

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
MINUTES
April 24, 2007

PRESENT:

Mayor Peter Kelly
Councillors: Steve Streach
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Russell Walker
Debbie Hum
Steve Adams
Brad Johns
Robert Harvey
Gary Martin
Reg Rankin
Gary Meade

REGRETS:

Deputy Mayor Sue Uteck
Councillors: Krista Snow
Becky Kent
Sheila Fougere
Linda Mosher

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 Smith.

Council observed a Moment of Silence in memory of Councillor Rankin's father.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Meade advised a meeting will be held on April 25th at the St. Margaret's Centre regarding a rapid transit corridor from Tantallon to Halifax.

Councillor McCluskey extended birthday wishes to Ms. Nellie McLaughlin who will be celebrating her 100th birthday in May.

Councillor Adams advised there will be free workshops at the Captain William Spry Centre on the 1st, 3rd and 5th Thursday of May for caregivers of children. The Councillor congratulated the participants in the clean up of the community.

Councillor Hum noted May was Asian Heritage Month and the official opening ceremony will be held on May 1st at 5:30 at the St. Mary's University Theatre Auditorium. She recognized Appleby's Neighbourhood Grill on Lacewood Drive for their donation of ten percent of all purchases during the month of May to the library summer reading program.

Councillor Martin advised there will be a Neighbourhood Watch meeting held at Basinview School on April 26th at 7:00 p.m.

3. APPROVAL OF MINUTES - March 27, 2007

MOVED by Councillor McCluskey, seconded by Councillor Johns, that the minutes of March 27, 2007 be approved. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

- 13.1 Councillor McCluskey - Request for Leave of Absence
- 13.2 Councillor Adams - Rural Transit
- 13.3 Councillor Adams - Fire in Herring Cove

Councillor Adams agreed to move item 11.1.8, Proposed By-Law S-107, An Amendment to By-Law S-100, Respecting Sewer Charges, up on the agenda to be addressed

immediately following the public hearing.

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

5. BUSINESS ARISING OUT OF THE MINUTES

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 Councillor Streach - Biomass for Alternative Energy - Community Energy Plan Request

Councillor Streach noted that over last number of years people have become more conscious of the environment and the use of energy. He advised there are over five hundred million BTU's of clean green energy heating by-product escaping into the atmosphere in Middle Musquodoboit from Taylor Lumber. He advised the company has approached both the Departments of Public Work and Education asking that the province use the heat from a green energy source to heat the new high school being built across the road from the facility.

MOVED by Councillor Streach, seconded by Councillor Sloane, that Council endorse the principles of Biomass as a form of alternative energy and encourage the provincial government through the Department of Education, Environment, Energy and Transportation and Public Works to consider it as a heat source for the new school being constructed in Middle Musquodoboit.

Councillor Streach noted the facility is monitored and governed by the province and all his motion is asking is for them to consider using this source of heat to heat the school. He advised there is currently a filtering system at the facility and there have been no problems or issues associated with the business.

Councillor Sloane requested that a copy of the letter be forwarded to the HRM Sustainability Committee of HRM by Design.

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Streach advised there will be a need to address the by products of the Brown Spruce Longhorn Beetle. He advised Nova Scotia Power is interested in a new Biomass facility somewhere in the range of 30 megawatts.

MOVED by Councillor Streach, seconded by Councillor Hendsbee, that staff provide a report laying down the groundwork under the Community Energy Planning Process to provide for a new 30 megawatt Biomass facility serving Eastern Rural HRM. MOTION PUT AND PASSED UNANIMOUSLY.

9. PUBLIC HEARINGS

9.1 By-Law C-600, Respecting Capital Cost Charges

- An extract from the April 3, 2007 draft Regional Council minutes was before Council.
- A supplementary report dated March 29, 2007, on the above noted, was before Council.

Mr. Peter Duncan, Community Development, presented the report to Council.

In response to Councillor Hendsbee, Council was advised the charge is collected at the time the application for a building permit is made and not at the subdivision stage.

In response to Councillor McInroy with regards to two units in a dwelling, Council was advised the charge is levied to reflect the capacity consumed which means a family size dwelling with interior renovations not being captured.

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

Mr. Paul Pettipas, CEO, Nova Scotia Homebuilders Association, spoke in favour of the By-Law noting:

- It promotes affordable housing and this is one fee for all houses,
- It is on the building permit so the public can see who will pay,
- Commercial will pay as well,
- As long as new housing pays fair share the industry has no complaints,
- It is a capital cost which shows who is using it now and who will be using it in the future,
- The downside on this is all houses pay the same no matter the size of the home,
- In future when looking at cost look at more often,
- When the new home buyer obtains a permit they pay the fee,
- This is a fair By-Law.

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

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

Mr. Duncan noted the charges will be formally reviewed every five years and the wastewater charges will be reviewed annually.

In response to Councillor Hendsbee, Council was advised Council will set the rate, collect the fees at the building permit stage, and submit them to the new utility.

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Halifax Regional Council approve By-Law C-600, A By-Law Respecting Capital Cost Charges, as shown in Attachment A to the supplementary staff report dated March 29, 2007 to come into effect upon the adoption of By-Law S-107, being an amendment to By-Law S-100. MOTION PUT AND PASSED UNANIMOUSLY.

As per the approval of the Order of Business, Council addressed item 11.1.8 at this time.

11.1.8 Proposed By-Law S-107, An Amendment to By-Law S-100, Respecting Sewer Charges

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

MOVED by Councillor McCluskey, seconded by Councillor Sloane, that Halifax Regional Council give First Reading to By-Law S-107, A By-Law to amend the Sewer Charges By-Law, as shown in Attachment A of the April 17, 2007 staff report and schedule a public hearing. MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 07-213, Thin Overlays - Phase 1, Various Locations

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

MOVED by Councillor McInroy, seconded by Councillor Walker, that Council award Tender No. 07-213, Thin Overlays - Phase 1, Various Locations to Lafarge Canada

Inc. for materials and services listed at the unit prices quoted for a Total Tender Price of \$772,924.92 (net HST included) with funding from Capital Account No. CZU00782 - Resurfacing, as outlined in the Budget Implications section of the April 12, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.2 Tender 07-214, Paving Renewal, Spar Crescent, Dartmouth - East Region

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

MOVED by Councillor Karsten, seconded by Councillor McCluskey, that Council award Tender No. 07-214, Paving Renewal, Spar Crescent, Dartmouth - East Region to J. R. Eisener Contracting Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$409,320.27 (net HST included) with funding from Capital Account No's. CYU00784 - Paving Renewals, and CGU00461 - Sewer Lateral Replacement as outlined in the Budget Implications section of the April 12, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Tender 07-216, Street Improvement Projects - Various Locations

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

MOVED by Councillor Wile, seconded by Councillor McCluskey, that Council award Tender No. 07-216, Street Improvement Projects - Various Locations to Dexter Construction Company Limited for material and services listed at the unit prices quoted for a Total Tender Price of \$987,022.95 (net HST included) with funding from Capital Account No. CZU00782 - Resurfacing, as outlined in the Budget Implications section of the March 30, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.4 Proposed By-Law S-422, an Amendment to By-Law S-400, Respecting Charges for Street Improvements

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

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

- 1. Approve and apply (where applicable) the new Local Improvement blended costs for Capital Projects in the 2006/07 fiscal year as per Schedule "A" for the April 11, 2007 staff report.**
- 2. Approve, in principle, the adoption of By-Law Number S-422, Respecting**

Charges for Street Improvements, attached to the April 11, 2007 staff report, and to give Notice of Motion to begin the formal adoption process.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.5 Request for Increase to Cost Sharing for Capital Projects

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

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that Council authorize an increase in the budget for capital projects cost shared with HRWC and/or Heritage Gas as listed in Attachment A, with no net impact to HRM as indicated in the Budget Implications section of the April 5, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.6 Policy for Changes to Cost Sharing for Capital Projects

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

MOVED by Councillor Younger, seconded by Councillor Smith, that Council approve the policy - Changes to Cost Sharing for Capital Projects as attached to the April 12, 2007 report. MOTION PUT AND PASSED.

11.1.7 The Defined Contribution Pension Plan for Certain Employees of Halifax Regional Municipality

- A report dated April 18, 2007, on the above noted, was before Council.

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

- 1. Approve the attached amendment to the DC Plan documentation to reflect that the Halifax Regional Municipality Pension Committee is the administrator of the DC Plan.**
- 2. Agrees to indemnify Members, Alternates and Employees of the HRM Pension Committee in their role as Administrator for the Defined Contribution Pension Plan for Certain Employees of Halifax Regional Municipality (“The DC Plan”).**
- 3. Approve that the Mayor and Municipal Clerk sign the required documents that establish the DC Plan through a policy issued by Manulife Financial; and**
- 4. Direct the HRM Pension Committee to investigate the option of Winding-up**

the DC Plan and reporting back to Council on this option.

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.8 Proposed By-Law S-107, An Amendment to By-Law S-100, Respecting Sewer Charges

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

11.2 MEMBERS OF COUNCIL

11.2.1 Councillor McInroy - Request for Report re: Third Ice Surface, Cole Harbour Place

Councillor McInroy stated there is a lack of ice facilities in HRM and there is an opportunity to locate a third ice surface at Cole Harbour Place. He advised there is surplus land around the facility and there is money in the budget for a free standing building. He noted the operational costs of the additional ice surface would be minimized as it would be an add on to the existing operation of Cole Harbour Place. He advised there is one hundred thousand dollars earmarked for upgrades to Cole Harbour Place as well as there being plans to replace the heat recovery system at the facility.

Councillor McInroy stated he was requesting a staff report to review the potential and viability of adding a third ice surface at Cole Harbour Place.

Mr. English, CAO, advised staff is undertaking a needs assessment and a report will be coming to Council.

Councillor McInroy stated he was aware of the report and his request was to ensure that Cole Harbour Place was included as part of that review.

Mr. English advised that if Councillors want to have input into the report, they contact Mr. Dunphy directly.

Mr. Paul Dunphy, Director of Community Development, stated that if any Councillor has a specific suggestion they forward it to him. He advised the timeline is to have suggestions incorporated into next years Capital budget. He noted staff will be meeting within the next two weeks with the consultant regarding the terms of reference and the selection process.

Council agreed to forward any requests to Mr. Dunphy.

12. MOTIONS

12.1 Councillor Murphy re Protection of Public Art

MOVED by Councillor Murphy, seconded by Councillor Smith, that staff provide a report to re-institute the Public Art Committee and to look at recognition and possible penalties for the destruction of public art.

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

MOVED by Councillor Younger, seconded by Councillor Karsten, that the matter be referred to the Cultural Advisory Committee for discussion and report back to Council. MOTION PUT AND PASSED UNANIMOUSLY.

13. ADDED ITEMS

13.1 Councillor McCluskey - Request for Leave of Absence

MOVED by Councillor Walker, seconded by Councillor Adams, that Council grant a leave of absence for meetings starting with the Halifax Regional Council meeting scheduled for Tuesday, May 1, 2007, until such time as her doctor gives her permission to return. MOTION PUT AND PASSED UNANIMOUSLY.

13.2 Councillor Adams - Rural Transit

MOVED by Councillor Adams, seconded by Councillor Johns, that senior staff of Transportation and Public Works, Transit, and Regional Planning to hold a workshop within the next six weeks with rural councillors to look at priorities with regard to rural transit. MOTION PUT AND PASSED UNANIMOUSLY.

13.3 Councillor Adams - Fire in Herring Cove

Councillor Adams noted there had been a fire in Herring Cove in a corner store which resulted in ashes and dirt going into a nearby stream in the vicinity of Village Road.

MOVED by Councillor Adams, seconded by Councillor Streach, that HRM staff to the Department of Environment and look at remedies to this situation and to report back to Council. MOTION PUT AND PASSED UNANIMOUSLY.

14. NOTICES OF MOTION

Councillor Meade

Take Notice that, at the next regular Regional Council meeting to be held on Tuesday, May 1, 2007, I propose to introduce for First Reading By-Law S-422 Respecting Charges for

Street Improvements the purpose of which is to amend By-Law S-400, The Street Improvement By-Law, and will enable HRM to charge Local Improvement Charges for new street improvements.

Councillor Karsten

Take Notice that, at the next regular Regional Council meeting to be held on Tuesday, May 1, 2007, I intend to introduce a motion to request that Council ask staff for a report giving recommendations that can be implemented to make "Earth Day 2008" a prominent event in the HRM. This would include a tree planting festival to engage our youth in the principles of environmental sustainability.

15. ADJOURNMENT

The meeting was adjourned at 7:35 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - Naturopathic Medicine Week - April 28 - May 5, 2007
2. Memorandum from Chief of Police dated April 11, 2007 re: Jurisdiction and Authority, Setting of Airport Taxi & Limousine Fares
3. Memorandum from Director, Legal Services & Risk Management dated April 24, 2007 re: Status of By-Law Prosecutions
4. Memorandum from the Municipal Clerk dated April 20, 2007 re: Requests for Presentation to Council

Date of Request(s)	Name of Delegation(s)	Disposition of Request(s)
April 16 - 20, 2007	Imagine Bloomfield re: Results of Community Visioning Exercise	Referred to staff of Community Development for preliminary follow up. Presentation to Council may be scheduled for a future date if required.
	Bluenose International Marathon re: 2007 Marathon re: Event Update	Group will provide event information to Members of Council in writing.
	Friends of the Halifax Common re: Common Lands - Queen Elizabeth High School Site	Referred to staff of Community Development for preliminary follow up. Presentation to Council may be scheduled for a future date if required.