

HALIFAX REGIONAL COUNCIL
MINUTES
February 13, 2007

PRESENT:

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

REGRETS:

Councillors Krista Snow
Russell Walker
Gary Martin
Gary Meade

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Jennifer Weagle, Legislative Assistant

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1. INVOCATION

The meeting was called to order at 6:04 p.m. with the Invocation being led by Councillor Johns.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Fougere advised that a public meeting to discuss the Armdale Rotary will be held on Thursday, February 15th, with doors opening at 5:30 p.m. at St. James Anglican Church.

Councillor Johns noted that National Flag Day (February 15) would be a suitable civic holiday to consider for February.

Councillor Mosher added to Councillor Fougere's comments, noting that St. James Anglican Church is located at 2668 Joseph Howe Drive, and that the viewing of proposals will begin at 5:30 p.m. and the feedback session will begin at 7:00 p.m.

Councillor McCluskey encouraged residents to attend a meeting of the Minister's Task Force on Safer Streets and Communities. She noted that the meeting schedule is posted on the Department of Justice website.

Councillor Hendsbee encouraged residents to take part in the Metro Regional Express Survey, which is on the HRM website. He also advised that a public safety meeting will be held this Thursday, February 15th at 7:00 p.m. at the Lake Echo Community Centre.

Councillor Sloane thanked everyone who attended the open house for the community rink at the George Dixon Centre last Saturday. She also encouraged residents to attend the ECMA events planned this coming weekend around Halifax. Councillor Sloane requested that the Mayor write a letter of condolence to the family of Charles Gillis, aka "Lulu LaRude", who recently passed away from cancer.

Councillor Adams advised that he recently participated in an educational exercise with the Canadian Council of the Blind and encouraged other Councillors to participate next year.

Councillor Streach advised that this Saturday, February 17th at 11:00 a.m., at the Sheet Harbour Lion's Centre, the Honourable Peter MacKay, Minister of the Atlantic Canada Opportunities Agency, will be making an announcement for the betterment of HRM.

Councillor Wile noted that yesterday Theatre Halifax was officially renamed as the Bella Rosa Theatre for the Performing Arts. She noted that the official opening will be held June 1, 2007.

Councillor McCluskey advised that on Monday, February 19th at 7:00 p.m., at Dartmouth High School, a public information meeting will be held to discuss proposed changes to the Dartmouth Land Use By-Law for the downtown Dartmouth neighbourhood zone and encouraged residents to attend.

Councillor Mosher advised that on Saturday, February 17, 2007, there will be a "Take the Roof Off" skating party at Frog Pond, Purcell's Cove Road, from 1:30 p.m. to 3:30 p.m.

Councillor Smith encouraged residents to attend tonight's meeting of the Minister's Task Force on Safer Streets and Communities at 7:00 p.m. at the Northbrook Police Training Centre, 2 Chapman Street, Dartmouth.

3. APPROVAL OF MINUTES - January 23, 2007

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the minutes of January 23, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 12.1 Proclamation - Random Acts of Kindness Week, February 12 - 18, 2007
- 12.2 Councillor Rankin - Request for Report re: Signage - Prospect Road
- 12.3 Herring Cove Sewer and Water

Councillor Smith requested that Item 10.3.1 - Case 00864 - Proposed Residential Condominium Project at 675 Windmill Road, Dartmouth - be moved to the first order of business.

MOVED by Councillor Sloane, seconded by Councillor Harvey, 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 - NONE

10. REPORTS

10.3 HARBOUR EAST COMMUNITY COUNCIL

10.3.1 Case 00864: Proposed Residential Condominium Project at 675 Windmill Road, Dartmouth

- A report dated February 6, 2007 on the above noted, was before Council.

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

MOVED by Councillor Smith, seconded by Councillor McCluskey, that Halifax Regional Council give First Reading to the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law presented in Attachment A of the January 22, 2007 staff report and schedule a joint public hearing with Harbour East Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 06-410 - Point Pleasant Park Master Plan and Phase 1 Restoration Protocols

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

MOVED by Deputy Mayor Uteck, seconded by Councillor Sloane, that Council award RFP No. 06-410 - Point Pleasant Park Master Plan and Phase I Restoration Protocols to NIP Paysage for a price of \$90,190.09 (net HST included) for their portion of the Point Pleasant Park Master Plan and Phase I Restoration Protocols to Ekistics Planning and Design for a price of \$168,511.69 (net HST included) for their portion of the Point Pleasant Park Master Plan and Phase I Restoration Protocols for a total combined price of \$258,701.78 (net HST included) with funding from the Infrastructure Recovery Fund (Point Pleasant Park) as outlined in the Budget Implications section of the January 15, 2007 report.

At the request of Deputy Mayor Uteck, Mr. Peter Bigelow, Manager, Real Property, clarified that as per the Disaster Financial Assistance Arrangements program, with regard to donations received by the Municipality, if the donor does not indicate that the donation is specific to a particular facility, the Federal government has the ability to apply the donations against their federal costs.

Deputy Mayor Uteck requested that the Mayor write a letter to the Federal government regarding the status of Federal contributions to the restoration of Point Pleasant Park. Councillor Murphy requested that the Member of Parliament for Halifax be copied on the letter.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.2 Award - Metro Centre Structural Health Monitoring System

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

MOVED by Councillor Mosher, seconded by Councillor Sloane, that Council award Metro Centre Structural Health Monitoring System to SMARTEC SA for a total Tender Price of \$137,560.00 (net HST included), with funding from Capital Account CB300555, as outlined in the Budget Implications section of the January 25, 2007 report.

At the request of Council, Mr. Phil Townsend, Manager, Capital Projects, advised that regulations controlling the limits of roof snow loadings have increased since the Metro Centre was built, as well the increasing use of suspended equipment for entertainment equipment.

MOTION PUT AND PASSED.

10.1.3 Project CB300702 - 5755 Sackville Street

- A report dated February 5, 2007 on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Murphy, that Regional Council:

- 1. Approve the change in Project Objective for Project CB300702, 5755 Sackville Street - Demolition from Demolition of the building to Renovation of the "Dry Canteen" building.**
- 2. Approve the attached Memorandum of Understanding (MOU) between HRM and the Halifax Rugby Football Club (HRFC) with respect to the renovation and**

operation of the “Dry Canteen”, which demonstrates commitments on both parties to explore this potential project further and would be used to guide the principles for negotiations of a Management and Operating Agreement and fund raising plan.

At the request of Council, Mr. Doug Rafuse, Manager Service Delivery, Community Development, advised that the correct figure of the redirected demolition funds is \$85,000, and not \$80,000 as stated in error in the Memorandum of Understanding.

MOTION PUT AND PASSED UNANIMOUSLY.

10.1.4 Increase to Contract - Sole Source, Consulting Services Capital Cost Contribution, Bedford West

- A report dated January 30, 2007 on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Hum, that Halifax Regional Council authorize an increase to the contract with CBCL Limited for consulting services in connection with the capital cost contribution charges for Bedford West in the amount of \$56,886.00 (net HST included), with funding from CDS00101, Capital Cost Contribution Area Studies as indicated in the Budget Implications section of the January 30, 2007 report.

MOTION PUT AND PASSED.

10.1.5 Conseil scolaire acadien provincial (CSAP) School Board - Special Election

- A report dated February 5, 2007 on the above noted, was before Council.

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

- 1. Jan Gibson, Municipal Clerk, be appointed the Returning Officer and Linda Grant as Assistant Returning Officer for the Conseil scolaire acadien provincial (CSAP) Special Election to be held on March 24, 2007.**
- 2. Halifax Regional Council approve the use of the current data for the Provincial Voters List for use in this election.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.2 NORTH WEST COMMUNITY COUNCIL

10.2.1 Case 00690: Amendment to the Bedford Municipal Planning Strategy and Land Use By-Law for Phase II of Crestview CCDD

- A report dated February 8, 2007 on the above noted, was before Council.

MOVED by Councillor Johns, seconded by Councillor Harvey, that Halifax Regional Council give First Reading to the proposed amendments to the Bedford Municipal Planning Strategy and Land Use By-Law as provided in Attachment A to A-3 of the November 20, 2006 staff report, and schedule a joint public hearing with North West Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

10.3 HARBOUR EAST COMMUNITY COUNCIL

10.3.1 Case 00864: Proposed Residential Condominium Project at 675 Windmill Road, Dartmouth

This item was addressed earlier in the meeting as per the Order of Business (see page 6).

10.4 GRANTS COMMITTEE

10.4.1 Proposed By-Law T-220, An Amendment to By-Law T-200, Respecting Tax Exemptions - Deferred Applications

- A supplementary report dated January 8, 2007 on the above noted, was before Council.
- An extract from the November 28, 2006 Regional Council minutes was before Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor McCluskey, that Regional Council:

- 1. Approve application for property tax exemption to Alice Housing and Feed Nova Scotia as detailed in Attachment 1 of the January 8, 2007 supplementary report;**
- 2. Decline the application for tax exemption from Quest: Society for Adult Support and Rehabilitation as detailed in Attachment 2 of the January 8, 2007 supplementary report;**

3. **Recognize Westmoor 57 Co-Operative as eligible for consideration under By-Law T-200 in 2007-2008 conditional upon confirmation of their ineligibility for the Nova Scotia Assessment Cap Program;**
4. **Defer application from the Ecology Action Centre to the 2007-2008 program;**
5. **Set a date for a public hearing.**

MOTION PUT AND PASSED UNANIMOUSLY.

10.5 TAXI AND LIMOUSINE ADVISORY COMMITTEE

10.5.1 Taxi Owner Licenses

- A report dated January 11, 2007 on the above noted, was before Council.

MOVED by Councillor Adams, seconded by Councillor Kent, that Halifax Regional Council:

1. **Permit ownership of Taxi Owner's Licenses,**
2. **Permit transferability of Taxi Owner's Licenses,**
3. **Approve amendment to By-Law T-108 to accommodate the requests for ownership/transferability of Taxi Owners Licenses.**

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

MOVED by Councillor Adams, seconded by Councillor Sloane, that this matter be referred to staff for a report.

Members of Council requested that the following issues be explored in the staff report:

- C issue of owners leasing of roof lights;
- C how to control the price and value of taxi owner licenses;
- C issue of people owning more than one license;
- C the possibility of removing the cap on the number of licenses issued;
- C the number of people in the waiting list for a license, how long they have been on the waiting list and what consideration will be given to those on the waiting list.

MOTION PUT AND PASSED.

10.6 CULTURAL ADVISORY COMMITTEE

10.6.1 Cultural Capitals of Canada: 2010 Application Initiation

- A report dated January 28, 2007 on the above noted, was before Council.

MOVED by Deputy Mayor Uteck seconded by Councillor Fougere, that Regional Council approve the recommendation of the HRM Cultural Advisory Committee to initiate the application process for the Canadian Heritage 2010 Cultural Capitals of Canada Designation. MOTION PUT AND PASSED UNANIMOUSLY.

Deputy Mayor Uteck clarified that the application will be brought before Council before submission.

10.7 MEMBERS OF COUNCIL

10.7.1(i) Councillor Younger - Request for Report re: Fees Charged by Municipality

MOVED by Councillor Younger, seconded by Councillor Sloane, that staff provide a report, prior to the 2007/08 budget, listing all fees charged by HRM, and after the budget, staff provide a follow up report outlining the percentage of cost recovery for the service these fees provide. MOTION PUT AND PASSED.

10.7.1(ii) Councillor Younger - Request for Report re: Needs Based Tendering/Life Cycle Costing

MOVED by Councillor Younger, seconded by Councillor Mosher, that staff examine the possibility of moving from vehicle, or type specific tendering, to needs based tendering for fleet vehicles. Further, staff examine, including in vehicle tenders, consideration for life cycle costs of given models, including fuel efficiency, and that more fuel efficient and lower life cycle cost vehicles, (maintenance, fuel, insurance, etc.) be given additional points in tender scores. MOTION PUT AND PASSED.

11. MOTIONS

11.1 Councillor McCluskey - Amendment to Section 25(2) of Administrative Order One, Respecting the Procedures of Council

MOVED by Councillor McCluskey, seconded by Councillor Murphy, that Section 25(2) of Administrative Order One, Respecting the Procedures of Council be amended 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.

Councillor McCluskey commented that the Regional Council agenda packages is couriered to Councillors on Friday afternoons, however the agenda package is not available to the public and the media until noon the following Monday.

Councillor Hendsbee questioned the practicality of the amendment, noting that the proposed release time of 4:30 p.m. may be difficult to achieve, given that sometimes the packages are received late from the print shop, and are sometimes not couriered to the Councillors until after 4:30 p.m. on Fridays. He also questioned in what format the information would be released, noting that City Hall is closed on Friday evenings, and staff would not be available to provide hard copies of the agenda package to the public and the media.

MOTION DEFEATED.

12. ADDED ITEMS

12.1 Proclamation - Random Acts of Kindness Week, February 12 - 18, 2007

This Proclamation was circulated for the information of Council.

12.2 Councillor Rankin - Request for Report re: Signage - Prospect Road

Councillor Rankin indicated that he has been hearing concerns from residents and the area tourist association regarding the excessive signage along the Prospect Road between the St. Margaret's Bay Road intersection and Exhibition Park. He indicated that the road is currently controlled by the Province, but was controlled by the County prior to amalgamation.

MOVED by Councillor Rankin, seconded by Councillor Fougere, that HRM engage the Province to allow HRM to manage signage at the intersection of St. Margaret's Bay Road and Prospect Road. MOTION PUT AND PASSED.

Councillor Hendsbee requested that the staff report include a comparison between Provincial signage legislation and the Municipal signage By-Law, and include suggestions or recommendations for amendments to the policies.

12.3 Herring Cove Sewer and Water

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

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

- 1. Authorize staff to bring forward tenders for Phase 1B and 2A for award as soon as possible;**
- 2. Authorize a sufficient increase to the Community Integration Fund to complete Phases 1B and 2A, with funding from Harbour Solutions Project contingency;**
- 3. Authorize expenditure of all Herring Cove Community Integration Funds (\$4.5M) toward completion of Phases 2A and 1B; and**
- 4. Approve the use of \$400K surplus CNSIP funds for completion of Phases 2A and 1B, subject to the approval of the Secretariat.**

MOTION PASSED UNANIMOUSLY.

13. NOTICE OF MOTION

Councillor Fougere

Councillor Fougere gave Notice of Motion that at the next regular Regional Council meeting, to be held on Tuesday, the 20th day of February, 2007, she proposes to move First Reading of By-Law T-220, the purpose of which is to amend By-Law T-200, Tax Exemption for Non-Profit Organizations.

Councillor McCluskey

Councillor McCluskey gave Notice of Motion of Reconsideration that at the next regular Regional Council meeting, to be held on Tuesday, February 20, 2007, she intends to move Motion of Reconsideration regarding Section 25(2) of Administrative Order One, Respecting the Procedures of Council be amended 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.

At the request of Council, Ms. Mary Ellen Donovan, Municipal Solicitor, clarified that pursuant to s.56(1) of Administrative Order One, when a motion has been resolved in the negative, it shall not be again brought before Council, except with the consent of two-thirds of the whole

Council, until two months have elapsed and, if again resolved in the negative, shall not be again brought before the Council until the expiry of the civic year.

14. ADJOURNMENT

The meeting was adjourned at 7:05 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - International Development Week, February 4 - 10, 2007
2. Proclamation - National Flag of Canada Day, February 15, 2007
3. Memorandum from Intergovernmental & Corporate Affairs dated February 5, 2007 re: Lobbyists' Position
4. Memorandum from Director, Transportation & Public Works dated January 18, 2007 re: Impact of Installation of Gas Pipelines on Streets
5. Memorandum from Director, Environmental Management Services dated February 1, 2007 re: Implications - Provision of Collection Services at Churches
6. Memorandum from Acting Director, Finance dated January 17, 2007 re: Electronic Banking Services
7. Memorandum from Director, Community Development dated January 18, 2007 re: Permits and Planning Application Processing Times
8. Memorandum from Director, Community Development dated February 5, 2007 re: 2011 Canada Winter Games Update
9. Memorandum from Director, Community Development dated February 9, 2007 re: Update: Joint Public Lands Plans - Capital District
10. Memorandum from the Municipal Clerk dated February 9, 2007 re: Requests for Presentation to Council - Friends of the Public Gardens

Date of Request(s)	Name of Delegation(s)	Disposition of Request(s)
February 5 - 9 , 2007	Friends of the Public Gardens Re: Phase 3 Restoration	Referred to staff of Real Property Planning.

