

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
March 20, 2007

PRESENT:

Mayor Peter Kelly
Deputy Mayor Sue Uteck
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
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Steve 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 Hendsbee.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Hum recognized the participants in the Blue Mountain/Birch Cove Suitability Study. The Councillor advised that on Sunday, March 25th an art mural unveiling will take place at the retaining wall at Melody Drive and Bedford Highway at 1:00 p.m.

Councillor Mosher recognized members from the Mayflower Senior Curling Club who will be representing Nova Scotia in the 2007 Canadian Seniors Curling Championship.

Councillor Murphy advised that a new police office had opened on Novalea Drive.

Councillor Kent congratulated the athletes, coaches, and staff of Team Nova Scotia on their participation and successes at the Canada Winter Games.

Councillor Martin thanked the Innis family of Bedford for their participation in Bedford and the tradition of the Chicken Burger. The Councillor acknowledged fire and police services for their quick response to the fire in Bedford.

Councillor Snow advised that on March 21st there will be a Community Visioning meeting at the Lockview High School at 6:30 p.m.; the third annual Seniors Saturday will be held on Saturday, March 24th in Beaver Bank at 11:00 a.m. in the Beaver Bank Community Centre and at 1:00 p.m. at the Fall River Seniors Friendly Group. She further noted the Silversides Residents Association will be having a community meeting at the Waverly Legion to discuss their area rate on March 25th.

Councillor Fougere encouraged staff to thank the staff of Atlantic University Sport and all the HRM volunteers for their participation in the hosting of the Mens Canadian Inter-University Basketball Championships in Halifax.

Councillor Sloane advised that an Elimination of Racism service was held on March 18th at the Cornwallis Baptist Church.

Councillor Hendsbee noted that there will be a workshop regarding the International Day for Elimination of Racial Discrimination to be held on March 22nd. The second public meeting regarding the municipal boundaries review is being held on Thursday, March 22nd at the Black Cultural Centre. The Councillor congratulated the St. Mary's University Students Association on their 40th anniversary. There will be a meeting on Monday, March 26th to discuss the HRM parkland fees issue regarding the 10% allocation.

3. APPROVAL OF MINUTES - February 27, March 6 & 8, 2007

Councillor Harvey noted that his negative vote as reflected in the March 8th minutes was as result of his not voting on the matter.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that the minutes of February 27, March 6 & 8, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 13.1 Property Matter - Duke Street & Highway 102, Bedford
- 13.2 Property Matter - Bloomfield Centre Review Project; Tenancy Plan
- 13.3 Property Matter - Burnside Business Park
- 13.4 Personnel Matter - Citizen and Councillor Appointments to Boards, Committees and Commissions

Councillor Adams requested item 11.4.2 be deferred to March 27th.

MOVED by Councillor Walker, seconded by Councillor Snow, 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. PUBLIC HEARINGS

9.1 By-Law T-220, Respecting Tax Exemptions - Deferred Applications & Appeals

- An extract from the February 20, 2007 minutes was before Council.
- A report dated January 8, 2007, on the above noted, was before Council.

Ms. P.J. Temple, Coordinator Tax and Grants, presented the report to Council.

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

Mr. Russell Simpson, Halifax, Vice-President of Westmore 57 Co-op, advised:

- The Co-op is a non profit housing cooperative and maintains 57 - 3 bedroom houses in the west end of Halifax,
- They were incorporated in 1976 and their objective is to maintain houses as low income or affordable housing,
- It is membership based with the houses being owned by the co-operative,
- The land is leased from CMHC,
- They try to maintain a low housing charge for all members noting that increase in taxes has made that difficult,
- They were asking the Grants Committee to reconsider their application for tax relief,
- Any relief they can obtain would be beneficial to the low income families
- They cannot accept members with an income exceeding forty thousand a year,
- There are eighteen families in seniors range,
- They do not have the ability to sell the housing.

Ms. Yvette Michaud, Halifax, spoke on behalf of Ecology Action Centre noting it was being recommended that their application be deferred to the 2007-2008 program. In response as to why there is a change, Ms. Temple advised this is due to the budget capacity of the program and their application will be considered next year but only can be taken into consideration if there is a budget increase.

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

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

MOVED by Councillor Fougere, seconded by Councillor Walker, that Regional Council approve By-Law T-220 Respecting Deferred Applications to By-Law T-200 and Appeals, Tax Exemption for Non-Profit Organizations: 2006-2007 as detailed in the staff report dated January 8, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 07-038 - Supply and Deliver Matching Waste Recycling and Ash Receptacles - Capital District

- A report dated March 7, 2006, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Sloane, that Regional Council award Tender #07-038, Supply and Deliver Matching Waste, Recycling, and Ash Receptacles in the Capital District to Bel Air Recreational Products Inc. in the amount of \$121,089.30 (net HST included) with funding from Operating Account C77-6919 - Capital District Special Products and Capital Account CDG00271 - Downtown Streetscapes, as outlined in the budget implications section of the March 7, 2007 report.

In response to questions from Council, staff advised:

- The collection of waste will continue to be done in-house,
- There are two pieces of sidewalk equipment designated to Dartmouth,
- The bins are targeted for all areas of the Capital District including Wyse Road,
- If the tender is approved, there will be a six to eight week delivery period,
- A major launch is tentatively scheduled for June.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Tender 07-033, LiDAR Data Acquisition for Halifax Harbour Drainage Basin and East Petpeswick Peninsula and Surrounds

- A report dated March 12, 2007, on the above noted, was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Council award RFP No. 07-033 - LiDAR Data Acquisition for Halifax Harbour Drainage Basin and East Petpeswick Peninsula and Surrounds to PHB Lasermap for a price of \$147,903.47 (net HST included) for LiDAR data acquisition. It is also recommended that a price of \$13,445.77 (net HST included) in value and added services for digital elevation model processing be added to the award for a total combined price of \$161,349.24 (net HST included) with funding from Account #CIV00726 LiDAR Mapping as outlined in the Budget Implications section of the March 12, 2007 report.

In response to Councillor Hendsbee, Mr. Roger Wells, Community Planning, advised he will ascertain whether Three Fathom Harbour can be brought into the study area.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Tender 07-222 - Traffic Signal Upgrades, Robie Street at Almon Street - West Region and Intersection Improvements, Sackville Drive at Millwood Drive - Central Region

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

MOVED by Councillor Johns, seconded by Councillor Murphy that, subject to the inclusion of a left hand turning lane onto Sackville Drive, Council award Tender No. 07-222 Traffic Signal Upgrades, Robie Street at Almon Street - West Region and Intersection Improvements, Sackville Drive at Millwood Drive - Central Region to XL Electric Limited for materials and services listed at the unit prices quoted for a Total Tender Price of \$129,642.30 (net HST included) with funding from Capital Account No. CTU00419 - Traffic Signal Rehabilitation Program and CTR00905 - Traffic Improvements, as outlined in the Budget Implications section of the March 6, 2007 report.

At the request of Councillor Johns and with the concurrence of the seconder, Council agreed that the wording "*subject to the inclusion of a left hand turning lane onto Sackville Drive*" be included as part of the approval.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Tender 07-018 - Four (4) 2008 Cab and Chassis with Dump Body, and Tender 07-021 Three (3) 2008 Crew Cab and Chassis with Dump Body

- A report dated February 27, 2007, on the above noted, was before Council.

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

- 1. Award Tender No. 07-018, for four (4) 2008 Cab and Chassis with Dump Body to Chebucto Ford Sales for a Tender Price of \$187,492.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the February 27, 2007 report.**
- 2. Award Tender No. 07-021, for three (3) 2008 Crew Cab and Chassis with Dump Body to Chebucto Ford Sales for a Tender Price of \$154,930.00 (net HST included) with funding from Capital Account No. CVD00413 as outlined in the Budget Implications section of the February 27, 2007 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.5 Fire - Purchase of Vehicles/Reserve Withdrawals

- A report dated March 14, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Martin, that Regional Council:

1. **Approve an increase to the 2006/07 Capital Budget, Capital Project CVJ00704 - Fire Fleet Utility Vehicle Replacement in the amount of \$157,500 which includes the un-refundable portion of the HST, for the purchase of Two (2) 1/4 Ton Club Cab 4x4 Trucks - \$66,000; One (1) Cube Van - \$65,500; and One (1) Compact 4 Door, Hatchback, FWD - \$26,000 with funding in the amount of \$157,500 to be provided from Q206 - Fire Vehicle & Equipment Reserve.**
2. **Approve the withdrawal of \$157,500 from Q206 - Fire Vehicle & Equipment Reserve.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.6 Quotation 07C245 - Beazley Field Security Service

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

MOVED by Councillor Younger, seconded by Councillor Karsten, that Council authorize:

1. **Award of Quotation No. 07C245 to Sagittarius Security for a Total Quotation Price for Year One (1) of \$47,436.68 (net HST included) with funding from Operating Account R710 as outlined in the Budget Implications section of the March 5, 2007 report. Year One (1) will run from April 1, 2007 to March 31, 2008.**
2. **Staff to award the second year at a total cost of \$48,216.53 (net HST included), and the third year at a total cost of \$50,072.05 (net HST included), for the periods of April 1 to March 31 of each year. The second and third year award would be contingent upon annual budget allocation and satisfactory vendor performance.**

Councillor Johns noted that there have been instances of vandalism at Metropolitan Field in Sackville. Councillor Sloane noted that the Commons is also an area of concern and requested staff provide a report as to how security can be provided on the Commons.

MOTION PUT AND PASSED.

11.1.7 Request for Proposal 06-070 - Banking and Financial Services Products (Procurement Cards)

- A report dated February 14, 2007, on the above noted, was before Council.

MOVED by Councillor Karsten, seconded by Councillor Wile, that Halifax Regional Council award RFP No. 06-070, Banking and Financial Services Products (procurement cards) to the highest scoring proponent, National Bank of Canada for a five year period at no anticipated cost as outlined in the Budget Implications section of the February 14, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.8 Capital Budget Increase - Multi Projects

- A report dated February 20, 2006, on the above noted, was before Council.

MOVED by Councillor Wile, seconded by Councillor Sloane, that Council approve an increase in the Gross Capital Budget by \$372,000.00 with no change to the Net Budget, to reflect secured additional funding for Capital Account No. CPU00925 - New Playground Development, Capital Account No. CP300845 - New Park Development and Capital Account No. CP300850 - Playground Upgrades & Replacement, as outlined in the Background section of the February 20, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.9 Halifax Harbour Champion Trust Fund

- A report dated March 2, 2007, on the above noted, was before Council.

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

- 1. Consider all changes in administering the fund be dealt with as a go forward position.**
- 2. Establish that the Trustees are the Mayor, the Clerk and the Chair of the Audit committee and have the Trustees proceed with the decisions required as per the discussion section of the March 2, 2007 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.10 2011 Canada Winter Games Host Society

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

MOVED by Councillor Hum, seconded by Councillor Wile, that Regional Council approve the Memorandum of Association and Bylaws for the Halifax 2011 Jeux du Canada Games Host Society as contained in Appendices A and B of the March 16, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.11 First Reading By-Law S-421, An Amendment to By-Law S-400, Respecting charges for Street Improvements and Proposed Amendment to Admin. Order 15, Respecting License, Permit and Processing Fees - Engineering Fees Recovery for Local Improvement Charges

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

MOVED by Councillor Hendsbee, seconded by Councillor Harvey, that Regional Council:

- 1. Give First Reading to an amendment to By-Law S-400, Respecting Charges for Street Improvements, to provide for a reference to the fees outlined in Administrative Order 15 as per the attachment to the February 23, 2007 report.**
- 2. Approve an amendment to Administrative Order 15 regarding Engineering Fees, to be effective April 1, 2006, and that the February 23, 2007 report serve as Notice of Motion to approve the change as per the attachment to the February 23, 2007 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.2 HARBOUR EAST COMMUNITY COUNCIL

11.2.1 Case 00817 - Site Specific Community Planning Strategy and Land Use By-Law Amendment and Development Agreement - 32 Primrose Street

- A report dated March 2, 2007, on the above noted, was before Council.

MOVED by Councillor Smith, seconded by Councillor Mosher, that Halifax Regional Council give First Reading to the proposed amendments to the Dartmouth Community Planning Strategy and Land Use By-Law as provided in Attachment C of the February 1, 2007 staff report and schedule a joint public hearing with Harbour East Community Council. MOTION PUT AND PASSED UNANIMOUSLY.

11.3 GRANT COMMITTEE

11.3.1 Less Than Market Value Lease - Halifax City Soccer Club - 6955 Bayers Road, Halifax

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

MOVED by Councillor Walker, seconded by Councillor Fougere, that Regional Council Authorize the Mayor and Municipal Clerk to enter into a less than market value lease agreement for a portion of the premises located at 6955 Bayers Road, Halifax, with the Halifax Soccer Club, as per the terms and conditions set out in the report dated February 20, 2007. MOTION PUT AND PASSED UNANIMOUSLY.

11.4 MEMBERS OF COUNCIL

11.4.1 Councillor Johns - Department of Transport - Upper Sackville Bridge Repair

Councillor Johns noted that there is a cement bridge in Upper Sackville over the Lewis Lake Outlet Brook which needs repair.

MOVED by Councillor Johns, seconded by Councillor Karsten, that Mayor Kelly write the provincial Department of Transport requested the Upper Sackville Bridge be repaired. MOTION PUT AND PASSED UNANIMOUSLY.

11.4.2 Councillor Adams - Request to add March 6, 2007 Information Item #2 to the Agenda - Third Quarter Capital Report Detail

This item was deferred to March 27th under the approval of the Order of Business.

12. MOTIONS

12.1 Councillor Fougere - Chebucto Road Reversing Lane Project

MOVED by Councillor Fougere, seconded by Councillor Mosher, in order to end the uncertainty that has been affecting property owners on Chebucto Road for more than 12 months, and conclude discussions on the project that appeared in the 2006-07 capital budget that Council direct staff to bring a report on the Chebucto Road reversing land project to Council for discussion, prior to the commencement of the 2007-08 Budget deliberations. MOTION PUT AND PASSED UNANIMOUSLY.

13. ADDED ITEMS

13.1 Property Matter - Duke Street & Highway 102, Bedford

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

MOVED by Councillor Martin, seconded by Councillor Meade, that Halifax Regional Council:

1. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for PID 00636571, Duke Street & Highway 102, Bedford, subject to the key business terms and conditions outlined in the February 15, 2007 report; and**
2. **Not release the February 2, 2007 staff report and February 15, 2007 supplementary report to the public until the transaction has been closed.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Property Matter - Bloomfield Centre Review Project: Tenancy Plan

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

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

1. **Approve in principle the recommendations detailed in the Discussion section of the January 26, 2007 Private and Confidential staff report and direct staff to proceed with formal notification to tenants;**
2. **Direct staff to proceed with new lease agreements, as applicable, in accordance with Item 51(1) of the *Municipal Government Act* (1998), effective April, 2007;**
3. **Direct staff to charge full market value and offer a one year lease to Ms. Maureen MacDonald, MLA;**
4. **Not release the January 26, 2007 Private and Confidential staff report to the public until individual tenants have been notified; and**
5. **Direct staff to move forward with Phase III (Visioning Process) of the Bloomfield Review Project by May 15, 2007.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Property Matter - Burnside Business Park

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

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

1. **Authorize the Mayor and Municipal Clerk to enter into a short term Lease Agreement with Lafarge Canada Limited, subject to the key terms and conditions outlined in this report;**
2. **That the Private and Confidential report dated March 6, 2007 not be released to the public.**

MOTION PUT AND PASSED UNANIMOUSLY.

13.4 Personnel Matter - Citizen and Councillor Appointments to Boards, Committees and Commissions

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

MOVED by Councillor Mosher, seconded by Councillor Snow, that the nominations to the Halifax International Airport Authority Board be referred back to the Membership Selection Committee. MOTION DEFEATED.

At the request of Councillor Mosher, the items were voted on separately.

PART 1

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

1. **Approve the appointment of Councillor Jim Smith to the Union of Nova Scotia Municipalities.**

MOTION PUT AND PASSED UNANIMOUSLY.

PART 2

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

2. **Approve the following citizen nominations to the Halifax International Airport Authority Board: Dorothy MacCurdy, Barry Ward, and Peter McDonough.**

MOTION PUT AND PASSED.

PART 3

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

3. **That the Chair of a committee be appointed annually to a maximum of two (2) years. Should no other sitting member wish to offer as Chair, an appointment can be extended beyond the two years.**

MOTION PUT AND PASSED.

PART 4

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

4. **Should achieving a quorum be an issue, the committee shall be tasked with reviewing a more appropriate meeting schedule to be agreed upon.**

MOTION PUT AND PASSED.

14. **NOTICES OF MOTION - NONE**

15. **ADJOURNMENT**

The meeting was adjourned at 7:45 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Memorandum from Acting Director, Finance dated March 2, 2007 re: Tax Deduction for Local Improvement Charges
2. Memorandum from Director, Transportation and Public Works dated March 12, 2007 re: Mid-Season Winter Works Program Update
3. Memorandum from Director, Legal Services & Risk Management dated March 6, 2007 re: Status of By-Law Prosecutions
4. Memorandum from the Municipal Clerk dated March 16, 2007 re: Requests for Presentation to Council - None

