

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
April 27, 2004

PRESENT:

Mayor Peter J. Kelly
Deputy Mayor Steve Streach
Councillors: Krista Snow
David Hendsbee
Ron Cooper
Brian Warshick
Condo Sarto
Bruce Hetherington
Jim Smith
John Cunningham
Jerry Blumenthal
Dawn Sloane
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Len Goucher
Reg Rankin
Gary Meade

ABSENT:
WITH REGRETS:

Councillors: Harry McInroy
Sue Uteck

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Jan Gibson, Acting 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 Johns.

2. APPROVAL OF MINUTES - April 6 & 13, 2004

MOVED by Councillor Smith, seconded by Councillor Goucher, that the minutes of April 6 & 13, 2004 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 11.1 Property Matter - Purchase of PID #00285270 St. Michael's Avenue, Halifax
- 11.2 Property Matter - Purchase of 196 Waverley Road, Emergency & Fleet Services
- 11.3 Legal Matter - Harbour Solutions Project - Provincial/HRM License Agreement

Deletions

- 9.1.3 Tender 03-106, Clothing Metro Transit Operations

MOVED by Councillor Hetherington, seconded by Councillor Goucher, 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 - April 20, 2004

7.1 Councillor Mosher - Establishment of Standard Protocols for Watershed Advisory Boards (Motion - April 6/04)

- A verbatim extract from the April 6, 2004 Regional Council minutes, on the above noted, was before Council.

Councillor Mosher advised the original intent was to look at boards and have them come

up with some form of environmental emergency reporting, noting she was changing the original motion on the floor to the following motion.

Moved by Councillor Mosher, seconded by Councillor Goucher, that Council direct staff to work with the three watershed advisory/lakes boards to review and confirm protocols for reporting an investigation of environmental emergencies. MOTION PUT AND PASSED UNANIMOUSLY.

8. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions - None

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Tender 04-048, Pavement Markings, Western Region, and Tender 04-049, Pavement Markings, Eastern and Central Region

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 15, 2004, on the above noted, was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Sloane, that:

- 1. Council authorize the award of Tender #04-048 Pavement Markings, West Region to the lowest bidder meeting specifications, Carvey's Painting Ltd. at a cost of \$75,600.00 plus net HST for a total project cost of \$80,460.32 from account number R748-6399, with funding outlined in the Budget Implications Section of the report.**
- 2. Council authorize the award of Tender #04-049 Pavement Markings East and Central Regions, to the lowest bidder meeting specifications, Carvey's Painting Ltd., at a cost of \$69,582.00 plus net HST, for a total project cost of \$74,055.43 from account number R748-6399, with funding outlined in the Budget Implications section of the report.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Tender 02-129R, Clayton Park Junior High School Sportsfield Upgrade

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April

16, 2004, on the above noted, was before Council.

CONFLICT OF INTEREST

Deputy Mayor Streach declared a Conflict on this item and removed himself from discussion.

MOVED by Councillor Walker, seconded by Councillor Hum, that Regional Council award Tender No. 03-129R to TurfMaster Landscaping Ltd. for the supply of all labour and material for unit prices quoted for a tender price of \$58,913.48 plus net HST, for a total amount of \$62,701.03, from Capital Account No. CPC00307 - Clayton Park Junior High School Sportsfield, as outlined in the Budget Implications section of the report. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.3 Tender 03-106, Clothing Metro Transit Operators

This item was deleted under the approval of the Order of Business.

9.1.4 Request for Proposal 04-070, Property Pesticide Application Assessment Program

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 19, 2004, on the above noted, was before Council.

MOVED by Councillor Goucher, seconded by Councillor Hum, that Regional Council approve the award of Request for Proposals #04-070 to the Ecology Action Centre in the amount of \$71,791.44 (plus net HST) from Operating Account #D940-6999 and D945-6999. Funding is to be authorized as per the Budget Implications section of the report.

In response to Councillor Sarto, Mr. Stephen King, Manager, Strategic and Sustainable Resource Mgmt., advised that there will be an educational component as part of this process confirming that the permit application is on line.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.5 Request for Proposal 04-028, Underground Utilities Feasibility Study

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 2, 2004, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Sloane, that RFP04-028 - Underground Utilities Feasibility Study be awarded to the highest ranking evaluated proposal, Kinectrics Inc., for a cost of \$60,000 plus applicable taxes from Capital Account CDG 000499 - Capital District Buried Wire Implementation and Q126 - Strategic Growth Reserve, with funding authorized as per the Budget Implications section of the report.

Ms. Dale McLennan, Director of Financial Services, noted the funding sources identified on page 4 does not allow for applicable taxes. She advised the intent is to take the net taxes from the \$60,000 equally from the funds identified.

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.6 Underground Services

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 27, 2004, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Hetherington, that HRM Council approve Harbour Solutions Project working with Dexter Construction and Heritage Gas to install 4" PVC conduit through with natural gas pipeline can be threaded, along Hollis Street from the Sackville Street intersection to the Morris Street intersection, at a cost of \$118 per metre (\$64,000 total). MOTION PUT AND PASSED UNANIMOUSLY.

9.1.7 Joint Proposal Submission: Inland Multi-modal Terminal

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 14, 2004, on the above noted, was before Council.

MOVED by Councillor Cunningham, seconded by Councillor Goucher, that Halifax Regional Council endorse a joint funding proposal to Transport Canada by Halifax Regional Municipality and the Halifax Port Authority for the undertaking of a feasibility study of an Inland Multi-modal Terminal. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.8 Harbour Solutions Project: Community Liaison Committees Expenditures Approval

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated April 20, 2004, on the above noted, was before Council.

MOVED by Councillor Adams,, seconded by Councillor Mosher, that Halifax Regional Council:

1. **Approve \$3000 budgets for Operating Expenses for the Community Liaison Committees in each of Halifax, Dartmouth and Herring Cove. These expenditures are to be funded from the Community Integration Funds for each host community (Harbour Solutions Internal Orders CSE00396, CSE00397, and CSE00398) administered through the Harbour Solutions Office; and,**
2. **Endorse the written policies for expenditures from the Community Integration Funds.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.9 First Reading By-Law O-106, an amendment to By-Law O-103, the Open Air Burning By-Law

MOVED by Councillor Hendsbee, seconded by Councillor Snow, that Council give first reading to By-Law O-106, an amendment to By-Law O-103, the Open Air Burning By-Law, Respecting the issuance of Burning Permits in order to deal with Natural Disasters of Similar Conditions. MOTION PUT AND PASSED UNANIMOUSLY.

10. MOTIONS

10.1 Councillor Hetherington

MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that Halifax Regional Council adopt as a policy pursuant to the Municipal Government Act amendments to Administrative Order Number 17, the Council Members' Remuneration Administrative Order, the purpose of which are to provide for the incorporation into the By-Law of the recommendations of Citizen's Commission on Remuneration for Members of Council. MOTION PUT AND PASSED .

10.2 Councillor Hendsbee

MOVED by Councillor Hendsbee, seconded by Councillor Johns, that Halifax Regional Council adopt as a policy pursuant to the Municipal Government Act, an amendment to Administrative Order Number 33, the purpose of which is to add to the list of fire districts not requiring a Municipal Burning Permit pursuant to By-Law O-103, the Open Air Burning By-Law, all of the fire districts outside the No Burn

Zone. It is the intention that this amendment would stay in effect on a temporary basis until such time as an amendment to By-Law O-103 is adopted giving the Chief Director of the Fire Service the authority to authorize the issuance of Burning Permits for the open air burning of trees, wood, shrubs, bushes and brush in the event of natural disasters or other similar circumstances.

Mr. McLellan, Chief Administrative Officer, advised that during this process the current By-law remains in effect and must be followed.

MOTION PUT AND PASSED UNANIMOUSLY.

11. ADDED ITEMS

11.1 Property Matter - Purchase of PID #00285270 St. Michael's Ave., Halifax

MOVED by Councillor Adams, seconded by Councillor Mosher, that:

- 1. Halifax Regional Council approve the withdrawal from the Parkland Reserve Account Q107, as per the Budget Implications section of the April 13, 2004 Private and Confidential staff report to facilitate the purchase of PID #00285270 St. Michael's Avenue from the Roman Episcopal Corporation.**
- 2. The April 13, 2004 Private and Confidential staff report not be released until the transaction has been completed.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Property Matter - Purchase of 196 Waverley Road, Emergency & Fleet Services

MOVED by Councillor Warshick, seconded by Councillor Sarto, that:

- 1. Council authorize the Mayor and Municipal Clerk to enter into a Purchase Agreement with 3006738 Nova Scotia Limited c/o Greenwood Lane Inc. for 196 Waverley Road, with funding provided from Capital Account Nos. CB200471, Repair Garage - Fire Services, and HRCP-312, GST Recovery, as per the Budget implications section of the April 14, 2004 Private and Confidential staff report, subject to the terms and conditions therein.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.3 Legal Matter - Harbour Solutions Project - Provincial / HRM License Agreement

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

- 1. Council authorize the Mayor and Municipal Clerk to execute the License Agreement (substantially in the form as Appendix 1 of the April 20, 2004 Private and Confidential staff report) between Her Majesty The Queen in right of the Province of Nova Scotia and Halifax Regional Municipality for the purpose of construction of this portion of the Harbour Solutions Project Sewage Collection System for a one time lump sum payment of \$512,000 plus net HST.**
- 2. The April 20, 2004 Private and Confidential staff report not be released to the public due to the discussion of contractual issues regarding responsibility for payment of the fee.**

MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION

12.1 Councillor Fougere

Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 4th day of May 2004, I propose to move First Reading of By-law P-1001, the purpose of which is to amend By-law P-1000, the On-Street Parking Exemption and Permits By-law to provide for:

- (1) The inclusion of the information required by an applicant to purchase a Residential Parking Exemption or Permit;
- (2) The requirement that Exemptions and Permits be placed on the rear windshield on the passenger side of the vehicle;
- (3) Visitor Exemptions being available for a 1-day or 7-day period; and
- (4) Minor Administrative Changes

12.2 Councillor Warshick

Take Notice that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 4th day of May, 2004, I propose to place before Council a motion to rescind that part of clause (f) of the resolution approving the Supplementary Education Funding for the 2004-2005 Tax Fiscal Year adopted by Regional Council on the 20th day of April, 2004 which states "that any increase in the assumed mandatory education funding set by the

Province in excess of the increase budgeted by HRM (\$3.5 million) will be offset by a decrease in supplementary funding for the areas of the former Halifax, Dartmouth, Bedford and the County, as applicable”

13. ADJOURNMENT

The meeting was adjourned at 7:15 p.m.

Jan Gibson
Acting Municipal Clerk