

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES September 14, 2004

PRESENT:

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

ABSENT WITH REGRETS:

Councillor Stephen Adams

STAFF:

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

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1. INVOCATION

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

2. APPROVAL OF MINUTES - August 31, 2004

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington that the minutes of the August 31, 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

Additions:

11.1 Councillor Hendsbee - EMO Readiness and Coordination Efforts

At the request of Councillor Hendsbee, Council agreed that this matter would be dealt with during the discussion on item 9.1.5.

11.2 Councillor Rankin - Request from Transportation Association of Canada

Deletions:

Item 7.1 was deleted from the agenda at the request of Councillor Snow who withdrew her motion.

Information Items:

1. Proclamation - Kids Day International - September 18, 2004

2. Proclamation - Car Free Day - September 22, 2004

3. Memorandum from Director, Legal Services dated September 12, 2004 re: By-Law T-132, An Amendment to By-Law T-108, Respecting the Licensing of Taxis and Limousines

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

Councillor Cunningham congratulated the Dartmouth Players on their presentation of the world premier of the play 'Mildred'.

Councillor Goucher reminded residents of the upcoming Terry Fox Run on Sunday, September 19, 2004, and encouraged them to participate.

Referring to the situation at the Grain Elevators, Councillor Uteck thanked Fire Services staff for their hard work, the Port Authority for their cooperation and residents of the area for their patience.

Councillor Rankin advised that an important Solid Waste Resources Initiative was to be announced at an 11:00 a.m. launch tomorrow. He invited members of the public to attend.

Councillor Johns congratulated Councillors Hum and Goucher on being acclaimed in their Districts for the upcoming Municipal Election.

4. **BUSINESS ARISING OUT OF THE MINUTES** - None

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RESCISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS**

7.1 **Motion - Councillor Snow - Benefits of Municipal Sewer and Water**

This matter was deleted from the agenda during the setting of the agenda as the Councillor withdrew her motion.

8. **CORRESPONDENCE, PETITIONS & DELEGATIONS**

8.1 **Correspondence**

8.1.1. **Nova Scotia Department of Transportation and Public Works re: Response to Condition of Streets in Terrence Bay , Lower Prospect Petition**

- Correspondence dated August 30, 2004 from Robert R. Bieren, P.Eng., Area Manager Halifax Suburban, Nova Scotia Transportation and Public Works, was before Council for consideration.

MOVED by Councillor Blumenthal, seconded by Councillor Hetherington that the August 30, 2004 letter from Robert R. Bieren, P.Eng., Area Manager Halifax Suburban, in response to Council's inquiry regarding the condition of streets in the Terrence Bay and Lower Prospect areas, be received. **MOTION PUT AND PASSED UNANIMOUSLY.**

8.2 Petitions

8.2.1 Petition - Councillor Smith - Repair Work to Sewer Lines - Symonds Street, Dartmouth

Councillor Smith submitted a petition on behalf of residents on Symonds Street expressing concern regarding the impact on their sewage system of repair work being done on municipal sewer lines. Councillor Smith requested the petition be forwarded to staff for a response.

8.2.2 Petition - Councillor Smith - Pedestrian and Driver Safety at the Victoria Road, Primrose Street and Victoria Road Extension Intersection

Councillor Smith submitted a petition on behalf of the District 9 Citizen's Association expressing concern regarding pedestrian and driver safety at the intersection of Victoria Road, Primrose Street and the Victoria Road Extension. Councillor Smith requested the petition be forwarded to staff for a response.

8.2.3 Petition - Councillor Blumenthal - Dog Control in the Regent Road area

Councillor Blumenthal submitted a petition on behalf of residents regarding a lack of dog control in the Regent Road area. Councillor Blumenthal requested the petition be forwarded to the Metro Housing Authority and HRM's Animal Control.

8.2.4 Petition - Councillor Meade - Request for a Zoning Change

Councillor Meade submitted a petition on behalf of residents of St. Margaret's Village at Fox Hollow Subdivision requesting a change in zoning from MRR-1 (Mixed Rural Residential) to RA-1 (Single Unit Dwelling). Councillor Meade requested this matter be referred to staff.

8.2.5 Petition - Residents of Sunrise Manor re Location of Halifax Regional Police Office at the Manor

The Acting Municipal Clerk submitted a petition on behalf of residents of the Sunrise Manor in support of locating a Halifax Regional Police Office at the Manor. This matter will be referred to staff.

9. REPORTS

9.1 CHIEF ADMINISTRATIVE OFFICER

9.1.1 Tender 04-241, Paving Renewal & Water Main Replacement - Norwood Street and Sidewalk Renewals - Various Locations - West Region

- A staff report dated September 3, 2004 prepared for Dan English, Acting Chief Administrative Officer, was before Council for consideration.

MOVED by Councillor Blumenthal, seconded by Councillor Snow that Regional Council:

- 1. Authorize an increase to the Gross budget of Capital Account No.CYU00563, Paving Renewal Program by \$78,470, with no change in the net budget, to cover the cost sharing of the water main replacement from The Halifax Regional Water Commission (HRWC).**
- 2. Award Tender No. 04-241, Paving Renewal & Water Main Replacement-Norwood Street and Sidewalk Renewals - Various Locations - West Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$355,800, plus net HST for a total of \$368,001, from Capital Account No's. CYU00563 Paving Renewal Program and CKU00558, Sidewalk Renewals, with funding authorized as per the Budget Implications section of the September 3, 2004 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.1.2 Tender 04-125, Collection and Transportation of Source Separated Solid Waste from Condominium Properties

- A staff report dated September 3, 2004 prepared for Dan English, Acting Chief Administrative Officer, was before Council for consideration.

MOVED by Councillor Uteck, seconded by Councillor Fougere that Council award Tender No. 04-125, Collection and Transportation of Source-Separated Solid Waste from Condominium Properties for a three-year period to Enviro Waste Ltd. for the services specified in the tender, with funding (including HST) from Solid Waste Resources Operating Budget Account R322 Collection as follows:

- a) Area A - Halifax/Western County at a price of \$672,556.80;**
- b) Area B - Dartmouth/Cole Harbour at a price of \$427,993.20; and**
- c) Area C - Bedford/Sackville at a price of \$181,389.96.**

Following a brief questioning of staff, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

9.1.3 Tender 04-233, Shubenacadie Canal Lock No. 1 Rehabilitation - East Region

- A staff report dated September 7, 2004 prepared for Dan English, Acting Chief Administrative Officer, was before Council for consideration.

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

- 1. Increase the budget amount in Account No. CGU00457, Shubenacadie Canal Drainage System - Lock 1 Rehabilitation, by an amount of \$173,093 with funding from the Sewer Redevelopment Sewer Reserve Account, Q104.**
- 2. Award Tender No. 04-233, Shubenacadie Canal Lock No. 1 Rehabilitation to Amber Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$479,620 plus net HST for a total of \$496,067 plus an additional \$47,962 including net HST to allow for unforeseen work and materials from Capital Account No's. CGU00457, Shubenacadie Canal Drainage System - Lock1 Rehabilitation, CPG00486, Shubenacadie Canal and CP300560, Park Upgrades 2004/05 with funding as per the Budget Implications section of the September 7, 2004 staff report.**
- 3. Approve the appointment of O'Halloran Campbell Consultants Limited for contract administration and construction inspection services for an estimated fee of \$25,000 plus net HST for a total of \$25,858 plus an additional \$2,500 including net HST for unforeseen work and materials, from Capital Account No. CGU00457, Shubenacadie Canal Drainage System, with funding as outlined in the Budget Implications section of the September 7, 2004 staff report.**

In response to a question from Councillor Warshick regarding how staff intended to control lake levels during the construction, staff indicated that discussions would be held with the contractor over the next few days with regard to this matter. Councillor Warshick requested that staff advise Councillor Cunningham and himself of the steps to be taken with regard to the control of lake levels.

Councillor Warshick then questioned the increase in the cost of the project, to which staff indicated they were not aware of why there was an increase. The Chief Administrative Officer indicated that staff would review the costing.

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

9.1.4 Tender 04-201, Uplands Park Road and Servicing Upgrade - Central Region

- A staff report dated September 7, 2004 prepared for Dan English, Acting Chief Administrative Officer, was before Council for consideration.

MOVED by Councillor Rankin, seconded by Councillor Meade that Regional Council award Tender No. 04-201, Uplands Park - Central Region, to Brycon Construction Ltd. for materials and services listed at the unit prices quoted for a tender price of \$521,000, plus net HST for a total of \$538,866 from Capital Account No's. CZU00565, Resurfacing and CGU00575, Uplands Park, Hammonds Plains - Sanitary and Storm Sewer as outlined in the Budget Implications section of the September 7, 2004 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

9.1.5 Emergency Broadcast System - Memorandum of Agreement

11.1 Councillor Hendsbee - EMO Readiness and Coordination Efforts

- A staff report dated September 7, 2004 prepared for Dan English, Acting Chief Administrative Officer, was before Council for consideration.

MOVED by Councillor Hendsbee, seconded by Councillor Streach that staff:

- 1. Be authorized to develop a Memorandum of Understanding (MOU) between HRM and InfoRadio Canada 97.9 FM, for use of its resources as an Emergency Broadcast System during times of public emergency and/or disaster, and, when concluded, the MOU be returned to Halifax Regional Council for approval.**
- 2. Be authorized to approach the Nova Scotia and Federal Governments for cost-sharing on this project, through the Federal Joint Emergency Preparedness Program (JEEP), and, if approved, this cost-sharing arrangement would substantially reduce HRM's direct cost outlay, as indicated in the Budget Implications section of this report.**

Councillor Hendsbee expressed concern that InfoRadio Canada 97.9 FM has a limited broadcasting range and should be extended to the more rural areas. He went on to indicate that the signal seems to weaken significantly past the Little Salmon River. Noting that InfoRadio Canada has advised they will be filing an application with the Canadian Radio - Television and Telecommunications Commission and Industry Canada (CRTC) for approval to increase its broadcast output. Councillor Hendsbee suggested that HRM advocate on behalf of InfoRadio Canada with the CRTC.

Mr. Jack MacGaw, Manager, InfoRadio Canada, Halifax 97.9, addressed Council noting that although he believed the output power was adequate for emergency response, Halifax 97.9 is making application to CRTC for an increase in output power from 50 watts to 250 watts. Mr. MacGaw briefly reviewed the format for the station noting that it was a loop of information broadcast in a 10 to 15 minute loop (i.e. the same information is broadcast every 15 minutes for a specified period of time).

With reference to item 11.1, Councillor Hendsbee expressed concern that in light of the Hurricane season, HRM should be making public their emergency readiness and advising residents of what they should be doing to prepare for an emergency.

The Chief Administrative Officer indicated that distribution of information to the public in this regard is ongoing.

Following a further discussion, the **MOTION WAS PUT AND PASSED UNANIMOUSLY.**

9.2 COMMUNITY & RACE RELATIONS ADVISORY COMMITTEE

9.2.1 Terms of Reference - Housekeeping Amendments

- A report dated September 2, 2004 submitted by Betty Thomas, Chairperson, Community and Race Relations Advisory Committee, was before Council for consideration.

MOVED by Councillor Johns, seconded by Councillor Hendsbee that Regional Council approve the following housekeeping amendments to the Terms of Reference for the Community and Race Relations Advisory Committee as follows:

- 1. Second sentence, add the word "*Advisory*" between "*Relations*" and "*Committee*".**
- 2. Subsection 1.1 of Section 1 OBJECTIVE, add "*of HRM*" after the word "*residents*".**

3. **Subsection 2.1 of Section 2 RESPONSIBILITIES, replace the word “*citizens*” with “*residents of HRM*”.**
4. **Subsection 8.2 of Section 8 RELATIONSHIP TO COUNCIL AND CAO, replace the word “*citizens*” with “*residents of HRM*”.**

MOTION PUT AND PASSED UNANIMOUSLY.

9.3 MEMBERS OF COUNCIL

9.3.1 Councillor Goucher - Traffic Warrants - Information Item # 4 - February 17, 2004

- A previously circulated Information Report dated February 6, 2004 submitted by Ken Reashor, Traffic Authority, was before Council for consideration.

Councillor Goucher noted that crosswalks in HRM are very important to residents and Council alike. He went on to note that although the Province of Nova Scotia has not adopted a warrant standard to date, HRM has adopted the Transportation Association of Canada (TAC) warrant system for the establishment of crosswalks. Councillor Goucher congratulated staff on moving forward with the adoption of these standards. Noting that many motorists do not fully understand that a crosswalk exists at every intersection whether it is marked or not, Councillor Goucher suggested that HRM should sponsor an education program in this regard.

Councillor Hendsbee commented that there were very few crosswalks in the rural area, however, he would like to see some action taken with regard to the reduction of speeds in rural residential areas. The Councillor indicated that rural areas are becoming more densely populated and are experiencing more pedestrian traffic on roads where no sidewalks or crosswalks exist. Councillor Hendsbee indicated that he would like to see a reduction in speed in rural subdivisions and on more densely populated rural roads.

Mr. McLellan indicated that staff would be pleased to write the Province requesting a review of speeds, if the Councillor would identify the areas which should be subject to the reduction.

A further discussion ensued with Mr. Reashor noting that there were criteria other than the number of pedestrians for the installation of crosswalks. To meet the standard, there must be an insufficient number of gaps and it must be 200 metres from another crosswalk. In response to a question from Councillor McInroy regarding the relationship of this criteria to the location of crossing guards, Mr. Reashor indicated that staff would have to bring back a report to address that issue.

Councillor Sloane referred to Lower Water Street at the Maritime Museum of the Atlantic and noted that a number of residents and tourists crossed at this location. She asked if this location would qualify for a location under the new criteria. In response, Mr. Reashor indicated that staff would review that location using the TAC standard.

Mr. Reashor then responded to questions regarding the methodology used and clarified that the crossing opportunities per hour are graphs produced for various types of roadways, various lane widths and based on traffic volume. Crossing opportunities are chosen from these graphs. He further indicated that generally a crosswalk would be located where there were less than 200, seven to fifteen second gaps per hour. Mr. Reashor stressed, however, that each situation must be handled individually taking into consideration the road type.

Councillor Mosher suggested that this clarification should be made for residents and that the information should be posted to the web.

In response to a question from Deputy Mayor Streach as to why the Province has not moved forward with adopting the TAC standards, Mr. Reashor noted that he was not aware of any particular reason. He went on to advise that HRM has requested that the Province clarify the criteria they are using.

In response to a question from Deputy Mayor Streach regarding the process to have a crosswalk installed in Sheet Harbour across the Number 7 Highway, Mr. Reashor indicated that this was very clearly a Provincial responsibility. He went on to indicate that HRM is seeking to influence the Province with regard to their criteria. Mr. Reashor confirmed that HRM could request the Province to install a crosswalk, however, it would be the decision of the Department of Transportation as to whether or not it was installed.

Councillor Blumenthal noted that in 1995 installation of a crosswalk and lights at the corner of McIntosh Street and Lady Hammond Road had been included in the budget. This work has never been completed and the Councillor requested that staff look into the matter.

Following a further discussion, Mr. Reashor invited members of Council to forward their requests relative to crosswalks for consideration by staff.

10. MOTIONS - None

11. ADDED ITEMS

11.1 Councillor Hendsbee -EMO Readiness and Coordination Efforts

This matter was dealt with during the discussion on item 9.1.5.

11.2 Councillor Rankin - Request from Transportation Association of Canada

- This matter was added to the agenda during the setting of the agenda.

Councillor Rankin submitted a letter dated August 19, 2004 from the Transportation Association of Canada.

MOVED by Councillor Rankin, seconded by Councillor Meade that staff prepare a report as to the merits of endorsing the request of the Transportation Association of Canada regarding a new initiative in transportation education as set out in their letter dated August 19, 2004. MOTION PUT AND PASSED UNANIMOUSLY.

12. NOTICES OF MOTION

12.1 Councillor Hendsbee - Election Poll Location Rationalization Initiative

Councillor Hendsbee gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on Tuesday, September 28, 2004, he will introduce a motion requesting that the HRM Election Office, through the Municipal Clerk's Office, provide a report and presentation to Council on its Election Poll Location Rationalization initiative as it relates to consolidating traditional polling locations for the upcoming 2004 Municipal and School Board Elections, and Provincial Plebiscite.

Mr. McLellan expressed concern that any discussion of this nature be undertaken prior to the upcoming municipal election. He went on to note that the degree of involvement of Council in decisions relating to polling locations is a very delicate matter and that changes to those locations at this time are not contemplated. Mr. McLellan offered that a review could be done following the election.

Concurring with the CAO's comments, Councillor Hendsbee stressed that residents who will no longer be voting at traditional locations have a right to know why the location was changed.

His Worship indicated that information would be forthcoming from the Clerk's Office in this regard.

12.2 Councillor Snow - Increase in Assessed Value of a Property Attributable to Municipal Sewer and/or Water

Councillor Snow gave Notice of Motion that at the next regular meeting of Halifax Regional Council to be held on Tuesday, September 28, 2004, she will introduce a motion requesting that staff prepare a report outlining the amount, if any, of the increase in the assessed value

of a property that can be attributed from receiving services through a Municipal sewer, water or sewer and water project.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 p.m.

Patti Halliday
Acting Municipal Clerk