

HALIFAX REGIONAL COUNCIL
MINUTES

December 11, 2012

PRESENT:

Mayor Mike Savage
Deputy Mayor Reg Rankin
Councillors: Barry Dalrymple
David Hendsbee
Bill Karsten
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Sherryll Murphy, Deputy Clerk
Mr. Quentin Hill, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 1:01 p.m. with the Invocation being led by Councillor Karsten.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

3. APPROVAL OF MINUTES – November 20 and November 27, 2012

MOVED by Councillor McCluskey, seconded by Councillor Mason that the minutes of November 20 and November 27, 2012 be approved.

MOTION PUT AND PASSED.

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

Additions:

- 15.1 Councillor Mosher – Request for staff report re: Our HRM Alliance / Greenbelting in HRM
- 15.2 Councillor Adams – Implementation of an Affordable and Accessible Spay / Neuter Pilot Project.

Councillor Craig requested that Information Item 3, Halifax Regional Water Commission 2011/2012 report to be placed on the agenda for the next regular meeting.

MOVED by Councillor Walker, seconded by Councillor Adams that the agenda be approved as amended. 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. HERITAGE HEARINGS

9.1 Case H00365 – Application to Consider 5456-60-66 Inglis Street, Halifax as a Municipally Registered Heritage Property

A staff report dated August 13, 2012 and an extract from July 10, 2012 Regional Council minutes was before Regional Council.

Mr. Seamus McGreal, Heritage Planner gave a brief presentation on the property as set out in the staff report.

Mayor Savage called three times for persons wishing to speak, hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the Public Hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Mason, seconded by Councillor Nicoll that Halifax Regional Council approve the registration of 5456-60-66 Inglis Street under the HRM Heritage Property Program as shown on Map 1 of the July 16, 2012 staff report including the Character Defining Elements as identified by the Heritage Advisory Committee.

Councillor Mason stated that the owners of the property were supportive of the Heritage Designation and feel it will enhance the overall value of the property.

MOTION PUT AND PASSED. (16 in favour, 0 against)

Those voting in favour were : Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, Outhit.

Councillor Hendsbee was not present for the vote.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award and Initiation of Solar City Program

A staff report dated September 30, 2012 was before Regional Council.

MOVED by Councillor Watts, seconded by Councillor Fisher that Halifax Regional Council:

1. **Approve the start of the Solar City pilot program, with homeowner financing provided through the Solar City By-Law S-500 and cost sharing from the Province of Nova Scotia (or its agent, Efficiency Nova Scotia) and the Federation of Canadian Municipalities (FCM) as outlined in the budget implications section of the September 30, 2012 staff report.**
2. **Approve a total project budget of \$8,166,500 for Project No. CD990001, to reflect \$1,250,000 in cost sharing from the Province of Nova Scotia, a grant of \$545,000 from FCM and \$6,371,500 to be provided by homeowners participating in the program;**
3. **Approve the execution of a loan agreement to a maximum of \$5,455,000 with the FCM Green Municipal Fund, pending Halifax Regional Council and Ministerial approval of Temporary Borrowing Resolution; and**
4. **Award Solar City Contracting Services RFP No. 12-002 to the highest scoring proponent, Thermo Dynamics Limited, for a maximum of 1,000 residential installations.**

Councillor Watts stated that the program has been well supported by residents with 1600 residents signing up for the program in the first month it was offered. She noted the program was supported by the Province of Nova Scotia and the program was financially self-sustaining and revenue neutral. Councillor Watts advised that the program offered financing for residents who may not be able to afford the upfront cost.

Mr. Julian Boyle, Manager, Strategic Energy Policy and Initiatives and Mr. Richard MacLellan, Manager, Energy and Environment answered questions of clarification from Council.

Councillor Dalrymple expressed thanks to HRM staff, Efficiency Nova Scotia and FCM for their support and effort to see the initiation of the program. Councillor Dalrymple also thanked Council for their support of the project.

MOTION PUT AND PASSED. (17 in favour, 0 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, Outhit.

11.1.2 Oval Sponsorship – Bell Media

A staff report dated November 30, 2012 was before Regional Council.

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council:

1. **Approve the Bell Media Sponsorship of the Emera Oval as per the Terms and Conditions set out in Attachment A of this report;**
2. **Authorize staff to commence publicity of the media sponsorship as per the Terms and Conditions set out in Attachment A effective immediately; and**
3. **Authorize the Mayor and Municipal Clerk to execute any necessary agreements with Bell Media in accordance with the Terms and Conditions set out in Attachment A for its media sponsorship of the Emera Oval.**

MOTION PUT AND PASSED. (17 in favour, 0 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, Outhit.

11.1.3 2013 Regional Council Schedule

A staff report dated November 20, 2012 was before Council.

MOVED by Deputy Mayor Rankin, seconded by Councillor Karsten that Halifax Regional Council discuss and adopt Attachment 1 of the November 20, 2012 staff report for the 2013 meetings of Halifax Regional Council.

Councillor Johns and Councillor McCluskey expressed their wish to have weekly meetings placed in the schedule and cancel meetings if required.

MOVED by Councillor Watts, seconded by Councillor Nicoll to amend the motion to include that Halifax Regional Council begin at 6:00pm.

A discussion ensued after which a vote on the motion to amend was put.

MOTION DEFEATED. (5 in favour, 12 against)

Those voting in favour were: Councillors Dalrymple, Nicoll, Mason, Watts and Adams.

Those opposed were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors, Hendsbee, Karsten, McCluskey, Fisher, Mosher, Walker, Whitman, Johns, Craig, Outhit.

Councillor Mason noted that the schedule for meeting every two weeks was tied to a governance review. He stated that Council had not received a report on this matter. He expressed support of a two week Council schedule but felt that the Community Councils needed to have more powers before implementing a two week schedule.

Councillor Craig stated he was in support of the motion. He advised that it would allow more time to review the reports before they are discussed at Council. He noted that Standing Committees should do most of the work on issues that come before Council.

Councillor Walker noted that Councillors were experiencing an increased workload due to the increased size of Districts. He pointed out that if Council meetings were not scheduled, members of Council would book meetings relative to constituency matters creating conflicts.

Following a further discussion, Council agreed that Deputy Mayor Rankin would withdraw his motion and replace it with the following:

MOVED by Deputy Mayor Rankin, seconded by Councillor Karsten that Halifax Regional Council adopt attachment 3 of the November 20, 2012 staff report, for the 2013 meetings of Halifax Regional Council with a review in 90 days through the Executive Standing Committee.

MOTION PUT AND PASSED. (17 in favour, 0 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, Outhit.

Council recessed at 2:48 p.m. and reconvened at 3:00 p.m.

11.1.4 Request for Proposal P12-044B – To Purchase and Develop Bloomfield Property

A staff report dated November 19, 2012 was before Council.

Correspondence dated December 11, 2012 from Ms. Karn Nichols, Mr. Labi Kousoulis, Ms. Shelia Reid and the Imagine Bloomfield Board of Directors was before Council.

MOVED by Councillor Watts, seconded by Councillor Mason that Halifax Regional Council;

- 1. Declare the Bloomfield Property, located at 2748-86 Agricola St. Halifax, surplus to municipal requirements; and**
- 2. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with the highest scoring proponent to RFP No. P12-044B, Nova Scotia Housing Development Corporation or assignee, subject to the minimum key terms and conditions outlined in Table 1 of the November 19, 2012 staff report; and.**

3. that any amendment to land use regulation for this site be carried out through a site specific Municipal Planning Strategy amendment and Development Agreement.

Mr. Martin Ward, Solicitor, recommended to Council that when discussing the matter the Charter provides protection for the proponents of the proposal. He reminded Council that if debate was needed on the matter, that they could go to In Camera session and debate the matter.

Councillor Watts requested staff provide an explanation of the scoring of proposals to Council. She also questioned what role would the Imagine Bloomfield group play in the development of the project.

Mr. Peter Stickings, Manager Real Estate and Land Management, advised that the RFP was transparent and clearly stated that it was to achieve the top financial gain in the project. He noted that there were three strong proposals and that all the proponents who came forward were more than capable of meeting the technical aspects of the RFP. He advised that the Province had indicated that they would allow Imagine Bloomfield to lead and develop the governance model of community and cultural space.

Councillor Watts asked what steps would be taken as the process unfolds and whether there be a mechanism to ensure that the principles of the plan are followed.

Mr. Stickings stated that the Municipal requests would be included in the contract and would have to be fulfilled by the Province. He noted that the contract would drive any amendments related to the MPS and development agreement.

Councillor Mosher suggested that the Request for Proposals encompassed more than just monetary value. She expressed concerns on the scoring of the proposals and stated that she would like to have seen all the proponents come before Council and present their bids. She questioned if the project met the visioning criteria from the Imagine Bloomfield group. She asked staff if the process of deciding the bids was fair and did it yield what was requested through the public consultation.

Mr. Richard Butts, CAO advised that the process was fair. He indicated that HRM was unaware that the Province was going to offer a bid on the property. He stated the process was open and transparent.

Mr. Stickings stated that the residential units developed on the property would be assessed and would draw municipal taxes. He noted that there are entry level homes and housing options. He pointed out that this was a unique development, moving from a five percent affordable housing allocation to forty percent affordable housing options.

Councillor Hendsbee indicated he was concerned about the possibility of the development becoming tax and By-Law exempt.

Mr. Stickings advised Council the concept of the development is mixed use. He stated that there will be a mix of affordable housing, market housing, commercial retail as well as community space and cultural space so there will be various taxes coming from the proposal.

The CAO advised that the Master Plan was before Regional Council and that the RFP was considered by Community Council and is a result of direction given by Regional Council and Community Council.

Councillor Karsten asked what would happen if Council decided not to award the RFP.

Mr. Ward advised that the criteria in the RFP are laid out to the proponents to bid on. He stated that the RFP does lay out options for Council to accept or reject the recommendation. He stated non - acceptance would have to be in the best interests of the Municipality. However, he noted that it was not open ended and Council could not consider arbitrary matters. He stated that it doesn't allow Council to disregard the criteria or the weighting system that was decided in the RFP.

Following further discussion the **MOTION WAS PUT AND PASSED. (10 in favour, 6 against)**

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Nicoll, Fisher, Mason, Watts, Walker, Craig and Outhit.

Those voting against were: Councillors Hendsbee, Karsten, McCluskey, Mosher, Adams and Whitman.

Councillor Johns was absent for the vote.

11.2 AUDIT AND FINANCE STANDING COMMITTEE

11.2.1 Review of Unbudgeted Items

A staff report dated November 21, 2012 was before Council.

MOVED by Councillor Walker, seconded by Councillor Karsten that Halifax Regional Council approve that any proposal to Halifax Regional Council, outside the annual budget or tender process, be referred to the Audit and Finance Standing Committee for review and recommendation including but not limited to;

- **New programs or services not yet approved or funded**
- **Programs or services that are being substantially altered**
- **Proposed changes in any operating or project budget items**
- **Committing of funds where there is insufficient approved budget, or,**
- **New or increased capital projects not included in the approved budget**
- **Increases in project budget due to cost sharing**

- **Creation or modification of reserves and withdrawals not approved in the approved budget.**

MOTION PUT AND PASSED. (15 in favour, 0 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Watts, Walker, Adams, Whitman, Johns, Craig, Outhit.

Councillors Mason and Mosher were absent for the vote.

12. MOTIONS

12.1 Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Johns that staff develop a Master Plan for the historic Halifax Common that builds on the 1994 Halifax Common Plan, that is integrated with the development of the Open Space Plan for the Urban Centre and includes a public consultation process. Staff are requested to return to Council within 18 months with a proposed Master Plan.

A discussion ensued and the following motion to refer was placed on the floor.

MOVED by Councillor Rankin, seconded by Councillor Johns that Halifax Regional Council refer this matter to Community Planning and Economic Development Standing Committee for a staff report and forward its recommendation to Regional Council.

MOTION PUT AND PASSED. (16 in favour, 1 against.)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Johns, Craig, Outhit.

Those voting against were: Councillor Hendsbee.

13. IN CAMERA

The in camera session was held later in the meeting. See page 13.

14. NOTICES OF MOTION

14.1 Councillor Karsten

“Take notice that, at the next regular Regional Council meeting, I propose to move approval of proposed amendments to Administrative Order 32, Respecting the Procedures for Developing By-Laws for Consideration of Regional Council.”

14.2 Councillor Fisher

“Take notice that, at the next regular Regional Council meeting, I propose to move approval of proposed amendments to Administrative Order 48, Respecting the Establishment of Community Councils, the purpose of which is to adopt names for the Community Councils which better reflect the geographic areas represented.”

14.3 Councillor Mason

“Take notice that, at the next Regional Council meeting I propose to amend Administrative Order 1 to include the following section:

28 (4) Where a report to be considered by Council is circulated to Council as prescribed in subsection (3) after the deadline identified in subsection (2), Council shall not consider the report unless one or more of its members requests it to do so, and with agreement of a simple majority vote of its members present.”

14.4 Councillor Mason

“Take notice that, at the next Regional Council meeting I propose to move a Council Operations Committee be struck, composed of the Mayor and the Chair and Vice Chair of each Community Council, to review the governance structure of HRM. The committee will make recommendations to Council regarding the roles of Regional Council, Community Council and the Standing Committees with possible additional responsibilities, regular scheduling of meetings, and especially recommendations regarding an increased role for Community Council both within the current Charter and to make specific recommendations for additional powers to be granted by the Province. It shall report back no later than March 26, 2013.”

15. ADDED ITEMS

15.1 Councillor Mosher – Request for staff report re: Our HRM Alliance/Greenbelting in HRM

A request for added item dated December 11, 2012 Re: Our HRM Alliance/Greenbelting in HRM was before Council.

MOVED by Councillor Mosher, seconded by Councillor Adams that Halifax Regional Council request a staff report to be referred to the Environment and Sustainability Standing Committee and then to Regional Council that responds to the suggestions put forward by Our HRM Alliance the report should either support and recommend a plan for HRM to move forward and implement these

recommendations or alternatively if planning does not support these specific recommendations a rationale as to why not. The report should also include details of any initiatives HRM has underway that meets or fulfil these objectives in any future planned activities.

MOTION PUT AND PASSED. (16 in favour, 0 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Craig, Outhit.

Councillor Johns was absent for the vote.

15.2 Councillor Adams – Implementation of an Affordable and Accessible Spay/Neuter Pilot Project

A request for added item dated December 11, 2012 Re: Implementation of an Affordable Spay/Neuter Pilot Project was before Council.

MOVED by Councillor Adams, seconded by Councillor McCluskey that Halifax Regional Council request staff prepare a report on implementing an Affordable and Accessible Spay/Neuter Pilot Project for HRM to be administered by an outside agency through an RFP process with possible funding assistance by HRM; and that HRM assist in forming a Domestic Animal Advisory Committee to oversee the project with members including but not limited to representation of local Veterinarians, SPCA, Cat Rescue groups and Provincial representatives of Department of Natural Resources.

MOVED by Councillor Adams, seconded by Councillor Walker that the question now be put.

MOTION PUT AND PASSED. (14 in favour, 2 against)

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Karsten, Nicoll, McCluskey, Fisher, Mason, Mosher, Walker, Adams, Whitman, Craig and Outhit.

Those voting against were: Councillor Hendsbee and Watts.

Councillor Johns was absent from the vote.

A vote on the main motion was taken. **MOTION PUT AND PASSED. (15 in favour, 1 against)**

Those voting in favour were: Mayor Mike Savage; Deputy Mayor Rankin; and Councillors Dalrymple, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Whitman, Craig, Outhit.

Those voting against were: Councillor Hendsbee.

Councillor Johns was absent from the vote.

MOVED by Councillor McCluskey, seconded by Councillor Mason that Halifax Regional Council convene to In Camera.

MOTION PUT AND PASSED.

13. IN CAMERA

13.1 Personnel Matter

This matter was dealt with at the In Camera session.

16. ADJOURNMENT

The meeting was adjourned at 5:00 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from Director, Finance & Information Technology dated July 19, 2012 re: Award of Contracts – CAO Approval
 2. Memorandum from Chair, Audit and Finance Standing Committee dated November 29, 2012 re: Second Quarter 2012-13 Financial Report
 3. Memorandum from Director, Halifax Water dated December 3, 2012 re: 2011/2012 Halifax Water Annual Report
 4. Memorandum from the Municipal Clerk dated November 30, 2012 re: Requests for Presentation to Council - None
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