



**HALIFAX REGIONAL COUNCIL
MINUTES
September 22, 2015**

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

REGRETS: Councillor Darren Fisher

STAFF: Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Phoebe Rai, 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_2015-09-22.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/150922rc-agenda.php>

The meeting was called to order at 1:00 p.m., and recessed at 2:40 p.m. Council reconvened at 2:54 p.m. and moved into an In Camera session. Council convened to public session and adjourned at 6:46 p.m.

1. INVOCATION/REFLECTION

The Mayor called the meeting to order at 1:00 p.m. and Council stood for a moment of reflection.

The Mayor introduced Council to Mr. Ted Upshaw, the Municipality's new Public Safety Advisor.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

The Mayor announced that closed captioning is now being provided with Regional Council's webcast stream, making Council proceedings more accessible.

3. APPROVAL OF MINUTES – August 4, 2015

MOVED by Deputy Mayor Nicoll, seconded by Councillor McCluskey

THAT the minutes of August 4, 2015 be approved as presented.

MOTION PUT AND PASSED.

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

Additions:

Information Item No. 7 – Proclamation – Halifax Senior's Week September 26 – October 2, 2015

Private and Confidential Information Item No. 1 – Private and Confidential In Camera Information Report - re: Personnel Matter

Councillor Whitman requested Information Item 5 – Bedford Highway Reversing Lane be added to the agenda of a subsequent meeting of Regional Council for questions of clarification.

MOVED by Councillor Watts, seconded by Councillor Mason

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 – NONE

9. PUBLIC HEARINGS – NONE

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items: 11.1.7, 11.3.2, 13.2.1. This correspondence was circulated to Council.

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

10.2 Petitions

10.2.1 Municipal Clerk's Office

The Municipal Clerk presented a petition with 387 signatures asking Council to construct a domed sports facility to provide residents of Dartmouth/Cole Harbour access to a year round fielded facility for sporting and other traditional outdoor events.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Award – Tender 15-089 Graffiti Removal Services Peninsula Halifax

The following was before Council:

- A staff recommendation report dated August 14, 2015

MOVED by Councillor Mosher, seconded by Councillor Craig

THAT Halifax Regional Council award Tender 15-089, Graffiti Removal Services Peninsula Halifax, to the only bidder meeting specifications, Goodbye Graffiti Halifax, for a three (3) year contract price of \$581,915.88 (net HST included). Funding is available from Operating Account R720-6615 as outlined in the Financial Implications section of the report dated August 14, 2015.

Councillor Watts requested clarification that the tender was respecting municipal property only and details regarding how graffiti would be identified for removal.

Mr. Taso Koutroulakis, Manager of Traffic Management replied that the contractor would be responsible to remove any graffiti from municipal property and offensive or hateful graffiti from private areas. He advised that the contractor would patrol areas where graffiti is often found and respond to 311 reports.

In response to a question from Councillor Hendsbee, Mr. Koutroulakis confirmed that offensive or hateful graffiti is removed in all areas of the municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.1.2 First Reading, Proposed By-law S-441, an Amendment to By-law S-400 Respecting Charges for Street Improvement – New Paving Projects outside the Core Area – 2014

The following was before Council:

- A staff recommendation report dated July 16, 2015

MOVED by Councillor Whitman, seconded by Councillor Walker

THAT Halifax Regional Council give First Reading to proposed By-law S-441, amending By-law S-400, the Street Improvement By-law as set out in Attachment 1 of the staff report dated July 16, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.1.3 Request for permission to install Cenotaph, Uplands Park – Greater Hammonds Plains Lucasville Memorial Committee

The following was before Council:

- A staff recommendation report dated August 11, 2015

MOVED by Councillor Whitman, seconded by Councillor Johns

THAT Halifax Regional Council:

- 1. Approve, subject to staff approval of a geotechnical assessment, the request of the Greater Hammonds Plains Lucasville Memorial Committee (GHPLMC) for the use of the area of Uplands Park as generally shown on the site plan in Attachment 1 of the staff report dated August 11, 2015, for the purpose of installing a monument;**
- 2. Approve the design and construction of the monument (Attachment 1) subject to staff approval of the following requirements:**
 - a) the final design of the proposed monument, including stamped engineering drawings and grading plans;**
 - b) the final schedule for production and installation of the monument;**
 - c) a detailed project budget from the applicant, outlining all associated costs of fabrication, delivery and ongoing maintenance of the monument;**
 - d) the inspection and approval of the structure by a certified professional engineer in accordance with standard practices;**
 - e) a temporary construction easement; and**
 - f) a maintenance manual outlining material and technical considerations of the monument and care and treatment specifications; and**
- 3. Pending satisfactory construction of the monument in compliance with the terms and conditions listed herein; authorize the Mayor and Municipal Clerk to execute a Deed of Gift to transfer the ownership of the monument from the GHPLMC to the Municipality in accordance with the key terms and conditions outlined in Table 1 of the report dated August 11, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.1.4 2015 Fall Debenture and Temporary Borrowing Resolution

The following was before Council:

- A staff recommendation report dated August 14, 2015

MOVED by Councillor McCluskey, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council:

- 1. Authorize the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 5.00%, to enable the Halifax Regional Municipality to issue a 10-year debenture of \$10,132,250; and**

2. **Approve a Temporary Borrowing Resolution of \$32,036,500 for financing of the debt funded portion of 2015/16 capital projects.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.1.5 Case 20072: Application to amend the Municipal Planning Strategy and Land Use By-law for Planning District 5 for 786 and 792 Old Sambro Road, Harrietsfield

The following was before Council:

- A staff recommendation/information report dated August 28, 2015

MOVED by Councillor Adams, seconded by Councillor Rankin

THAT Halifax Regional Council direct staff to:

1. **Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Planning District 5 to enable the lands at 786 and 792 Old Sambro Road, Harrietsfield to be developed with commercial and industrial uses; and**
2. **Follow the public participation program as contained in Attachment A of the report dated August 28, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.1.6 Green Municipal Fund Loan – Project 12028 Halifax Solar City Pilot Project

The following was before Council:

- A staff recommendation report dated August 14, 2015

MOVED by Councillor Watts, seconded by Councillor Karsten

THAT Halifax Regional Council authorize the Mayor and Municipal Clerk to issue a debenture in the form set out in Schedule J of the Green Municipal Fund Loan and Grant Agreement (“the Agreement”), in the amount of \$2,541,364 to the NS Municipal Finance Corporation repayable in installments over a term of 10 years at the interest rate as determined by Section 2.06 of the Agreement.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.1.7 Improving Access to the Macdonald Bridge Bikeway

The following was before Council:

- A staff recommendation report dated August 4, 2015
- Correspondence from Ben Wedge, Sara Rafferty, Pete Smith, Pat Shaw, Margo Grant, Patricia Richards, Susanna Fuller and Ben Buckwold

MOVED by Councillor Watts, seconded by Councillor Mosher

THAT Halifax Regional Council direct staff to continue planning bridge bikeway access improvements on both sides of the bridge, pursue funding partnerships and determine requirements for any land use agreements. It is recommended that on the Dartmouth side of the bridge, that staff continue to develop two options:

1. an access directly from the bikeway to Lyle and Dickson Streets which would connect with proposed bicycle routes into downtown Dartmouth and north end Dartmouth; and,
2. enhancements at the Wyse Road and the Nantucket intersection to facilitate improved access from the bridge bikeway to the street network and to a planned bicycle route through the Dartmouth Common to communities east of the bridge.

On the Halifax side, it is recommended that staff continue to develop a “flyover ramp” option that would also incorporate enhancements to the intersection of Gottingen and North Streets to facilitate access to the street network and origins and destinations in the north (e.g. north end of the peninsula), west (e.g. western mainland and peninsula west end) and south (e.g. commons, hospitals and universities).

Councillor Watts inquired whether there would be negative consequences if the project is not completed concurrent with the bridge redecking project. She spoke in favour of implementing both options for bikeway access in Dartmouth.

Mr. David Hubley, Manager Project Planning and Design Services responded that the locations for bikeway access would be in use during construction on the bridge, so staff recommends aligning the work to be integrated shortly after completion.

Councillor Dalrymple requested that future public consultations on the matter include suburban and rural residents.

Councillor Watts requested details on further public engagement and what would be included in the 2016 report to Regional Council. She suggested that, as this is a specialized project, it not be funded through Active Transportation – Strategic Projects account, enabling those funds to be directed toward building the Active Transportation network across the region.

Mr. Hubley responded that over the next twelve months, staff would examine the options in further detail, assess the feasibility of broader connections to destinations on both sides of the bridge, develop class “C” cost estimates, engage the public and stakeholders, and begin discussions with potential funding partners. He indicated that staff intends to return to Council by summer 2016 with an update and request for direction to move forward.

In response to a question from Councillor Watts, Mr. Hubley advised that there is funding to move to the planning stage of the project, but to initiate the detailed design process staff will need to request funding in the 2016/2017 budget deliberations. Councillor Watts expressed interest in Council receiving an interim update on the project in spring 2016.

MOVED by Councillor Watts, seconded by Councillor Karsten

THAT the motion be amended to request that an interim information report be provided to Halifax Regional Council in spring 2016 regarding progress on activities outlined in the staff report dated August 4, 2015.

AMENDMENT PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.1.8 Appointment of Building Official

The following was before Council:

- A staff recommendation report dated August 14, 2015

MOVED by Councillor Watts, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council appoint David Brettell as a Building Official, pursuant to Section 5(2) of the *Nova Scotia Building Code Act*. This appointment is effective for the duration of his current conditions of employment with Halifax Regional Municipality.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher, Mosher, and Johns

11.2 GRANTS COMMITTEE

11.2.1 Community Grants Program 2015-16 - Referrals

The following was before Council:

- A recommendation report dated September 14, 2015, with attached staff report dated August 5, 2015

MOVED by Councillor Dalrymple, seconded by Councillor Karsten

THAT Halifax Regional Council confirm the recommendation of May 4, 2015, and decline a grant request in the amount of \$5,000 to the North West Trails Association.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher, Mosher, Johns and Outhit

11.2.2 Business Improvement District (BID) Contributions Fund – 2015-2016 Recommended Awards

The following was before Council:

- A recommendation report dated September 14, 2015, with attached staff report dated August 17, 2015

MOVED by Councillor Dalrymple, seconded by Councillor Whitman

THAT Halifax Regional Council approve the eight (8) awards detailed in Attachment 1 of the August 17, 2015 report for a combined total of \$107,000 from operating account C771-6919.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Karsten – Request for Staff Report re: Extension of Green Bin during the Month of September

The following was before Council:

- A Councillor Request for Council's Consideration form

MOVED by Councillor Karsten, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council request a staff report to determine feasibility and budgetary implications in extending weekly green bin pick-up for the month of September, starting in 2016, commencing with the 2016/17 budget cycle.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

11.3.2 Councillor Hendsbee – Request for a Staff Report – Cemeteries

The following was before Council:

- Councillor Request for Council's Consideration Form
- Correspondence dated September 18, 2015 from Rev. Joan Griffin

MOVED by Councillor Hendsbee, seconded by Councillor Outhit

THAT Halifax Regional Council ask for a staff report to explore the possibility of HRM taking possession to own, operate and maintain the following 5 Cemeteries:

- **Clam Harbour Cemetery, 3651 Clam Harbour Road, PID 00604157**
- **St James Cemetery, 111 West Jeddore Road, Head of Jeddore, PID 00608679**
- **Oyster Pond Cemetery, 78 Old Trunk Road, PID 00561241**
- **Lower Ship Harbour Cemetery, 904 West Ship Harbour Road, PID 00606046**
- **Owl's Head Cemetery, 2592 West Ship Harbour Road, PID 00555300**

Councillor Hendsbee indicated that due to declining membership and the closing of some churches there has been some concern raised regarding the perpetual care of these cemeteries. He referenced the provincial Cemetery and Funeral Services Regulations, section 27 (2) which provides for agreements between municipalities and organizations operating cemeteries. He noted that he will also request a separate staff report to establish a policy regarding cemeteries under agenda item 12.1.

A brief discussion ensued with several Councillors expressing concern regarding possible implications including potential liability to the municipality when a new graveyard is established.

Councillor Watts asked if Councillor Hendsbee would consider deferring this motion pending the development of a policy framework. Councillor Hendsbee responded that there was urgency to the request as the churches would be closing on December 31, 2015.

MOTION PUT AND PASSED. (10 in favour, 5 against)

In favour: Councillors Dalrymple, Hendsbee, McCluskey, Mosher, Walker, Adams, Rankin, Whitman, Craig, and Outhit

Against: Mayor Savage, Deputy Mayor Nicoll, Councillors Karsten, Mason, and Watts

Not present: Councillors Fisher and Johns

12. MOTIONS

12.1 Councillor Hendsbee

Notice of motion was given for this item on September 8, 2015.

MOVED by Councillor Hendsbee, seconded by Councillor Craig

THAT Halifax Regional Council request a staff report for the Municipality to develop policy and implement a process for the acceptance and adoption of old, abandoned or orphan cemeteries, and/or from any congregation and/or community groups that want to convey and transfer their cemeteries over to the Municipality for the purposes of ongoing maintenance and perpetual care.

Hendsbee suggested that staff report also consider whether there could be provincial assistance on the matter.

Councillor Karsten moved an amendment to the motion on the floor to add: "The staff report should include a potential inventory and potential budget implications." Council agreed to accept the amendment as friendly and vote on the motion as follows:

THAT Halifax Regional Council request a staff report for the Municipality to develop policy and implement a process for the acceptance and adoption of old, abandoned or orphan cemeteries, and/or from any congregation and/or community groups that want to convey and transfer their cemeteries over to the Municipality for the purposes of ongoing maintenance and perpetual care. The staff report should include a potential inventory and potential budget implications.

Mr. John Traves, Municipal Solicitor advised that cemeteries are the responsibility of and administered by the province and there is power of the Minister to appoint an administrator to take over cemeteries that are not properly maintained, and he indicated that the report would provide more detail on these protections.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Johns

12.2 Councillor Whitman

Notice of motion was given for this item on September 8, 2015.

MOVED by Councillor Whitman, seconded by Councillor Outhit

THAT Halifax Regional Council request a staff report that explores opportunities to provide financial/value-in-kind contributions of up to \$40,000 annually to support the Province and the private sector in a successful bid to become home of the Women's National Volleyball Team Training Centre starting in 2016/17.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Hendsbee, Fisher and Johns

12.3 Ratification of In Camera Motion from September 8, 2015

MOVED by Councillor McCluskey, seconded by Councillor Karsten

THAT Halifax Regional Council ratify the motion from the in camera session held on September 8, 2015 as contained in the August 21, 2015 private and confidential report, and THAT the private and confidential report dated August 21, 2015 not be released to the public until Union ratification votes are completed and a decision made by HRMPP Committee regarding the July 2015 Pension Committee recommendation.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Hendsbee, Fisher, Whitman and Johns

13. IN CAMERA

13.1 Personnel Matter

A matter pertaining to an identifiable individual or group.

13.1.1 Personnel Matter – Private and Confidential Report

This matter was dealt with later in the meeting, see below for details.

13.2 Contract Negotiations / Legal Advice

A matter pertaining to contract negotiations and legal advice eligible for solicitor-client privilege.

13.2.1 Otter Lake – Private and Confidential Report

This matter was dealt with later in the meeting, see below for details.

14. ADDED ITEMS - NONE

15. NOTICES OF MOTION

15.1 Councillor Mosher

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on October 6, 2015, I propose to introduce Administrative Order Number 2015-003-ADM, Respecting the Halifax Explosion 100th Anniversary Grants Program, the purpose of which is to further the Municipal Commemorative Program through the provision of grants to projects that commemorate the Halifax Explosion on its 100th Anniversary.”

MOVED by Councillor McCluskey, seconded by Councillor Walker

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

MOTION PUT AND PASSED.

Council recessed at 2:40 p.m. to move In Camera. Council reconvened to public session at 6:46 p.m.

13. IN CAMERA

13.1 Personnel Matter

13.1.1 Personnel Matter – Private and Confidential Report

This matter was considered In Camera. No further action required.

13.2 Contract Negotiations / Legal Advice

13.2.1 Otter Lake – Private and Confidential Report

This matter was considered In Camera and will be ratified at a subsequent meeting of Regional Council.

16. ADJOURNMENT

The meeting adjourned at 6:46 p.m.

Cathy J. Mellett
Municipal Clerk