

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
January 30, 2007

PRESENT:

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

REGRETS:

Councillor Steve Streach

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 Adams.

2. SPECIAL COMMUNITY ANNOUNCEMENT & ACKNOWLEDGEMENTS

Councillor Sloane thanked Crime Stoppers for holding the Battle of Wits competition.

Councillor Meade noted a number of routes that would be receiving low floor buses which could be used to accommodate wheelchair users.

Councillor Younger advised a meeting regarding off leash dog parks will be held at the Dartmouth Sportsplex on Sunday, February 4th from 1:00 p.m. to 4:00 p.m.

Councillor Hum noted a town hall meeting will be held for the residents of District 16 on January 31st.

Councillor McCluskey, on behalf of Council, wished Councillor Snow a happy birthday.

Councillor Martin advised there will be a town hall meeting on February 1st at the Basinview School.

Councillor Hendsbee advised opening ceremonies for African Heritage Month will be held at the North End Library on February 1st at 7:00 p.m.

Councillor Adams advised the residents of Herring Cove that the letter regarding the Local Improvement Charges was incorrect and a correction letter was being sent.

Councillor Smith advised that a meeting will be held by the Farrell Benevolent Society on Sunday, February 4th to make a decision regarding the mortgaging of Farrell Hall.

Councillor Sloane advised there will be a meeting regarding off leash dog parks from 9:00 a.m. to noon on February 3rd.

Councillor Harvey reminded residents that the off leash dog park workshop for the Bedford/Sackville area will be held on January 31st at the Basinview School at 6:30 p.m.

3. APPROVAL OF MINUTES - January 9, 2007

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the minutes

of January 9, 2007 be approved. **MOTION PUT AND PASSED UNANIMOUSLY.**

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

Additions

12.1 Legal Matter - Interim Payment Towards Claim Against HRM

12.2 Property Matter - Proposed Lease of 1874 Brunswick Street

12.3 Legal Matter - Settlement of Claim

Councillor Mosher requested item 10.1.6, Lakeside Rail Spur Abandonment, be moved forward on the agenda and addressed prior to item 10.1.1.

Councillor Martin requested item 10.3.1, Revised Terms of Reference, Bedford Days Executive Committee, be moved forward on the agenda and addressed immediately following item 10.1.6.

Councillor Rankin noted he had circulated correspondence from the Minister of Environment and Labour and requested it be added to the February 6, 2007 In Camera agenda.

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

5. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

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**

Councillor Hum served a petition from the residents of a portion of Kearney Lake Road (#4

through 28) requesting the name be Birch Cove Lane rather than Christina Drive.

As per the Order of Business, Council addressed item 10.1.6 at this time.

10.1.6 Lakeside Rail Spur Abandonment

- A report dated January 9, 2007, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Walker, that Halifax Regional Council direct staff to undertake a land appraisal of the rail spur corridor from Fairview Rail Yard to Lakeside Industrial Park.

Councillor Wile requested information be provided on what the increase will be in truck traffic to Bayers Lake if this service is replaced, stating that HRM is not looking far enough into the future regarding the possible use of these rail lines. She requested HRM staff meet with the Board of Governors and attend a meeting of the Bayers Lake Business Association.

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

MOVED by Councillor Wile, seconded by Councillor Murphy, that staff look at alternative uses of this rail line and as well meet with the Bayers Lake Business Association and the Lakeside Business Association to present what is being proposed and to acquire input from all stakeholders.

Councillor Rankin advised he was supportive of the motion as it would allow the municipality to be in a position to purchase that line but expressed concern as the Province has indicated they are not interested.

Councillor Mosher noted the track goes through a number of busy subdivisions and crosses a number of busy streets. She noted there is a high incidence of accidents in this area and access and egress for the community of Fairmount crosses the tracks posing a potential safety issue. She stated the intent of the motion is that there may be value in identifying and looking at opportunities of municipal interest. She suggested Council not support the amendment noting, residents, commuters, safety issues as well as access and egress for residents has to be taken into consideration.

Councillor Sloane stated both the recommendation in the amendment and the motion should be put together to ensure HRM is not giving up an opportunity that would be good for all communities. She further stated input from all stakeholders should be looked at.

The mover and seconder agreed to include input from all stakeholders as part of the amendment.

MOTION PUT AND PASSED.

Councillor Fougere indicated the budget implications section and noted the monies for this project were being taken from the Bikeways Master Plan Implementation account. She noted this is one tenth of the Capital Account for Bikeways Implementation for a land appraisal and placed the following motion.

MOVED by Councillor Fougere, seconded by Councillor Sloane, that the study be funded out of the Sale of Land Account. MOTION PUT AND PASSED UNANIMOUSLY.

Motion as amended.

MOVED by Councillor Mosher, seconded by Councillor Walker, that Halifax Regional Council:

- 1. Direct staff to undertake a land appraisal of the rail spur corridor from Fairview Rail Yard to Lakeside Industrial Park.**
- 2. That staff look at alternative uses of this rail line and as well meet with the Bayers Lake Business Association and the Lakeside Business Association to present what is being proposed and to acquire input from all stakeholders.**
- 3. That the study be funded out of the Sale of Land Account.**

Councillor Younger stated HRM has to ensure this process very clearly includes the possibility of keeping the rail corridor.

In response to Councillor Walker, Council was advised the report would be coming back to Council in April. The Councillor referenced page 3 and noted for the record that number 3 is Exit 0 onto the Bicentennial Highway.

MOTION PUT AND PASSED UNANIMOUSLY.

As per the Order of Business, Council addressed item 10.3.1 at this time.

10.3.1 Revised Terms of Reference - Bedford Days Executive Committee

- A report dated January 23, 2007, on the above noted, was before Council.

MOVED by Councillor Martin, seconded by Councillor Younger, that Regional Council approve the revised Bedford Days Committee Terms of Reference as shown in Attachment 1 of the report dated January 23, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 07-201 - Traffic Signal Upgrades, Victoria Road at Thistle Street - East Region

- A report dated January 15, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Snow, that Council award Tender No. 07-201 Traffic Signal Upgrades, Victoria Road at Thistle Street - East Region to Black & MacDonald Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$104,980.43 (net HST included) with funding from Capital Account No. CTU00419 - Traffic Signal Rehabilitation Program as outlined in the Budget Implications section of the January 15, 2007 report.

In response to questions of Council, Mr. Mike Labrecque, Director, Transportation and Public Works, advised:

- The plan is to install new signals in the area of the Windsor Junction Cross Road,
- The intent is to use LED lights at this intersection,
- As maintenance repairs are done, the lights are installed at intersections,
- 257 intersections will be done,
- Staff is aware of the provincial traffic signal conversion program funding initiative,
- Staff will provide a report on the use of the contract against the contract terms,
- This tender is for complete work at the intersection,
- Staff will provide information on the difference for this work and the contract to members of Council,
- The intersections are on schedule subject to capital funding and small repairs will be done as required,
- HRM cannot commit to all the work at this time as staff have to await the approval of the Capital budget,
- This is essentially a supply and install contract and the unit price approval would reflect that in terms of the components and pieces of equipment to do the work,
- Staff will provide information on the annual cost to install LED lights as well as the

annual cost per intersection to members of Council.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Tender 07-202 - Traffic Signal Installation Cow Bay Road at Caldwell Road - East Region

- A report dated January 19, 2007, on the above noted, was before Council.

MOVED by Councillor Kent, seconded by Councillor Snow, that Council award Tender No. 07-202, Traffic Signal Installation, Cow Bay Road at Caldwell Road - East Region to XL Electric Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$140,857.58 (net HST included) with funding from Capital Account No. CTU00561 - Traffic Signal Installation as outlined in the Budget Implications section of the January 19, 2007 report.

In response to Councillor Snow, Mr. Mike Labrecque, Director, Transportation and Public Works, advised he would provide information on the cost of lights in Beaver Bank to the Councillor.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.3 Request for Proposal 06-128 - Supply of Access-A-Bus

- A report dated January 3, 2007, on the above noted, was before Council.

MOVED by Councillor Meade, seconded by Councillor Murphy, that Council authorize the award to RFP #06-128, for a three-year period, to the highest ranking proponent, Crestline Coach Ltd., at a cost of \$874,012 (including net HST) in 2006/07 for ten (10) buses with funding from Capital Account CVD00429 and CVD00430 as outlined in the Budget Implications section of the January 3, 2007 report, and an additional cost of \$950,550 (including net HST) for up to an additional ten (10) buses in 2007/08 and 2008/09, contingent upon Council approval of capital funding through the capital budget process for those years.

In response to members of Council, Mr. Paul McDaniel, General Manager, Transit, advised:

- Staff will be examining service and criteria for usage,
- The current system is based on the regular system and associated boundaries,
- Staff will look at all areas that will require service,
- Staff will look at the whole system and will come back to Council in four weeks,

- The new buses will help reduce the wait list as it will be an increase in service capacity,
- Staff is examining options for utilizing the buses that are being taken out of service either by redeployment elsewhere or using them in the existing service,
- Staff is looking at criteria of usage as there has been increased ridership and also they are also looking at programs for seniors that can utilize conventional services or contract services for hospital medical matters,
- The buses that are taken out of service go either to surplus or sold to procurement.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Request for Proposal 06-393 - Household Hazardous Waste Services

- A report dated January 16, 2007, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Martin, that Council award RFP No. 06-393, Household Hazardous Waste Services, to the highest scoring proponent, Atlantic Industrial Services, at the unit and other pricing as outlined in their response to the RFP for a total estimated cost of \$1,350,535 (net HST included) over a four year period commencing May 1, 2007, with funding from Operating Account No. R334-6399, as outlined in the Budget Implications section of the January 16, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.5 Trunked Mobile Radio & Paging Contract Renewal

- A report dated December 13, 2006, on the above noted, was before Council.

MOVED by Councillor Streach, seconded by Councillor Johns, that HRM renew its contracts with Aliant for paging and radio communications service on the TMR system for service from November 2007 until April 2010, with no change to the terms and conditions as stated in the contract between HRM and MT&T Mobility Incorporated (Aliant) dated July 18, 2002. MOTION PUT AND PASSED UNANIMOUSLY.

10.1.6 Lakeside Rail Spur Abandonment

This item was addressed earlier in the meeting. (See page 6)

10.1.7 First Reading - By-Law T-702, an Amendment to By-Law T-700, Respecting Tax Deferrals: Proposed Interest Rate

- A report dated January 17, 2007, on the above noted, was before Council.

MOVED by Councillor Walker, seconded by Councillor Fougere, that Regional Council give First Reading to By-Law T-702, an Amendment to By-Law T-700, Respecting Tax Deferrals: Proposed Interest Rate, and set a public hearing for February 20, 2007. MOTION PUT AND PASSED

10.2 HERITAGE ADVISORY COMMITTEE

10.2.1 Case 00806: Development Agreement - 130 Ochterloney Street, Dartmouth (Former Greenvale School)

- A report dated January 25, 2007, on the above noted, was before Council.

Councillor Hum declared a conflict of interest on this item.

MOVED by Councillor McCluskey, seconded by Councillor Kent, that Halifax Regional Council approve the substantial alterations to a heritage property at 130 Ochterloney Street, Dartmouth, with the following clauses:

1. That the Exterior Insulation Finish System (EIFS) include a rain screen;
2. That the replacement rain gutters be in keeping with the tradition of the building; and
3. That the colour of the EIFS be submitted for approval by Heritage staff.

In response to Councillor Younger, Mr. Paul Dunphy, Director, Community Development, advised that if Regional Council does not approve the substantial alteration, the development agreement is moot.

MOTION PUT AND PASSED UNANIMOUSLY.

10.3 BEDFORD DAYS EXECUTIVE COMMITTEE

10.3.1 Revised Terms of Reference

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

11. MOTIONS

11.1 Deputy Mayor Uteck - Amendment to Section 153 Motor Vehicle Act

re: Municipal Parking Meter By-Law

MOVED by Councillor Fougere, seconded by Councillor Sloane, that Regional Council request that the Province amend the Motor Vehicle Act, Section 153 “Municipal Parking Meter By-Law” to allow HRM to use signs to control parking under the same fines as meters, and then to amend HRM By-Law P-500 Respecting Parking Meters accordingly. MOTION PUT AND PASSED UNANIMOUSLY.

12. ADDED ITEMS

12.1 Legal Matter - Interim Payment Towards Claim Against HRM

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

MOVED by Councillor Karsten, seconded by Councillor Smith, that Halifax Regional Council:

- 1. Approve the advancement of \$10,000.00 to the Plaintiff, as an interim payment towards the Plaintiff’s final damages arising out of the September 26, 1998 incident; and**
- 2. Not release the Private and Confidential staff report dated January 8, 2007.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.2 Property Matter - Proposed Lease of 1874 Brunswick Street

- The following item was addressed at an earlier In Camera session and was now before Council for ratification

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

- 1. Approve the terms and conditions of the Offer to Lease between, the Landlord and the Halifax Regional Municipality (Tenant) for the subject property, as outlined in the January 18, 2007 report; and**
- 2. Not release the Private and Confidential staff report dated January 18, 2007 until the lease transaction is concluded.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.3 Legal Matter - Settlement of Claim

- The following item was addressed at an earlier In Camera session and was now before Council for ratification

MOVED by Councillor Wile, seconded by Councillor Walker, that Halifax Regional Council:

1. **Settle this claim brought by the claimant in the amount of \$18,053.20; and**
2. **Not release the Private and Confidential staff report dated January 4, 2007.**

MOTION PUT AND PASSED UNANIMOUSLY.

12.4 Councillor Rankin, letter from the Minister of Environment and Labour

MOVED by Councillor Rankin, seconded by Councillor Snow, that this item be referred to the February 6th In Camera session. MOTION PUT AND PASSED UNANIMOUSLY.

13. NOTICES OF MOTION

Councillor McCluskey

Take Notice that at the next regular meeting of Regional Council to be held on Tuesday, February 6th, 2007, I intend to introduce a motion to amend Section 25(2) of the Administrative Order One, Respecting the Procedures of Council. The purpose of the amendment will be to make the agenda and the other information referred to in Section 25(1) available to the public at 4:30 p.m. on the Friday preceding each regular meeting, as opposed to Monday as is currently the case, i.e. three days earlier.

14. ADJOURNMENT

The meeting was adjourned at 7:38 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - African Heritage Month - February 2007
2. Memorandum from Director, Transportation and Public Works and Acting Director, Finance dated January 22, 2007 re: Sambro Loop Transit Service
3. Memorandum from Director, Community Development dated January 22, 2007 re: Goodwood Industrial Zoning
4. Memorandum from Director, Community Development dated January 22, 2007 re: Fall River Water Service Project
5. Memorandum from Director, Community Development dated January 21, 2007 re: Purcell's Cove Road Servicing
6. Memorandum from Acting Director, Finance dated January 22, 2007 re: MetroPark Parkade
7. Memorandum from the Municipal Clerk dated January 26, 2007 re: Requests for Presentation to Council - Halifax Farmers Market

Date of Request(s)	Name of Delegation(s)	Disposition of Request(s)
January 22 - 26, 2007	Halifax Farmers Market - Fred Kilcup, Manager re: Relocation plans	Presentation to be scheduled for a future date.