

HALIFAX REGIONAL COUNCIL  
MINUTES  
November 23, 2004

PRESENT:

Mayor Peter J. Kelly  
Deputy Mayor Len Goucher  
Councillors: Steve Streach  
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  
Steve Adams  
Brad Johns  
Robert Harvey  
Reg Rankin  
Gary Meade

STAFF:

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

2. **APPROVAL OF MINUTES - NONE**

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

Additions

12.1 Deputy Mayor Goucher - Request for a letter of support to Minister of Transportation re: use of photo radar and traffic light cameras

12.2 Legal Matter - Settlement of Claim

12.3 Exportation of Waste

Councillor Meade requested item 10.2 be moved forward on the agenda and addressed following item 9.2

Deletions

10.1.2 Tender 04-260, Beaver Bank Municipal Services, Phase 4E, Central Region

**MOVED by Councillor Meade, seconded by Councillor Smith, 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. **PUBLIC HEARINGS**

8.1 **By-Law T-213, An Amendment to By-Law T-201, Tax Exemption for Non-Profit Organizations - New Applications 2004-2005**

- C A supplementary staff report, prepared for Mr. George McLellan, Chief Administrative Officer, dated November 19, 2004, on the above noted, was before Council.
- C An extract from the October 26, 2004 Regional Council minutes was before Council.
- C A report from the HRM Grants Committee, dated October 27, 2004, on the above noted, was before Council.

Peta Jane Temple, Coordinator Grants Program, outlined the report advising staff was requesting Council approve both the By-Law T-213 report as well as the corrections to the by-law as identified in the supplementary report.

Mayor Kelly called three times for those wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

**MOVED by Councillor Hendsbee, seconded by Deputy Mayor Goucher, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Walker, seconded by Deputy Mayor Goucher, that Regional Council approve second reading including the corrections to By-Law T-213 as detailed in the Supplementary Report dated November 19, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

**8.2            Transfer of Title 53-55 Ochterloney St., Dartmouth to Dartmouth Non-Profit Housing Society**

- C An extract from the October 26, 2004 Regional Council minutes, on the above noted, was before Council.
- C A report from the HRM Grants Committee, dated September 20, 2004, on the above noted, was before Council.

Peta Jane Temple, Coordinator Grants Program, outlined the report.

Mayor Kelly called three times for those wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

**MOVED by Deputy Mayor Goucher, seconded by Councillor Smith, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Walker, seconded by Councillor Younger, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the property located at 53-55 Ochterloney Street, Dartmouth, be conveyed to the Dartmouth Non-Profit Housing Society for the sum**

of \$1, subject to site survey and legal description, and the terms and conditions set out in the Discussion section of the report dated September 20, 2004. **MOTION PUT AND PASSED UNANIMOUSLY.**

**8.3            Sale of Former Housing Demonstration Project Properties to Harbour City Homes Society, Halifax**

- C        An extract from the October 26, 2004 Regional Council minutes, on the above noted, was before Council.
- C        A report from the HRM Grants Committee, dated September 20, 2004, on the above noted, was before Council.

Peta Jane Temple, Coordinator Grants Program, outlined the report.

Mayor Kelly called three times for those wishing to speak either in favour of or in opposition to the By-Law. Hearing none, the following motion was placed.

**MOVED by Councillor Walker, seconded by Deputy Mayor Goucher, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Uteck, seconded by Councillor Snow, that Regional Council authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale whereby the properties located at 2350 Gottingen Street, 2386-2388 Gottingen Street, 2014-2020 Maynard Street, portions (2 parcels) of PID #4048245, North Street; 2444-2450 Barrington Street, and 2559 Gottingen Street, Halifax, Lot D-2 Brunswick Street, and Lot E-1 Brunswick Street, Halifax, be conveyed to Harbour City Homes Society for the sum of \$1 each, plus all costs associated with this conveyance, subject to the Site Survey and Legal Description and the terms and conditions set out in the Discussion section of the report dated September 20, 2004. **MOTION PUT AND PASSED UNANIMOUSLY.****

**9.            CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1            Correspondence - None**

**9.2            Petitions**

- (i)        Councillor Hum served a petition on behalf of the Fernleigh Park Homeowners Association requesting that their neighbourhood be listed with other projects to be considered for Federal and Provincial Infrastructure Funding for sewer and water services.

- (ii) Councillor Meade served a petition on behalf of residents of St. Margaret's Bay requesting that the petition be forwarded to Metro Transit to develop a plan with a proposed area rate and frequency of service for an express bus service from Exit 5 to Downtown Halifax during peak periods.

**10.2 ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES**

**10.2.1 2004 Annual Report**

- C A copy of the 2004 Annual Report from the Advisory Committee for Persons with Disabilities, dated November 23, 2004, was before Council.

Ms. Betty MacDonald, Chair, presented the report to Council.

Councillor McCluskey noted a number of the sidewalks in Dartmouth are no longer accessible to wheelchairs.

In response to Councillor Hum, Councillor Meade advised there is currently no policy on accessible playgrounds.

Mayor Kelly thanked Ms. MacDonald for her presentation.

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Second Quarter 2004/05 Financial Report**

- C A report from Ms. Dale McLennan, Director of Financial Services, dated November 16, 2004, on the above noted, was before Council.  
C A copy of the overhead presentation was before Council.

Ms. Pam Caswell, Manager of Accounting, with the aid of overheads, presented the report to Council.

In response to Councillor Sloane with regards to the possibility of putting money back into the maintenance of the Capital District, Mr. McLellan advised this is a projected surplus only.

In response to Councillor Uteck regarding surplus from deed transfer tax, Mr. McLellan advised this is not deed transfer tax incurred on HRM properties but rather transactions within

the private sector.

Mayor Kelly thanked staff for the presentation.

**10.1.2 Tender 04-260, Beaver Bank Municipal Services, Phase 4E, Central Region**

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

**10.1.3 Sole Source Purchase of Replacement Aeration Mixer Gear Box and Motor for the Mill Cove Treatment Plant**

C A report prepared for Mr. George McLellan, Chief Administrative Officer, dated November 10, 2004, on the above noted, was before Council.

**MOVED by Deputy Mayor Goucher, seconded by Councillor Hum, that Regional Council authorize the purchase of a replacement aeration mixer gear box and motor from the Atlantic Region equipment distributor, Marathon Fluid Systems at a cost of \$69,928.00 plus net HST for a total project cost of \$72,325.83 with funding from Capital Account No. CSU00110, Wastewater Treatment Plant Upgrade as outlined in the Budget Implications section of the report dated November 10, 2004. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.1.4 District Funds re: Municipal Boundary Changes**

C A report prepared for Mr. George McLellan, Chief Administrative Officer, dated November 18, 2004, on the above noted, was before Council.

**MOVED by Councillor Hendsbee, seconded by Deputy Mayor Goucher, that Council approve the methodology as outlined in the Discussion section of the report dated November 18, 2004 for the allocation of District Activity and District Capital Funds based on the new Electoral District boundaries. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Hendsbee left at 7:15 p.m.

**10.1.5 2005 Regional Council Meeting Schedule**

C A report prepared for Mr. George McLellan, Chief Administrative Officer, dated November 18, 2004, on the above noted, was before Council.

**MOVED by Councillor Adams, seconded by Councillor Sloane, that Council adopt the 2005 Regional Council Meeting Schedule as proposed.**

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

**MOVED by Councillor Mosher, seconded by Councillor Adams that Council meet on July 12<sup>th</sup> but not on August 2<sup>nd</sup>.**

Following discussion, the following motion was placed.

**MOVED by Councillor Streach, seconded by Councillor Adams, that the item be deferred. MOTION PUT AND PASSED.**

**10.2            ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES**

**10.2.1        2004 Annual Report**

This item was discussed earlier in the meeting. (See page 7)

**10.3            MEMBERS OF COUNCIL**

**10.3.1        Councillor Uteck**

**(i)            Shelter of Last Resort**

**MOVED by Councilor Uteck, seconded by Councillor Sloane, that staff of Real Property and Asset Management actively pursue available HRM owned lands which would be suitable as a Shelter of Last Resort. Further, staff investigate the possibility of interim funding through the grants program with leveraging from the Provincial Government.**

Councillor Uteck noted this is a responsibility of both the Federal and Provincial Government and HRM's partnership would only be the provision of a piece of land which would be subject to Council approval.

Councillor Uteck noted the funding for the Brunswick Street United Church "Drop in out of the Cold" program has been discontinued and the church will not be running the program this coming winter.

Councillor Murphy suggested partnering opportunities be investigated with the universities who may have facilities that are not being utilized.

Councillor Younger requested Dartmouth also be included in the report.

Councillor Mosher stated she would like additional history as well as HRM's mandate and what can be done, within that mandate, to assist.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**(ii) Norsonic Sound Device for Police Services**

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Police provide a report on the possibility of using a Norsonic Sound Device or similar device as a means of measuring noise within the Halifax Regional Municipality.**

Councillor Uteck stated that as development continues to occur, noise continues to be a problem. She further requested that the By-law Rationalization Working Group examine appropriate amendments that would be needed to change By-law N-200 affecting noise.

Councillor McCluskey noted that at certain times of the year music from downtown Halifax bars can be heard in Dartmouth.

Councillor Wile noted that there are inside noise levels as well such as in a movie theatre.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11. MOTIONS - NONE**

**12. ADDED ITEMS**

**12.1 Deputy Mayor Goucher - Request for a letter of support to Minister of Transportation re: use of photo radar and traffic light cameras**

**MOVED by Deputy Mayor Goucher, seconded by Councillor McCluskey that the matter of photo radar and traffic light cameras be forwarded to the Board of Police Commissioners for discussion and recommendation with a report back to Regional Council. MOTION PUT AND PASSED.**

**12.2 Legal Matter - Settlement of Claim**

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

**MOVED by Councillor Younger, seconded by Councillor Walker, that Halifax Regional**

**Council settle this, claim as found in the Private and confidential staff report dated November 9, 2004 brought by the Plaintiff in the amount of \$21,500.00 to achieve a full settlement of the Plaintiffs action upon obtaining a full release from the Plaintiff from any further claims arising out of a motor vehicle accident November 16, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.3            Exportation of Waste**

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

**MOVED by Councillor Rankin, seconded by Councillor Streach, that the Mayor write to premier John Hamm; Kerry Morash the Minister of Nova Scotia Environment and labour; Barry Barnett the Minister for Service Nova Scotia and Municipal Relations; and Peter Christie the Minister of Finance requesting that they support the Solid Waste Strategy and the implementation of the plan as it was originally designed. MOTION PUT AND PASSED UNANIMOUSLY.**

**13.            NOTICES OF MOTION - NONE**

**14.            ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.

Jan Gibson  
Municipal Clerk