

HALIFAX REGIONAL COUNCIL
MINUTES

May 14, 2013

PRESENT:

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

REGRETS:

Councillor: Lorelei Nicoll

STAFF:

Mr. Mike Labrecque, Deputy Chief Administrative Officer
Mr. Martin Ward, Municipal Solicitor
Ms. Sherryll Murphy, Deputy Clerk
Mr. Quentin Hill, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 1:00 p.m. with the Invocation being led by Councillor McCluskey.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

3. APPROVAL OF MINUTES – April 23, 2013

MOVED by Councillor McCluskey, seconded by Councillor Mason, that the minutes of April 23, 2013 be approved as presented. MOTION PUT AND PASSED.

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

MOVED by Councillor Walker, seconded by Councillor Whitman that the agenda be approved as presented. 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

**9.1.1 Request for Fly-Past – Halifax Dartmouth Canada Day Committee-
Canada Day 2013**

Correspondence from Mr. Jeff Wall, Chair, Halifax – Dartmouth Canada Day Committee, dated May 1, 2013 was before Council.

MOVED by Councillor Mason, seconded by Councillor McCluskey that Halifax Regional Council approve a fly-past by an aircraft from 12 Wing Shearwater at levels as low as 500 feet, over the Halifax Citadel National Historic Site as part of the Official Opening Ceremonies of the Halifax-Dartmouth Canada Day 2013 celebrations to commence at 12:00 PM on Monday July 1, 2013.

MOTION PUT AND PASSED UNANIMOUSLY. (14 in favour)

Councillors Nicoll, Mosher and Johns were not present for the vote.

9.2 Petitions – NONE

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 13-156 – TP#11A-F – Public Plaza Sitework – Central Library

A staff report dated March 20, 2013 was before Regional Council.

MOVED by Councillor Mason, seconded by Councillor Fisher that Halifax Regional Council award:

- 1. Tender No. 13-156, TP#11a, for Landscape Demolition, Excavation and Backfill, to the lowest bidder meeting specifications, Crossman Construction Ltd. for a Total Tender Price of \$297,215.10 (net HST included).**
- 2. Tender No. 13-156, TP#11b, for the Exterior Electrical, to the lowest bidder meeting specifications, G.J. Cahill & Company (1979) Ltd. for a Total Tender Price of \$710,187.66 (net HST included).**
- 3. Tender No. 13-156, TP#11c, for Landscape & Sidewalk Concrete, to the lowest bidder meeting specifications, Leahey's Landscaping for a Total Tender Price of \$710,187.66 (net HST included).**
- 4. Tender No. 13-156, TP#11d, for Plaza, sidewalk & Podium Pavers, to the lowest bidder meeting specifications, Price's Cobblestone for a Total Tender Price of \$402,491.82 (net HST included).**
- 5. Tender No. 13-156, TP#11e, for Site Wood Furnishings, to the lowest bidder meeting specifications, Micro Contracting for a Total Tender Price of \$57,284.30 (net HST included).**
- 6. Tender No. 13-156, TP#11f, for Asphalt Paving, to the lowest bidder meeting specifications, Basin Contracting Ltd. for a Total Tender Price of \$36,488.63 (net HST included).**

Funding is from Project No. CDX01182, as outlined in the Financial Implications section of the March 20, 2013 staff report.

MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour)

Councillors Nicoll and Mosher were not present for the vote.

10.1.2 Tender 13-233 – Porter's Lake Park and Ride, Inspiration Drive – East Region

A staff report dated April 22, 2013 was before Regional Council.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten that Halifax Regional Council award Tender 13-233, Porter's Lake Park to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$638,960.32 (net HST included) with funding from Project Account No. CMX01104 – Rural Community Transit, as outlined in the Financial Implications of the April 22, 2013 staff report.

MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour)

Councillors Nicoll and Mosher were not present for the vote.

10.1.3 Request for Proposal 12-158 – Ragged Lake Transit Centre Expansion

A staff report dated April 15, 2013 was before Regional Council.

MOVED by Councillor Adams, seconded by Councillor Karsten that Halifax Regional Council award RFP No. 12-158 to the highest scoring proponent, J.W. Lindsay Enterprises Ltd., for a Total Price of \$2,502,864.00 (net HST included), with funding from Project No. CB000001 – Ragged Lake Transit Centre Expansion, as outlined in the Financial Implications section of the April 15, 2013 staff report.

MOTION PUT AND PASSED UNANIMOUSLY. (15 in favour)

Councillors Nicoll and Mosher were not present for the vote.

10.1.4 Case 18276: Formation of a Public Participation Committee for the Residential Comprehensive Development District (RCDD) Lands at 74 Union Street, Bedford

A staff report dated April 30, 2013 was before Regional Council.

MOVED by Councillor Outhit, seconded by Councillor Craig that Halifax Regional Council:

- 1. Approve the formation of a Public Participation Committee to consider an application for residential development, by development agreement, at 74 Union Street, Bedford, for the area shown on Map 1 of the April 30, 2013 staff report.**
- 2. Approve the Terms of Reference for the Committee provided in Attachment A of the April 30, 2013 staff report.**

In response to questions from Council, Mr. Tyson Simms, Planner, Community and Recreation Services, advised that if the recommendation is approved and a committee

is formed, a Public Information Meeting (PIM) would still be held as part of the process. He noted if the motion was not passed then staff would hold five to six PIMs in the community.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.1.5 Rockingham Community Centre Property – 199 Bedford Highway

The following documents were before Regional Council:

- A staff report dated April 16, 2013
- Correspondence from Wendy MacDonald dated May 13, 2013
- Correspondence from Shirley Redmond dated May 14, 2013
- Correspondence from Mayumi Endo dated May 14, 2013
- Correspondence from Annie Tulloch dated May 14, 2013
- Correspondence from Jean Watson dated May 14, 2013

MOVED by Councillor Walker, seconded by Councillor Adams that Halifax Regional Council:

- 1. Cease operations of the Rockingham Community Centre effective August 31, 2013 and formally thank the members of the Rockingham Community Centre Board for their dedicated service on behalf of HRM.**
- 2. Declare 199 Bedford Highway surplus to recreation requirements and refer the property to the real property review process for consideration under Administrative Order 50.**

Councillor Walker advised that staff is working with community groups who used the Rockingham Community Centre to find affordable spaces until a new community centre is built in the Rockingham area.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.1.6 Affordable and Accessible Spay/Neuter Pilot Project

A staff report dated April 22, 2013, and correspondence from Mary Ann Archibald dated May 14, 2013 was before Regional Council.

MOVED by Councillor Adams, seconded by Councillor Walker that Halifax Regional Council await the outcome of the current staff review of the overall

granting policy, so as to be able to adequately evaluate a spay/neuter program within the larger context of corporate granting priorities.

Councillor Adams advised that he did not support the recommendation and requested Council to defeat the motion. Councillor Adams then requested that the **MOTION BE NOW PUT.**

Mr. Martin Ward, Solicitor, advised Council that they had to address that question of the Motion Be Now Put. He noted that that question is not debateable and if it succeeds the motion can be placed on the floor without debate.

MOTION PUT AND PASSED. (11 in favour, 5 against)

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

Those voting against were: Councillor Dalrymple, Hendsbee, Mason, Watts, and Craig.

Councillor Nicoll was not present for the vote.

The main motion was now before Council.

MOTION DEFEATED UNANIMOUSLY. (16 against)

Councillor Nicoll was not present for the vote.

In response to a question from Councillor Adams, Mr. Ward advised that there were two options available to Council to expedite a grant to the SPCA for a spay/neuter clinic. He noted that Council could amend the terms of the existing Community Grants Program to provide funding or Council could make a motion to create the grant under s.79 of the Charter.

MOVED by Councillor Adams, seconded by Deputy Mayor Rankin that Regional Council approve, under s.79 of the Charter, \$40,000 as a one-time grant to the Nova Scotia SPCA for infrastructure improvements to its shelter to facilitate a spay/neuter clinic with funding from the 2012-2013 surplus.

A number of Councillors expressed support for the one-time grant to the SPCA and commended the many volunteers who have worked to address the abundance of stray cats in HRM.

Councillor Karsten applauded the idea of assisting the SPCA spay/neuter program. He agreed with other Councillors that the stray cat problem is a municipal issue and hoped that Council would consider providing assistance in the future. Councillor Karsten raised concern that the funding was limited to a one time grant and would restrict additional future funding.

Mr. Ward advised that Council could consider additional funding if it was required in the future.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

10.2.1 Regional Youth Advisory Committee

A report dated April 24, 2013 was before Regional Council.

MOVED by Councillor Outhit, seconded by Councillor Craig that Regional Council:

- 1. Dissolve the Youth Advisory Committee established in 2006 but no longer officially functioning, in order to adopt a more effective way of engaging with Youth across HRM.**
- 2. Direct staff of Community Recreation Services to continue to engage youth, both in their communities and online, to better understand the current trends and issues of youth across HRM; and further direct staff to provide semi-annual reports to the Community Planning and Economic Development Standing Committee regarding trends and issues, best practices, and actions taken.**

Councillor McCluskey asked where the direction came from to dissolve the Regional Youth Advisory Committee. She noted that the staff report did not indicate that the Committee should be dissolved.

Mr. Brad Anguish, Director, Community and Recreation Services, advised that staff gave the Community Planning and Economic Development Standing Committee their thoughts on the pros and cons of how the Committee was functioning. He noted that the Committee determined that the dissolution of the Youth Advisory Committee was the way to proceed.

Mr. Lee Moore, Community Developer, Community Recreation Services, stated that many new opportunities and methods have been initiated to create interactions between youth and Council since the creation of the Youth Advisory Committee.

Councillor Mosher stated that when she served on the Youth Advisory Committee most of the concerns raised by youth were related to issues dealt with by regular committees such as transportation, parks and culture. Councillor Mosher suggested it might be more effective to have a designated spot for youth on all the Committees.

Mr. Anguish advised that staff have not looked at placing a youth position on all committees. He noted that staff are consulting with other municipalities on how to engage youth. He explained that any new initiatives would be brought before Regional Council for consideration. Mr. Anguish also noted that an important piece of the motion was that staff would be reporting back to the Community Planning and Economic Development Standing Committee on a semi-annual basis.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.3 ENVIRONMENT AND SUSTAINABILITY STANDING COMMITTEE

10.3.1 Terms of Reference Amendments – Regional Watershed Advisory Board

A report dated May 6, 2013 was before Regional Council.

MOVED by Councillor Dalrymple, seconded by Councillor Outhit that Halifax Regional Council make the following amendments to the Terms of Reference of the Regional Watersheds Advisory Board (as set out in Attachment B of the Committee report):

- 1. Allow the Environment and Sustainability Standing Committee to appoint up to nine (9) members rather than eight (8).**
- 2. Stagger appointments in order to build and maintain technical and procedural expertise.**
- 3. Clearly define which candidates qualify for the academic seats in order to facilitate the appointments process.**

Councillor Dalrymple advised that there were nine exceptional applications put forward to fill the positions on the Regional Watershed Advisory.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.4 EXECUTIVE STANDING COMMITTEE

10.4.1 HRM Procurement/Payment Processing and Related Policies

A report dated April 23, 2013 was before Regional Council.

MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax Regional Council request that the CAO conduct a review of the HRM procurement /payment processing and related policies, specifically Administration Order 35, to

ensure HRM is advancing award of projects and project payments in a timely and appropriate manner.

Councillor Mosher stated that the motion was to help streamline the processes involved in awarding projects and project payments. She noted that because of the short construction season, this was a step towards ensuring work is completed on time.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.4.2 Building a Better Brand for Halifax

A report dated April 23, 2013 was before Regional Council.

MOVED by Councillor Mosher, seconded by Councillor Walker that Regional Council request the CAO direct HRM Corporate Communications to:

- **Take a leadership role in developing a brand for Halifax.**
- **Develop an RFP for a brand consultant which includes criteria requiring the consultant have Halifax-centric competencies.**
- **Leverage internal resources and implement the new brand incrementally.**
- **Redevelop Halifax.ca simultaneously with the brand.**

Mr. Bruce Debaie, Managing Director, Corporate Communications gave a presentation to Regional Council and provided the following additional information/clarification:

- HRM has had the same logo for almost 20 years.
- The issue of branding has come before Council a number of times, questions raised about if the brand reflects current realities of HRM.
- A lot has happened since the first branding to shape and change the socio-economic conditions, demographics and cultural direction.
- Part of the economic action plan is to create a stronger, contemporary visible master brand that will be more relevant to residents while also promoting growth.
- Six focus groups showed that residents think of HRM as a safe, healthy, welcoming and prosperous city.
- The redevelopment of the HRM website will be rolled out with the rebranding project.
- At the end of the process, a recommendation will be brought to Council for approval.

Councillor Mosher advised that the rebranding of HRM will help create an image that captures and portrays HRM positively to the rest of the world. She stated that a good brand will help attract tourists, students, and potential residents.

Councillor Outhit indicated he was in support of the branding project, but warned against costs associated with any major changes.

Mr. Debaie advised that budget implications would be included in the Request for Proposal (RFP). He stated that the RFP would go before Council for consideration and approval.

Councillor Watts requested that the website be revamped during the rebranding. She noted that it is difficult for residents to find information and requested that it become easier for everyone to use.

Mr. Debaie explained that the HRM website will be overhauled even if the branding project does not go forward.

MOTION PUT AND PASSED UNANIMOUSLY. (16 in favour)

Councillor Nicoll was not present for the vote.

10.5 MEMBERS OF COUNCIL

10.5.1 Councillor Dalrymple – Stantec Waste Resource Strategy Report

A Councillor Request Form prepared by Councillor Dalrymple was before Halifax Regional Council.

MOVED by Councillor Dalrymple, seconded by Councillor Karsten that staff initiate a Committee of the Whole (COW) to allow Council the opportunity to thoroughly discuss the Stantec Waste Resource Strategy Report and the declassified Staff Report dated Feb. 5, 2013, and a presentation from Stantec on the issue.

Councillor Dalrymple explained that the intent of the motion is to give Council a chance to understand the Stantec Waste Resource Strategy Report in its entirety. He stated that there were many questions surrounding the report and Council would benefit by having the authors of the report to come and answer those questions.

Deputy Mayor Rankin stated that the members of the Community Monitoring Committee (CMC) would also like to present to Regional Council. He requested that an amendment be considered to allow the CMC to make a presentation to Council. Deputy Mayor Rankin went on to request that the background information on development of the Strategy, including the CMC, be provided to Council for the COW.

Councillor Adams indicated that he was supportive of having the Stantec staff to come before Council to answer questions. He expressed concern that Council approved the process to go forward with community consultation on the Stantec report before Council thoroughly reviewed the report.

Councillor Craig stated that he supports the motion. He indicated that he would support allowing the CMC to come before a Committee of the Whole meeting but not necessarily at the same meeting. He remarked that the CMC already has a voice to Council and other levels of government.

Councillor Watts requested clarity on the Request for Proposal process and what the role of the CMC would be in the public engagement process. She requested that the RFP criteria be outlined and detailed as part of the Committee of the Whole. She also requested that the CMC minutes needed to be linked to the HRM website.

Mr. Mike Lebreque, Deputy Chief Administrative Officer, replied that the amendments to the consultation process would be used to shape the RFP. He stated that the RFP had not been released as staff had to make adjustments based on the amendments.

MOVED by Deputy Mayor Rankin, seconded by Councillor Adams to amend the motion to also include that Regional Council invite the Community Monitoring Committee to a Committee of the Whole meeting.

A discussion ensued before the vote on the amendment.

Council recessed at 3:26 p.m. and reconvened at 3:35 p.m.

MOTION PUT AND PASSED. (12 in favour, 2 against)

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

Those voting against were: Councillors Dalrymple, and Karsten.

Councillors Nicoll, Mosher, and Johns were not present for the vote.

The amended motion before Council now reads:

MOVED by Councillor Dalrymple, seconded by Councillor Karsten that Regional Council request staff initiate a meeting of Committee of the Whole (COW) to allow Council the opportunity to thoroughly discuss the Stantec Waste Resource Strategy Report and the declassified Staff Report dated February 5, 2013, and a presentation from Stantec and further that Council invite the Community Monitoring Committee (CMC) to give a presentation at a separate Committee of the Whole.

MOTION PUT AND PASSED UNANIMOUSLY. (14 in favour)

Councillors Nicoll, Mosher, and Johns were not present for the vote.

10.5.2 Councillor Karsten – Paving of Flandrum Hill Drive, Flandrum Court, Braeside Avenue and Bevedere Avenue

A Councillor Request Form prepared by Councillor Karsten was before Halifax Regional Council.

MOVED by Councillor Karsten, seconded by Councillor Hendsbee that Regional Council request staff prepare a report recommending whether or not to proceed with the paving of Flandrum Hill Drive, Flandrum Court, Braeside Avenue, and Belvedere Avenue and where the Local Improvement Charges will apply.

Councillor Karsten advised that he had held a public information meeting to see if the residents wanted to have the gravel streets paved. He indicated that there was enough support to warrant paving the roads.

Council agreed to allow an amendment from Councillor Hendsbee to include Patterson Road.

The motion before Council now reads:

MOVED by Councillor Karsten, seconded by Councillor Hendsbee that Regional Council request staff prepare a report recommending whether or not to proceed with the paving of Flandrum Hill Drive, Flandrum Court, Braeside Avenue, Belvedere Avenue and, at the request of Councillor Hendsbee, Patterson Road and where the Local Improvement Charges will apply.

MOTION PUT AND PASSED UNANIMOUSLY. (14 in favour)

Councillors Nicoll, Mosher and Johns were not present for the vote.

10.5.3 Councillor McCluskey- Recreation Facilities Inventory

A Councillor Request Form prepared by Councillor McCluskey was before Halifax Regional Council.

MOVED by Councillor McCluskey, seconded by Councillor Whitman that Regional Council request a staff report detailing the inventory of all recreational facilities including: recreational buildings, parks, sports courts, sports fields, trails and playgrounds. Further, that this inventory be represented geographically; and where possible, by asset, provide detail where district capital funds have been used to build the facility.

Councillor McCluskey clarified that the goal is to create an inventory to see what each district has for facilities when determining the needs around HRM.

Councillor Outhit asked if the inventory had already been completed and available.

Mr. Mike Lebreque, Deputy Chief Administrative Officer, advised that the information is digitized but it is not collected geographically. He stated that there are facility condition information to be added and also indication of where the District Capital funds are spent.

MOTION PUT AND PASSED UNANIMOUSLY. (14 in favour)

Councillors Nicoll, Mosher, and Johns were not present for the vote.

11. MOTIONS

11.1 Councillor Adams

Councillor Adams noted that all Members of Council had received letters from the Provincial Environment Minister and the leaders of the provincial Liberal and Progressive Conservative parties, indicating they did not support any changes to be made at the Otter Lake Landfill Facility. He explained that it takes ten years to cite a landfill and that Council should begin looking for another facility.

MOVED by Councillor Adams, seconded by Deputy Mayor Rankin that Regional Council direct staff to begin the process to site a new landfill facility for HRM.

Mr. Ward ruled the **Motion Out of Order**. He explained that the motion is premature and presupposes an outcome of the public consultation process which was approved by Council on February 5, 2013. He explained that the letters indicated a statement of political intent and had no binding legal authority.

12. IN CAMERA

12.1 In Camera Minutes

MOVED by Councillor McCluskey, seconded by Councillor Karsten that the In Camera Minutes of April 23, 2013 be approved as circulated.

MOTION PUT AND PASSED.

14. ADDED ITEMS- NONE

15. NOTICES OF MOTION – NONE

16. ADJOURNMENT

The meeting was adjourned at 3:50 p.m.

Sherryl Murphy
Acting Municipal Clerk

INFORMATION ITEMS

1. Proclamation – Cystic Fibrosis Awareness Month – May 2013
2. Proclamation – Hemochromatosis Awareness Month – May 2013
3. Proclamation – Leave a Legacy Month – May 2013
4. Proclamation – Multiple Sclerosis Awareness Month – May 2013
5. Proclamation – Sexual Assault Awareness Month – May 2013
6. Proclamation – National Public Works Week – May 19-25, 2013
7. Proclamation – Jumpstart Day – May 25, 2013
8. Proclamation – Chair-Leaders Day – May 27, 2013
9. Memorandum from the Directors of Transportation and Public Works and Planning and Infrastructure dated April 22, 2013 re: Cole Harbour Road and Caldwell Road Intersection Improvement
10. Memorandum from the Municipal Clerk dated May 7, 2013 re: Requests for Presentation to Council – Halifax International Airport Authority Executive Management Team