

HALIFAX REGIONAL COUNCIL
MINUTES

July 3, 2012

PRESENT:

Mayor Peter Kelly
Deputy Mayor Bill Karsten
Councillors: Steve Streach
Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Jackie Barkhouse
Jim Smith
Mary Wile
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Tim Outhit
Reg Rankin
Peter Lund

STAFF:

Mr. Michael Labrecque, Acting Chief Administrative Officer
Mr. Martin Ward, Acting Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 1:03 p.m. with the Invocation being led by Councillor Rankin.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of acknowledgements and community events.

At 1:08 p.m. Councillor Harvey entered the meeting.

3. APPROVAL OF MINUTES

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of June 12, 2012 be approved. MOTION PUT AND PASSED.

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

Additions:

There were no additions or deletions to the agenda.

MOVED by Councillor Walker, seconded by Councillor Rankin that item 10.1.4 be moved to In Camera. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor McCluskey that the order of business be approved as amended. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence

9.1.1 Fly-Past Request – Nova Scotia Home Builders Association

E-mail correspondence dated June 21, 2012 was submitted from Paul Pettipas, CEO, Nova Scotia Home Builders Association.

MOVED by Councillor Dalrymple, seconded by Councillor Sloane that Halifax Regional Council grant permission for a fly-by of a Sea King helicopter at 12:45p.m. September 6, 2012 at the Oakfield Golf and County Club.

MOTION PUT AND PASSED with twenty-two (22) in favour and zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Harvey, Outhit, Rankin, and Lund. (22)

Those not present for the vote were Councillors: Wile and Johns. (2)

9.2 Petitions - None

9.3 Presentations: NONE

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 12-259 – Street Recapitalization, Sidewalk Renewal and Active Transportation (AT) Trail Trollope and Summer Street – West Region

A staff report dated June 8, 2012 was submitted.

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

- 1. Approve a budget increase of \$3,650.01 (net HST included) to Project No. CYX01345 – Street Recapitalization, funded through cost sharing with the Heritage Gas.**
- 2. Award Tender No. 12-259, Street Recapitalization, Sidewalk Renewal and AT Trail – Trollope Street and Summer Street – West Region, to the lowest bidder meeting specifications, Ocean Contractors Limited, for a Total Tender Price of \$518,869.78 (net HST included) with funding from Project No. CYX01345 – Street Recapitalization, CKU01084 – Sidewalk Renewals, CTU00420 – Bikeway Master Plan Implementation and CTR00530 – Traffic Signal Detection Program, as outlined in the Budget Implications section of the June 8, 2012.**

MOTION PUT AND PASSED with twenty-two (22) in favour and zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse,

Smith, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Harvey, Outhit, Rankin, and Lund. (22)

Those not present for the vote were Councillors: Wile and Johns. (2)

10.1.2 Summer Festival Grant Program

A staff report dated June 14, 2012 was submitted.

Councillor Uteck indicated that she was prepared to move a motion to approve the staff recommendation, and that she had an amendment for Council's consideration.

MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council approve the 2012/13 Summer Festival grant awards of \$24,850 funded from the Community/Civic Events Operating Budget (C760-6933) as identified below:

1.	Beaver Bank Canada Day Festival	\$3,550
2.	Cole Harbour Harvest Festival	\$3,550
3.	Fall River Canal Days	\$3,550
4.	Lake and Shore Days	\$3,550
5.	North Preston Day Community Festival	\$3,550
6.	Sambro Sou'Wester Days	\$3,550
7.	Seaside Harvest Festival	\$3,550

Councillor Uteck advised that she would like to propose an amendment to consider placing \$100,000 into the 2013/14 Civic Events Operating Budget; and, further, that staff develop an HRM Event Strategy which will identify supporting criteria for various categories of events and falling under the umbrella of the HRM Cultural Plan.

Councillor Uteck noted that the number of summer festivals has been growing but the funding has not; and for the past three years the funding requests have been more than double the available funding. Councillor Uteck advised that a recommendation from the Auditor General pointed out that this money is being handed to the area Councillors but with no criteria; therefore, it is necessary to detail why an event is getting funding and how it scored on evaluation.

Mayor Kelly noted that given the budgetary implications regarding the \$100,000, staff should first provide a report, to which Council agreed.

At 1:23 p.m. Councillor Wile entered the meeting.

Councillor Adams advised that in previous years, Sambro Sou'Wester Days received more funding, and added that he was told there is the possibility the event will not happen this year due to an inadequate level of funding. He questioned if it was possible for the Councillors to use their capital funds to assist with this event. Councillor Adams

emphasized the urgency of the matter, noting that the event organizers are now moving it to September instead of August due to the lack of funding.

Mayor Kelly indicated that staff would get back to the Councillor on this matter next week, as the policy would have to be reviewed to see if it would enable this type of assistance.

At 1:24 p.m. Councillor Johns entered the meeting.

Staff responded to questions.

Councillor Mosher advised that she would like to see a better system of criteria developed, and suggested that creating a classification system for the events rather than a scoring system would be more equitable.

Councillor Johns advised that if this matter was going to staff for report he would like the report to provide information on the percentage increases in the Halifax Dartmouth Natal Day budget since Amalgamation. Councillor Johns explained that the genesis of this grant was shortly after Amalgamation and was designed to offset the money that Halifax and Dartmouth would continue to receive for their Natal Day celebrations. He pointed out that funds for the Halifax Dartmouth Natal Day event have increased significantly over the years but the Summer Festival Grant has not increased.

The motion now reads:

MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council approve the 2012/13 Summer Festival grant awards of \$24,850 funded from the Community/Civic Events Operating Budget (C760-6933) as identified below:

1.	Beaver Bank Canada Day Festival	\$3,550
2.	Cole Harbour Harvest Festival	\$3,550
3.	Fall River Canal Days	\$3,550
4.	Lake and Shore Days	\$3,550
5.	North Preston Day Community Festival	\$3,550
6.	Sambro Sou'Wester Days	\$3,550
7.	Seaside Harvest Festival	\$3,550

and that staff provide a report on increasing the 2013/14 Civic Events Operating Budget by \$100,000; and, further, that staff develop an HRM Event Strategy which will identify supporting criteria for various categories of events and falling under the umbrella of the HRM Cultural Plan.

MOTION PUT AND PASSED with twenty-three (23) in favour and one (1) opposed.

Those voting in favour were: Mayor Kelly; Deputy Mayor Karsten; and Councillors Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund. (23)

Those voting against were Councillors: Harvey (1)

10.1.3 Marketing Levy Special Events Reserve Exception Clause

A staff report dated June 14, 2012 was submitted.

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

- 1. Approve an increase of withdrawals from the Marketing Levy Special Events Reserve (MLSER), Q315, in the amount of \$92,340 to fund five one-time grants, as listed below:**

Atlantic Fringe Festival	\$10,000
Holiday Parade of Lights	\$17,040
Multicultural Festival	\$15,050
Nocturne: Art at Night	\$42,250
Word on the Street	<u>\$8,000</u>
	\$92,340

- 2. Rescind the Festival and Event grant of \$3,500 awarded to the Halifax Comedy Fest from Operating (C760), and increase the amount to \$9,750 to be funded through the MLSER, Q315.**
- 3. Decline the application for MLSER (Q315) funding request from Greek Fest for reasons outlined in the June 14, 2012 staff report.**

Ms. Denise Schofield, Manager, Community and Recreation Services responded to questions.

MOTION PUT AND PASSED with twenty-three (23) voting in favour and zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund. (23)

Those not present for the vote were Councillors: Harvey (1)

10.1.4 Northcliffe Centre Property

During the approval of the Order of Business, this item was moved to In Camera (see page 12 for ratification of In Camera motion).

10.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

10.2.1 Wastewater Oversizing for Future Development of Sandy Lake Lands

A report dated May 11, 2012 was submitted from the Chair of the Community Planning and Economic Development Standing Committee.

A staff information report dated June 19, 2012 was submitted.

Mr. Austin French, Manager, Planning provided a presentation on the recommendation to fund the oversizing of wastewater infrastructure through Bedford West to service potential future development of Sandy Lake through this year's and future year's budgets. He began his remarks by noting that Halifax Water has submitted a proposal for design and financing of the Bedford West Wastewater to the Nova Scotia Utility and Review Board and the proposal does not include provision for the Sandy Lake Lands. ARMCO, the major landholder in the area, has raised objection and the matter is to be heard at the Utility and Review Board July 16, 2012. Mr. French added that construction of the Bedford West wastewater system will occur next year, and if the system is not oversized to accommodate future development of the Sandy Lake lands, then it is unlikely development of Sandy Lake lands will occur, as costs would be prohibitive.

Mr. French advised that the estimated cost of oversizing is \$3.1 million, spent over 10 years, and staff were recommending it be financed by the Municipality and then recouped by capital cost charge which would be levied at the time of subdivision approval. He noted that this has been the approach to funding infrastructure in other approved secondary plan areas such as Russell Lake, Bedford South and Bedford West. Mr. French pointed out that since the Community Planning and Economic Development Standing Committee dealt with and approved the staff recommendation, ARMCO entered into a Memorandum of Understanding (MOU) with Halifax Water to finance \$1 million of the oversizing costs. Therefore, if Council agrees to finance the remainder, the Municipality's share would be reduced to \$2.1 million and the first payment would be deferred from this fiscal year to the 2013/14 fiscal year.

Mr. French advised that the Municipality is not party to the ARMCO/Halifax Water MOU and the terms and conditions specifically do not commit a future Council to any planning decisions on the Sandy Lake Lands, Bedford West, or any other lands in the vicinity. With respect to risks associated with the recommendation, Mr. French advised that the maximum financial risk exposure for the Municipality is \$2.1 million and would be in the event that no development happens on the Sandy Lake Lands, but the risk could be

mitigated if the Municipality decides to re-allocate the capacity to other lands. He also noted that development is not expected to occur for 15 years and, therefore, cost recovery will not occur for 15 years; and it could take another 20 years for a full development build-out, however, Mr. French noted that interest would be charged so despite the long build-out there would be no loss of revenue to the Municipality.

Mr. French advised that if the Municipality declines to participate in the financing, there is the possibility that the Utility and Review Board would order Halifax Water to finance the oversizing; however, Halifax Water staff does not think this is likely as it would put the additional cost directly on the Halifax Water customer base. He added that if Council does not proceed, the more likely scenario is that the Sandy Lake Lands become no longer viable as a future growth centre with municipal water and sewer.

Mr. Michael Labrecque, Acting CAO commented that this matter was a unique circumstance that came before staff and, in reference to staff recommendation, he advised that staff feel it is more diligent to manage the oversizing going forward.

A discussion ensued with Mr. French, Mr. Labrecque, and Mr. Jamie Hannam, Director of Engineering, Halifax Water responding to questions.

MOVED by Councillor Nicoll, seconded by Councillor Wile that Regional Council agree in principle to fund the oversizing of wastewater infrastructure through Bedford West to service potential future development of Sandy Lake through this year's and future year's budgets and direct staff to provide Regional Council with details on how this will be accomplished in this year's budget.

At 2:58 p.m. Council recessed.

At 3:13 p.m. Council reconvened, with staff responding to further questions.

THE MOTION WAS PUT AND PASSED with seventeen (17) voting in favour and six (6) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Fisher, Smith, Wile, Uteck, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund. (17)

Those voting in opposition were Councillors: Nicoll, Barkhouse, McCluskey, Sloane, Watts, and Harvey. (6)

Those not present for the vote were Councillors: Blumenthal.

10.3 GRANTS COMMITTEE

10.3.1 Business Improvement District (BID) Contributions Fund - Revisions

A report dated June 12, 2012 was submitted from the Chair of the Grants Committee.

MOVED by Councillor Dalrymple, seconded by Councillor Sloane that Halifax Regional Council approve the BID Contributions Fund policy, as amended below, and included as Attachment 2 of the June 12, 2012 report from the Grants Committee:

1. **Add to Item 9: that the duration of eligible project expenses shall be from after April 1st of the current fiscal year to March 31st of the current fiscal year;**
2. **Add to Item 14: the exclusion by policy of any federal or provincial grant in lieu of taxes payable to a Business Improvement District from the calculation of HRM discretionary funding;**
3. **Add Item 30: a Continuous Renewal clause;**
4. **Add Items 21.7: Subject to liaising with HRM visioning staff, facilitate visioning sessions with stakeholders regarding the redevelopment of the district or a portion thereof;**
5. **Revise Item 4.1 Initial Year: by removing, by Administrative Order, and replacing with by Regional Council.**
6. **Add to Item 21.2: include in last bullet on commitment to green solutions – bicycle infrastructure.**

MOTION PUT AND PASSED with twenty-three (23) voting in favour and zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund. (23)

Those not present for the vote were Councillors: Blumenthal (1)

10.3.2 Proposed Less than Market Value Sale of 4693 Highway #7, Porter's Lake, to the Porter's Lake Community Service Association

A report dated June 12, 2012 was submitted from the Chair of the Grants Committee.

MOVED by Councillor Hendsbee, seconded by Councillor Dalrymple that Halifax Regional Council consider scheduling a public hearing, as required under Section 63(2) of the HRM Charter, for the proposed less than market value sale for

4693 Highway #7, Porter's Lake (Portion of PID#40238552) to the Porter's Lake Community Service Association.

Ms. Peta-Jane Temple, Team Lead, Grants and Contributions; Mr. Peter Stickings, Acting Director of Planning and Infrastructure; and Mr. Michael Labrecque, Acting Chief Administrative Officer responded to questions.

MOTION PUT AND PASSED with twenty-one (21) in favour, and one (1) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Uteck, Watts, Walker, Hum, Mosher, Adams, Harvey, Outhit, Rankin, and Lund. (21)

Those voting in opposition were Councillors: Sloane (1)

Those not present for the vote were Councillors: Blumenthal and Johns (2)

10.3.3 Proposed Less than Market Value Sale of 3214 Highway #2, Fall River to the Lakeview, Windsor Junction, Fall River Firemen's Association

A report dated June 12, 2012 was submitted from the Chair of the Grants Committee.

MOVED by Councillor Dalrymple, seconded by Councillor Streach that Halifax Regional Council consider scheduling a public hearing, as required under Section 63(2) of the HRM Charter, for the proposed less than market value sale for 3214 Highway #2, Fall River (PID#526939) to the Lakeview, Windsor Junction, Fall River Firemen's Association.

MOTION PUT AND PASSED with twenty-three (23) voting in favour; zero (0) in opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund. (23)

Those not present for the vote were Councillors: Blumenthal (1)

10.3.4 Canadian Naval Memorial HMCS Sackville – Supplementary Report

A supplementary report from the Chair of the Grants Committee dated June 12, 2012 was submitted.

MOVED by Councillor McCluskey, seconded by Councillor Hendsbee that Halifax Regional Council direct staff to release the \$50,000 capital grant award from

account M311-8004 Community Grants Program to the Canadian Naval Memorial Trust towards professional fees for an international design competition in relation to the proposed Naval Memorial Hall I in accordance with the terms and conditions defined in the Discussion section of the March 6, 2012 Grant Committee report and the January 9, 2012 staff report attached as Attachments 1 and 2 to the June 12, 2012 supplementary report.

MOTION PUT AND PASSED with twenty-three (23) voting in favour; zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund. (23)

Those not present for the vote were Councillors: Blumenthal (1)

11. MOTIONS- None

12. ADDED ITEMS- None

13. NOTICES OF MOTION - None

At 4:32 p.m. Council recessed, and convened In Camera to deal with item 10.1.4.

14. IN CAMERA

Private and Confidential Information Item

1. Private and Confidential In Camera Information Report – re Items 10.1.4 – Northcliffe Centre Property.

A Private and Confidential Information Report dated May 22, 2012 was submitted.

Council reconvened at 5:31 p.m. to ratify the following motion from In Camera:

10.4.1 Northcliffe Centre Property

MOVED by Councillor Walker, seconded by Councillor Sloane that consideration of this matter be deferred pending a public meeting to receive input regarding the future use of the property to include institutional, recreational and residential development.

THE MOTION WAS PUT AND PASSED with twenty-three (23) in favour and zero (0) opposed.

Those voting in favour were: Mayor Peter Kelly; Deputy Mayor Karsten; and Councillors: Streach, Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund. (23)

Those not present for the vote were Councillors: Blumenthal (1)

15. ADJOURNMENT

The meeting adjourned at 5:33 p.m.

Cathy J. Mellett
Municipal Clerk

The following information reports were submitted:

1. A staff information report dated June 8, 2012 RE: 2012/13 Gas Tax Funding Allocation.
2. An information report dated June 5, 2012 RE: Saint Margaret's Bay Coastal Planning Advisory Committee was submitted from the Chair of Western Regional Community Council.