

HALIFAX REGIONAL COUNCIL

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HALIFAX REGIONAL COUNCIL  
MINUTES  
October 3, 2006

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Russell Walker  
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  
Debbie Hum  
Linda Mosher  
Stephen Adams  
Brad Johns  
Robert Harvey  
Gary Martin  
Reg Rankin  
Gary Meade

STAFF:

Mr. Dan English, 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 McInroy.

**2. APPROVAL OF MINUTES - September 19, 2006**

**MOVED by Councillor McCluskey, seconded by Councillor Hum, that the minutes of September 19, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

12.1 Council Focus Areas

12.2 Property Matter - Potential Acquisition - 169 Wyse Road

**MOVED by Councillor Sloane, seconded by Councillor Fougere, 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**

**7.1 Approach to Tax Reform**

This item was addressed at a later point in the meeting. (See page 7)

**7.2 Bloomfield - Phase III**

This item was addressed at a later point in the meeting. (See page 8)

**8. PUBLIC HEARINGS**

**8.1 By-Law A-201, An Amendment to By-Law A-200, Respecting Automatic**

**Machines**

- A supplementary report dated September 27, 2006, on the above noted, was before Council.
- A report dated August 1, 2006, on the above noted, was before Council.

Councillor Karsten declared a Conflict of Interest and left the chambers.

Ms. Cathy Mellett, Acting Business Manager, BPIM, Client Services, presented the staff report.

In response to questions from Council, Ms. Mellett clarified that:

- Newspaper boxes where the papers are free are not covered under the By-Law and require no license,
- A bulk machine is one that dispenses such things as candy and is usually found in shopping malls,
- Machines such as pop machines that have product choices are covered by way of a vending license.

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

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

**MOVED by Deputy Mayor Walker, seconded by Councillor Uteck, that Regional Council approve:**

- 1. Proposed By-Law A-201, respecting Automatic Machines.**
- 2. Amendments to Administrative Order 15, Respecting License, Permit and Processing Fees and definitions.**
- 3. Authorize staff to investigate the appropriateness of establishing a licensing fee for banking machines not located in commercial buildings.**

**MOTION PUT AND PASSED.**

**8.2 By-Law P-504, An Amendment to By-Law P-500, Respecting Parking Meters - Increase in Parking Meter Fines**

- A report dated July 31, 2006, on the above noted, was before Council.

Mr. Jerry Blackwood, Operations Manager, Revenue, presented the report to Council.

Mayor Kelly called for those wishing to speak either in favour of or in opposition to the proposed amendment.

**Mr. Ernie Brennan**, Ketch Harbour, expressed concern with the amount charged on the tickets. He stated he feels this is a tax grab as Council has made an assumption which they have added into revenue calculations.

Mayor Kelly called for any additional speakers. Hearing none, the following motion was placed.

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

**MOVED by Councillor Hendsbee, seconded by Councillor Karsten, that:**

1. **Regional Council approve adoption of the amendment outlined in Appendix A to Section 17 of By-Law P-500, the Parking Meter By-Law, a parking meter fine increase from \$20 to \$25 effective immediately, with an early payment terms of \$20, if paid within 7 days from the date of issuance effective October 1, 2006.**
2. **Regional Council approve the continued acceptance of the present discounted amount of \$15.00 on the payment of out of court settlement if received within 7 days of the issuance of the parking ticket in respect of parking tickets paid before October 1, 2006 as per the discussion section of the July 31, 2006 staff report.**

In response to Councillor Hendsbee, Council was advised that if a person is parked at a location for longer than allowed for on the meter more than one ticket would be issued.

Councillor Uteck expressed concern that there has not been a study done on the impact of new malls on the downtown area.

In response to Councillor Sloane, Council was advised it is possible to look at a discount for early payment but the rates on the parking meters is a separate issue.

In response to Councillor Fougere with regards to what will happen if the motion does not pass, Council was advised the court has no jurisdiction over the discount.

In response to Councillor Smith, Council was advised a discount can be applied to a specified area.

In response to Councillor Hendsbee, Council was advised that off road parking meters such as those at universities, hospitals and the airport have their own regulations.

Councillor Sloane stated an impact study needs to be undertaken with respect to the downtown core and placed the following motion.

**MOVED by Councillor Sloane, seconded by Councillor Uteck, that this item be deferred pending an economic study on how this will impact the downtown core.**

Ms. Donovan, Municipal Solicitor, advised the Province has changed the amount of the fine and the Municipality must go with what the Province has decided. If Council is trying to maintain the status quo then that would be achieved by approving a ten dollar discount across the board.

**DEFERRAL DEFEATED.**

**MAIN MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Mosher, seconded by Councillor Adams, that the Mayor write the Province requesting that accessible parking permits be restricted to the exclusive use of the person to whom it was issued. MOTION PUT AND PASSED.**

#### **7.1 Approach to Tax Reform**

- An extract from the August 8, 2006 Committee of the Whole Minutes, was before Council.
- A copy of the presentation, was before Council.
- A copy of the staff report dated August 3, 2006, on the above noted, was before Council.

Mr. Bruce Fisher, Manager, Financial Planning, presented the report to Council.

Council recessed at 8:00 p.m.  
Council reconvened at 8:15 p.m.

**MOVED by Councillor Fougere, seconded by Councillor Uteck, that Regional Council:**

- 1. Confirm an approach to tax reform at Level D - Rebuild Foundations.**
- 2. Approve the creation of a project-specific (ad-hoc) Steering Committee to include Councillors and HRM residents as members.**

Councillor Fougere stated that looking at the tax system from top to bottom is the only way HRM will find the tools to do what the residents want. She stated there is a need to begin the public consultation.

**MOVED by Councillor Younger, seconded by Councillor Snow, that the item be deferred to the next Committee of the Whole Council session. MOTION DEFEATED. (10 in favour, 14 against)**

Those voting in favour were Mayor Kelly, Deputy Mayor Walker and Councillors Snow, McCluskey, Younger, Karsten, Adams, Johns, Rankin and Meade.

Those voting against were Councillors Streach, Hendsbee, McInroy, Kent, Smith, Wile, Murphy, Sloane, Uteck, Fougere, Hum, Mosher, Harvey and Martin.

**MOVED by Councillor Johns, seconded by Councillor Sloane, that the question now be put. MOTION PUT AND PASSED.**

**MAIN MOTION PUT AND PASSED.**

## **7.2 Bloomfield - Phase III**

- A report dated June 12, 2006, on the above noted, was before Council.

Mr. Peter Bigelow, Manager, Real Property Planning, presented the report to Council.

Councillor Murphy noted this is an HRM facility which is used by many HRM residents not just those in his district. The Councillor received clarification that both outside consultants and HRM staff were involved in the study.

Mr. Bigelow stated there is a recognition that there was an indoor facilities master plan that found through community consultation that on the Peninsula of Halifax there was not a need for additional facilities, there was a need for better gym facilities and better access.

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that:**

- 1. HRM enter into clear public process where all avenues will be investigated, including community partnerships, and innovative ideas for the site, especially in the areas of seniors, recreation and cultural opportunities.**
- 2. This recommendation will include the use of the gymnasium.**
- 3. The architectural integrity be retained on the site of the Fielding and Common Buildings.**

In response to Councillor Johns regarding where the funds for upgrades would be coming from, Council was advised some of the funds would be regular capital budget expenditures, private investment and some may be through leases for private services.

Councillor Fougere noted Council has not addressed the fact that this is not just about the geography in relation to the number of facilities as there are four districts on the Peninsula. She stated community is not just defined by geography. There are other facilities on the Peninsula that are aging and aged. Bloomfield is one of a number of publicly owned facilities on the Peninsula that have fallen into disrepair that could be costly to repair.

Councillor Mosher left the meeting at 9:20 p.m.

In response to Councillor Karsten, staff advised that there is a recognition that if there are any more structures on that site they need to fit in with the community.

In response to Councillor Sloane as to how the building will be maintained, Mr. English advised Council will make the decision as to what will happen with the site and building. He advised nothing has been predetermined and staff is seeking Council direction. He advised staff is not proposing that the lands be sold and Community Services has been contacted with regards to transition of the tenants. He noted there were funds in the budget to maintain the building and there won't be any major renovations until there has been public consultation.

Councillor Karsten left the meeting at 9:32 p.m.

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

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that Council, in principle, consider funding for Bloomfield improvements, if needed, to come from the sale of Saint Patrick's High or QEH if Council agrees to sell either of those buildings**

**when they revert back to HRM and, if the public process leads to a portion or all of Bloomfield being saved.**

In response to Councillor Smith, Mr. English advised that any proceeds from sale of land has to go into the sale of land reserve and then Council determines how the funds are allocated.

At this time the following motion to extend beyond 10:00 p.m. was placed.

**MOVED by Councillor Fougere, seconded by Councillor Sloane, the Council extend beyond 10:00 p.m. in order to complete the item on the floor and item 10.1.1, Tender 06-277 - Paving Resurfacing, Rodney Terrace, East Region. MOTION PUT AND PASSED.**

Councillor Harvey stated the amendment was premature. He noted a number of schools were sold in various districts throughout the municipality with only a portion of the funds being accessible for use by the Councillor with the remainder going into the sale of land account.

**AMENDMENT DEFEATED. (8 in favour, 13 against)**

Those voting in favour were Councillors Streach, Hendsbee, Murphy, Sloane, Uteck, Fougere, Adams and Martin.

Those voting against were Mayor Kelly, Deputy Mayor Walker and Councillors Snow, McInroy, McCluskey, Kent, Smith, Wile, Hum, Johns, Harvey, Rankin and Meade.

Councillors Younger, Karsten and Mosher were absent.

The main motion was now before Council.

**MOVED by Councillor Murphy, seconded by Councillor Sloane, that:**

- 1. HRM enter into clear public process where all avenues will be investigated, including community partnerships, and innovative ideas for the site, especially in the areas of seniors, recreation and cultural opportunities.**
- 2. This recommendation will include the use of the gymnasium.**
- 3. The architectural integrity be retained on the site of the Fielding and Common Buildings.**

**MOTION PUT AND PASSED UNANIMOUSLY**

**10.1.1 Tender 06-277 - Paving Resurfacing, Rodney Terrace - East Region**

- A report dated September 21, 2006, on the above noted, was before Council.

**MOVED by Councillor Kent, seconded by Councillor Streach, that Council award Tender No. 06-277, Paving Resurfacing, Rodney Terrace - East Region to Basin Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$153,866 including net HST from Capital Account No. CZU00717, Resurfacing, with funding authorized as per the Budget Implications section of the September 21, 2006 staff report. MOTION PUT AND PASSED UNANIMOUSLY.**

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Correspondence - None**

**9.2 Petitions - None**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Tender 06-277 - Paving Resurfacing, Rodney Terrace - East Region**

This item was addressed earlier in the meeting. (See page 10)

**10.1.2 Request for Proposal 06-102 - Regional Parking Strategy Functional Plan**

This item was deferred to October 10, 2006.

**10.1.3 Government Relations and Strategic Partnership Development**

This item was deferred to October 10, 2006.

**10.1.4 Amendments to Municipal Government Act (MGA)**

This item was deferred to October 10, 2006.

**11. MOTIONS**

**11.1            Councillor Adams - Amendment to By-Law S-800 regarding time period for temporary sign**

This item was deferred to October 10, 2006.

**11.2            Councillor McInroy - Amendment to By-Law S-800 regarding Cole Harbour Westphal and Sackville Drive Secondary Planning Strategy**

This item was deferred to October 10, 2006.

**12.            ADDED ITEMS**

**12.1            Council Focus Areas**

This item was deferred to October 10, 2006.

**12.2            Property Matter - Potential Acquisition - 169 Wyse Road, Dartmouth**

This item was deferred to October 10, 2006.

**13.            NOTICES OF MOTION - NONE**

**14.            ADJOURNMENT**

The meeting was adjourned at 10:20 p.m.

Jan Gibson  
Municipal Clerk

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

1. Memorandum from Director, Business Planning & Information Management dated September 27, 2006 re: August 31, 2006 Status Report: 2006 - 2007 Business Plans
2. Memorandum from Director, Transportation & Public Works dated September 21, 2006 re: Coordination with Utilities - Construction Projects
3. Memorandum from Director, Community Development dated September 26, 2006 re: Draft Planning Principles for Dog-Related Uses in HRM Parks
4. Memorandum from Director, Community Development dated October 3, 2006 re: HRM Facility Lease & Program Agreement: Contributions Fund 2006 - 2007 Awards - Community & Neighbourhood Facilities
5. Memorandum from Chair, Taxi & Limousine Advisory Committee dated September 14, 2006 re: Taxi Driver Safety Systems
6. Memorandum from the Municipal Clerk dated September 29, 2006 re: Requests for Presentation to Council - None