

HALIFAX REGIONAL COUNCIL

HALIFAX REGIONAL COUNCIL
MINUTES
November 7, 2006

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
Robert Harvey
Gary Martin
Reg Rankin
Gary Meade

REGRETS:

Councillor 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 3:00 p.m. with the Invocation being led by Councillor Kent.

2. APPROVAL OF MINUTES - October 24 & 31, 2006

MOVED by Councillor McCluskey, seconded by Councillor Wile, that the minutes of October 24 & 31, 2006 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 12.1 Correspondence - Provincial Military Appreciation Rally - Request for Flypast
- 12.2 Supplementary Funding Joint Working Group

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

4. BUSINESS ARISING OUT OF THE MINUTES - NONE

5. SELECTION OF DEPUTY MAYOR

Mayor Kelly called for nominations for Deputy Mayor.

MOVED by Councillor Karsten, seconded by Councillor Mosher, that Councillor Jim Smith, be nominated for the position of Deputy Mayor.

Councillors Karsten and Mosher provided comments in support of the nomination.

MOVED by Councillor Snow, seconded by Councillor Harvey, that Councillor Sue Uteck, be nominated for the position of Deputy Mayor.

Councillors Snow and Harvey provided comments in support of the nomination.

Mayor Kelly called three times for any further nominations. Hearing none, the following motion was put:

MOVED by Councillor McCluskey, seconded by Councillor Martin, that nominations cease. MOTION PUT AND PASSED UNANIMOUSLY.

Both nominees briefly addressed Council with respect to their nominations.

Following the vote, **Councillor Uteck was declared Deputy Mayor for 2006-2007.**

Deputy Mayor Walker thanked staff and Council for their assistance over the past year.

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. **CORRESPONDENCE, PETITIONS AND DELEGATIONS**

9.1 **Correspondence - None**

9.2 **Petitions - None**

10. **REPORTS**

10.1 **CHIEF ADMINISTRATIVE OFFICER**

10.1.1 **Tender 06-090 - Two (2) Refuse Trailers complete with Top Opening Door and Auxiliary Gasoline Engine**

- A report dated October 25, 2006, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Streach, that Council award Tender No. 06-090, Two (2) Refuse Transfer Trailers complete with Top Opening Door and Auxiliary Gasoline Engine, to Wilkens Industries Inc. at the unit prices quoted of \$96,602.00 (US dollars) per trailer unit, for a total tender price for two (2) trailers of \$227,078.37 (Cdn. Dollars) including net HST, estimated at current exchange rates with funding authorized as per the Budget Implications section of the October 25, 2006 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 **Tender 06-268 - New Sidewalk, Cole Harbour Road (Smith Avenue to Morash Drive) - East Region**

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

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

- 1. Approve the recovery of Local Improvement Charges for the new concrete sidewalk and new concrete curb and gutter on Cole Harbour Road (Smith Avenue to Morash Drive) - East Region by an area rate for District 4.**
- 2. Award Tender No. 06-268, New Sidewalk, Cole Harbour Road (Smith Avenue to Morash Drive) - East Region to Silco Contracting Limited for materials and services listed at the unit prices quoted for a Tender Price of \$130,989 including net HST from Capital Account No. CJU00785, New Sidewalks, with funding authorized as per the Budget Implications section of the October 26, 2006 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Metro Transit Scheduling Software Upgrades

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

MOVED by Councillor Johns, seconded by Councillor Sloane, that Regional Council approve the purchase of transit scheduling software upgrades from GIRO for a total cost of \$213,849.80 including net HST from Capital Account No. CIU00875 - Software Upgrades and Capital Account No. CHA00160 - Vehicle Tracking & Communications, with funding authorized as per the Budget Implications section of the October 27, 2006 staff report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Halifax-Dartmouth Canada Day Committee - Terms of Reference

- A report dated October 24, 2006, on the above noted, was before Council.

MOVED by Councillor Kent, seconded by Councillor McCluskey, that Regional Council approve the Halifax-Dartmouth Canada Day Committee Terms of Reference.

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

MOVED by Councillor McCluskey, seconded by Councillor Kent, that the members serve for a maximum two year term and where there are insufficient applicants, the terms may be extended. MOTION PUT AND PASSED.

MOVED by Councillor Sloane, seconded by Councillor Fougere, that the number of

events for Canada Day be equal on both sides of the harbour. **MOTION DEFEATED.**

The motion as amended.

MOVED by Councillor Kent, seconded by Councillor McCluskey, that Regional Council approve the Halifax-Dartmouth Canada Day Committee Terms of Reference and that the members serve for a maximum two year term and where there are insufficient applicants, the terms may be extended. MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Fougere noted that an issue continually arises with regard to procurement and tendering for events. She advised she has received differing responses as to whether the committees of Council have to follow HRM policy as community committees.

MOVED by Councillor Fougere, seconded by Councillor Kent, that a staff report be requested examining the procurement and tendering policy for HRM committees and address how HRM applies these policies to committees of Council and community committees. MOTION PUT AND PASSED UNANIMOUSLY.

10.2 PRIVATE ROADS COMMITTEE

10.2.1 Private Road Maintenance Costs Recovery Policy

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

MOVED by Councillor Meade, seconded by Councillor Snow, that Halifax Regional Council approve the capital and maintenance cost recovery policy for private roads with a set up administration fee of \$200.00 and no annual administration fee.

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

MOVED by Councillor Adams, seconded by Councillor Johns, that the motion be referred to a Committee of the Whole Council session. MOTION PUT AND PASSED.

11. MOTIONS - NONE

12. ADDED ITEMS

12.1 Correspondence - Provincial Military Appreciation Rally - Request for Flypast

MOVED by Councillor Younger, seconded by Councillor McCluskey, that Regional Council approve the request for a Flypast by a standby Search and Rescue Hercules aircraft to begin the Military Appreciation Rally, Granville Street, on November 8th at 3:00 p.m. MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Supplementary Funding Joint Working Group Report

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

MOVED by Councillor Martin, seconded by Councillor Karsten, that:

- 1. That Halifax Regional Council withhold support for the recommendations of the Supplementary Education Joint Working Group, and confirm that education is a Provincial responsibility and should be funded through Provincial fiscal capacity, not through property taxation.**
- 2. That Halifax Regional Council request a staff report outlining options for a blended rate and dropping the present boundaries across HRM, and that consideration be given to CSAP and how schools across the municipality approach fundraising.**

It was requested that the motion be split.

MOVED by Councillor Fougere, seconded by Councillor Adams, that item #1 be split at the “and” and voted on as two separate items. MOTION DEFEATED.

Part 1

MOVED by Councillor Martin, seconded by Councillor Karsten, that:

- 1. That Halifax Regional Council withhold support for the recommendations of the Supplementary Education Joint Working Group, and confirm that education is a Provincial responsibility and should be funded through**

Provincial fiscal capacity, not through property taxation.

MOTION PUT AND PASSED (12 in favour, 10 against)

Those voting in favour were Mayor Kelly and Councillors Streach, Snow, Younger, Karsten, Wile, Uteck, Mosher, Johns, Martin, Rankin and Meade.

Those voting against were Councillors Hendsbee, McCluskey, Kent, Smith, Murphy, Sloane, Fougere, Hum, Adams and Harvey.

Deputy Mayor Walker and Councillor McInroy were absent.

Part 2

MOVED by Councillor Martin, seconded by Councillor Karsten, that:

2. **That Halifax Regional Council request a staff report outlining options for a blended rate and dropping the present boundaries across HRM, and that consideration be given to CSAP and how schools across the municipality approach fundraising.**

MOTION PUT AND PASSED (18 in favour, 5 against)

Those voting in favour were Mayor Kelly, Deputy Mayor Walker and Councillors Streach, Hendsbee, Younger, Karsten, Kent, Smith, Wile, Murphy, Fougere, Hum, Mosher, Johns, Harvey, Martin, Rankin and Meade.

Those voting against were Councillors Snow, McCluskey, Sloane, Uteck and Adams.

Councillor McInroy was absent.

13. NOTICES OF MOTION

Councillor Hendsbee

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on November 14, 2006, I intend to amend Administrative Order Number One to add a section in the Order of Proceeding in the agenda to allow for the inclusion of Councillors Commentary for special Community announcements and acknowledgements.

Councillor Karsten

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on

November 14, 2006, I intend to introduce a motion of reconsideration in regard to the amendment passed on item 10.1.4 - Halifax-Dartmouth Canada Day Committee - Terms of Reference which states "***That members serve for a maximum two year term and where there are insufficient applicants, terms may be extended***"

Councillor Sloane

Take Notice that at the next regular meeting of the Halifax Regional Council to be held on November 14, 2006, I intend to introduce a motion to request the striking of a committee to reinvestigate Section 59 (1) of the MGA regarding the selection of Deputy Mayor with members being made up of three councillors, the Deputy Mayor and a member of our Governance staff. Moreover, the use of the report which was released earlier this year.

14. ADJOURNMENT

The meeting was adjourned at 4:42. p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Memorandum from Director, Environmental Management Services dated October 24, 2006 re: Status of Herring Cove Sewer and Water Project/Investigation of Additional Funding Sources - Update
2. Memorandum from Acting Director, Finance dated November 2, 2006 re: Halifax Regional Library Capital Campaign: HRM Community Grants Program
3. Memorandum from Director, Community Development dated October 18, 2006 re: Proposed East Hants Source Water Protection Plan
4. Memorandum from Director, Community Development dated November 7, 2006 re: 2011 Canada Winter Games Bid
5. Memorandum from Director, Legal Services dated November 7, 2006 re: Status of By-Law Prosecutions
6. Memorandum from the Municipal Clerk dated November 3, 2006 re: Requests for Presentation to Council - None