

# HALIFAX REGIONAL MUNICIPALITY

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## HALIFAX REGIONAL COUNCIL MINUTES January 17, 2006

### PRESENT:

Mayor Peter Kelly  
Deputy Mayor Russell Walker  
Councillors: Steve Streach  
Krista Snow  
David Hendsbee  
Harry McInroy  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Becky Kent  
Jim Smith  
Mary Wile  
Patrick Murphy  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Len Goucher  
Reg Rankin  
Gary Meade

### REGRETS:

Councillor Robert Harvey

### STAFF:

Mr. Dan English, Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Jan Gibson, Municipal Clerk  
Ms. Julia Horncastle, Legislative Assistant

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**1. INVOCATION**

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Goucher.

**2. APPROVAL OF MINUTES - January 10, 2006**

**MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the minutes of January 10, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

Additions

- 11.1 Councillor Adams - Spryfield Lions Rink Contingency Funds
- 11.2 Council Focus Area - Economic Development
- 11.3 Council Focus Area - Community Development
- 11.4 Council Focus Area - Community Relations
- 11.5 Property Matter - Musquodoboit Harbour Centre

**MOVED by Councillor Goucher, seconded by Councillor Wile, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

**4. BUSINESS ARISING OUT OF THE MINUTES**

**5. MOTIONS OF RECONSIDERATION - NONE**

**6. MOTIONS OF RESCISSION - NONE**

**7. CONSIDERATION OF DEFERRED BUSINESS - NONE**

**8. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**8.1 Correspondence - None**

**8.2 Petitions - None**

**9. REPORTS**

**9.1**

**CHIEF ADMINISTRATIVE OFFICER**

**9.1.1 Review of Number of Polling Districts and Boundaries**

- A report dated January 4, 2006, on the above noted, was before Council.

**MOVED by Councillor Johns, seconded by Councillor Goucher, that:**

- 1. His Worship the Mayor write to the Minister of Service Nova Scotia and Municipal Relations requesting that the Section 369 (1) of the Municipal Government Act be amended to require that HRM undertake a study of the number and boundaries of polling districts in 2010 and every eighth year thereafter.**
- 2. Furthermore that copies of the letter be sent to all Members of the Legislative Assembly with constituencies within the Halifax Regional Municipality.**

**MOTION PUT AND PASSED.**

**9.1.2 Proposed By-Law C-500 - Commerce and Vending on Municipal Lands**

- A report dated January 9, 2006, on the above noted, was before Council.

Mr. Ken Reashor, Manager, Traffic and Right of Way Services, presented the report to Council.

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that Regional Council approve in principal By-law C-500, respecting Commerce and Vending on Municipal Lands and commence the process for giving First Reading for the adoption of the by-law.**

Discussion ensued with the following points raised:

- Section 35 of the proposed By-law was referenced. Council questioned whether HRM has the ability to request and enforce price lists and costs of goods and services that are offered. In response, Council was advised that legal would examine this issue prior to the matter coming back for First Reading and, if the By-law does not adequately address this point, an amendment will be proposed.
- Staff should clarify how a determination would be made as to what activity would be covered by the By-law. Council requested that staff provide clarification on such things as commercial versus local fundraisers, yard sales and ice cream stands, etc.
- Council expressed concern that this may be precedent setting and suggested distances from doorways, driveways and crosswalks be made more uniform.

- Council expressed concern that established vendors will have to go through the tendering process and will not receive first right of refusal on a site. It was noted to staff that Chebucto Landing and Nathan Green are two separate sites.
- Council questioned why, if vending is not an issue outside the urban core, the By-law was blanket for all areas of HRM.

Ms. Geri Kaizer, Director, Shared Services, clarified that the current Requests for Proposals were let for a five year staggered period. She noted the adoption of the By-law would not affect that current arrangement with HRM as it related to the five year agreements. The By-law will bring in the regulations relative to setback, litter, etc.

- Council suggested the By-law include a clause to address a situation where a vendor, after being the successful tender on a location, does not set up or use the location.
- Council commented that there be more consultation with Councillors as well as more input from vendors and the public.
- It was requested that staff address vending on the Halifax Commons. It was noted that Chebucto Landing, Nathan Green Square and Sackville Landing are three separate pieces of waterfront property. Council noted that Schedule A refers only to newspapers and not vending with respect to Gottingen Street. Concern was expressed that some of the traditional sites may be removed under this By-law. Staff was asked to determine whether a university would be permitted to bid on a location to ensure a site is never used. Further, do the bidders have to own a vendors license.
- Council would like to know how many sites are outside the buffer zone.
- Council expressed concern that there should be an allowance made in the By-law to address the situation in which a tendered site that is not used can be retendered.

#### **MOTION PUT AND PASSED.**

#### **9.1.3 Municipal Court Proposal**

- A report dated January 12, 2006, on the above noted, was before Council.

**MOVED by Councillor Hendsbee, seconded by Councillor Goucher, that Halifax Regional Council authorize staff to enter into discussions with the Nova Scotia Department of Justice with respect to setting up a Municipal Court to be operated by the Municipality. MOTION PUT AND PASSED**

Councillor Hendsbee left the meeting at 7:43 p.m.

#### **9.2 MEMBERSHIP SELECTION COMMITTEE**

**9.2.1(i) Disbanding of Program and Service Review Committee**

**9.2.1(ii) Membership: Program and Service Review Committee**

- A report dated December 12, 2005, on the above noted, from the Chair of the Membership Selection Committee, was before Council.
- A report dated November 28, 2005, on the above noted, from the Chair of the Program and Service Review Committee, was before Council.

**MOVED by Councillor Streach, seconded by Councillor McCluskey, that the Program and Service Review Committee be disbanded and the Committee's responsibilities be assumed by Council through Committee of the Whole Council.**

Discussion ensued with the following points raised:

- The mandate of the current committee has changed,
- There may be difficulty in attaining a quorum if the committee includes all members of Council with a quorum being set at thirteen,
- It was noted that only members of the committee had a vote at Program and Service but each Councillor would have an equal voice and vote at a Committee of the Whole,
- Program and Service Review committee is a feedback mechanism for staff,
- There may be value in setting other meeting times which might allow for the attendance of other members of Council,
- Look at some hybrid mechanism to look at the HRM programs and services,
- Make sure the mandate is clear enough for all members to have confidence in the recommendations that come to Council for further discussion.

**RECESS**

Council recessed at 8:12 p.m. Council reconvened at 8:23 p.m.

- There should be a set mandate and guidelines where direction is given to staff,
- Council could move forward with disbanding the Program and Service Review committee but maintain some of the environment of that committee,
- Meet in Halifax Hall on a Wednesday and staff be involved in the same way which would allow for flexibility and informality,
- All members of Council should be involved in dealing with issues.

With the agreement of the Seconder, Councillor Streach suggested the words "through Committee of the Whole" be removed from the motion and the responsibilities be assumed by Council and further that staff bring back a mechanism to identify how what is being suggested can be achieved.

**MOTION AS AMENDED**

**MOVED by Councillor Streach, seconded by Councillor McCluskey, that the Program and Service Review Committee be disbanded and the Committee's responsibilities be assumed by Council. MOTION PUT AND PASSED.**

The following motion was now placed on the floor.

**MOVED by Councillor Johns, seconded by Councillor Adams, that:**

- **The Membership Selection Committee be given the mandate to review all standing committees of Council and make recommendations regarding whether some should be added, removed or moved as advisory committees to Council or Community Council,**
- **The review to take place in consultation with the chairs of all committees,**
- **The review examine the balance and composition of the sub-committees of various boards and commissions.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Sloane left the meeting at 8:46 p.m.

### **9.3 MEMBERS OF COUNCIL**

#### **9.3.1 Councillor McInroy - School Crosswalk Guard Program**

- This matter appears on the agenda at the request of Councillor McInroy.

**MOVED by Councillor McInroy, seconded by Councillor Kent, that staff in consultation with the School Board, provide a report on having the Halifax Regional School Board administer the School Crosswalk Guard Program. MOTION PUT AND PASSED.**

### **10. MOTIONS**

#### **10.1 Councillor Rankin - Restriction on Erection of Signage along the Prospect Road**

- Councillor Rankin Gave Notice of Motion at the January 10, 2006 meeting of Halifax Regional Council.

**MOVED by Councillor Rankin, seconded by Councillor Goucher, that staff provide a report on the adoption of a restriction on the erection of signage along the Prospect Road between the St. Margaret's Bay Road and Exhibition Park. MOTION PUT AND PASSED UNANIMOUSLY.**

**11. ADDED ITEMS**

**11.1 Councillor Adams - Spryfield Lions Rink Contingency Funding**

- This matter was added to the agenda at the request of Councillor Adams.

**MOVED by Councillor Adams, seconded by Councillor Mosher, that a staff report be provided identifying a \$66,000 funding source to offset the costs of the Spryfield Lions Club rink. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2 Council Focus Area - Economic Development**

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Wile, seconded by Councillor Streach, that Regional Council recommend a joint group be formed from representatives of the two organizations and HRM Staff, to develop an economic strategy implementation plan, reflecting the Guiding Principles as contained in the presentation given at the January 17, 2006 Committee of the Whole, and this be reflected in the service agreements of the respective Boards of the Greater Halifax Partnership (GHP) and the Halifax Regional Development Agency (HRDA). It is understood that the following next steps are:**

- C     Tripartite Discussion with GHP and HRDA**
- C     Joint Business Plans, Budgets**
- C     New Service Agreements, March, 2006**
- C     Economic Strategy Implementation Plan & Structure, April 2006**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3 Council Focus Area - Community Development**

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Smith, seconded by Councillor Wile, that Regional Council accept the January 10, 2006 report and endorse staff moving forward with the following direction:**

- C Pursue coordinated service delivery opportunities**
- C Provide resources to stabilize volunteer/community groups that operated programs, services, and facilities on HRM's behalf**
- C Review and restructure support to community events and cultural initiatives**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.4 Council Focus Area - Community Relations**

- This item was addressed at an earlier Committee of the Whole meeting held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Younger, seconded by Councillor Snow, that Regional Council endorse the approach, as contained in the January 10, 2006 report, to improving community engagement including the draft engagement model, the draft community visioning program and the establishment of a centralized repository of information, and the next steps would involve:**

- C Develop the pilot vision project**
- C Identify pilot visioning communities**
- C Seek Council approval of Communities**
- C Begin implementation**
- C Draft engagement model**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.5 Property Matter - Musquodoboit Harbour Centre**

- This item was addressed at an earlier In Camera meeting held prior to the regular session and was now before Council for ratification

**MOVED by Councillor Streach, seconded by Councillor Snow, that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale between Care Investments (N.S.) Ltd. and the Halifax Regional Municipality for the subject property based on the key terms and conditions outlined in the January 10, 2006 Private and Confidential staff report.**

2. **Authorize the Mayor and Municipal Clerk to enter into a Lease Agreement with the Halifax Regional Library as per the terms and conditions outlined in the January 10, 2006 Private and Confidential staff report.**
3. **Approve in principle the creation of 2006/07 Capital Account Project - Musquodoboit Harbour Centre as per the budget implications section of the January 10, 2006 Private and Confidential staff report to facilitate the purchase**
4. **Not release this report until the lease transaction is concluded.**

**MOTION PUT AND PASSED.**

**12. NOTICES OF MOTION**

**12.1 Councillor Rankin**

Take Notice that at the next regular to be held on Tuesday, January 24, 2006, I intend to move a motion to amend Section 2 of Administrative Order No. 33, Respecting Open Air Burning to add to the list of areas for which no burning permit is required, the balance of communities within District 22 south of Highway 103 (that is from the intersection of Highway 103 and St. Margaret's Bay Road to the District 23 Boundary)

**13. ADJOURNMENT**

The meeting adjourned at 8:58 p.m.

Jan Gibson  
Municipal Clerk

**The following information items were circulated to Council.**

1. Memorandum from Director, Transportation and Public Works dated January 9, 2006 re: Rural Bus Service
2. Memorandum from Acting Director, Real Property and Asset Management Services dated January 10, 2006 re: Park Land Acquisition and Park Facilities Process
3. Memorandum from Director, Planning and Development Services dated January 5, 2006 re: Petition - Case 00833: 806 Kearney Lake Road Rezoning
4. Memorandum from Director, Financial Services dated January 4, 2006 re: Investment Activities - Quarter Ending September 30, 2005
5. Memorandum from Director, Financial Services dated December 22, 2005 re: Municipal Services Relationships to Assessed Values
6. Memorandum from Acting Director, Real Property and Asset Management dated January 6, 2006 re: Proposed Review - Halifax Common Plan
7. Memorandum from the Municipal Clerk, dated January 13, 2006 re: Requests for Presentations to Council

<b>Date of Request(s)</b>	<b>Name of Delegation(s)</b>	<b>Disposition of Request(s)</b>
December 19, 2005	Halifax Chamber of Commerce - Valerie Payn, President re: provision of overview of the Chambers plans and priorities for the coming year.	Presentation to be scheduled for a future date.  Note: Halifax Chamber of Commerce, and other stakeholders invited to attend the presentation re: Council Focus Area - Economic Development scheduled for Committee of the Whole on January 17, 2006.