HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL

MINUTES July 4, 2006

PRESENT: Mayor Peter Kelly

Deputy Mayor Russell Walker Councillors: Steve Streatch

David Hendsbee Gloria McCluskey Andrew Younger Bill Karsten

Bill Karsten
Becky Kent
Jim Smith
Mary Wile
Patrick Murphy

Dawn Sloane Sue Uteck

Sheila Fougere Debbie Hum Linda Mosher Stephen Adams Brad Johns

Robert Harvey Reg Rankin Gary Meade

REGRETS: Councillors: Krista Snow

Harry McInroy

STAFF: Ms. Geri Kaiser, Acting Chief Administrative Officer

Ms. Mary Ellen Donovan, 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 Johns.

2. <u>APPROVAL OF MINUTES - Regional Council June 20, 2006 & Committee</u> of the Whole - June 14, 15, 16, 19 and 20, 2006

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the minutes of Regional Council June 20, 2006 and Committee of the Whole - June 14, 15, 16, 19 and 20, 2006 be approved.

Deputy Mayor Walker referenced the June 15th Committee of the Whole minutes and noted that the motion on page 8 should read "wiring, mats for the floors and paving of the Forum parking lot".

MOTION PUT AND PASSED UNANIMOUSLY.

3. <u>APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS</u>

Additions

- 12.1 Councillor Mosher
 - (i) Request for Staff Update re Armdale Rotary
 - (ii) Undergrounding power to Dartmouth Sewage Treatment Plant
- 12.2 Contractual Matter Proposed Major Concert

Item 10.1.19 to be considered in conjunction with Item 11.1.

MOVED by Councillor Sloane, seconded by Councillor Streatch, that item 12.2, Contractual Matter - Proposed Major Concert be addressed immediately following the public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

A request by Deputy Mayor Walker to add an item entitled "Amendment to Policies SU-9 and SU-10 of the Regional Planning Strategy" to the agenda was defeated. Two thirds vote (14) to add the item to the agenda was not achieved.

MOVED by Councillor Younger, seconded by Councillor Hendsbee, that item 10.1.11,

Festivals and Events Funding Committee, be referred to the Marketing Levy Committee. MOTION DEFEATED.

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MOVED by Councillor Sloane, seconded by Councillor Wile, that the Order of Business, as amended, be approved. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Karsten introduced Mr. Ryan Smith and presented him with his Citizenship Award.

- 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 HEARING
- 8.1 <u>By-Law T-136, Respecting Taxi and Limousine Licensing Amendment</u>
 National Standards Certification for new Limousine Drivers
- An extract from the June 13, 2006 Regional Council minutes was before Council.
- A report dated April 25, 2006, on the above noted, was before Council.

Mr. Kevin Hindle, Regional Coordinator, Taxi and Limousine Services, presented the report to Council.

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

MOVED by Councillor Sloane, seconded by Councillor McCluskey, that the public hearing close. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Adams, seconded by Councillor Johns, that Regional Council approve an amendment to By-Law T-108 to mandate that all new limousine drivers be required to complete the National Certification Program similar to that required for Taxi Drivers. MOTION PUT AND PASSED UNANIMOUSLY.

As approved under the approval of the Order of Business, Council addressed item 12.2 at this time.

12.2 Contractual Matter - Proposed Major Concert

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

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MOVED by Councillor Rankin, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Instruct staff to negotiate for the concert discussed in the June 26, 2006 report, and that, as a first and final offer to Donald K. Donald, HRM provide a cash contribution up to \$100,000 toward policing and clean-up with no further cost, no loss, and no liability to the municipality.
- 2. The contribution to a maximum of \$100,000 with funding of \$50,000 from the Special Events Reserve Q315, \$15,000 from the Capital District, and the remaining balance of \$35,000 to be managed within the Special Events Reserve budget, through negotiation of contributions from the Business District Associations, and with possible re-prioritization of other projects within the Special Events Reserve.
- 3. Council authorize the necessary adjustments to the 2006/07 Reserve and Operating Budgets to accommodate this expenditure.

MOTION PUT AND PASSED.

- 9. CORRESPONDENCE, PETITIONS AND DELEGATIONS
- 9.1 Correspondence None
- 9.2 Petitions None
- 10. REPORTS
- 10.1 <u>CHIEF ADMINIST</u>RATIVE OFFICER
- 10.1.1 Request for Proposal 06-043 Supply of Forty Foot Transit Buses
- A report dated June 26, 2006, on the above noted, was before Council.

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

1. Council authorize the award RFP #06-043, for a three year period, to the highest ranking proponent, New Flyer Industries.

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- 2. Pursuant to RFP #06-043, Council approve the purchase of twenty-five (25) buses at a cost of \$8,999,825 (including net HST) with funding from Capital Account CVD00434 and CVD00435 as outlined in the Budget Implications section of the June 26, 2006 report.
- 3. Pursuant to RFP #06-043, Council authorize up to an additional fifty (50) buses in 2007/08 and 2008/09, contingent upon Council approval of capital funding through the capital budget process for those years at an additional cost of \$18,923,850 (including net HST).
- 4. Council approve the purchase of one (1) spare engine module from New Flyer Industries at a cost of \$67,820 (including net HST), with funding from Capital Account CVD00434, as outlined in the Budget Implications section of the June 26, 2006 report.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 <u>Tender 06-067 - Five (5) 2007 Tandem Truck Chassis with Combination</u> <u>Dump Body, Reversible Plow and Wing Plow</u>

A report dated June 26, 2006, on the above noted, was before Council.

MOVED by Councillor Streatch, seconded by Councillor Sloane, that Council award Tender No. 06-067, for Five (5) 2007 Tandem Truck Chassis with Combination Dump Body, Reversible and Wing Plow to MacKay's Truck & Trailer Center Ltd. for a Tender Price of \$966,689 (net HST included) with funding from Capital Account CVD00413 as outlined in the Budget Implications section of the June 26, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 <u>Tender 06-246 - Sidewalk Renewals - West Region</u>

A report dated June 23, 2006, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Johns, that Council award Tender No. 06-246 Sidewalk Renewals - West Region to Basin Contracting Limited for materials and services listed at the unit prices quoted for a Total Tender price of \$276,321 including net HST from the Approved 2006/07 Capital Budget from Account No. CKU00783 Sidewalk Renewals, with funding authorized as per the Budget

Implications section of the June 23, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

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- 10.1.4 <u>Tender 06-258 Traffic Signal Upgrades, Cole Harbour Road at Otago</u> <u>Drive - East Region and Old Sambro Road at Dentith St. - West Region</u>
- A report dated June 23, 2006, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Sloane, that Council award Tender No. 06-258, Traffic Signal Upgrades, Cole Harbour Road at Otago Drive - East Region and Old Sambro Road at Dentith Street - West Region to Black & MacDonald Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$106,343 including net HST from the Approved 2006/07 Capital Budget from Capital Account No. CTU00422, Traffic Signal Compliance Program, with funding authorized as per the Budget Implication section of the June 23, 2006 report.

Councillor McCluskey requested a report be provided on the actual costs once the job is completed.

MOTION PUT AND PASSED UNANIMOUSLY.

- 10.1.5 <u>Tender 06-356 Sullivan's Pond Outlet Pipe, SCP (Corrugated Steel Pipe) Repairs</u>
- A report dated June 28, 2006, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Younger, that Council:

- 1. Approve an increase to the 2006/2007 Capital Budget in the amount of \$135,275 including net HST, for capital project CSI00706, Sullivan's Pond Outlet Pipe, Dartmouth with funding from Sewer Redevelopment Reserve Account Q104, as outlined in the Budget Implications section of the June 28, 2006 report.
- 2. Approve withdrawal from the Sewer Redevelopment Reserve Q104 in the amount of \$135,275.
- 3. Award the Sullivan's Pond Outlet Pipe CSP Repairs, Dartmouth to Silco Contracting Limited for the materials and services listed at the unit prices quoted for a quoted price of \$199,618 including net HST from capital account

with funding authorized as per the Budget Implications section of the June 28, 2006 report.

4. Approve an allowance for testing of materials and unforseen work that is likely to arise with a project of this complexity, in the amount of \$19,962 including net HST.

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5. Approve the appointment of CBCL Limited for contract administration and site inspection services for an estimated \$17,066 including net HST.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.6 Capital Budget Increase Lake Echo Community Park

A report dated June 8, 2006, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Deputy Mayor Walker, that HRM approve an increase in the Gross Capital Budget to Capital Account No. CPC00677 - New Playground Development by \$2,453, with no change to the Net Budget, to reflect additional funding secured by the Lake Echo Community Park Committee, as per the background section of the June 8, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.7 Special Election Halifax Regional Municipality District 21 - Bedford

A report dated June 27, 2006, on the above noted, was before Council.

MOVED by Councillor Wile, seconded by Councillor Smith, that:

- 1. Council accept the resignation of Councillor Goucher from Halifax Regional Council.
- 2. Jan Gibson, Municipal Clerk, be appointed the Returning Officer and Linda Grant and Sherryll Murphy be appointed the Assistant Returning Officers for the Special Election in District 21 to fill the vacancy on the Halifax Regional Council.
- 3. Halifax Regional Council approve the use of the Provincial Voters List used in the Provincial Election held June 13th, 2006.
- 4. Approve a withdrawal from the Election Reserve, Q313, in the amount of

\$30,000.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.8 By-Law C-500 - Respecting Commerce and Vending on Municipal Lands

10

A report dated June 19, 2006, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Wile, that Council approve, in principle:

- 1. By-law C-500, respecting Commerce and Vending on Municipal Lands and commence the process for giving first reading for the adoption of the by-law.
- 2. Administrative Order 37, Respecting Commerce and Vending on Municipal Lands (Site Locations) and commence the process for the adoption of the administrative order.
- 3. An amendment to Administrative Order 15, Respecting License, Permit and Processing Fees and commence the process for the adoption of the amendment.

MOTION PUT AND PASSED.

10.1.9 <u>Business Improvement District (BID) Service Agreement Renewal</u>

A report dated June 23, 2006, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Fougere, that Council authorize the Mayor and Municipal Clerk to execute the Service Agreement attached to the June 23, 2006 report on behalf of HRM with the six Business Improvement Districts, which will come into effect on April 1, 2006, for a period of one (1) year in order for them to continue to provide services related to the betterment and revitalization of their respective commercial neighbourhoods. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.10 <u>Lake Banook Pedestrian Bridge</u>

A report dated June 23, 2006, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Kent, that Halifax

10.1.11 Festivals and Events Funding Committee

A report dated June 27, 2006, on the above noted, was before Council.

MOVED by Councillor Younger, seconded by Councillor Hendsbee, that this item be deferred to the August 1st Council session pending report from the Marketing Levy Committee. MOTION PUT AND PASSED.

10.1.12 Prospect Road and Area Community Centre (Supplementary Report)

A report dated June 29, 2006, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Sloane, that Council approve an increase to the gross budget to capital account No. CBG00720, Prospect Community Centre, in the amount of \$125,000 with funding provided through a reallocation of Strategic Growth Reserve funding from Capital Account No. CDV00734 and Operating funding from Prospect Road Recreation Area Rate Account to facilitate conceptual design study, as outlined in the Budget Implications section of the June 29, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.13 Award of Contract - Revenue Tools Replacement

A report dated June 27, 2006, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council award the contract for the replacement of HRM's revenue billing and collection system to Hansen Canada, for an estimated total cost of \$1.705 million, with funding authorized from Capital project CIM00566 as per the Budget Implication section of the June 27, 2006 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.14 Tax Sale Fees

A report dated June 28, 2006, on the above noted, was before Council.

MOVED by Councillor Harvey, seconded by Councillor Sloane, that Regional Council

approve an amendment to Administrative Order 18 to include Schedule 1, Proposed Tax Sale Administration Fees, effective September 1, 2006 and that the staff report serve as Notice of Motion to amend the Administrative Order. MOTION PUT AND PASSED UNANIMOUSLY.

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Councillor Rankin left the meeting at 7:17 p.m.

10.1.15 <u>2006/07 Area Rated Local Improvement Charge for Project 05-281 - Sidewalk, Highfield Park Drive</u>

A report dated June 28, 2006, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor Kent, that an area rate of \$0.0091 per \$100 of assessed value be applied to the residential, resource and commercial assessment (excluding business occupancy) within the mapped area shown in the attached CAO Award Report dated August 25, 2005 for the purpose of funding the cost incurred in 2005-06 for construction of a new sidewalk on Highfield Park Drive as part of Project 05-281. This area rate will be for a one year duration only and will expire after the 2006-07 Fiscal Year. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.16 <u>Gas Tax</u>

A report dated June 22, 2006, on the above noted, was before Council.

MOVED by Deputy Mayor Walker, seconded by Councillor Karsten, that Council approve the three year list of projects for gas tax funding as listed in Attachment "A" of the staff report dated June 22, 2006. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.17 Revised 2006-07 Area Rates for Community Transit

A report dated June 29, 2006, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Hendsbee, that:

- 1. The 2006-07 area rate for the Lake Echo/Porter's Lake Community Transit service be set at \$0.028 per \$100 of residential and resource assessment within the approved catchment area for this service.
- 2. The 2006-07 area rate for the Hammonds Plains/Timberlea Community Transit service be set at \$0.005 per \$100 of residential and resource assessment

within the approved catchment area for this service.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.18 <u>Memorandum of Understanding for the Mainland Common Community</u> Centre between the YMCA and HRM

A report dated June 26, 2006, on the above noted, was before Council.

MOVED by Deputy Mayor Walker, seconded by Councillor Wile, that Council approve the Memorandum of Understanding (MOU) attached to the June 26, 2006 staff report which establishes the parameters for an agreement between HRM and the YMCA of Greater Halifax and Dartmouth with respect to the development, fundraising, design, construction, ownership, and operating management of the Mainland Common Community Centre (MCCC). MOTION PUT AND PASSED UNANIMOUSLY.

10.1.19 <u>First Reading - Project 00327 - By-Law S-800 - Respecting Requirements for the Licensing of Temporary Signs</u>

This item was addressed in conjunction with Item 11.1. (See page 14)

10.2 WESTERN REGION COMMUNITY COUNCIL

10.2.1 Revision of Boundary for Harrietsfield Williamswood Community Centre Area Rate

A report dated June 27, 2006, on the above noted, was before Council.

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

- 1. That the boundary for the Harrietsfield Williamswood Community Centre area rate be revised in accordance with the map in Appendix B of the staff report dated June 6, 2006 to include only the communities of Harrietsfield and Williamswood effective with the 2006-07 fiscal year.
- 2. The 2006-07 Business Plan and Operating Budget for the Harrietsfield Williamswood Community Centre attached as Appendix D to the staff report dated June 6, 2006.

MOTION PUT AND PASSED UNANIMOUSLY.

10.2.2 Revision of Boundary for Westwood Hills Residents Association Area Rate

A report dated June 27, 2006, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Adams, that Regional Council approve:

- 1. That the boundary for the Westwood Hills Residents Association area rate be revised to include the properties identified in Appendix "B" of the staff report dated June 14, 2006 effective with the 2006-07 fiscal year.
- 2. The 2006-07 Business Plan and Operating Budget for the Westwood Hills Residents Association attached in Appendix "E" of the staff report dated June 14, 2006.
- 3. That the area rate for the 2006-07 fiscal year be set at \$50 per property within the mapped area depicted in Appendix "B" of the staff report dated June 14, 2006.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 TAXI & LIMOUSINE ADVISORY COMMITTEE

A report dated June 27, 2006, on the above noted, was before Council.

MOVED by Councillor Adams, seconded by Councillor Smith, that Regional Council amend Administrative Order 38, to change Section 4 (h) as follows: "One member appointed from a Business Association within Halifax Regional Municipality". MOTION PUT AND PASSED UNANIMOUSLY.

11. MOTIONS

As per the approval of the Order of Business, Council addressed item 10.1.19 in conjunction with the motion as put forward by Councillor Snow.

10.1.19 <u>First Reading - Project 00327- By-Law S-800 - Respecting the Requirements for the Licensing of Temporary Signs</u>

 A supplementary report, dated June 28, 2006, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Johns, that Regional Council:

- 1. Give First Reading to:
 - a) By-Law S-800 "A By-Law Respecting Requirements for the Licensing of Temporary Signs", as shown in Attachment 1 of the June 28, 2006 staff report,
 - b) To amendments to all Municipal Planning Strategies and Land Use By-Laws to reference By-Law S-800, as shown in Attachments 2 to 42 of the staff report dated June 20, 2006,
 - c) By-Law E-201, a By-Law to amend "The Encroachment By-Law" as shown in Attachment 43 of the staff report dated June 20, 2006, and

schedule necessary public hearings,

2. Amend Administrative Order 15 "Respecting License, Permit, and Processing Fees", upon adoption of By-Law S-800, to adopt license fees for temporary signs and permit fees for permanent signs as shown in Attachment 44 of the staff report dated June 20, 2006.

MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1(i) Councillor Mosher - Request for Staff Update re: Armdale Rotary

Councillor Mosher noted the rules governing the Rotary have changed and, as a result, residents are confused as to the use of the lights outside the Rotary.

MOVED by Councillor Mosher, seconded by Councillor Meade, that staff provide a report clarifying how the new rules for the Armdale Rotary apply and further, staff provide information, via e-mail, to members of Council to assist in addressing

concerns put forward by the public and media. MOTION PUT AND PASSED UNANIMOUSLY.

12.1 (ii) <u>Councillor Mosher - Undergrounding Power to Dartmouth Sewage</u> Treatment Plant

MOVED by Councillor Mosher, seconded by Councillor Kent, that the Harbour Solutions/Energy and Underground Services Committee approve the scope of the Harbour Solutions Project to include undergrounding a portion along the Dartmouth Sewage Treatment Plant Access Road for a cost not to exceed \$500,000, with the funds coming from the Harbour Solutions Contingency Fund. MOTION PUT AND PASSED.

12.2 <u>Contractual Matter - Major Events Funding</u>

This item was addressed earlier in the meeting. (See page 5)

13. NOTICES OF MOTION

Councillor Uteck

Take Notice that at the next Regular Council meeting, to be held on Tuesday, the 1st day of August, 2006, I propose to introduce for First Reading By-law Number C-500, Respecting Commercial Vending on Municipal Lands. This is regarding commercial or retail activity, such as vending and placement of newspaper boxes on HRM - owned properties.

Deputy Mayor Walker

Take Notice that at the next Regular Council meeting, to be held on Tuesday, the 1st day of August, 2006, I intend to introduce a motion to move that Council initiate an amendment to policies SU-9 and SU-10 of the Regional Municipal Planning Strategy to place approximately 21 hectares of land in Middle Sackville within the R-1 zone. Further, that the Land Use By-law for Sackville be amended to include PID's 40281479 and 40875346 within the R-a zone and that Section 23.4 be deleted. Further, that Council instruct staff that the Municipal Planning Strategy amendment process include a public participation program in accordance with the public participation resolution adopted by Halifax Regional Council on February 25, 1997.

14. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

The following Information Items were circulated to Council.

- 1. Memorandum from Acting Director, Finance dated June 20, 2006 re: Residential Property Tax Rebate and Deferral Programs Evaluation of Policy Changes.
- 2. Memorandum from Acting Director, Community, Culture and Economic Development dated June 23, 2006 re: Needham Bells Capital Budget Transfer
- 3. Memorandum from Acting Director, Community, Culture and Economic Development dated June 21, 2006 re: Events Funding Review Update
- 4. Memorandum from Chief of Police dated June 21, 2006 re: By-Law Infraction Notification
- 5. Memorandum from Acting Director, Community, Culture and Economic Development dated June 23, 2006 re: HRM Float Procedure
- 6. Memorandum from Chief Administrative Officer, HRM and Deputy Minister, Nova Scotia Transportation and Public Works dated July 4, 2006 re: Joint Public Lands Plans Capital District
- 7. Memorandum from Director, Environmental Management Services dated June 23, 2006 re Litter Drive Thru Restaurants.
- 8. Memorandum from Director, Environmental Management Services and General Manager, Halifax Regional Water Commission dated June 22, 2006 re: Halifax Regional Water Commission / HRM Relationship Working Group 12 Month Update
- 9. Memorandum from Coordinator, Intergovernmental Affairs dated June 26, 2006 re Transit Implications of 2006 Federal Budget.
- 10. Memorandum from Acting Director, Finance dated June 30, 2006 re: Fourth Quarter 2005 / 2006 Financial Report
- 11. Memorandum from Acting Director, Community, Culture and Economic Development and Acting Director, Finance dated June 26, 2006 re: Financial Performance HRM's Major Facilities
- 12. Memorandum from the Municipal Clerk dated June 30, 2006 re: Requests for Presentation to Council None