

HALIFAX REGIONAL COUNCIL
MINUTES
January 22, 2008

PRESENT: Deputy Mayor Stephen Adams
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Gary Meade

REGRETS: Mayor Peter Kelly
Councillor Gary Martin
Councillor Reg Rankin

STAFF: Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Jennifer Weagle, 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 Sloane.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Murphy commented that Nova Scotia has a strong history of great women curlers. He indicated that Danielle Parsons, Katie Lyons, Courtney Heustis, and Jane Snyder will be representing Nova Scotia on February 3-10, 2008, at the Women's National Curling Championships. Councillor Murphy requested that the Mayor write a letter of congratulations to the team.

Councillor Murphy also offered congratulations to Halifax native Ellen Page, who was nominated for an Academy Award.

Councillor McInroy indicated that a tribute to Elizabeth Corser, who is retiring as Executive Director of the Cole Harbour Rural Heritage Society, will be held tonight at the Brightwood Golf and Country Club. He noted that he and Councillor Karsten will be attending to make a presentation to thank Ms. Corser for her many years of service.

Councillor Snow passed on a message from Councillor Martin, thanking the HRM Transportation and Public Works department for their continuing effort to clear snow and ice from storm drains. She noted that Councillor Martin sends his regards to Council.

Councillor Sloane thanked all that took part in the Centre for Arts and Technology grand opening last Friday night. She noted that the Paramount Theatre is being used by the Centre and it is an exciting, innovative space in the downtown.

Councillor Sloane thanked everyone who helped to get the Commons skating rink up and running. She noted that all are welcome and they can always use help with maintaining the ice surface.

Councillor Smith also offered congratulations to Ellen Page for her Academy Award nomination.

Councillor Smith advised that the Farrell Benevolent Society will be holding their annual general meeting this Sunday, January 27, 2008 at 6:30 p.m., at which time they will also be holding an election of directors. Councillor Smith indicated that the Farrell Benevolent Society provides bursaries to students in District 9, employment for youth, rental space for the community, and donations to community groups.

Councillor McCluskey requested that the Mayor send a letter to Sidney Crosby wishing him a speedy recovery from his recent hockey injury.

Councillor Karsten reminded the public that Regional Council meetings are open to the public and all are welcome to attend.

Councillor Hendsbee announced, on behalf of himself and Councillor Streach that Porter's Lake/Eastern Shore Community Centre are running for Kraft Hockeyville 2008. He encouraged the community to show their support and to go to the website to contribute to community participation in the contest.

Councillor Hum, on a point of personal privilege, indicated that she believes a media release, regarding the installation of traffic signals in front of Mount Saint Vincent University, from Mayor Kelly earlier today went against her integrity as a Councillor and the integrity of the Traffic Authority. She indicated that the Traffic Authority is appointed by the Province and makes decisions on crosswalk and traffic signalization, to keep politics out of such decisions. Councillor Hum commented that she felt it was inappropriate for the Mayor to indicate that he would ask the Traffic Authority to reconsider its decision.

3. APPROVAL OF MINUTES - January 8, 2008

MOVED by Councillor Snow, seconded by Councillor Wile, that the Regional Council minutes of January 8, 2008 be approved, as amended. MOTION PUT AND PASSED.

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

Additions:

- 12.1 Councillor Younger - Request for Report re: Financial Payment and Procedures
- 12.2 Councillor Hum - Request for Report re: Crosswalk Safety Education and Public Awareness Campaign
- 12.3 Atlantic Gateway
- 12.4 Request for Proposal 07-139 - Integrated telephone and Internet Advanced Voting
- 12.5 Legal Matter - CA Beckett School and Surrounding Properties
- 12.6 Personal Matter - Audit Committee
- 12.7 Personnel Matter - Citizen & Councillor Appointments to Boards Committees & Commissions

MOVED by Councillor Sloane, seconded by Councillor McCluskey, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED.

5. **BUSINESS ARISING OUT OF THE MINUTES** - None
6. **MOTIONS OF RECONSIDERATION** - None
7. **MOTIONS OF RESCISSION** - None
8. **CONSIDERATION OF DEFERRED BUSINESS** - None
9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**
- 9.1 **Correspondence** - None
- 9.2 **Petitions** - None
10. **REPORTS**
- 10.1 **CHIEF ADMINISTRATIVE OFFICER**
- 10.1.1 **Tender 07-440 - Three (3) Service Trucks with Body and Crane;**
Tender 07-442 - Two (2) 2-Wheel Drive Trucks with Dump Body and
Under Hood Compressor;
Tender 07-451 - Two (2) 4x4 Regular Cab Trucks, with Snow Plow
Package and Spreader / Dump Body

- A report dated January 7, 2008, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Wile, that Regional Council:

1. **Award Tender No. 07-440 for three (3) new Service Trucks with Body and Crane to Chebucto Ford Sales for a Tender Price of \$217,546.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the January 7, 2008 report;**
2. **Award Tender No. 07-442 for two (2) new 2-Wheel Drive Trucks with Dump Body and Under Hood Compressor to Chebucto Ford Sales for a Tender Price of \$125,578.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the January 7, 2008 report; and**
3. **Award Tender No. 07-451 for two (2) new 4x4 Regular Cab Trucks with Snow Plow Package and Spreader/Dump Body to MacPhee Pontiac Buick GMC Ltd.**

for a Tender Price of \$178,312.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the January 7, 2008 report.

Responding to questions from members of Council, Mr. Paul Beauchamp, Manager, Fleet Services, and Mr. Dan English, CAO, clarified that these purchases are previously approved 2007/08 capital budget items and were part of the Halifax Regional Water Commission/Wastewater Services merger agreement.

MOTION PUT AND PASSED.

10.1.2 Energy Efficiency Funding - Eco-Trust Application

- A report dated January 16, 2008, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Regional Council authorize staff to submit funding applications to the Municipal Clean Air and Climate Change Program and all other suitable cost sharing programs for the energy efficiency projects listed in Appendix A of the January 16, 2008 report. MOTION PUT AND PASSED.

10.1.3 Blocked Old Sambro Road Access to Long Lake Provincial Park

- C A report dated November 27, 2007 on the above noted was before Council.

Councillor Mosher indicated that the Long Lake Provincial Park Management Plan will be released by the Department of Natural Resources in the next few weeks.

MOVED by Councillor Mosher, seconded by Councillor Walker, that:

1. **Halifax Regional Municipality continue to cooperate with the Province and the community-based Long Lake Provincial Park Association to determine lake access for boat launching purposes in the vicinity of Old Sambro Road by way of the Long Lake Provincial Park Management Plan; and**
2. **Request staff from the Department of Natural Resources to present the Long Lake Provincial Park Management Plan to Chebucto Community Council at a future meeting.**

MOTION PUT AND PASSED.

10.1.4 First Reading Proposed By-Law S-424, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving O'Connell Drive, Porters Lake

- A report dated January 10, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey, that Regional Council approve, in principle, and begin the formal process for adoption of By-Law S-424, Respecting Charges for new paving of the HRM portion of O'Connell Drive, Porters Lake, and set a public hearing date. MOTION PUT AND PASSED.

Councillor Hendsbee advised that he will be holding a Councillor's Advisory Meeting on this matter on Thursday, January 24, 2008 at 7:00 p.m. at the school. The Public Hearing date is tentatively set for February 12, 2008.

10.2 CHEBUCTO COMMUNITY COUNCIL

10.2.1 Case 01004 - Municipal Planning Strategy and Land Use By-Law Amendments and Development Agreement, Former BC Silver School, Halifax (Spryfield)

- C A report from Chebucto Community Council dated January 15, 2007, on the above noted, was before Council.
- C A staff report dated December 20, 2007, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Wile, that Regional Council give First Reading to the proposed amendments to the Halifax MPS and Halifax Mainland LUB presented in Attachment C of the December 20, 2007 staff report and schedule a joint Public Hearing with Chebucto Community Council. MOTION PUT AND PASSED.

10.2.2 Case 01005 - Amendment to Halifax Municipal Planning Strategy and Development Agreement for 11 Ramsgate Lane, Halifax

- C A report from Chebucto Community Council dated January 15, 2007, on the above noted, was before Council.
- C A staff report dated December 14, 2007, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Hum, that Regional Council give First Reading to the proposed amendments to the Halifax MPS as provided in Attachment "A" of the December 14, 2007 staff report, and schedule a joint Public Hearing with Chebucto Community Council. MOTION PUT AND PASSED.

10.3 MEMBERS OF COUNCIL

10.3.1 Councillor Snow - Request for Report re: Flyer Delivery Litter

- C An information report dated May 4, 2007 on the above noted was before Council.
- C An information report dated August 3, 2005 on the above noted was before Council.

Councillor Snow indicated that she has been receiving numerous phone calls and emails from residents who are frustrated with litter generated from advertising flyers. She noted that calls to newspaper/flyer distributors do not seem to be effective in ratifying the issue.

MOVED by Councillor Snow, seconded by Councillor Murphy, that Regional Council request a recommendation report based on the alternatives set out in the May 4, 2007 information report on this matter.

Members of Council discussed the matter, with the following comments, concerns and suggestions noted:

- C There are potential legal difficulties with the alternatives set out in the May 4, 2007 information report;
- C The distributors of the flyers should be researching solutions;
- C HRM needs the support of the Province on this issue;
- C HRM could engage Canada Post to assist with this problem.

Councillors McInroy and Karsten left at 6:30 p.m.

MOTION PUT AND PASSED.

10.3.2 Councillor Streach - Request for Report re: HRM's Use of 15 Passenger Vans

Councillor Streach indicated that recent events have led to banning these vans in several jurisdictions. He advised that HRM staff have temporarily pulled HRM owned 15 passenger vans from use, pending a meeting with insurance departments and senior staff later this week.

MOVED by Councillor Streach, seconded by Councillor Barkhouse, that:

1. **Regional Council direct staff to permanently remove the 15 passenger van, owned by HRM recreation and operated in District 1, Eastern Shore/Musquodoboit Valley, and prepare options to replace it with a more appropriate mini-bus type of vehicle; and**

2. Staff report back to Council on the future plans for the other 15 passenger vans under HRM ownership.

MOTION PUT AND PASSED.

10.3.3 Councillor McCluskey - Request for Report re: By-Law B-400 - Fees for False Alarms

MOVED by Councillor McCluskey, seconded by Councillor Younger, that Regional Council request a staff report on the feasibility of amending By-Law B-400 Respecting Burglary, Robbery and Fire Alarm Systems, to change the Fee for False Alarms to the individual(s) who caused the false alarm, rather than the property owner, where it is possible to identify the person(s) responsible.

Councillor McCluskey gave an example of a tenant installing a security system, and the landlord being charged with a summary offence ticket for a false alarm.

Councillor Hendsbee noted concern with troubled youth pulling alarms at youth facilities, noting that he hopes staff have compassion for facilities in these instances, and questioned whether the youth would be charged.

MOTION PUT AND PASSED.

10.3.4 Councillor Mosher - Request for Report re: Smoking Restrictions for HRM Parks, Playgrounds and Sport Fields

- C E-mails submissions in support of and opposed to the proposed smoking restrictions were distributed to members of Council.

MOVED by Councillor Mosher, seconded by Councillor McCluskey, that Regional Council request a staff report on the possibility of HRM prohibiting smoking on HRM-owned recreation facilities where children are participating in activities.

Councillor Mosher commented on the proposed smoking restrictions, noting the following:

- C Levels of outdoor tobacco smoke can be as high as indoor levels;
- C This proposal limits childrens' exposure to second hand smoke and smoking influences;
- C Many community and recreation groups are promoting their own anti-smoking policies;
- C Youth and recreation are two of Council's mandates.

A recorded vote was requested on the motion.

MOTION PUT AND PASSED.

Those voting in favour were Deputy Mayor Adams and Councillors Streach, Hendsbee, McCluskey, Barkhouse, Smith, Wile, Murphy, Fougere, Walker, Hum, Mosher, and Harvey.

Those voting against were Councillors Snow, Younger, Sloane, Rankin and Meade.

Mayor Kelly and Councillors McInroy, Karsten, Uteck, Johns, and Martin were not present.

10.3.5 Councillor Uteck - Release of In Camera Minutes and Reports

MOVED by Councillor Fougere, seconded by Councillor Murphy, that this matter be deferred until Councillor Uteck is present. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Councillor Younger - Request for Report re: Financial Payment and Procedures

Councillor Younger noted concern that community groups and small contractors are sometimes waiting in excess of three months for payment from HRM. He noted that he understands staff are already looking into this issue through the Business Systems and Control Group Procurement Payables Review Report.

MOVED by Councillor Younger, seconded by Councillor Smith, that Regional Council request that the Business Systems and Control Group Procurement Payables Review Report come back to Regional Council, with due expediency, discussing why payments are taking so long and what can be done to solve the problem. MOTION PUT AND PASSED.

Councillor Uteck arrived at 6:45 p.m., indicating that she had been representing the Mayor at a function.

12.2 Councillor Hum - Request for Report re: Crosswalk Safety Education and Public Awareness Campaign

Councillor Hum commented on the number of recent cross walk accidents. She noted that the Provincial Crosswalk Safety Task Force is reviewing strategies to improve crosswalk safety, and will be releasing a recommendation report in the coming weeks.

MOVED by Councillor Hum, seconded by Councillor Sloane, that, when the Provincial Cross Walk Safety Task Force recommendations are released, staff present the recommendations to Council, and provide a report on the budget implications of implementing the recommendations.

Members of Council requested that the report also include:

- C Initiatives undertaken by the Halifax Regional School Board and the Traffic Authority to educate students on cross walk safety;
- C Discussion on why the fluorescent yellow cross walk signs are not more widely used in HRM;
- C Whether the HRM cross walk safety television commercials are still being run and if so, their frequency.

MOTION PUT AND PASSED.

12.3 Atlantic Gateway

- C This item was addressed at an earlier Committee of the Whole session.

MOVED by Councillor Murphy, seconded by Councillor Sloane, that Regional Council endorse the municipal role and alignment of strategies as set out in the report dated June 9, 2008 and the attached Position Paper to support and, subject to future budget approval, enable HRM to respond effectively to the Atlantic Gateway opportunities over the long term. MOTION PUT AND PASSED.

12.4 Request for Proposal 07-138 - Integrated Telephone & Internet Advanced Voting

- C This item was addressed at an earlier Committee of the Whole session.

MOVED by Councillor Smith, seconded by Councillor Younger, that:

1. **Halifax Regional Council award RFP No. 07-138, Integrated Telephone & Internet Advanced Voting to Intelivote Systems Incorporated, the highest scoring proponent, for a Total price of \$487,151.00 (net HST included) with funding from the 2008 Election Reserve Account No. Q313 as outlined in the Budget Implications section of the January 4, 2008 report. The cost is inclusive of the Proof of Concept valued at \$21,721.00 (net HST included);**
2. **Halifax Regional Council enter into a 36-month agreement with Intelivote Systems incorporated for additional e-voting opportunities at a cost of**

\$2.00 (plus net HST) per eligible voter, contingent upon the successful delivery of the 2008 e-voting advanced poll. The utilization of any additional e-voting opportunities would be at HRM's sole discretion and funding availability;

3. This award be conditional on all of the necessary protocol, By-laws, and legislation be in place by May 15, 2008, to the satisfaction of staff, to enable successful implementation and provide value for money; and
4. Subject to the above recommendations, authorize the Mayor and Municipal Clerk to execute a contract with Intelivote to that effect.

MOTION PUT AND PASSED.

12.5 LEGAL MATTER - CA Beckett School and Surrounding Properties

C This item was addressed at an earlier In Camera session.

MOVED by Councillor Mosher, seconded by Councillor Wile, that Regional Council:

1. **Approve the expenditure for the property acquisition as outlined in the Private and Confidential staff report of January 10, 2008, for the purpose of remediation and settling a claim for associated costs.**
2. **Not release the January 10, 2008 Private and Confidential staff report.**

MOTION PUT AND PASSED.

12.6 PERSONNEL MATTER - Audit Committee

C This item was addressed at an earlier In Camera session.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that Regional Council release the Private and Confidential Council Report of October 30, 2007 re Evaluation Process RFP #07-139 Business Park Functional Plan. MOTION PUT AND PASSED.

12.7 PERSONNEL MATTER - Citizen & Councillor Appointments to Boards, Committees & Commissions

C This item was addressed at an earlier In Camera session.

MOVED by Councillor Barkhouse, seconded by Councillor McCluskey, that Regional Council approve the Citizen and Councillor appointments to Boards/Committees/Commissions as outlined in Attachment 1 of the January 16, 2008 Private and Confidential staff report with the Board of Police Commissioners appointment being deferred. Further, that a letter be forwarded to the 2011 Canada Winter Games Board requesting consideration of Councillor Hum as an alternate to Councillor Wile on the Board. MOTION PUT AND PASSED.

10.3.5 Councillor Uteck - Release of In Camera Minutes and Reports

Councillor Uteck commented that now that the Harbour Solutions Project is up and running, she does not see any sufficient reasons to have the in camera minutes of the Harbour Solutions Project meetings remain confidential.

MOVED by Councillor Uteck, seconded by Councillor Younger, that Regional Council authorize the release to the public of all in camera minutes of the Harbour Solutions Project meetings, subject to the approval of the Municipal Solicitor. MOTION PUT AND PASSED.

13. NOTICES OF MOTION

Councillor Hendsbee

Take notice that at a future meeting of Halifax Regional Council, I propose to introduce for adoption By-Law T-138, Respecting The Regulation of Taxis and Limousines the purpose of which is to:

1. eliminate limitations on the number of taxi owner licences that may be issued in the Halifax Regional Municipality;
2. ensure Taxi owner licences are only issued to taxi drivers licenced and in good standing in the Halifax Regional Municipality;
3. ensure that newly issued Taxi owner licenses are limited to one per licensed driver;
4. ensure that Taxi owner licences are cancelled if the licensed driver loses his or her taxi driver's license;
5. ensure owner and driver licenses continue to be non-transferable;
6. eliminate zones within the Halifax Regional Municipality;
7. disband the Taxi and Limousine Committee and repeal Administrative Order #38;

8. offer owner licenses to those individuals currently on the owner waiting lists, prior to new individuals;
9. allow advertising anywhere on vehicles; and
10. allow drivers the ability to ask for reasonable amount of money up front before proceeding.

14. ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were circulated to Council:

1. Memorandum from Director, Community Development dated December 19, 2007
re: Sheet Harbour and Area Chamber of Commerce Water Project
2. Memorandum from Director, Legal Services & Risk Management dated January 10, 2008 re: Status of By-Law Prosecutions November 1 to November 30, 2007
3. Memorandum from Director, Legal Services & Risk Management dated December 27, 2007 re: Tufts Cove 6 Waste Heat Recovery Project
4. Memorandum from Director, Transportation and Public Works dated January 11, 2008 re: Furniture, Appliances and Industry Electronic Waste Recovery Programs
5. Memorandum from Chair, Audit Committee dated January 2, 2008 re: Annual Reports - Business Systems and Control - April 1, 2005 to March 31, 2006 and April 1, 2006 to March 31, 2007
6. Memorandum from the Acting Municipal Clerk dated January 18, 2008
re: Requests for Presentation to Council - Ecology Action Centre re: Grand Parade