

HALIFAX REGIONAL COUNCIL  
MINUTES  
December 13, 2005

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Russell Walker  
Councillors: Steve Streach  
Krista Snow  
David Hendsbee  
Gloria McCluskey  
Andrew Younger  
Bill Karsten  
Becky Kent  
Jim Smith  
Mary Wile  
Patrick Murphy  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Bob Harvey  
Len Goucher  
Reg Rankin  
Gary Meade

REGRETS:

Councillor Harry McInroy

STAFF:

Mr. Wayne Anstey, Acting Chief Administrative Officer  
Ms. Mary Ellen Donovan, Municipal Solicitor  
Ms. Jan Gibson, Municipal Clerk  
Ms. Sherryl Murphy, Legislative Assistant  
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 - November 29, 2005**

**MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the minutes of November 29, 2005 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Councillor Streach made a statement of clarification regarding his comments on the new ATV legislation and excused himself from the meeting at 6:02 p.m.

Additions

- 11.1 Council Focus Areas - Infrastructure
  - (i) Municipal Rural Infrastructure Fund
  - (ii) Gas Tax
- 11.2 Council Focus Areas - Public Safety
- 11.3 Legal Matter - Settlement of Claim re: Lands in North Preston
- 11.4 Property Matter - Land Purchase for Mount Hope Interchange Project, Dartmouth
- 11.5 Property Matter - Land Acquisition - Lot HF1, Portion of PID#40162141, St. Margaret's Bay Road, Timberlea
- 11.6 Property Matter - Williams Lake Lands - Property Disposition

**MOVED by Councillor Younger, seconded by Councillor Wile, 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. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**8.1            Correspondence - None**

**8.2            Petitions**

**8.2.1        Councillor Fougere**

Councillor Fougere served a petition on behalf of the residents of Willow Street, Halifax, requesting that HRM implement traffic calming measures on their street. The petition will be forwarded to staff for a report.

**8.2.2        Councillor Karsten**

Councillor Karsten served a petition on behalf of the residents of Irvin Cross Place, Dartmouth, requesting that HRM close the pathway between Prince Andrew High School on Woodlawn Avenue to Irvin Cross Place. The petition will be forwarded to staff for a report.

**9.            REPORTS**

**9.1            CHIEF ADMINISTRATIVE OFFICER**

**9.1.1        Tender 05-287, Resurfacing, Flying Cloud Drive - East Region**

- A report dated December 1, 2005, on the above noted, was before Council.

**MOVED by Councillor Younger, seconded by Councillor McCluskey, that Council award tender No. 05-287, Resurfacing, Flying Cloud Drive - East Region to Dexter Construction Company Limited for materials and services listed at the unit prices quoted for a Tender Price of \$221,752 including net HST from Capital Account No. CZU00717, Resurfacing, with funding authorized as per the Budget Implication section of the December 1, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.2        Request for Proposal 05-145 Award, Vehicle Tracking and Communications: Non-Emergency Voice Radio Component**

- A report dated December 5, 2005, on the above noted, was before Council.

**MOVED by Councillor Wile, seconded by Councillor Sloane, that Council authorize the award of the non-emergency voice radio component of Request for Proposal #05-145 Vehicle Tracking and Communications to the highest ranking proponent, Aliant, for a total cost of \$543,999 including net HST from capital account number**

**CHA00160, Vehicle Tracking & Communications, as outlined in the Budget Implications section of the December 5, 2005 report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.3 Write - Off of Uncollectible Accounts**

- A report dated December 6, 2005, on the above noted, was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the report be referred to the Audit Committee for review and report to Council.**

Councillor Hendsbee requested that the Audit Committee clarify why the Real Property and Lienable accounts are being written off.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.4 By-Law S-419, Respecting Local Improvement Charges - New Paving Projects Outside the Core Area - 2004**

- A report dated December 2, 2005, on the above noted, was before Council.

**MOVED by Councillor Hendsbee, seconded by Councillor Kent, that Council approve in principle and begin the formal process for adoption of By-Law S-419 Respecting Charges for Street Improvements. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.5 Release of Funds - Upper Sackville Turft Capital Reserve Fund**

- A report dated December 6, 2005, on the above noted, was before Council.

**MOVED by Councillor Johns, seconded by Councillor Harvey, that Halifax Regional Council:**

- 1. Approve the creation of a new capital project, Weir Field Upgrades, to be funded from the Upper Sackville Turf Capital Reserve Q124.**
- 2. Approve an increase in the newly created capital project, Weir Field Upgrades, in the amount of \$ 15,000 from the Upper Sackville Turf Capital Reserve Q124 to cover the cost of capital maintenance and other related expenditures for this asset as outlined in the Discussion section of the December 6, 2005 report.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.6            2006 Regional Council Meeting Schedule**

- A report dated November 29, 2005, on the above noted, was before Council.

**MOVED by Councillor Johns, seconded by Councillor Sloane, that Council adopt the 2006 Regional Council Meeting Schedule as attached to the November 29, 2005 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.1.7            Council Chamber Security**

- A report dated October 24, 2005, on the above noted, was before Council.

**MOVED by Councillor Mosher, seconded by Councillor Smith, that the Security Protocol be adopted as outlined in Appendix "A" of the October 24, 2005 staff report including the following recommendations made by the previous CAO:**

- The Commissionaire maintain a list of people in the building at all times,
- Visitor passes be implemented,
- The use of the Argyle Street entrance for persons with disabilities and deliveries only be enforced.

**MOTION PUT AND PASSED.**

**9.1.8            Sustainability Success in HRM**

Councillor Sue Uteck and Mr. Brad Anguish, Director, Environmental Management Services, presented the report to Council advising HRM is recognized throughout the world as a leader in this area.

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that the Memorandum of Understanding (MOU) with the universities and hospital be extended to allow for sufficient time to complete the development agreement process. MOTION PUT AND PASSED UNANIMOUSLY.**

Councillor Sloane left the meeting at 6:56 p.m.

Following comments by members of Council, Councillor Uteck thanked staff for their participation in this initiative.

**9.2              ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES**

**9.2.1            Terms of Reference**

- A report from the Advisory Committee for Persons with Disabilities, dated December 2, 2005, on the above noted, was before Council.

**MOVED by Councillor Meade, seconded by Councillor Murphy, that Regional Council amend the Advisory Committee for Persons with Disabilities Terms of Reference to set the membership to eight residents and two councillors for a maximum of 10 members. MOTION PUT AND PASSED UNANIMOUSLY.**

**9.3                MEMBERS OF COUNCIL**

**9.3.1            Councillor Younger - 2007 Council Meeting Schedule**

**MOVED by Councillor Younger, seconded by Councillor Smith, that a staff report be provided by the second week of June, 2006 on alternative council scheduling for the 2007 year.**

The Councillor requested the report look at options such as (but not limited to) scheduling COW on different days than regular Council meetings, dedicated evenings solely for public hearings, and holding multiple consecutive Council days on alternating weeks with Community Council meetings and/or COW meetings. The report should provide information to allow Council members to consider the status quo with other options. Included should be options for televising, radio broadcasting, or webcasting as many meetings as possible.

**MOTION PUT AND PASSED (12 in favour, 7 against)**

Those voting **in favour** of the motion were Mayor Kelly and Councillors Snow, Hendsbee, McCluskey, Younger, Kent, Smith, Murphy, Hum, Johns, Harvey and Goucher.

Those voting **against** the motion were Deputy Mayor Walker and Councillors Uteck, Fougere, Mosher, Adams, Rankin and Meade.

Councillors Streach, McInroy, Karsten, Wile and Sloane were absent.

**10.                MOTIONS**

**10.1            Councillor Fougere - Administrative Order 18, Respecting Revenue Collection Policy**

**MOVED by Councillor Fougere, seconded by Deputy Mayor Walker, that Regional**

**Council adopt Administrative Order 18, Respecting Revenue Collection Policy, the purpose of which is to replace existing Administrative Order 18, Respecting Tax Collection. MOTION PUT AND PASSED UNANIMOUSLY.**

**11. ADDED ITEMS**

**11.1 Council Focus Areas - Infrastructure**

**(i) Municipal Rural Infrastructure Fund**

- This item was addressed at an earlier Committee of the Whole Council session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Rankin, seconded by Councillor Fougere, that Regional Council recommends:**

- 1. The 20% urban component of HRM's MRIF allocation be applied towards the following projects (totalling \$3.45m):**
  - C Purchase of three transit buses at a total cost of \$1.35m to help address a portion of the existing transit service deficiencies within the urban core.**
  - C Top priority active transportation projects, totalling \$2.1m, providing a basic network of routes that can be integrated into the daily lives of the public and which contribute significantly to lessening traffic, increasing transit ridership and promoting a healthier lifestyle.**
    - Halifax Urban Greenway Phase I - \$880,000**
    - Dartmouth Harbourfront Trail (Maplehurst connection) - \$528,000**
    - Shubenacadie Trail - \$400,000**
    - Bedford Highway Bikeway Phase 1 - \$352,000**
- 2. The original MRIF project list as brought forward by staff and as amended by Item #1 be submitted to the Province of Nova Scotia.**

**(ii) Gas Tax**

- This item was addressed at an earlier Committee of the Whole Council session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Rankin, seconded by Councillor Murphy, that Regional Council**

**approve the approach to allocating gas tax funds as indicated in the December 8, 2005 Supplementary Report. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.2 Council Focus Areas - Public Safety**

- This item was addressed at an earlier Committee of the Whole Council session held prior to the regular session and was now before Council for ratification.

**MOVED by Deputy Mayor Walker, seconded by Councillor Fougere, that Regional Council recommend By-law Enforcement conduct a Service Level Review in conjunction with a more detailed analysis of the data available regarding requests for service. MOTION PUT AND PASSED UNANIMOUSLY.**

**11.3 Legal Matter: Settlement of Claim re: Lands in North Preston**

- This item was addressed at an earlier In Camera session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Hendsbee, seconded by Councillor Wile, that Halifax Regional Council:**

1. **Approve payment to the claimant as outlined in the Budget Implications section of the November 18, 2005 private and confidential staff report, which is full and final settlement of this claim inclusive of the legal fees and other costs and any further claims in connection with the expropriation of his property in North Preston excluding the outstanding claim in nuisance for odour.**
2. **Not release the November 18, 2005 report to the public.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.4 Property Matter - Land Purchase for Mount Hope Interchange Project, Dartmouth**

- This item was addressed at an earlier In Camera session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Kent, seconded by Councillor Wile, that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Innovacorp, subject to the terms and conditions set out in the December 2, 2005 Private and Confidential staff report.**
  
- 2. Authorize the Mayor and Municipal Clerk to enter into an agreement of Purchase and Sale with Clayton Developments Limited, subject to the terms and conditions set out in the December 2, 2005 Private and Confidential staff report.**

3. Not release the December 2, 2005 report until the transactions have been closed.

**MOTION PUT AND PASSED.**

**11.5 Property Matter - Land Acquisition - Lot HF1, Portion of PID#40162141, St. Margaret's Bay Road, Timberlea**

- This item was addressed at an earlier In Camera session held prior to the regular session and was now before Council for ratification.

**MOVED by Councillor Rankin, seconded by Councillor Meade, that Halifax Regional Council:**

1. Approve the withdrawal from Account Q107, Parkland Reserve, to facilitate the purchase of the subject lands as per the key terms and conditions of the Budget Implications section of the December 2, 2005 Private and Confidential staff report.
2. Not release the December 2, 2005 report to the public until the transaction has concluded.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**11.6 Property Matter - Williams Lake Lands - Property Disposition**

- This item was addressed at an earlier In Camera session held prior to the regular session and was now before Council for ratification.

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

1. Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale with Polygon Developments Limited for 8.57 acres of land at Williams Lake Road, subject to the key business terms and conditions outlined in the December 7, 2005 Private and Confidential staff report.
2. Approve the creation of a new capital project, Ravenscraig Sportfield - Phase I with the initial funding to be provided from "work in kind", by Polygon Developments, to the value of \$276,574, with no increase in the Net Capital

**Budget.**

3. **Not release the December 7, 2005 report to the public until the property transaction is concluded.**

**MOTION PUT AND PASSED UNANIMOUSLY.**

**12. NOTICE OF MOTION**

**12.1 Councillor Meade**

Take Notice that at the next regular meeting to be held on Tuesday, the 10<sup>th</sup> day of January, 2006, I propose to move First Reading of By-Law S-419, Respecting Charges for Street Improvements, New Paving of Subdivision Streets Outside the Core Area.

**13. ADJOURNMENT**

The meeting was adjourned at 7:22 p.m.

Jan Gibson  
Municipal Clerk

**The following information items were circulated to Council:**

1. Proclamation - Nova Scotia Crime Stoppers Month - January 2006
2. Memorandum from Director, Environmental Management Services dated December 7, 2005 re: Harmonized By-Law A-300 - Animal Control
3. Memorandum from Director, Environmental Management Services dated December 5, 2005 re: HRM Wastewater Rate Update
4. Memorandum from General Manager, Halifax Regional Water Commission dated December 7, 2005 re: Halifax Regional Water Commission Rate Application to Nova Scotia Utility and Review Board
5. Memorandum from Acting Director, Legal Services dated November 24, 2005 re: Matters for In Camera / Release of In Camera Reports
6. Memorandum from Director, Financial Services dated November 29, 2005 re: Rocky Lake Development Association
7. Memorandum from Director, Transportation and Public Works and Acting Director, Real Property and Asset Management dated December 6, 2005 re: Woodside Ferry Terminal
8. Memorandum from Acting Deputy Chief Administrative Officer dated December 13, 2005 re: Capital District Enhanced Maintenance Strategy, 2005
9. Memorandum from Acting Director, Recreation, Tourism and Culture dated December 5, 2005 re: Ringette
10. Memorandum from Acting Director, Recreation, Tourism and Culture dated December 2, 2005 re: Lake District Recreation Association (Sackville Arena)
11. Memorandum from Director, Planning & Development dated November 28, 2005 re: Impact of Construction on Surrounding Properties
12. Memorandum from Director, Planning & Development dated December 1, 2005 re: Water Servicing Boundary Adjustments - Fall River, Spider Lake Road Spider Lake Estates

13. Memorandum from Director, Planning & Development dated December 1, 2005  
re: Municipal Planning Strategy Amendments for the Dartmouth Marine Slips  
and Sheppards Island
14. Memorandum from Director, Planning & Development dated December 5, 2005  
re: Amendment - Municipal Planning Strategy and Land Use By-Law -  
Heights Precincts
15. Memorandum from Chief of Police Services dated December 6, 2005  
re: Petition - Residents of Lake Drive, Mill Court, Forest Lane and Mill Run  
Crescent
16. Memorandum from Acting Deputy Chief Administrative Officer dated  
December 2, 2005 re: Staff Attendance - Committee of the Whole and  
In Camera Sessions
17. Memorandum from Director, Governance & Strategic Initiatives,  
dated November 28, 2005 re: Update - Alternative Voting Options
18. Memorandum from Acting Director, Recreation, Tourism & Culture  
dated December 8, 2005 re: Celebration of 10 Years of HRM Amalgamation
19. Memorandum from the Municipal Clerk, dated December 8, 2005  
re: Requests for Presentations to Council - None