



**HALIFAX REGIONAL COUNCIL
MINUTES
August 4, 2015**

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

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Jennifer Weagle, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

*A video recording of this meeting is available:
http://archive.isiglobal.ca/vod/halifax/archive_2015-08-04_live.mp4.html*

*The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/150804rc-agenda.php>*

The meeting was called to order at 6:15 p.m. Council moved into an In Camera session at 10:35 p.m. and reconvened to the public session at 12:05 a.m. Council adjourned at 12:13 a.m.

1. INVOCATION/REFLECTION

The Mayor called the meeting to order at 6:15 p.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – NONE

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

Additions:

- 14.1 Councillor Adams – Funding for local Trap-Neuter-Return (TNR) Program
- 14.2 Ratification of Motion of Committee of the Whole – Winter Operations 2014/2015 – Strategic Direction Recommendations
- 14.3 Councillor Fisher – Leave of Absence Request

MOVED by Councillor McCluskey, seconded by Councillor Whitman,

THAT the following Information reports from the August 4, 2015 Regional Council meeting be added to a future agenda for discussion:

- **Information Item No. 3 – Memorandum from the Chair of the Community Planning and Economic Development Standing Committee dated July 24, 2015, re: Downtown I'm In Update**
- **Information Item No. 4 – Memorandum from the Chair of the Community Planning and Economic Development Standing Committee dated July 24, 2015 re: Milestone Update Report – Step 1 Centre Plan**

MOTION PUT AND PASSED.

Councillor Adams questioned the need to discuss In Camera agenda item 13.2.1 Vertical Expansion Contingency Plan during the In Camera session, and requested that it be moved to the public agenda and be referred to the Community Monitoring Committee for review and comment. Councillor Adams suggested that this matter does not fit the criteria for In Camera matters.

Mr. John Traves, Municipal Solicitor, indicated that there is advice and information that Council should be made aware of In Camera, with regard to commercial negotiations which were brought forward at Council's direction on March 25, 2015. Mr. Traves also indicated that there is advice and information related to inter-governmental affairs, as provided for under the Charter that may be better dealt with In Camera. He suggested that following an In Camera discussion, Council could then consider moving the discussion to a public forum.

Councillor Walker spoke in support of holding the discussion In Camera, noting that he has questions he would like answered by staff.

Councillor Rankin, referencing s. 12(3) of Administrative Order One, which requires a brief description of the subject matter of In Camera items to be made available to Council, including the reason In Camera discussion is warranted, noted that in his view this requirement was not fulfilled with regard to Item 13.2.1 on the In Camera agenda. Councillor Rankin indicated that he is opposed to making decisions on this matter In Camera. He further noted that there has been no consultation with the Community Monitoring Committee since December 2014.

MOVED by Councillor Adams, seconded by Councillor Rankin,

THAT Regional Council agree to move In Camera Item 13.2.1 Vertical Expansion Contingency Plan to the public agenda for discussion.

Mr. Traves advised that, based on the information contained in the report, Council should retain in confidence the In Camera report no matter whether the matter is discussed In Camera or in public. He noted that Council is being asked to provide direction to staff, which would then lead to discussions with the Community Monitoring Committee, as per the Municipality's contractual obligations. Mr. Traves clarified that the recommendation includes making that direction to staff public.

A recorded vote was requested on the motion to move this matter to the public session.

MOTION DEFEATED. (6 in favour, 11 against)

In favour: Councillors Dalrymple, Mosher, Adams, Rankin, Whitman, and Outhit.

Against: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Johns, and Craig.

Councillor Mason requested that agenda item 11.1.1 "Historic Properties – Land Lease, Options to Extend – The Armour Group Limited" be added to the In Camera agenda for discussion, to which Council agreed.

MOVED by Councillor McCluskey, seconded by Councillor Walker,

THAT the agenda be approved as amended.

Two-third majority vote required.

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**
- 8.1 **Proposed Administrative Order 2015-001-GOV, the Corporate Information Management Administrative Order and Repeal of Administrative Orders 13 and 31**

The following was before Council:

- Staff supplementary information report dated July 2, 2015
- Staff recommendation report dated May 11, 2015
- Extract of Minutes of the June 16, 2015 Regional Council meeting.

MOVED by Councillor Mason, seconded by Deputy Mayor Nicoll,

THAT Halifax Regional Council:

- 1. Approve Administrative Order #2015-001-GOV, *the Corporate Information Management Administrative Order*, as outlined in Appendix A of the staff report dated May 11, 2015;**
- 2. Repeal Administrative Order #13 as provided in Appendix B of the staff report dated May 11, 2015; and**
- 3. Repeal Administrative Order #31 as provided in Appendix C of the staff report dated May 11, 2015.**

Councillor Hendsbee indicated that he does not see any response in the supplementary report to concerns raised with regard to the roles and responsibilities of the archivist. Ms. Cathy Mellett, Municipal Clerk, indicated that staff would be pleased to answer any specific questions related to that matter.

Councillor Whitman requested an overview of the pros and cons of adopting the proposed Administrative Order. Ms. Mellett responded that the “pros” were as outlined in the original staff report, which are to improve the overall information management of the municipality and provide the appropriate accountability to Council in that regard to records management. She indicated that staff did not consider there to be any “cons” to the adoption of the new Administrative Order. She further noted that staff understood the concerns of Council to be, the process for considering the acquisition of archival records from private sources and continued public access to the municipal archives, both of which were addressed in the supplementary staff report.

MOVED by Councillor Craig, seconded by Councillor Outhit,

THAT the motion be amended to add:

- 4. By November 2015 that there be a staff report with respect to information management regarding the records of the Auditor General.**

Mr. Traves suggested requesting the Auditor General for a report outlining his office’s records retention policy and practice. Mr. Richard Butts, CAO, noted that all of the Auditor General’s reports go through the Audit and Finance Standing Committee and become a part of the public record. Councillor Craig clarified that he wants to ensure proper processes are in place in regard to the Office of the Auditor General.

AMENDMENT PUT AND PASSED UNANIMOUSLY.

Ms. Mellett and Ms. Angela Smith, Manager, Information Management, responded to questions from members of Council regarding the proposed Administrative Order.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

- 9. PUBLIC HEARINGS - NONE**
- 10. CORRESPONDENCE, PETITIONS & DELEGATIONS**
 - 10.1 Correspondence**

The Clerk noted that correspondence was received for items: Committee of the Whole Item No. 3 and Regional Council Item No. 11.1.3 and 11.1.4. This correspondence was circulated to Council.

For a detailed list of correspondence received refer to the specific agenda item.

10.1.1 Fly-Past Request – 2015 Battle of Britain Parade and Ceremony

The following was before Council:

- Correspondence from Paul MacDonald, Parade Co-ordinator, 111 Wing Air Force Association of Canada, dated July 10, 2015

MOVED by Councillor McCluskey, seconded by Councillor Karsten,

THAT Halifax Regional Council grant permission for a SeaKing flypast at an altitude of 500 feet on Sunday September 20, 2015 at approximately 2:10 PM over Sullivans Pond, Dartmouth, in conjunction with the 2015 Battle of Britain Parade and Ceremony.

MOTION PUT AND PASSED UNANIMOUSLY.

Mayor Savage inquired whether the cenotaph repairs would be completed in time for this event. Mr. Butts advised that he would inquire and get back to the Mayor.

10.2 Petitions

10.2.1 Councillor Watts

Councillor Watts submitted a petition requesting the Municipality to continue to operate the dog park next to the Centennial Pool, containing approximately 45 signatures. She requested a staff response to the petition.

10.2.2 Councillor Adams

Councillor Adams submitted a petition from members of the Nova Scotia Aphasia Association, in support of maintaining Access-a-Bus service on Ketch Harbour Road, containing approximately ten signatures.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Historic Properties – Land Lease, Options to Extend – The Armour Group Limited

The following was before Council:

- A staff recommendation report dated June 12, 2015

During the approval of the Order of Business, this item was added to the In Camera session for discussion; however, Councillor Mason later indicated that his questions had been answered and the matter was not discussed during the In Camera session.

MOVED by Councillor Mason, seconded by Councillor Whitman,

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into a Conditional Amendment Agreement between the Halifax Regional Municipality and The Armour Group Limited to amend the 1974 Land Lease to include options to extend as per the key terms and conditions outlined in Table 1 of the Confidential Information Report dated June 12, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Johns

11.1.2 Domestic Animal (Feral Cat) Committee

The following was before Council:

- A staff recommendation report dated July 5, 2015

MOVED by Councillor Adams, seconded by Councillor Walker,

THAT Halifax Regional Council:

- 1. Direct staff to conduct a facilitated workshop in the fall of 2015 with local veterinarians, the SPCA, Cat Rescue groups, and Provincial representatives of Department of Natural Resources and other stakeholders as outlined in the discussion section of this report to:**
 - a. Increase mutual understanding and communication between the municipality and local veterinarians, SPCA, Cat Rescue groups, and Provincial representatives of Department of Natural Resources and other stakeholders;**
 - b. Gain a better understanding of the interests and concerns of volunteer organizations, and other stakeholders in regard to programs associated with the management of the domestic and feral cat population in the municipality;**
 - c. Discuss ways/means, within the stakeholder sectors and municipal mandate, to assist volunteer organizations, local veterinarians and other stakeholders in establishing their own stakeholder group to assist in the effective management of domestic and feral cat populations in the municipality; and**
 - d. Determine if there are opportunities to work together towards collaborative outcomes.**
- 2. Direct staff to prepare an information report to Regional Council summarizing the outcome of the discussions in advance of the 2016-2017 Budget and Business Planning process.**

Councillor Adams asked Council to vote against this motion, suggesting that instead of consulting with stakeholder groups, Council direct staff to assist in the formation of a domestic animal staff advisory committee with members from but not limited to local veterinarians, the SPCA, cat rescue groups, and local representatives of the Department of Natural Resources.

Responding to an inquiry from Councillor Hendsbee, Ms. Andrea MacDonald, Manager, License Standards, Municipal Compliance, advised that staff hope to have a report regarding responsible pet ownership to Council this fall.

MOTION DEFEATED. (1 in favour, 15 against)

In favour: Councillor Johns

Against: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, and Craig.

Not present: Councillor Outhit

MOVED by Councillor Adams, seconded by Councillor Walker,

THAT Halifax Regional Council direct staff to assist in the formation of a Domestic Animal Advisory Committee with members from, but not limited to, local veterinarians, the SPCA, Cat Rescue groups, and Provincial representatives from the Department of Natural Resources, and that this Committee be advisory to staff.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey,

THAT the motion be amended to include a representative from the Nova Scotia Department of Agriculture.

AMENDMENT PUT AND PASSED. (13 in favour, 4 against)

In favour: Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, McCluskey, Fisher, Mason, Watts, Mosher, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Mayor Savage, and Councillors Karsten, Walker, and Adams.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Cessation of Train Whistle – King Street Railway Crossing, Dartmouth

The following was before Council:

- A staff recommendation report dated June 5, 2015
- Correspondence from Teamsters Canada Rail Conference dated July 28, 2015
- Correspondence from Elizabeth Ann Macdonald dated July 30, 2015

MOVED by Councillor McCluskey, seconded by Councillor Karsten,

THAT Halifax Regional Council:

Subject to the completion of item 4 on the infrastructure improvement list attached as Appendix B (appropriate signal control and signage at the King Street and Alderney Drive intersection) of the staff report dated June 5, 2015, declare that the use of the train whistle be discontinued at the King Street rail crossing at mile 12.99 in Dartmouth unless:

- a) an emergency exists; or**
- b) rules in force under section 19 or 20 of the Railway Safety Act require it's use; or a railway safety inspector orders it's use under section 31 of the Railway Safety Act**

Mr. Traves noted that the Office of the Municipal Clerk will require confirmation of item 4 on the infrastructure improvement list (appropriate signal control and signage at the King Street and Alderney Drive intersection) prior to the discontinuation of the whistle.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Off-site Parkland Dedication Request – Marsh Lake Lands, Bedford

The following was before Council:

- A staff recommendation report dated June 8, 2015
- Correspondence from Bruce Sarty, Co-President, Sandy Lake Conservation Association, dated August 3, 2015
- Correspondence from Tristan Cleveland, Our HRM Alliance Coordinator, dated August 3, 2015

- Correspondence from Walter N. Regan, President, Sackville Rivers Association dated August 4, 2015

MOVED by Councillor Outhit, seconded by Councillor Whitman,

THAT Halifax Regional Council accept the transfer of the Marsh Lake lands as shown on Map 1 of the June 8, 2015 report as public parkland with a value of \$1,620,000, for the benefit of Armco Capital Inc. and its affiliates, as lands of equal value outside the area being subdivided, for their various subdivision application requests.

Councillor Karsten stated that it was important that the residents of the area know if Erindale Estates subdivision in Eastern Passage, which is also under construction by Armco, will be affected in terms of parkland because of this proposed transfer. He inquired as to the value of the playground to be provided for Erindale Estates. Ms. Kelly Denty, Manager, Development Approvals, discussed the administration of the Subdivision By-law as it relates to Erindale Subdivision, noting that Erindale involved a three-part parkland dedication of approximately 2,500 sq. metres in land, improvements by way of a playground and approximately \$400,000 of cash-in-lieu value which is proposed to go to the parkland dedication bank.

Councillor Karsten, referencing the December 23, 2014 Order of the Nova Scotia Utility and Review Board (NSUARB) discussed in the June 8, 2015 staff report, questioned what authority the NSUARB has to direct the Municipality how to allocate the parkland dedication funds. Mr. John Traves, Municipal Solicitor, clarified that the issue relates to a dispute with Armco about additional parkland value, which resulted in a settlement approved by Council, which was confirmed by order of the NSUARB. Mr. Traves discussed the purpose and value of a parkland dedication bank, and clarified that the Halifax Regional Municipality Charter restricts how parkland dedication cash-in-lieu can be used.

Following a question by Councillor Whitman, staff confirmed that the proposed parkland dedication bank related only to any additional cash-in-lieu after the requirement for park-land dedication in new Armco developments had been met or where the parkland and improvements did not have sufficient value to meet the full dedication requirement.

Councillor Johns indicated that the Twin Brooks and Indigo Shores subdivisions would also be affected, and voiced strong concern that the funds would not be used in nearby communities. At his request, Ms. Denty clarified that \$450,000 cash-in-lieu from the Twin Brooks subdivision parkland dedication is also proposed to go into the parkland dedication bank. She further clarified that it is her understanding that Armco is proposing a waterfront park for the Indigo Shores subdivision however; the details would need to be confirmed by parkland planning.

Responding to an inquiry from Councillor Hendsbee with regard to the status of the legislative amendment request to allow the Municipality the ability to reallocate resources to a community, Mr. Richard Butts, CAO, indicated he would get back to the Councillor with a response.

MOVED by Councillor Johns, seconded by Councillor Adams,

THAT this matter be deferred pending verification by staff that, with regard to the Armco subdivision "Indigo Shores", the parkland dedication for McCabe Lake is sufficient for a boat launch and beach.

In response to questions from Councillor Craig regarding the plan to acquire the remaining land holdings for the Jacks Lake Regional Park, Mr. Peter Bigelow, Manager, Policy & Planning, Parks & Recreation, advised that the map in the staff report is a conceptual plan for the boundary of the park, and acquisition as directed by Council is based on a market value appraisal.

Councillor Johns noted that the deferral would be to the next Council meeting or until the supplementary information is received.

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

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, and Craig.

Against: Councillor Outhit

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Case 01192 – Halifax Stanfield International Airport – Regulation of Adjacent Development - Motion – Give First Reading and Schedule a Public Hearing

The following was before Council:

- A staff recommendation report dated July 24, 2015
- Proposed amendments handout

MOVED by Councillor Dalrymple, seconded by Deputy Mayor Nicoll,

THAT Halifax Regional Council:

- 1. Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A and B of the staff report dated May 11, 2015, and schedule a public hearing;**
- 2. Give First Reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C, D, and E of the staff report dated May 11, 2015 and schedule a public hearing; and**
- 3. That the proposed amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law include conditions which reduce minimum frontage requirements from 300 feet to 200 feet , including in sections 2, 4, 6, 8, 11 and 14 of Attachment D of the staff report dated May 11, 2015”.**

Mr. Traves reviewed two amendments proposed by legal staff to the recommendations put forward by North West Community Council, which have been incorporated into the motion on the floor. The first amendment is to remove the words “and provisions for Notice on Deed/Noise Disclosure”, which was added by Community Council. Mr. Traves explained that the Municipality does not have any jurisdiction or mechanism within the land title system, which would require at the municipality’s insistence or instruction, land owners, or lawyers to put the notification in place on a deed or in the title. The second amendment is to provide clarification to which sections of the Land Use By-law the 200 foot minimum frontage requirement applies.

Councillor Watts indicated that at the public hearing she will be looking for clarification in regard to whether Districts 14 & 17 Municipal Planning Strategy excerpts included in the June 24, 2015 supplementary staff report conflict in any way with the 2014 Regional Plan, in particular in regard to open space design.

MOTION PUT AND PASSED UNANIMOUSLY.

11.3.1 Tenders – Winter Streets Snow and Ice Control – Award Tender No. 15-071 – Waverley/Cole Harbour/Eastern Passage – Award Tender No. 15-072 – Hammonds

**Plains/Bedford – Award Tender No. 15-073 – Herring Cove/Bayers Lake/Timberlea –
Award Tender No. 15-080 – Lakeview/Lower Sackville**

The following was before Council:

- A staff recommendation report dated July 23, 2015

MOVED by Councillor Karsten, seconded by Councillor McCluskey,

THAT Halifax Regional Council:

- 1. Acknowledge that the potential \$6,000,000 shortfall resulting from the approval of the tenders attached to the July 10, 2015 staff report would be offset by operational savings within the Snow and Ice budget, through the projections reporting and, if required, by funding any remaining shortfall through reserves.**
- 2. Award Tender 15-071, 15-072, 15-073 for Winter Streets Snow and Ice Control to the lowest bidder, meeting specifications noted and at the estimated prices provided below, for the period of November 1 to May 15 inclusive each year of a four-year term for years 2015/16 through 2018/19, with four (4) one year options (at HRM's sole discretion).**
- 3. Award Tender 15-080 for Winter Streets Snow and Ice Control to the lowest bidder, meeting specifications noted and at the estimated price provided, for the period of November 1 to May 15 inclusive each year of a two-year term for years 2015/16 and 2016/2017.**
- 4. Each year of the agreement will be subject to annual review of performance, service and operational requirements. Funding will be from Operating Account R880-6399, as outlined in the Financial Implications section of the staff report dated July 10, 2015. The recommended bidders are:**
 - a. Award Tender 15-071 to Ocean Contractors for a total estimated tender price of \$17,459,457.83 (net HST included).**
 - b. Award Tender 15-072 to Dexter Construction for a total estimated tender price of \$14,412,846.63 (net HST included).**
 - c. Award Tender 15-073 to Dexter Construction for a total estimated tender price of \$11,526,418.72 (net HST included).**
 - d. Award Tender 15-080 to Dexter Construction for a total estimated tender price of \$3,554,588.31 (net HST included).**

Councillor Karsten indicated that this matter was discussed by the Audit and Finance Standing Committee, which agreed to forward the matter to Regional Council without recommendation, and therefore the staff recommendation is before Council today.

Mr. Darrin Natalino, Supervisor, Winter Operations, Transportation and Public Works, responded to questions from members of Council regarding the tenders.

Councillor Adams indicated that he would not be supporting the recommendation because of concerns with potential increased future costs by eliminating competition. He indicated he would rather extend the contracts for another year and discuss the matter further. Mr. Butts clarified that the contracts have already been extended and have now ended.

Councillor Johns spoke against the staff recommendation noting that if the recommendation were approved Sackville Drive would be entirely serviced by performance based contractors. He commented

that winter operations should have been discussed by Council months ago, and should not have waited until the afternoon that the tenders for snow and ice control were to be awarded.

Councillor Outhit spoke against the staff recommendation, commenting that experienced professionals have advised that performance based contracts for snow and ice removal are not the right fit for Bedford, suggesting that the fastest growing area of the Municipality should be able to be serviced by Municipal staff.

Staff clarified that the contract provides for 24 hour a day, 7 day a week service, and the contracts can be terminated at any time should the contractors fail to deliver on the terms of the contracts. Each contractor is subject to a yearly evaluation. The contracts include a clause whereby the Municipality can change service standards within 180 days, and all ambiguity has been removed from the contracts so it is very clear what contractors are responsible for.

Councillor Mosher spoke against the staff recommendation, noting that the annual review is based on current service standards, which in her opinion are not good enough.

Responding to a question regarding liability, Mr. Traves clarified that a contractor cannot be held responsible if Municipal staff and equipment are sent into an area the contractor has been given authority to plow. He explained that the Municipality would then be unable to prove whether damage was caused by Municipal equipment or the contractor's equipment, and the Municipality would be unable to claim damages, or terminate a contract based on performance.

MOTION PUT AND PASSED. (13 in favour, 4 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Watts, Walker, Rankin, Whitman, and Craig.

Against: Councillors Mosher, Adams, Johns, and Outhit.

MOVED by Councillor Mason, seconded by Councillor Watts,

THAT Regional Council agree to extend the meeting beyond 10:00 p.m.

MOTION PUT AND PASSED.

11.4 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.4.1 Mobile Food Market Pilot Project

The following was before Council:

- A staff recommendation report dated July 24, 2015

MOVED by Councillor Mason, seconded by Councillor Johns,

THAT Halifax Regional Council:

- 1. Approve the one-time in-kind donation of the use of a Halifax Transit bus to the Mobile Market Project Team Coalition of Public Health, Ecology Action Centre and HRM, for use one day per week, for a 21-week mobile market pilot program; and**
- 2. Direct staff to develop a policy lens through which to assess municipal responses and actions to social support, health and liveability initiatives.**

Ms. Anne Totten, Corporate Policy Analyst, Government Relations and External Affairs, responded to questions from members of Council regarding the proposed program.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Johns

11.5 MEMBERS OF COUNCIL

11.5.1 Councillor Adams – Release of HRM Easement

The following was before Council:

- A request for Council's Consideration form from Councillor Adams

MOVED by Councillor Adams, seconded by Councillor Karsten,

THAT Halifax Regional Council requests a staff report outlining the process to release a waterline easement impacting property at PID No. 383638, Terence Bay.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Mason and Outhit.

11.5.2 Councillor Rankin – Canadian Urban Transit Association (CUTA) Resolution to Urge Federal Parties and Candidates to make known their Platforms to meet Canada's Public Transit Needs of the Future

The following was before Council:

- A request for Council's Consideration form from Councillor Rankin
- Information on the Canadian Urban Transit Association 2015 Transit Survey

MOVED by Councillor Rankin, seconded by Councillor Walker,

THAT Halifax Regional Council endorse the Canadian Urban Transit Association's (CUTA) resolution:

WHEREAS the Canadian Urban Transit Association has expressed concerns about a transit infrastructure gap in Canada;

WHEREAS Canada's public transit needs of the future require long-term, dedicated, indexed and recurrent funding;

WHEREAS Canada's economic competitiveness as well as the quality of life of its citizens is improved with renewed accessible transit infrastructure.

WHEREAS rapid urbanization and the phenomenon of congestion that has accompanied it can only be solved through promoting a modal shift from the automobile to public transit;

WHEREAS the expansion of public transit through new lines, additional frequency and adding capacity allows effective and efficient use of roadways by offering the public a transportation choice other than the automobile.

WHEREAS public transit reduces greenhouse gas emission and pollution;

WHEREAS municipalities have an inadequate tax revenue base to finance the full cost of transit infrastructure and operations;

WHEREAS in advance of the upcoming Federal election, the Canadian Urban Transit Association has circulated the attached survey to Federal parties and Leaders in order to properly inform the electorate about their respective positions on Canada's urban transit issues.

THEREFORE IT IS RESOLVED THAT HALIFAX REGIONAL COUNCIL:

Declare that it support greater federal investment in public transit infrastructure commencing in the 2016 budget;

Request that funding models allow flexibility to meet the different realities of cities, towns and collectivities across Canada.

Urge the federal parties to make public transit a major electoral issue by advising the public as to each party's plan for transit over the coming months.

Endorse the attached transit survey by adding the municipality's name to the list of signatories that will be sent to all federal parties.

Send a copy of the survey to all federal candidates running within the municipality to gauge their opinions on public transit for Canadian communities.

Continue to support a federal role in public transit across Canada and promote the many benefits of public transit for Canadians.

MOTION PUT AND PASSED UNANIMOUSLY.

12. MOTIONS

12.1 Ratification of In Camera Motion from July 21, 2015

MOVED by Deputy Mayor Nicoll, seconded by Councillor Karsten,

THAT Halifax Regional Council:

- 1. Authorize the Mayor and Clerk to execute the agreement to extend the 2011 Supplementary Education Funding Agreement; and**
- 2. The private and confidential report dated July 2, 2015 be released to the public when the Agreement has been fully signed by both Halifax Regional School Board (HRSB) and Halifax Regional Municipality (HRM).**

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Councillor Johns

MOVED by Councillor Johns, seconded by Councillor Walker,

THAT Halifax Regional Council request a staff report exploring the potential for a long term lease agreement between the Cobequid Cultural Arts Society and the Halifax Regional Municipality (Halifax Transit) for the construction of an Arts and Cultural Centre on HRM owned land located at the intersection of Margeson Drive and Highway 101 in Middle Sackville.

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Councillor Dalrymple

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee,

THAT Halifax Regional Council request a staff report on a needs and feasibility study of a beach and park on the water frontage of the Gordon Snow Centre in Fall River.

MOTION PUT AND PASSED UNANIMOUSLY.

13. IN CAMERA

13.1 Personnel Matter

Citizen and Councillor appointments to boards and committees in keeping with the Public Appointment Policy adopted by Regional Council in August 2011, to be found at <http://www.halifax.ca/boardscom/documents/Citizenrecruitmentpolicy.pdf>

13.1.1 Citizen Appointments to the Board of the Halifax Water Commission – Private and Confidential Report – Deferred from Regional Council June 23, 2015

This matter was dealt with later in the meeting, please refer to pages 17 and 18 for ratification.

13.1.2 Citizen Appointment to Heritage Advisory Committee – Private and Confidential Report

This matter was dealt with later in the meeting, please refer to page 17 for details

13.2 Contract Negotiations

A matter pertaining to contract negotiations and legal advice.

13.2.1 Vertical Expansion Contingency Plan – Private and Confidential Report

This matter was dealt with later in the meeting, please refer to page 18 for ratification.

Private and Confidential Information Items

1. Private and Confidential In Camera Information Report - re: Historic Properties – Land Lease, Options to Extend – The Armour Group Limited

14. ADDED ITEMS

14.1 Councillor Adams – Funding for Local Trap-Neuter-Return (TNR) Program

MOVED by Councillor Adams, seconded by Councillor Walker,

THAT Halifax Regional Council request a staff report to identify a possible source of funding for a \$50,000 joint grant to the Nova Scotia SPCA and SPAY Day HRM Society to extend the TNR (trap- neuter-release) Program, to be referred to the Audit & Finance Standing Committee.

MOTION PUT AND PASSED UNANIMOUSLY.

14.2 Ratification of Motion of Committee of the Whole – Winter Operations 2014/2015 – Strategic Direction Recommendations

It was requested that the motion be split.

MOVED by Councillor Mosher, seconded by Councillor Whitman,

THAT Halifax Regional Council:

1. Endorse the following strategic directions to improve the delivery of the Winter Operations services as described in the discussion section of the July 22, 2015 staff report by:

- a. Increasing 311 call centre capacity to respond to calls and e-mails during severe weather events;**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Johns, Craig, and Outhit.

Against: Councillor Whitman

- b. Increasing capacity to monitor and measure performance and quality of contracted and in-house service delivery;**

MOTION PUT AND PASSED UNANIMOUSLY.

- c. Take necessary actions to improve compliance with snow-related parking prohibitions;**

MOTION PUT AND PASSED UNANIMOUSLY.

- d. Improve operational readiness by securing additional equipment capability and strengthening winter operations planning; and**

MOTION PUT AND PASSED UNANIMOUSLY.

- e. Stabilizing winter operations expenditures.**

MOTION PUT AND PASSED. (15 in favour, 2 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Johns, and Craig..

Against: Councillors Whitman and Outhit.

2. Improve Sidewalk clearing by:

- a. Working within existing approved contracts and resources, direct staff to return to Regional Council in November 2015 with options to improve sidewalk service outcomes, including service coordination, street intersections, and accessibility; and**

MOTION PUT AND PASSED UNANIMOUSLY.

- b. Extending the remaining nine sidewalk service contract routes through the 2016/2017 winter season and direct staff to return to Regional Council in the November 2016, with recommendations on the sidewalk program, commencing the 2017/2018 winter season.**

MOTION PUT AND PASSED. (15 in favour, 2 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Adams, Rankin, Johns, Craig, and Outhit.

Against: Councillors Mosher and Whitman.

- 3. That Council request a staff report to consider the cost implications to revise the service standards with respect to: snow and ice for bus stops, sidewalks, intersections, the ramps at intersections, together with Priority 1 (P1) and Priority 2 (P2) streets to ensure public safety is met.**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Johns, Craig, and Outhit.

Against: Councillor Whitman.

- 4. Direct staff to explore increased coordination between 311 and Winter Works staff to ensure there are not extended periods of cumulative time that service standards are not met.**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Johns, Craig, and Outhit.

Against: Councillor Whitman.

- 5. Request a staff report regarding the possibility of HRM assuming the ice and snow control service for the upcoming 2015-16 winter season for the community of Mineville and the few remaining subdivision streets in the Lawrencetown area that are not currently under HRM Performance based contracts.**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Hendsbee, Karsten, McCluskey, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Councillor Fisher.

14.3 Councillor Fisher – Leave of Absence Request

MOVED by Councillor Fisher, seconded by Councillor Karsten,

Pursuant to the Halifax Regional Municipal Charter section 14 (4) I request that Halifax Regional Council:

1. **Grant me (Councillor Fisher) a leave of absence in respect to meetings of Regional Council, Community Council, and other Committees of Council effective September 5, 2015 until October 19, 2015.**
2. **Further provide that such leave of absence be without pay for the same period.**

Councillor Fisher advised that he is requesting an unpaid leave of absence from Council and Committee meetings, to allow him to run in the upcoming Federal election. He clarified that he will continue to receive calls and emails and meet with District 6 residents during this time.

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Dalrymple, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit.

Against: Councillor Hendsbee.

15. NOTICES OF MOTION

15.1 Councillor Mason

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on September 8, 2015, I propose to move First Reading for proposed By-law S-1001, and to move amendments to Administrative Order 2014-016 GOV and Administrative Order 15, the purpose of which is to bring forward amendments to :

- By-law S-1000, the Sidewalk Café By-law,
- Administrative Order 2014-016 GOV, the Delegation to the Appeals Committee Administrative Order, and
- Administrative Order 15, the Administrative Order Respecting License, Permit and Processing Fees

In order to delegate annual café approvals to the License Administrator.

15.2 Deputy Mayor Nicoll

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on September 8, 2015, I propose to move First Reading and schedule a public hearing for proposed By-law L-400 *Respecting Lot Grading*, which will repeal and replace By-law L-300 *Respecting Lot Grading and Drainage*, the purpose of which is to protect properties from flood damage and erosion, and ensure safe and convenient use of property”

13. IN CAMERA

13.1 Personnel Matter

13.1.1 Citizen Appointments to the Board of the Halifax Water Commission – *Private and Confidential Report* – Deferred from Regional Council June 23, 2015

Council agreed to defer this matter to the In Camera session in order to discuss the appointments.

13.1.2 Citizen Appointment to Heritage Advisory Committee – *Private and Confidential Report*

MOVED by Councillor Mason, seconded by Councillor Nicoll,

THAT Halifax Regional Council:

1. **Appoint the citizen outlined in the discussion section of the private and confidential Community Planning and Economic Development Standing Committee report dated July 24, 2015 to the Heritage Advisory Committee to fill an unexpired term to November 30, 2016.**
2. **Appoint two alternates to fill vacancies should they occur, as outlined in the discussion section of the Community Planning and Economic Development Standing Committee report dated July 24, 2015.**
3. **It is further recommended that Regional Council release the name of the appointment following Council ratification and notification of the successful candidate.**

MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Karsten, seconded by Councillor Nicoll,

THAT Halifax Regional Council convene to In Camera to address items 13.1.1 and 13.2.1.

MOTION PUT AND PASSED.

Council convened to In Camera at 10:33 p.m.

Council convened to the public session at 12:05 a.m.

13.1 Personnel Matter

13.1.1 Citizen Appointments to the Board of the Halifax Water Commission – *Private and Confidential Report* – Deferred from Regional Council June 23, 2015

This matter was dealt with In Camera. The following motion was ratified during the public session:

MOVED by Councillor Watts, seconded by Councillor Johns,

THAT Halifax Regional Council:

1. **Appoint the two (2) citizens as moved by Regional Council in Camera to the Board of the Halifax Water Commission.**
2. **Release the names of the appointments following Council ratification and notification of the successful candidates.**

MOTION PUT AND PASSED. (12 in favour, 4 against)

In favour: Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Walker, Whitman, Craig, and Outhit.

Against: Mayor Savage, and Councillors Dalrymple, Adams, and Rankin.

Not present: Councillor Johns

13.2 Contract Negotiations

13.2.1 Vertical Expansion Contingency Plan – *Private and Confidential Report*

This matter was dealt with In Camera. The following motion was ratified during the public session:

It was requested that the motion be split.

MOVED by Councillor Walker, seconded by Councillor Mason,

THAT Halifax Regional Council authorize the following actions as a contingency plan in the event that Halifax's application for vertical expansion of the Otter Lake landfill is delayed or not approved by the Province:

- 1. Direct staff to apply for an amendment to the operating permit for the Otter Lake Facility providing for approximately 140,000 tonnes of additional landfill capacity in Cell 6.**

MOTION PUT AND PASSED. (12 in favour, 4 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Whitman, Craig, and Outhit.

Against: Councillors Dalrymple, Mosher, Adams, and Rankin.

Not present: Councillor Johns.

- 2. Direct staff to initiate the by-law process to prohibit Industrial, Commercial and Institutional waste from being received at the Otter Lake Facility effective January 1, 2016 (unless the 140,000 tonne expansion of Cell 6 is approved by the Province prior to January 1, 2016, in which case the change to the by-law will not be effective until April 1, 2016; or unless vertical expansion of the entire Otter Lake Facility is approved by the Province prior to April 1, 2016, in which case the change to the by-law will not be made effective at all).**

MOTION PUT AND PASSED. (12 in favour, 4 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Whitman, Craig, and Outhit.

Against: Councillors Dalrymple, Mosher, Adams, and Rankin.

Not present: Councillor Johns.

- 3. Direct staff to apply for an amendment to the Otter Lake Facility operating permit to have the Front End Processor Facility approved as a transfer station and authorize staff to negotiate the terms and conditions for its operation by Mirror NS and direct staff to provide notice to the Community Monitoring Committee.**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Whitman, and Craig.

Against: Councillors Dalrymple, Mosher, Adams, Rankin, and Outhit.

Not present: Councillor Johns.

- 4. Authorize the Chief Administrative Officer to negotiate and enter into agreements with other landfill operators to accept Halifax waste, and to export waste to such landfills as required.**

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Walker, Whitman, and Craig.

Against: Councillors Dalrymple, Mosher, Adams, Rankin, and Outhit.

Not present: Councillor Johns.

5. That, if approved, the above recommendations be made public.

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

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Watts, Mosher, Adams, Rankin, Whitman, Craig, and Outhit.

Against: Councillors Dalrymple and Walker.

Not present: Councillor Johns.

6. That this report not be released to the public.

MOTION PUT AND PASSED. (9 in favour, 7 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, and Councillors Hendsbee, Karsten, McCluskey, Fisher, Mason, Walker, and Craig.

Against: Councillors Dalrymple, Watts, Mosher, Adams, Rankin, Whitman, and Outhit.

Not present: Councillor Johns.

16. ADJOURNMENT

The meeting adjourned at 12:13 a.m.

Cathy J. Mellett
Municipal Clerk