

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 2, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Harry McInroy
Brian Warshick
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Stephen Adams
Robert Harvey
Len Goucher
Reg Rankin

ABSENT WITH REGRETS:

Councillors: Condo Sarto
Linda Mosher
Brad Johns
Gary Meade

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Acting Municipal Clerk
Ms. Sherryll Murphy, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION	4
2.	APPROVAL OF MINUTES	4
3.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	4
4.	BUSINESS ARISING OUT OF THE MINUTES	5
5.	MOTIONS OF RECONSIDERATION	5
6.	MOTIONS OF RESCISSION	5
7.	CONSIDERATION OF DEFERRED BUSINESS	5
8.	PUBLIC HEARINGS	5
8.1	By-Law A-200, HRM Automatic Machine Licensing	5
8.2	By-Law T-128, An Amendment to By-Law T-108, Respecting Geography Testing for Taxi Drivers	6
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS	7
9.1	Correspondence	7
9.2	Petitions	7
9.2.1	Petition - Councillor Fougere - re Traffic Issues on Westmount Street	7
10.	REPORTS	7
10.1	CHIEF ADMINISTRATIVE OFFICER	7
10.1.1	Tender 04 -202, Paving Renewal - Dorothy Drive (Central Region)	7
10.1.2	Site Selection - Harbour East Artificial Field	8
10.1.3	Lands Available for Development	8
10.2	BIKEWAYS ADVISORY COMMITTEE	8
10.2.1	Bikeways Advisory Committee Amendments to Terms of Reference	8
11.	MOTIONS	10
12.	ADDED ITEMS	10
12.1	(i) Funding - Canadian Forces Reserves	10

	(ii) Marguerite Centre - Provincial Funding	10
12.2	Property Matter - Sale 560 Windmill Road, Dartmouth	11
12.3	Contractual Matter - Policing Study	11
12.4	Legal Matter - Settlement of Claim	12
12.5	Citizen and Councillor Appointments to Boards/Committees and Commissions	13
13.	NOTICES OF MOTION	13
14.	ADJOURNMENT	13

1. INVOCATION

The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES - February 17, 2004

MOVED by Councillor Hetherington, seconded by Councillor Goucher that the minutes of the February 17, 2004 meeting of Halifax Regional Council, as distributed, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

It was agreed that Councillor Warshick make a brief presentation to staff immediately following the Approval of the Order of Business.

MOVED by Councillor Adams, seconded by Councillor Goucher that consideration of item 10.1.3, Lands Available for Development, be deferred to the special meeting of Halifax Regional Council to be held on March 11, 2004 at which time Council will be considering First Reading of amendments to the Municipal Planning Strategies and Land Use By-laws relative to this matter.

Following a discussion, the **MOTION TO DEFER WAS PUT AND PASSED.**

Councillors Smith requested that Information Item 4, Rajeeve Purbas Memorial Park - Chinook and Tudor Court Lancaster Ridge, be added to the agenda for the March 9, 2004 meeting of Halifax Regional Council.

Additions:

- 12.1 Councillor Rankin
 - (i) Funding - Canadian Forces Reserves
 - (ii) Marguerite Centre - Provincial Funding
- 12.2 Property Matter - Sale 560 Windmill Road, Dartmouth
- 12.3 Contractual Matter - Policing Study
- 12.4 Legal Matter - Settlement of Claim
- 12.5 Citizen and Councillor Appointments to Boards/Committees and Commissions

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal that the agenda, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Warshick, on behalf of the staff, parents and community of the Ian Forsyth Elementary School, presented to Mr. Blair Blakeney, Coordinator, Capital Projects-Parks, a framed photograph of the community playground erected at Ian Forsyth Elementary School. The presentation recognized the hard work of Mr. Blakeney and his staff with regard to the development of this playground.

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. **PUBLIC HEARINGS**

8.1 **By-Law A-200, HRM Automatic Machine Licensing**

- This matter was given First Reading at the February 10, 2004 meeting of Halifax Regional Council.

Ms. Cathy Osborne, Financial Services, with the assistance of Nancy Dort, Team Leader, Customer Service Centres, made a presentation to Council outlining the previously distributed staff report dated October 24, 2003. Ms. Osborne responded to questions from members of Council.

His Worship Mayor Kelly called three times for persons wishing to speak in favour of or against the proposed By-law.

Hearing none, it was MOVED by Councillor Hetherington, seconded by Councillor Blumenthal that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

COUNCIL DECISION

MOVED by Councillor Cooper, seconded by Councillor Hetherington that Halifax Regional Council:

1. **Give Second Reading to HRM By-law Number A-200 Respecting Automatic Machines as attached to the October 24, 2003 staff report.**
2. **Approve an amendment to Administrative Order 15 to reflect consolidated licensing fees and definitions.**

MOTION PUT AND PASSED UNANIMOUSLY.

8.2 By-Law T-128, An Amendment to By-Law T-108, Respecting Geography Testing for Taxi Drivers

- This matter was given First Reading at the February 10, 2004 meeting of Halifax Regional Council.
- Correspondence from Kyle Godsoe, President, A World Class Limousine Inc., opposing the proposed amendment was distributed to Council.

Councillor Adams addressed Council and briefly reviewed the proposed amendment to By-law T-108 regarding geography. Mr. Anstey provided further clarification of the amendment.

His Worship Mayor Kelly called for persons wishing to address Council in favour of or against the proposed amendment.

Dave Withrow, HRM

Mr. Withrow addressed Council in support of the proposed amendment noting that he was pleased that an expanded geography test was being considered. He went on to suggest that an amendment be made to the motion to provide for a limit on the number of times an individual can take the geography test.

In response to a question from Council, the Municipal Solicitor indicated indicate that an amendment of this nature would not be within the scope of the proposed amendment before Council this evening and would have to come back to Council.

Ed Flewwelling, Dartmouth

Mr. Flewwelling addressed Council in support of the proposed amendment noting that he believed more geography testing was in the best interests of the taxi industry and the public. He went on to comment that the overall geography and English testing needs to be reviewed because if the testing is not sufficiently comprehensive, it negatively reflects upon the industry and the professional image that the industry is trying to impart.

The Chair called three times for persons wishing to speak in favour of or against the proposed amendment.

Hearing none, it was **MOVED by Councillor Blumenthal, seconded by Councillor Adams that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

COUNCIL DECISION

MOVED by Councillor Adams, seconded by Councillor Warshick that Halifax Regional Council give Second Reading to By-law 128, an amendment to By-law T-108, respecting Taxi and Limousine Licensing, regarding geography testing as found in Appendix "A" of the January 20, 2004 report of the Taxi and Limousine Committee. MOTION PUT AND PASSED UNANIMOUSLY.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Petition - Councillor Fougere - re Traffic Issues on Westmount Street

Councillor Fougere submitted two petitions on behalf of residents of Westmount Street relative to HRM taking action to resolve traffic issues affecting their street. Councillor Fougere went on to note that the second of these petitions outlined some possible solutions.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 04 -202, Paving Renewal - Dorothy Drive (Central Region)

- A staff report dated February 17, 2004 prepared for George McLellan, Chief Administrative Office, was before Council for consideration.

MOVED by Councillor Blumenthal, seconded by Councillor Fougere that Council award Tender No. 04-202, Paving Renewal - Dorothy Drive (Central Region) to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$191,360, plus net HST for a total of \$203,663 from Account No. CYU00563, Paving Renewal Program, with funding authorized as per the Budget Implications section of the February 17, 2004 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Site Selection - Harbour East Artificial Field

- A staff report dated February 27, 2004 prepared for George McLellan, Chief Administrative Office, was before Council for consideration.

- Correspondence dated March 2, 2004 from Larry Corrigan, Dartmouth United Soccer Club, in support of the staff recommendation, was distributed to members of Council.

MOVED by Councillor Warshick, seconded by Councillor Hetherington that Regional Council endorse the lands at Spectacle Lake as the preferred site for the Harbour East Artificial Field and direct staff to proceed with the necessary work to have the field open in late fall of 2004.

Councillor Hetherington noted that the Dartmouth/Cole Harbour soccer community, with the help of Soccer Nova Scotia, has made a contribution of \$150,000 to the field.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Lands Available for Development

During the approval of the agenda, consideration of this matter was deferred to the Special meeting of Halifax Regional Council to be held on March 11, 2004.

10.2 BIKEWAYS ADVISORY COMMITTEE

10.2.1 Bikeways Advisory Committee Amendments to Terms of Reference

- A report dated February 25, 2004 submitted by Councillor Sheila Fougere, Chair, Bikeways Advisory Committee, was before Council for consideration.

MOVED by Councillor Fougere, seconded by Councillor Uteck that Halifax Regional Council approve the following amendments to the Bikeways Advisory Committee Terms of Reference regarding composition of the Committee and approve the revised Terms of Reference included as Attachment "B" to the February 25, 2004 report:

- 1. Amendments to Composition of Committee:**
The requirement for one member appointed by the Metro Halifax Chamber of Commerce Transportation Committee be omitted and replaced with One (1) additional member at large.
One (1) additional HRM Staff person (Maria Jacobs) to be appointed as a representative of the Regional Trails Advisory Committee.
- 2. The revised Terms of Reference, Attachment "B" to the February 25, 2004 report, be approved.**

Councillor McInroy expressed concern that the Committee was not balanced with a representative from an organization dealing with motorized transportation.

MOVED by Councillor McInroy, seconded by Councillor Sloane that membership on the Committee include a representative from the Canadian Automobile Association or other similar body.

Following a brief discussion, the **MOTION TO AMEND WAS PUT AND PASSED UNANIMOUSLY.**

The amended motion, as follows, was PUT AND PASSED UNANIMOUSLY.

That Halifax Regional Council approve the following amendments to the Bikeways Advisory Committee Terms of Reference regarding composition of the Committee and approve the revised Terms of Reference included as Attachment "B" to the February 25, 2004 report:

1. Amendments to Composition of Committee:

The requirement for one member appointed by the Metro Halifax Chamber of Commerce Transportation Committee be omitted and replaced with One (1) member from the Canadian Automobile Association (CAA) or other appropriate automobile association.

One (1) additional HRM Staff person (Maria Jacobs) to be appointed as a representative of the Regional Trails Advisory Committee.

2. The revised Terms of Reference, Attachment "B" to the February 25, 2004 report, be approved.

11. MOTIONS - None

12. ADDED ITEMS

12.1 (i) Funding - Canadian Forces Reserves

Referring to presentation he and a number of other members of Council had recently attended with the Armed Reserves of the Halifax Regional Municipality (HRM), Councillor Rankin reviewed with Council the components of the Armed Reserves in HRM. He went

on to note that the Reserves have done excellent service to this community and are very much a part of the community as witnessed by their involvement in recent crisis events.

Councillor Rankin advised that the Reserve is given entitlements (i.e. they can recruit up to a given number of personnel), however, funding is not provided for this level of entitlement. He went to note that he understood that there were 75 to 100 full time or part time jobs that are not funded. Councillor Rankin commented that it appears this is disproportionate to other areas of Canada - the gap seems greatest in Atlantic Canada. Councillor Rankin stated that there are over 20 persons on the waiting list to enter the Reserves.

MOVED by Councillor Rankin, seconded by Councillor Goucher that a letter be sent to the Honourable David Pratt, Minister of National Defence and to the Honourable Geoff Regan, in his capacity as Minister for Nova Scotia and as the representative for Halifax West, to intercede to rectify this funding shortfall. MOTION PUT AND PASSED UNANIMOUSLY.

12.1 (ii) Marguerite Centre - Provincial Funding

Councillor Rankin noted that while the Marguerite Centre is located in his District, the clientele are drawn from across the Halifax Regional Municipality (HRM). He went on to indicate that Council had supported this centre. Noting that this is the only facility of this type for women only, Councillor Rankin advised that the Centre is experiencing financial difficulties. The Councillor advised that the Centre is not receiving adequate funding while other similar institutions are receiving funding. Councillor Rankin commented that this lack of funding has the appearance of discrimination, whether intended or not. He went on to note that there has been a suggestion that the Centre is in fact grandfathered into this situation of inadequate funding.

Councillor Rankin advised that while the Province has supported them in the creation of this project, the Centre has been refused by the Capital Health Board and referred to Social Services. The Centre receives \$25 per diem from Social Services while other similar type facilities receive \$95. Referring to a financial audit undertaken last year and a program audit within the last two months, Councillor Rankin noted that the Centre has not yet been invited to open funding negotiations.

The Councillor stated that HRM supports homelessness and that the report on homelessness pointed out that proportionately more women than men are at risk of homelessness due to addiction. Given that this is the specific mandate of the Centre, it was **MOVED by Councillor Rankin, seconded by Councillor Sloane that letters be forwarded to Angus MacIsaac, Minister of Health; David Morse, Minister of Community Services and Rodney J. MacDonald, Minister responsible for Nova Scotia Sport and Recreation Commission, to intercede on behalf of the Marguerite Centre**

to achieve a resolution to the funding difficulties being experienced by the Centre.
MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Property Matter - Sale 560 Windmill Road, Dartmouth

- This matter was considered during the In Camera session of Halifax Regional Council held earlier and was now before Council for ratification.

MOVED by Councillor Cunningham, seconded by Councillor Hetherington that:

- 1. Halifax Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Qualtech Building Solutions Ltd. for 560 Windmill Road, subject to the key business terms and conditions outlined in the Private and Confidential report dated January 25, 2004.**
- 2. The report not be released to the public until the transaction has closed.**

12.3 Contractual Matter - Policing Study

- This matter was considered during the In Camera session of Halifax Regional Council held earlier and was now before Council for ratification.

MOVED by Councillor McInroy, seconded by Councillor Blumenthal that Halifax Regional Council:

- 1. Approve the decision of the HRM Board of Police Commissioners to endorse the HRM chosen CAD/RMS system for all police providers within HRM, and advise that the RCMP's decision to utilize another system is unacceptable.**
- 2. Authorize the notification of the Province of Nova Scotia that HRM will be reducing the RCMP total Full Time Equivalent (FTE) by 10.48 as of April 1, 2005.**
- 3. Notify the Province of Nova Scotia that any increase in the RCMP FTE costs as a result of the 10.48 reduction or the management of vacancies, will result in a comparable offset of additional FTE's.**
- 4. Request the Superintendent of the Halifax Detachment to prepare a full and complete report outlining the Integrated Query Tool (IQT) solution, its capabilities, the time-line to implement, and his professional opinion as to whether the solution, as stated, will meet the requirements of the Integrated Policing Model now in place within HRM. The report should be prepared by April 15, 2004 to allow this situation to be dealt with.**

5. **Defer action on Recommendation #1 until the report from the Superintendent of the Halifax Detachment is received and responded to by the Board of Police Commissioners.**
6. **Approve that the February 27, 2004 Private and Confidential report not be released.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Legal Matter - Settlement of Claim

- This matter was considered during the In Camera session of Halifax Regional Council held earlier and was now before Council for ratification.

MOVED by Councillor Hetherington, seconded by Councillor Fougere that Halifax Regional Council:

1. **Settle this claim brought by the Plaintiff in the amount of \$65,000.00 to achieve a full settlement of the Plaintiff's action upon obtaining a full release from the Plaintiff from any further claims arising out of a motor vehicle collision which occurred on September 10, 1999.**
2. **Approve that the February 25, 2004 Private and Confidential staff report not be released.**

12.5 Citizen and Councillor Appointments to Boards/Committees and Commissions

- This matter was considered during the In Camera session of Halifax Regional Council held earlier and was now before Council for ratification.

MOVED by Councillor Blumenthal, seconded Councillor Sloane that Regional Council approve the appointment of Ernestine Gouthro to the Board of Police Commissioners for a term to March, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION - None

14. ADJOURNMENT

There being no further business, the meeting adjourned at 7:30 p.m.

Jan Gibson
Acting Municipal Clerk