

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
JANUARY 25, 2005
MINUTES

PRESENT:

Mayor Peter J. Kelly
Councillors: 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
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Reg Rankin
Gary Meade

ABSENT
WITH REGRETS:

Deputy Mayor Len Goucher
Councillors: Steve Streach
Stephen Adams

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION	04
2.	APPROVAL OF MINUTES - January 11, 2005	04
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	04
4.	BUSINESS ARISING OUT OF THE MINUTES	04
5.	MOTIONS OF RECONSIDERATION - NONE	04
6.	MOTIONS OF RESCISSION - NONE	04
7.	CONSIDERATION OF DEFERRED BUSINESS - NONE	04
8.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
8.1	Correspondence - None	05
8.2	Petitions	05
9.	REPORTS	
9.1	CHIEF ADMINISTRATIVE OFFICER	
9.1.1	Energy and Underground Services Co-Location Reserve	06
9.1.2	Canada Strategic Infrastructure Fund - Agreement Amendment ..	06
9.1.3	2011 Canada Winter Games Bid Proposal	07
9.1.4	Case 00749 - Amendment to Pinecrest/Highfield Park Secondary Planning Strategy, Dartmouth	05
9.2	MEMBERS OF COUNCIL	
9.2.1	Councillor Johns - Damage and Vandalism to Bus Shelters throughout HRM	07
10.	MOTIONS	08
11.	ADDED ITEMS	
11.1	Correspondence - Princess Lodge Fusiliers - Request to utilize Halifax Commons	08
11.2	Halifax Regional Water Commission Relationship & Governance	05
11.3	Property Matter - Purchase of Lands - Parcel A, Hammonds Plains Road, Hammonds Plains	08

11.4 Legal Matter - Settlement of Claim 09
11.5 Legal Matter - Settlement of Claim 09
11.6 Legal Matter - Settlement of Claim 09

12. NOTICES OF MOTION 09

13. ADJOURNMENT 10

1. INVOCATION

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

Following the Invocation, Council observed a Moment of Silence in memory of Mrs. Barbara Streach mother of Councillor Steve Streach.

2. APPROVAL OF MINUTES - January 11, 2005

MOVED by Councillor McInroy, seconded by Councillor Kent, that the minutes of January 11, 2005 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 11.1 Correspondence - Princess Lodge Fusiliers - Request to utilize Halifax Commons
- 11.2 Halifax Regional Water Commission Relationship & Governance
- 11.3 Property Matter - Purchase of Lands - Parcel A, Hammonds Plains Road, Hammonds Plains
- 11.4 Legal Matter - Settlement of Claim
- 11.5 Legal Matter - Settlement of Claim
- 11.6 Legal Matter - Settlement of Claim

Councillor McInroy requested item 11.2 be brought forward and addressed prior to 9.1

Councillor Smith requested item 9.1.4 be brought forward and addressed as following 8.2 petitions.

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

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

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

9.1.4 Case 00749 - Amendment to Pinecrest/Highfield Park Secondary Planning Strategy, Dartmouth

C A staff report dated January 17, 2005 was before Council.

MOVED by Councillor Smith, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Initiate the process to amend the Municipal Planning Strategy and Land Use By-Law for Dartmouth to permit a site specific policy amendment for the construction of an eight unit multiple dwelling at 101 & 103 Albro Lake Road;**
- 2. Request staff to follow the public participation program as approved by Council in February, 1997.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Halifax Regional Water Commission Relationship & Governance

C A staff report dated January 12, 2005 was before Council.

Ms. Cathie O'Toole, Manager, Environmental Performance (Energy & Utilities) with the aid of a PowerPoint presentation, outlined the report.

MOVED by Councillor Rankin, seconded by Councillor Fougere, that:

- 1. There be no change to HRWC's governance and administrative structure at this time.**
- 2. HRM staff continue to review the HRM/HRWC relationship for improvement opportunities in cooperation with HRWC, and report to Council within 60 days of the presentation of the HRWC Annual Report.**

3. **HRWC present their proposed annual business plan to Council for information and feedback purposes as part of HRM's annual business planning process.**
4. **HRWC, EMS, and Regional Planning to return to Council with recommendations as part of Regional Planning, to address extensions of water to areas without access to centralized sewer service. (This report should be completed by March 31st, 2005)**
5. **Encroachments on watershed lands must have HRM Council approval in addition to HRWC Board Approval, and must be in compliance with the applicable Watershed Act.**

Councillor Uteck expressed concern with recommendation #3 as the Water Commission is a separate entity.

Mr. McLellan, Chief Administrative Officer, advised HRM is not looking to change the administrative structure of the Water Commission but rather this would identify ways in which duplication can be reduced.

Without a vote being taken on the motion, the following amendment was placed.

MOVED by Councillor Uteck, seconded by Councillor Snow, that Council remove recommendation #3 and approve only recommendations #1, 2, 4 and 5 of the report.

AMENDMENT DEFEATED.

MAIN MOTION PUT AND PASSED.

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Energy and Underground Services Co-Location Reserve

C A staff report dated January 18, 2005 was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council approve the proposed Reserve Business case and transfers to the Energy and Underground Services Co-Location Reserve as outlined in the staff report dated January 18, 2005.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Canada Strategic Infrastructure Fund - Agreement Amendment

C A staff report dated January 19, 2005 was before Council.

MOVED by Councillor Mosher, seconded by Councillor Uteck, that Halifax Regional Council authorize the Mayor and Municipal Clerk to execute the Amendment to the Canada-Halifax Regional Municipality Agreement on the Halifax Harbour Solutions Project (substantially in the form attached as Appendix #1 to the staff report dated January 19, 2005) with Her Majesty The Queen in Right of Canada, for the funding of the design and construction of the sewage treatment plants in Dartmouth and Herring Cove, thereby allowing HRM to expand the project to provide incremental benefits. MOTION PUT AND PASSED.

9.1.3 2011 Canada Winter Games Bid Proposal

C A staff report dated January 11, 2005 was before Council.

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

- 1. Endorse HRM's bid to host the 2011 Canada Winter Games; and**
- 2. Approve a withdrawal in the amount of \$20,000 from the Special Events Reserve (Q315) for bid preparation.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.4 Case 00749 - Amendment to Pinecrest/Highfield Park Secondary Planning Strategy, Dartmouth

This item was addressed earlier in the meeting (see page 5)

9.2 MEMBERS OF COUNCIL

9.2.1 Councillor Johns - Damage and Vandalism to Bus Shelters throughout HRM

MOVED by Councillor Johns, seconded by Councillor Kent, that a staff report be

provided on who is responsible for the maintenance and upkeep of bus shelters, what the responsibility entails, what are the conditions of the agreement with the contractor and, is the contractor living up to the terms of that agreement.

Councillor Murphy requested the report include ways the community may become involved as well as examine the designs and materials used for these types of shelters in other cities

Councillor Mosher requested the report address the method of enforcement of penalties if the contractor is not living up to the contract.

MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS - NONE

11. ADDED ITEMS

11.1 Correspondence - Princess Lodge Fusiliers - Request to Utilize Halifax Commons

MOVED by Councillor Sloane, seconded by Councillor Fougere, that Halifax Regional Council grant the use of the Halifax Commons fields for the purpose of a landing zone for four Canadian Forces helicopters from 0900 hrs until 1500 hrs on February 5-6, 2005 to the Princess Louise Fusiliers. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Harvey requested adequate media information be provide through newspaper and PSA announcements.

11.2 Halifax Regional Water Commission Relationship & Governance

This item was addressed earlier in the meeting (see page 5)

11.3 Property Matter - Purchase of Lands - Parcel A, Hammonds Plains Road, Hammonds Plains

This item was addressed at an In Camera Council session and was now before Regional Council for ratification.

MOVED by Councillor Meade, seconded by Councillor Rankin, that Halifax Regional Council:

1. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase with Kimberley-Lloyd Developments Ltd. for the price of \$51,715, including net taxes for the acquisition of Parcel A, Hammonds Plains Road, Hammonds Plains.**
2. **Approve an increase of \$40,000 to Capital Account No. CGR00780, Uplands Park STP, with funding from the Wastewater Infrastructure Replacement Reserve Account Q122, as indicated in the budget implications section of the January 17, 2005 Private and Confidential staff report.**
3. **Direct that the January 17, 2005 Private and Confidential report not be released to the public until this transaction is finalized.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.4 Legal Matter - Settlement of Claim

This item was addressed at an In Camera Council session and was now before Regional Council for ratification.

MOVED by Councillor Younger, seconded by Councillor Karsten, that Halifax Regional Council settle this claim, as set out in the January 18, 2005 Private and Confidential staff report, brought by the Plaintiff in the amount of \$35,000 to achieve a settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff from any further claims arising out of a motor vehicle accident on July 30, 2001.

MOTION PUT AND PASSED UNANIMOUSLY.

11.5 Legal Matter - Settlement of Claim

This item was addressed at an In Camera Council session and was now before Regional Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Hum, that Halifax Regional Council settle this claim, as set out in the January 13, 2005 Private and Confidential staff report, brought by the Plaintiff in the amount of \$38,700 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff.

MOTION PUT AND PASSED UNANIMOUSLY.

11.6 Legal Matter - Settlement of Claim

This item was addressed at an In Camera Council session and was now before Regional Council for ratification.

MOVED by Councillor Uteck, seconded by Councillor Karsten, that Halifax Regional Council settle this claim, as set out in the January 18, 2005 Private and Confidential staff report, brought by the Plaintiff in the amount of \$14,000.00 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff. MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION - NONE

13. ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council:

1. Memorandum from Director, Environmental Management Services dated January 25, 2005
re: Community Energy Program Update
2. Memorandum from Director, Environmental Management Services dated
re: Aerotech / Airport Water System Transfer
3. Memorandum from Director, Planning and Development dated January 10, 2005
re: Internal Review - 1137 Ketch Harbour Road, a Registered Heritage Property
4. Memorandum from the Municipal Clerk, dated January 21, 2005
re: Requests for Presentations to Council (None)