240, plus net HST for a total of \$194,695 from Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, as authorized in the Budget Implications section of the staff report dated August 27, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.2 Tender 04-274, Rutledge Street Paving, Sidewalk and Storm Sewer - Central Region

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

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

1. **Approve the recovery of Local Improvement Charges for the installation of concrete curb and gutter and concrete sidewalk on Rutledge Street from Frederick Street to Borden Street in Bedford, to be applied by an urban district area rate.**

2. Award Tender No. 04-274, Rutledge Street Paving, Sidewalk 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 \$167,160, plus net HST for a total of \$172,892 from Capital Account No's. CZU00565 Resurfacing and CJU00557 New Sidewalk, as authorized in the Budget Implications section of the staff report dated August 26, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Appointment of Building Inspectors

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

MOVED by Councillor Blumenthal, seconded by Councillor Sarto, that Regional Council:

1. Appoint the staff included in Appendix "A" of the staff report dated August 20, 2004, as Building Inspectors, pursuant to Sections 5(2) of the Nova Scotia Building Code Act. These appointments are effective for the duration of their current conditions of employment with Halifax Regional Municipality; and
2. All previous appointments as Building Inspector be hereby rescinded. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 First Reading of By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges

- A staff report prepared for George McLellan, Chief Administrative Officer, regarding the above, was previously circulated to Council.

MOVED by Councillor Hum, seconded by Councillor Goucher, that Regional Council give First Reading to By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 MEMBERS OF COUNCIL

10.2.1 Councillor Uteck - Street Cleaning Practices

This item was withdrawn from the agenda during Approval of the Order of Business.

10.2.2 Councillor McInroy - Crosswalk and Crossing Guard Criteria and Approvals

Councillor McInroy requested a staff report that addresses the criteria required for the evaluation and approval of crosswalk installations and the evaluation and approval process associated with crosswalk guards. The Councillor noted that currently there are two different processes: the manner in which the pedestrians are counted is done differently with respect to the installation of crosswalks than it is with the evaluation for crosswalk guards. Councillor McInroy noted there may be some other criteria as well that needs to be harmonized. In addition to the actual statistics, he also asked that staff identify a process that would allow some flexibility when one criterion is greatly exceeded while another is not quite met so it would not necessarily mean that the approval is not granted. Councillor McInroy stated the matter that brought this issue to his attention was the removal of a crosswalk guard on Deer Brooke Drive in Cole Harbour, which is heavily used by children and located on a turn in the street.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Regional Council request a review and staff report regarding crosswalk and crossing guard criteria and approval processes, and, further that the matter of the reinstatement of the crossing guard at Deer Brooke Drive be referred to the Traffic Services Review Committee for an early reconsideration of the removal of the guard and, further, that the RCMP be asked to continue to monitor that crosswalk until the Committee deals with the matter. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

This item was addressed earlier in the meeting.

11. MOTIONS

11.1 Councillor Snow - Perceived Benefits of Municipal Sewer and Water

that Council request that staff prepare a report outlining the perceived benefits of municipal sewer and water to the homeowner, the Halifax Regional Municipality and the Halifax Regional Water Commission and further that staff develop policy to contribute capital costs (non-recoverable from the homeowner) for these projects.

During Approval of the Order of Business, this item was deferred to September 14, 2004.

12. ADDED ITEMS

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

Councillor Smith expressed concern with respect to recent incidents of residents and children using the playground in Shannon Park and being advised by DND patrol to leave

the property and not to return. The Councillor noted he contacted staff with respect to this issue and the possibility of moving the equipment to Shannon School which is in dire need of playground equipment. If the equipment is in good condition, Councillor Smith suggested an interim arrangement may be reached while DND is proceeding with the land change process. The Councillor requested that staff contact DND to see if something can be worked out, noting there is a liability issue to consider as well.

MOVED by Councillor Smith, seconded by Councillor Sarto, that Regional Council direct staff to contact DND with respect to the Shannon Park playground and report back to Council.

Mr. McLellan stated staff could proceed with this but he would caution them to be careful with respect to the liability issue.

Councillor Hendsbee inquired if HRM contributed any capital funding in this playground equipment or is it solely owned by DND. If it is owned by DND, he inquired if HRM could purchase it from them and move it. Mr. McLellan responded that his understanding is that HRM has had discussions with the federal government regarding Shannon Park and potential uses of the land. He noted that early on in the process HRM tried to negotiate for the fields, as well as the playground. Mr. McLellan stated the deed is intended to be transferred to Canada Lands but this has not yet been completed to his knowledge. He stated it is staff's intention to try to see if they can get all the recreational aspects of Shannon Park under some proposal to bring back to Council, and the staff report can provide an update on this process.

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

Councillor Blumenthal expressed concern with the recent negotiations regarding the Halifax Mooseheads and the impact on businesses in North End Halifax. The Councillor suggested there was no consideration given to these businesses when it was decided to move the team back to the Metro Centre. Councillor Blumenthal stated downtown Halifax is not the only part of HRM and the effect of decisions on other areas needs to be taken into consideration in the future. In response, Mr. McLellan noted that the negotiations took place with the support and direction of Council.

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

- 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 Meade, that Regional Council:

- 1. Enter into the Service Agreement with the Shubenacadie Band Council as attached to the August 16, 2004 Private and Confidential staff report.**
- 2. The August 16, 2004 staff report and the proposed Service Agreement not be released until Council resolves to approve the agreement. MOTION PUT AND PASSED UNANIMOUSLY.**

12.4 Contractual Matter - District Energy/Co-generation Project

- 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 Uteck, seconded by Councillor Fougere, that Regional Council direct staff to take the steps necessary to explore the feasibility of a District Energy/Co-generation Project on the Peninsula, and chair a multi-stakeholder Steering Group including Nova Scotia Power Incorporated (NSPI), the Federal Department of Environment, the Provincial Department of Energy, and the Atlantic Canada Opportunities Agency (ACOA) to consider this possibility. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

None.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Jan Gibson
Municipal Clerk

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1. INVOCATION

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

2. APPROVAL OF MINUTES - None

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

The following item was withdrawn from the agenda at the request of the Councillor as the issue has been resolved:

7.1 Councillor Warshick - New Signage for Park Closures

The following item was withdrawn from the agenda at the request of the Councillor as she is addressing the matter with staff.

10.2.1 Councillor Uteck - Street Cleaning Practices

The following items were added to the agenda:

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

12.4 Contractual Matter - District Energy/Co-generation Project

Information Items:

1. Memorandum from Chief of Police dated September 2, 2004
re: Legislative Draft - Nova Scotia Police Act

Councillor Mosher requested that Item 10.2.3 Councillor Mosher - Improvements to the Armdale Rotary be addressed following Item 8 - Public Hearings and that Information Item #4 be brought forward at the same time.

Councillor Snow requested that Item 11.1 Motion - Councillor Snow be deferred to September 14, 2004.

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that Regional Council approve the Agenda, as amended. MOTION PUT AND PASSED

UNANIMOUSLY.

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

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - August 31, 2004**

7.1 **Councillor Warshick - New Signage for Park Closures**

This item was withdrawn from the agenda during Approval of the Order of Business.

8. **PUBLIC HEARINGS**

8.1 **By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Rates and Violations**

- By-Law P-502 passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was previously circulated to Council.
- Correspondence from the Spring Garden Area Business Association regarding the above was circulated to Council.

Ms. Catherine Sanderson, Manager, Revenue, presented the staff report to Council and responded to questions of clarification.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the by-law.

Mr. Paul MacKinnon, Ex. Director, Downtown Halifax Business Commission

Mr. MacKinnon addressed Council making the following points:

- Parking enforcement and parking meters are one of the most frequent topics of complaint calls received from members of the Downtown Halifax Business Commission.
- Parking meters are for the convenience and benefit of downtown businesses and, therefore, their comments should be considered by Council.

- Parking meters are tools to promote customer turnover and are not meant to be tools for revenue generation.
- The Commission strongly supports the elimination of issuing tickets for parking at broken meters.
- Increasing fines is not necessarily a bad thing. However, there are many questionable tickets issued. The current attitude of when in doubt, write a ticket, needs to change.
- The Commission supports HRM staff looking at other initiatives around parking revenue.
- There should be better coordination between the Traffic Authority and Financial Services.
- Further examination should be given as to how parking meter revenue is used as it makes sense that those revenues be reinvested in the Capital District for things such as enhanced ferry and transit service.
- The Commission does not support raising the meter rates from \$1.00 to \$1.55 as the downtown is in competition with free parking shopping areas.
- In closing, Mr. MacKinnon urged Council to reject the meter increase and accept the remaining amendments.

Mr. Tim Olive, Ex. Director, Downtown Dartmouth Business Commission

Mr. Olive addressed Council making the following points:

- The Downtown Dartmouth Business Commission supports the reduction in the parking fine formula, the Smart Card and the broken meter change.
- Council should commit to dedicate all revenues under this by-law to the Traffic Authority Transportation Reserve for dedicated use within the Capital District for transportation improvements and maintenance.
- The Commission opposes the second increase in parking fees for Dartmouth to \$1.50 which would amount to a total increase over two years of 67 percent.
- HRM has a serious parking enforcement issue and public perception of parking issues is negatively affected by the current delivery of this enforcement service.
- Each community has different needs based on its economic stability and while a standard approach to fee structures is laudable it is not always economically viable for the end users.

A copy of his presentation was provided for the record.

Mr. Bernard Smith, Spring Garden Area Business Association

Mr. Smith addressed Council making the following points:

- There is a serious problem with the way the parking meter issue is viewed.
- There is a finite amount of parking in the downtown and the idea is to use it to the

- maximum advantage of business.
- The Spring Garden Road area has enormous problems with trucks parking for intolerable lengths of time which are not addressed in the By-Law.
- The proposed fee increase is seen as a further burden to business and the Association is strongly opposed to it.

Mr. Scott Caldwell, Business Owner, Barrington Street

Mr. Caldwell addressed Council making the following points:

- The proposed increase in the meter fee is mind boggling when there appears to be no control over enforcement.
- The fee of \$1 for parking meters is reasonable, but downtown businesses will lose customers if there is an increase.

Mr. Ernie Brennan, Ketch Harbour

Mr. Brennan addressed Council making the following points:

- He supports the raising of parking meter fees as the meters are needed to turn the parking spaces and allow more customers the opportunity to park.
- Tickets should not be issued at broken meters.

Mr. Ross MacNeil, Dugger`s Men`s Wear, Spring Garden Road

Mr. MacNeil addressed Council making the following points:

- Parking is one of biggest problems for small businesses downtown and a fee increase will make it tougher for them to compete with businesses located where parking is free.
- It is important for the downtown core to grow and to entice people to visit and increasing the parking fee will adversely affect this.
- A parking meter fee increase should not even be considered at this time.

Mr. Charles Burchell, President and Manager, The Book Room, Barrington Street

Mr. Burchell addressed Council making the following points:

- The business has been in the downtown area for 165 years and would like to remain.
- He cannot support the parking meter fee increase.
- Better management of the current meters is the solution, not raising the fees.

Mayor Kelly called three times for any further members of the public wishing to speak either

in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Blumenthal, seconded by Councillor Goucher, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Councillor Sloane requested that the components of the amendments be voted on separately and put forth the following motions:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties.

In debate of the motions, the following points were made by members of Council:

- A definite dedication of some parking meter revenue in the 2005 budget process may make an increase more palatable to businesses.
- Parking enforcement issues need to be addressed.
- Downtown meter time limits should be no more than two hours as meters should be for short-term parking only.
- Perhaps rates for parking garages should be reduced to attract more customers.
- Hours for parking meters should be extended two hours from 6 p.m. to 8 p.m. to allow for a lower hourly rate.
- Many Councillors stated they would not support a parking meter fee increase.
- Other factors need to be taken into consideration when comparing meter rates between different municipalities.
- The business commissions should have been consulted further before proposing a meter fee increase.
- The differences in the communities within HRM have to be taken into consideration in determining parking meter rates.
- A parking meter fee increase would be counterproductive at this time.
- It has been 14 years since there was a parking meter fee increase and increased revenue could be used to improve parking enforcement.
- Alternative #1 of the July 13, 2004 staff report may be a better option as opposed

to a meter fee increase.

In response to a question of Councillor Fougere, Ms. Dale MacLennan, Director, Financial Services, staff was aware there was a risk associated with the projected revenue from a meter fee increase and they will come back to Council at a future date advising how the shortfall can be addressed.

MOVED by Deputy Mayor Streach, seconded by Councillor Snow, that the question be called.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Deputy Mayor Streach, Councillors: Snow, Sarto, Hetherington, Blumenthal, Sloane, Uteck, Fougere, Mosher, Adams, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Hendsbee, Cooper, McInroy, Warshick, Smith, Cunningham, Walker, Hum and Harvey.

(Councillor Johns was absent for the vote.)

MOTION PUT AND PASSED.

Votes were then taken on the individual motions as follows:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Mayor Kelly, Councillors: Cooper, Sarto, Hetherington, Blumenthal, Fougere, Walker, Hum, Harvey and Meade.

Members of Council voting **against** the motion: Deputy Mayor Streach, Councillors: Snow, Hendsbee, McInroy, Warshick, Smith, Cunningham, Sloane, Uteck, Mosher, Adams, Goucher and Rankin.

(Councillor Johns was absent for the vote.)

MOTION PUT AND DEFEATED.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 By-Law T-132, An Amendment to By-Law T-108, Respecting the Licensing of Taxis and Limousines

- Proposed By-Law T-132, as amended on July 13, 2004, passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A report from the Taxi and Limousine Committee, regarding the above, was previously circulated to Council.

Mr. Wayne Anstey, Municipal Solicitor, presented the report to Council and responded to questions of clarification.

Mayor Kelly called three times for members of the public wishing to speak either in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Adams, seconded by Councillor Blumenthal, that Regional Council give Second Reading to By-Law T-132 - An Amendment to By-Law T-108 - Roof Light Positioning and Application of Flat Rate to and from Airport. MOTION PUT AND PASSED UNANIMOUSLY.

It was agreed to deal with item 10.2.3 - Councillor Mosher - Improvements to the Armdale Rotary at this time.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

Mr. Ken Reashor, Traffic Authority, provided an overview of the Information Report

regarding improvements to the Armdale Rotary to Council.

Mr. Keith Boddy, Nova Scotia Department of Transportation and Public Works, made a presentation to Council regarding roundabouts in Nova Scotia. Copies of his presentation were circulated to Council.

In response to questions of Council, Mr. Reashor and Mr. Boddy made the following points:

- The timing of the legislative changes has not yet been finalized. It will be a group effort with consultation with HRM and other committee members to ensure that the implementation is done at an appropriate time.
- A parklo is not appropriate for the Armdale Rotary due to the amount and height of land required to separate the various movements. Also, some designs have implications to existing commercial businesses at the Rotary.
- The entry speed to the Armdale Rotary will be reduced with a roundabout and with free flow within the Rotary itself, gaps will be provided that will eliminate the kind of queues currently experienced.
- The consultants suggested the number of lanes in the Rotary will not have to be reduced. However, there will be some improvements to the entry angles.
- The consultants also recommended that the signals be removed and that the peak time restrictions be removed.
- The suggestion of having three lanes inbound on Quinpool Road in the morning and three lanes outbound on Quinpool Road during peak hours can be examined as part of the process.
- Modifications to the Armdale Rotary are estimated to be under \$2 million and it may be reduced depending on the level of improvements required.
- Public open houses will be held before any changes proceed as well as Council's support and approval obtained.

Mr. George McLellan, Chief Administrative Officer, stated that part of the reason for this presentation was to put the issue in some context since it has recently become a public issue. Staff do not have all the answers at this point in time. However, time will allow staff the opportunity to fill this in.

Councillor Mosher expressed thanks to the representatives for their presentation, stating she is very supportive of this initiative.

RECESS

A recess was taken at 8:05 p.m. The meeting reconvened at 8:20 p.m.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

None.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region

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

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

1. **Approve an increase in the amount of \$78,795 to Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, with funding from the Sewer Redevelopment Reserve (Q104), as outlined in the Budget Implications section of the staff report dated August 27, 2004.**
2. **Award Tender No. 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region to Brycon Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$188,240, plus net HST for a total of \$194,695 from Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, as authorized in the Budget Implications section of the staff report dated August 27, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.2 Tender 04-274, Rutledge Street Paving, Sidewalk and Storm Sewer - Central Region

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

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

1. **Approve the recovery of Local Improvement Charges for the installation of concrete curb and gutter and concrete sidewalk on Rutledge Street from Frederick Street to Borden Street in Bedford, to be applied by an urban district area rate.**

2. Award Tender No. 04-274, Rutledge Street Paving, Sidewalk 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 \$167,160, plus net HST for a total of \$172,892 from Capital Account No's. CZU00565 Resurfacing and CJU00557 New Sidewalk, as authorized in the Budget Implications section of the staff report dated August 26, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Appointment of Building Inspectors

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

MOVED by Councillor Blumenthal, seconded by Councillor Sarto, that Regional Council:

1. Appoint the staff included in Appendix "A" of the staff report dated August 20, 2004, as Building Inspectors, pursuant to Sections 5(2) of the Nova Scotia Building Code Act. These appointments are effective for the duration of their current conditions of employment with Halifax Regional Municipality; and
2. All previous appointments as Building Inspector be hereby rescinded. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 First Reading of By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges

- A staff report prepared for George McLellan, Chief Administrative Officer, regarding the above, was previously circulated to Council.

MOVED by Councillor Hum, seconded by Councillor Goucher, that Regional Council give First Reading to By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 MEMBERS OF COUNCIL

10.2.1 Councillor Uteck - Street Cleaning Practices

This item was withdrawn from the agenda during Approval of the Order of Business.

10.2.2 Councillor McInroy - Crosswalk and Crossing Guard Criteria and Approvals

Councillor McInroy requested a staff report that addresses the criteria required for the evaluation and approval of crosswalk installations and the evaluation and approval process associated with crosswalk guards. The Councillor noted that currently there are two different processes: the manner in which the pedestrians are counted is done differently with respect to the installation of crosswalks than it is with the evaluation for crosswalk guards. Councillor McInroy noted there may be some other criteria as well that needs to be harmonized. In addition to the actual statistics, he also asked that staff identify a process that would allow some flexibility when one criterion is greatly exceeded while another is not quite met so it would not necessarily mean that the approval is not granted. Councillor McInroy stated the matter that brought this issue to his attention was the removal of a crosswalk guard on Deer Brooke Drive in Cole Harbour, which is heavily used by children and located on a turn in the street.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Regional Council request a review and staff report regarding crosswalk and crossing guard criteria and approval processes, and, further that the matter of the reinstatement of the crossing guard at Deer Brooke Drive be referred to the Traffic Services Review Committee for an early reconsideration of the removal of the guard and, further, that the RCMP be asked to continue to monitor that crosswalk until the Committee deals with the matter. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

This item was addressed earlier in the meeting.

11. MOTIONS

11.1 Councillor Snow - Perceived Benefits of Municipal Sewer and Water

that Council request that staff prepare a report outlining the perceived benefits of municipal sewer and water to the homeowner, the Halifax Regional Municipality and the Halifax Regional Water Commission and further that staff develop policy to contribute capital costs (non-recoverable from the homeowner) for these projects.

During Approval of the Order of Business, this item was deferred to September 14, 2004.

12. ADDED ITEMS

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

Councillor Smith expressed concern with respect to recent incidents of residents and children using the playground in Shannon Park and being advised by DND patrol to leave

the property and not to return. The Councillor noted he contacted staff with respect to this issue and the possibility of moving the equipment to Shannon School which is in dire need of playground equipment. If the equipment is in good condition, Councillor Smith suggested an interim arrangement may be reached while DND is proceeding with the land change process. The Councillor requested that staff contact DND to see if something can be worked out, noting there is a liability issue to consider as well.

MOVED by Councillor Smith, seconded by Councillor Sarto, that Regional Council direct staff to contact DND with respect to the Shannon Park playground and report back to Council.

Mr. McLellan stated staff could proceed with this but he would caution them to be careful with respect to the liability issue.

Councillor Hendsbee inquired if HRM contributed any capital funding in this playground equipment or is it solely owned by DND. If it is owned by DND, he inquired if HRM could purchase it from them and move it. Mr. McLellan responded that his understanding is that HRM has had discussions with the federal government regarding Shannon Park and potential uses of the land. He noted that early on in the process HRM tried to negotiate for the fields, as well as the playground. Mr. McLellan stated the deed is intended to be transferred to Canada Lands but this has not yet been completed to his knowledge. He stated it is staff's intention to try to see if they can get all the recreational aspects of Shannon Park under some proposal to bring back to Council, and the staff report can provide an update on this process.

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

Councillor Blumenthal expressed concern with the recent negotiations regarding the Halifax Mooseheads and the impact on businesses in North End Halifax. The Councillor suggested there was no consideration given to these businesses when it was decided to move the team back to the Metro Centre. Councillor Blumenthal stated downtown Halifax is not the only part of HRM and the effect of decisions on other areas needs to be taken into consideration in the future. In response, Mr. McLellan noted that the negotiations took place with the support and direction of Council.

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

- 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 Meade, that Regional Council:

1. Enter into the Service Agreement with the Shubenacadie Band Council as attached to the August 16, 2004 Private and Confidential staff report.
2. The August 16, 2004 staff report and the proposed Service Agreement not be released until Council resolves to approve the agreement. **MOTION PUT AND PASSED UNANIMOUSLY.**

12.4 Contractual Matter - District Energy/Co-generation Project

- 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 Uteck, seconded by Councillor Fougere, that Regional Council direct staff to take the steps necessary to explore the feasibility of a District Energy/Co-generation Project on the Peninsula, and chair a multi-stakeholder Steering Group including Nova Scotia Power Incorporated (NSPI), the Federal Department of Environment, the Provincial Department of Energy, and the Atlantic Canada Opportunities Agency (ACOA) to consider this possibility. **MOTION PUT AND PASSED UNANIMOUSLY.**

13. NOTICES OF MOTION

None.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Jan Gibson
Municipal Clerk

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 7, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Harry McInroy
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Patti Halliday, Legislative Assistant

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1. INVOCATION

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

2. APPROVAL OF MINUTES - None

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

The following item was withdrawn from the agenda at the request of the Councillor as the issue has been resolved:

7.1 Councillor Warshick - New Signage for Park Closures

The following item was withdrawn from the agenda at the request of the Councillor as she is addressing the matter with staff.

10.2.1 Councillor Uteck - Street Cleaning Practices

The following items were added to the agenda:

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

12.4 Contractual Matter - District Energy/Co-generation Project

Information Items:

1. Memorandum from Chief of Police dated September 2, 2004
re: Legislative Draft - Nova Scotia Police Act

Councillor Mosher requested that Item 10.2.3 Councillor Mosher - Improvements to the Armdale Rotary be addressed following Item 8 - Public Hearings and that Information Item #4 be brought forward at the same time.

Councillor Snow requested that Item 11.1 Motion - Councillor Snow be deferred to September 14, 2004.

MOVED by Councillor Hetherington, seconded by Councillor Sloane, that Regional Council approve the Agenda, as amended. MOTION PUT AND PASSED

UNANIMOUSLY.

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

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. **CONSIDERATION OF DEFERRED BUSINESS - August 31, 2004**

7.1 **Councillor Warshick - New Signage for Park Closures**

This item was withdrawn from the agenda during Approval of the Order of Business.

8. **PUBLIC HEARINGS**

8.1 **By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Rates and Violations**

- By-Law P-502 passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A staff report prepared for Dan English, Acting Chief Administrative Officer, regarding the above, was previously circulated to Council.
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Ms. Catherine Sanderson, Manager, Revenue, presented the staff report to Council and responded to questions of clarification.

Mayor Kelly called for members of the public wishing to speak either in favour of or against the by-law.

Mr. Paul MacKinnon, Ex. Director, Downtown Halifax Business Commission

Mr. MacKinnon addressed Council making the following points:

- Parking enforcement and parking meters are one of the most frequent topics of complaint calls received from members of the Downtown Halifax Business Commission.
- Parking meters are for the convenience and benefit of downtown businesses and, therefore, their comments should be considered by Council.

- Parking meters are tools to promote customer turnover and are not meant to be tools for revenue generation.
- The Commission strongly supports the elimination of issuing tickets for parking at broken meters.
- Increasing fines is not necessarily a bad thing. However, there are many questionable tickets issued. The current attitude of when in doubt, write a ticket, needs to change.
- The Commission supports HRM staff looking at other initiatives around parking revenue.
- There should be better coordination between the Traffic Authority and Financial Services.
- Further examination should be given as to how parking meter revenue is used as it makes sense that those revenues be reinvested in the Capital District for things such as enhanced ferry and transit service.
- The Commission does not support raising the meter rates from \$1.00 to \$1.55 as the downtown is in competition with free parking shopping areas.
- In closing, Mr. MacKinnon urged Council to reject the meter increase and accept the remaining amendments.

Mr. Tim Olive, Ex. Director, Downtown Dartmouth Business Commission

Mr. Olive addressed Council making the following points:

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- Council should commit to dedicate all revenues under this by-law to the Traffic Authority Transportation Reserve for dedicated use within the Capital District for transportation improvements and maintenance.
- The Commission opposes the second increase in parking fees for Dartmouth to \$1.50 which would amount to a total increase over two years of 67 percent.
- HRM has a serious parking enforcement issue and public perception of parking issues is negatively affected by the current delivery of this enforcement service.
- Each community has different needs based on its economic stability and while a standard approach to fee structures is laudable it is not always economically viable for the end users.

A copy of his presentation was provided for the record.

Mr. Bernard Smith, Spring Garden Area Business Association

Mr. Smith addressed Council making the following points:

- There is a serious problem with the way the parking meter issue is viewed.
- There is a finite amount of parking in the downtown and the idea is to use it to the

- maximum advantage of business.
- The Spring Garden Road area has enormous problems with trucks parking for intolerable lengths of time which are not addressed in the By-Law.
- The proposed fee increase is seen as a further burden to business and the Association is strongly opposed to it.

Mr. Scott Caldwell, Business Owner, Barrington Street

Mr. Caldwell addressed Council making the following points:

- The proposed increase in the meter fee is mind boggling when there appears to be no control over enforcement.
- The fee of \$1 for parking meters is reasonable, but downtown businesses will lose customers if there is an increase.

Mr. Ernie Brennan, Ketch Harbour

Mr. Brennan addressed Council making the following points:

- He supports the raising of parking meter fees as the meters are needed to turn the parking spaces and allow more customers the opportunity to park.
- Tickets should not be issued at broken meters.

Mr. Ross MacNeil, Dugger`s Men`s Wear, Spring Garden Road

Mr. MacNeil addressed Council making the following points:

- Parking is one of biggest problems for small businesses downtown and a fee increase will make it tougher for them to compete with businesses located where parking is free.
- It is important for the downtown core to grow and to entice people to visit and increasing the parking fee will adversely affect this.
- A parking meter fee increase should not even be considered at this time.

Mr. Charles Burchell, President and Manager, The Book Room, Barrington Street

Mr. Burchell addressed Council making the following points:

- The business has been in the downtown area for 165 years and would like to remain.
- He cannot support the parking meter fee increase.
- Better management of the current meters is the solution, not raising the fees.

Mayor Kelly called three times for any further members of the public wishing to speak either

in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Blumenthal, seconded by Councillor Goucher, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

Councillor Sloane requested that the components of the amendments be voted on separately and put forth the following motions:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties.

In debate of the motions, the following points were made by members of Council:

- A definite dedication of some parking meter revenue in the 2005 budget process may make an increase more palatable to businesses.
- Parking enforcement issues need to be addressed.
- Downtown meter time limits should be no more than two hours as meters should be for short-term parking only.
- Perhaps rates for parking garages should be reduced to attract more customers.
- Hours for parking meters should be extended two hours from 6 p.m. to 8 p.m. to allow for a lower hourly rate.
- Many Councillors stated they would not support a parking meter fee increase.
- Other factors need to be taken into consideration when comparing meter rates between different municipalities.
- The business commissions should have been consulted further before proposing a meter fee increase.
- The differences in the communities within HRM have to be taken into consideration in determining parking meter rates.
- A parking meter fee increase would be counterproductive at this time.
- It has been 14 years since there was a parking meter fee increase and increased revenue could be used to improve parking enforcement.
- Alternative #1 of the July 13, 2004 staff report may be a better option as opposed

to a meter fee increase.

In response to a question of Councillor Fougere, Ms. Dale MacLennan, Director, Financial Services, staff was aware there was a risk associated with the projected revenue from a meter fee increase and they will come back to Council at a future date advising how the shortfall can be addressed.

MOVED by Deputy Mayor Streach, seconded by Councillor Snow, that the question be called.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Deputy Mayor Streach, Councillors: Snow, Sarto, Hetherington, Blumenthal, Sloane, Uteck, Fougere, Mosher, Adams, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Hendsbee, Cooper, McInroy, Warshick, Smith, Cunningham, Walker, Hum and Harvey.

(Councillor Johns was absent for the vote.)

MOTION PUT AND PASSED.

Votes were then taken on the individual motions as follows:

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Definitions. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Parking Rates.

A **Recorded Vote** was taken.

Members of Council voting **in favour** of the motion: Mayor Kelly, Councillors: Cooper, Sarto, Hetherington, Blumenthal, Fougere, Walker, Hum, Harvey and Meade.

Members of Council voting **against** the motion: Deputy Mayor Streach, Councillors: Snow, Hendsbee, McInroy, Warshick, Smith, Cunningham, Sloane, Uteck, Mosher, Adams, Goucher and Rankin.

(Councillor Johns was absent for the vote.)

MOTION PUT AND DEFEATED.

MOVED by Councillor Sloane, seconded by Councillor Snow, that Regional Council give Second Reading to By-Law P-502, An Amendment to By-Law P-500, Respecting Parking Meter Violations, with respect to Penalties. MOTION PUT AND PASSED UNANIMOUSLY.

8.2 By-Law T-132, An Amendment to By-Law T-108, Respecting the Licensing of Taxis and Limousines

- Proposed By-Law T-132, as amended on July 13, 2004, passed First Reading on August 17, 2004 and was now before Council for Second Reading.
- A report from the Taxi and Limousine Committee, regarding the above, was previously circulated to Council.

Mr. Wayne Anstey, Municipal Solicitor, presented the report to Council and responded to questions of clarification.

Mayor Kelly called three times for members of the public wishing to speak either in favour of or against the by-law. Hearing none, the following motion was put:

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Public Hearing be closed. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Adams, seconded by Councillor Blumenthal, that Regional Council give Second Reading to By-Law T-132 - An Amendment to By-Law T-108 - Roof Light Positioning and Application of Flat Rate to and from Airport. MOTION PUT AND PASSED UNANIMOUSLY.

It was agreed to deal with item 10.2.3 - Councillor Mosher - Improvements to the Armdale Rotary at this time.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

Mr. Ken Reashor, Traffic Authority, provided an overview of the Information Report

regarding improvements to the Armdale Rotary to Council.

Mr. Keith Boddy, Nova Scotia Department of Transportation and Public Works, made a presentation to Council regarding roundabouts in Nova Scotia. Copies of his presentation were circulated to Council.

In response to questions of Council, Mr. Reashor and Mr. Boddy made the following points:

- The timing of the legislative changes has not yet been finalized. It will be a group effort with consultation with HRM and other committee members to ensure that the implementation is done at an appropriate time.
- A parklo is not appropriate for the Armdale Rotary due to the amount and height of land required to separate the various movements. Also, some designs have implications to existing commercial businesses at the Rotary.
- The entry speed to the Armdale Rotary will be reduced with a roundabout and with free flow within the Rotary itself, gaps will be provided that will eliminate the kind of queues currently experienced.
- The consultants suggested the number of lanes in the Rotary will not have to be reduced. However, there will be some improvements to the entry angles.
- The consultants also recommended that the signals be removed and that the peak time restrictions be removed.
- The suggestion of having three lanes inbound on Quinpool Road in the morning and three lanes outbound on Quinpool Road during peak hours can be examined as part of the process.
- Modifications to the Armdale Rotary are estimated to be under \$2 million and it may be reduced depending on the level of improvements required.
- Public open houses will be held before any changes proceed as well as Council's support and approval obtained.

Mr. George McLellan, Chief Administrative Officer, stated that part of the reason for this presentation was to put the issue in some context since it has recently become a public issue. Staff do not have all the answers at this point in time. However, time will allow staff the opportunity to fill this in.

Councillor Mosher expressed thanks to the representatives for their presentation, stating she is very supportive of this initiative.

RECESS

A recess was taken at 8:05 p.m. The meeting reconvened at 8:20 p.m.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

None.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region

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

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

1. **Approve an increase in the amount of \$78,795 to Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, with funding from the Sewer Redevelopment Reserve (Q104), as outlined in the Budget Implications section of the staff report dated August 27, 2004.**
2. **Award Tender No. 04-286, Storm Sewer Replacement, Dartmouth Road at Brentwood Drive, Central Region to Brycon Construction Limited for materials and services listed at the unit prices quoted for a Tender Price of \$188,240, plus net HST for a total of \$194,695 from Capital Account No. CGU00581, Dartmouth Road at Brentwood Drive Storm Drainage, as authorized in the Budget Implications section of the staff report dated August 27, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

10.1.2 Tender 04-274, Rutledge Street Paving, Sidewalk and Storm Sewer - Central Region

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

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

1. **Approve the recovery of Local Improvement Charges for the installation of concrete curb and gutter and concrete sidewalk on Rutledge Street from Frederick Street to Borden Street in Bedford, to be applied by an urban district area rate.**

2. Award Tender No. 04-274, Rutledge Street Paving, Sidewalk 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 \$167,160, plus net HST for a total of \$172,892 from Capital Account No's. CZU00565 Resurfacing and CJU00557 New Sidewalk, as authorized in the Budget Implications section of the staff report dated August 26, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Appointment of Building Inspectors

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

MOVED by Councillor Blumenthal, seconded by Councillor Sarto, that Regional Council:

1. Appoint the staff included in Appendix "A" of the staff report dated August 20, 2004, as Building Inspectors, pursuant to Sections 5(2) of the Nova Scotia Building Code Act. These appointments are effective for the duration of their current conditions of employment with Halifax Regional Municipality; and
2. All previous appointments as Building Inspector be hereby rescinded. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 First Reading of By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges

- A staff report prepared for George McLellan, Chief Administrative Officer, regarding the above, was previously circulated to Council.

MOVED by Councillor Hum, seconded by Councillor Goucher, that Regional Council give First Reading to By-Law L-118, an Amendment to By-Law L-100, Respecting Local Improvement Charges. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 MEMBERS OF COUNCIL

10.2.1 Councillor Uteck - Street Cleaning Practices

This item was withdrawn from the agenda during Approval of the Order of Business.

10.2.2 Councillor McInroy - Crosswalk and Crossing Guard Criteria and Approvals

Councillor McInroy requested a staff report that addresses the criteria required for the evaluation and approval of crosswalk installations and the evaluation and approval process associated with crosswalk guards. The Councillor noted that currently there are two different processes: the manner in which the pedestrians are counted is done differently with respect to the installation of crosswalks than it is with the evaluation for crosswalk guards. Councillor McInroy noted there may be some other criteria as well that needs to be harmonized. In addition to the actual statistics, he also asked that staff identify a process that would allow some flexibility when one criterion is greatly exceeded while another is not quite met so it would not necessarily mean that the approval is not granted. Councillor McInroy stated the matter that brought this issue to his attention was the removal of a crosswalk guard on Deer Brooke Drive in Cole Harbour, which is heavily used by children and located on a turn in the street.

MOVED by Councillor McInroy, seconded by Councillor Cooper, that Regional Council request a review and staff report regarding crosswalk and crossing guard criteria and approval processes, and, further that the matter of the reinstatement of the crossing guard at Deer Brooke Drive be referred to the Traffic Services Review Committee for an early reconsideration of the removal of the guard and, further, that the RCMP be asked to continue to monitor that crosswalk until the Committee deals with the matter. MOTION PUT AND PASSED UNANIMOUSLY.

10.2.3 Councillor Mosher - Improvements to the Armdale Rotary

- An Information Report prepared for Ken Reashor, Traffic Authority, regarding the above, was before Council for its information.

This item was addressed earlier in the meeting.

11. MOTIONS

11.1 Councillor Snow - Perceived Benefits of Municipal Sewer and Water

that Council request that staff prepare a report outlining the perceived benefits of municipal sewer and water to the homeowner, the Halifax Regional Municipality and the Halifax Regional Water Commission and further that staff develop policy to contribute capital costs (non-recoverable from the homeowner) for these projects.

During Approval of the Order of Business, this item was deferred to September 14, 2004.

12. ADDED ITEMS

12.1 Councillor Smith - Use of Playgrounds in Shannon Park

Councillor Smith expressed concern with respect to recent incidents of residents and children using the playground in Shannon Park and being advised by DND patrol to leave

the property and not to return. The Councillor noted he contacted staff with respect to this issue and the possibility of moving the equipment to Shannon School which is in dire need of playground equipment. If the equipment is in good condition, Councillor Smith suggested an interim arrangement may be reached while DND is proceeding with the land change process. The Councillor requested that staff contact DND to see if something can be worked out, noting there is a liability issue to consider as well.

MOVED by Councillor Smith, seconded by Councillor Sarto, that Regional Council direct staff to contact DND with respect to the Shannon Park playground and report back to Council.

Mr. McLellan stated staff could proceed with this but he would caution them to be careful with respect to the liability issue.

Councillor Hendsbee inquired if HRM contributed any capital funding in this playground equipment or is it solely owned by DND. If it is owned by DND, he inquired if HRM could purchase it from them and move it. Mr. McLellan responded that his understanding is that HRM has had discussions with the federal government regarding Shannon Park and potential uses of the land. He noted that early on in the process HRM tried to negotiate for the fields, as well as the playground. Mr. McLellan stated the deed is intended to be transferred to Canada Lands but this has not yet been completed to his knowledge. He stated it is staff's intention to try to see if they can get all the recreational aspects of Shannon Park under some proposal to bring back to Council, and the staff report can provide an update on this process.

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Blumenthal - North End Businesses and Halifax Forum (Mooseheads)

Councillor Blumenthal expressed concern with the recent negotiations regarding the Halifax Mooseheads and the impact on businesses in North End Halifax. The Councillor suggested there was no consideration given to these businesses when it was decided to move the team back to the Metro Centre. Councillor Blumenthal stated downtown Halifax is not the only part of HRM and the effect of decisions on other areas needs to be taken into consideration in the future. In response, Mr. McLellan noted that the negotiations took place with the support and direction of Council.

12.3 Legal Matter - Service Agreement - Proposed Wallace Hill First Nations Reserve

- 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 Meade, that Regional Council:

- 1. Enter into the Service Agreement with the Shubenacadie Band Council as attached to the August 16, 2004 Private and Confidential staff report.**
- 2. The August 16, 2004 staff report and the proposed Service Agreement not be released until Council resolves to approve the agreement. MOTION PUT AND PASSED UNANIMOUSLY.**

12.4 Contractual Matter - District Energy/Co-generation Project

- 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 Uteck, seconded by Councillor Fougere, that Regional Council direct staff to take the steps necessary to explore the feasibility of a District Energy/Co-generation Project on the Peninsula, and chair a multi-stakeholder Steering Group including Nova Scotia Power Incorporated (NSPI), the Federal Department of Environment, the Provincial Department of Energy, and the Atlantic Canada Opportunities Agency (ACOA) to consider this possibility. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

None.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Jan Gibson
Municipal Clerk