

HALIFAX REGIONAL COUNCIL
MINUTES
September 4, 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

TABLE OF CONTENTS

1.	INVOCATION	04
2.	SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS	04
3.	APPROVAL OF MINUTES - July 31 & August 7, 2007	05
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS	05
5.	BUSINESS ARISING OUT OF THE MINUTES	05
6.	MOTIONS OF RECONSIDERATION - NONE	05
7.	MOTIONS OF RESCISSION - NONE	06
8.	CONSIDERATION OF DEFERRED BUSINESS	
8.1	Proposed Administrative Order SC-46, Respecting Closure of a Portion of Cole Drive, Cole Harbour	06
9.	PUBLIC HEARINGS	
9.1	By-Law S-602, An Amendment to By-Law S-600, Respecting Solid Waste Resource Collection and Disposal	06
10.	CORRESPONDENCE, PETITIONS AND DELEGATIONS	
10.1	Correspondence - None	08
10.2	Petitions	08
11.	REPORTS	
11.1	CHIEF ADMINISTRATIVE OFFICER	
11.1.1	Request for Proposal 07-133 - Water Monitoring and Engineering Services at Closed Highway 101 Landfill	08
11.1.2	Tender 07-266 - New Sidewalk, Cow Bay Road, East Region	09
11.1.3	Turf Covering - Halifax North Common	09
11.1.4	Municipal Rural Infrastructure Fund Top Up Funding Priorities	09
11.1.5	Canada Nova Scotia Infrastructure Program Funding Reallocation	10
11.1.6	Proposed By-Law T-219, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit	

	Organizations - City of Halifax Non-Profit Housing Society (Harbour City Homes) - Settlement of Claim and Arrears ..	10
11.1.7	Request for Permanent Encroachment - Dalhousie University Entrance Sign	10
11.1.8	Edith Hope Estates, Boscobel Road	11
11.1.9	Reserve Withdrawal - 2008 Municipal and School Board Election Project Manager	11
11.2	MEMBERS OF COUNCIL	
11.2.1	Councillor Hum - Request for Report re: Kearney Lake Road Water Main Break	11
11.2.2	Councillor Adams - Request for Report re: Street Light Outage - Report and Repair Process	11
11.2.3	Councillor Streach - Request for Letter to Honourable Peter MacKay re: Parallel Highway - Sheet Harbour to Newcombe's Brook, Ship Harbour	12
11.2.4	Councillor Younger - Request for Report re: Grass Cutting - Municipal Right of Ways	12
12.	MOTIONS	12
13.	ADDED ITEMS	12
14.	NOTICES OF MOTION	12
15.	ADJOURNMENT	12

1. INVOCATION

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Rankin.

At this time Council observed a "Moment of Silence" in memory of Dr. Louis W. Collins, former civic historian for the City of Halifax, Mr. Max Hartley, former member of the Halifax Regional Police, and Mr. Roy Bowbridge, retired firefighter.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Wile congratulated the HRM firefighters on their win at the Firefighters Challenge.

Councillor Sloane noted there were seven first place finishes for HRM.

Councillor Johns thanked the RCMP, Metro Transit and HRM employees who assisted with the April Wine concert held in Upper Sackville.

Councillor McCluskey congratulated Councillor Snow on her 2nd place win in the Beaver Bank Community Fundraiser. She congratulated the paddlers who participated in the National Canoe/Kayak Championships in Ottawa.

Councillor Fougere noted the local kickoff for Arthritis Month will be held on September 5th at noon in the Horticultural hall of the Public Gardens.

Councillor Smith announced the annual Scotia Court barbecue and dedication ceremony of the Demetreous Beals Memorial Basketball Court will take place on Thursday, September 6th with rain date being Friday, September 7th. He further noted the Dartmouth North Community Carnival will be held on September 8th at the Boys and Girls Club beginning at noon.

Councillor Hum congratulated the Dunbrack girls soccer team on winning the provincial championships.

Councillor Snow advised the Waverley Gold Rush Days will be held on Sunday, September 9th.

Councillor Murphy noted twenty three concerts had been held throughout the Municipality over the last three months. He advised that the Lou Goddard field in District 11 will be dedicated at 1:00 p.m. on Sunday, September 9th.

Councillor Sloane commended staff and volunteers who participated in Summerfest 2007.

Councillor Kent noted Mr. Ian Kent of Eastern Passage has been chosen as a member of the 2008 Korean Para Olympic table tennis team.

Councillor Smith noted Black & MacDonald and community members had undertaken upgrades to the Doug Knickle park and field on July 8th.

Councillor Streach noted that the annual Musquodoboit Fifty Mile Yard Sale will be taking place on Saturday the 8th and Sunday the 9th.

3. APPROVAL OF MINUTES - July 31 & August 7, 2007

MOVED by Councillor McCluskey, seconded by Councillor Snow, that the minutes of July 31 and August 7, 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 - Case 00955: Cobequid Road and Glendale Drive, Sackville - Sale of HRM Parkland

13.2 Legal Matter - Lot 111, Ahmadi Crescent, Bedford

Councillor McCluskey requested Information Item #4, Memorandum from Chief Administrative Officer dated August 29, 2007 re: Commonwealth Games Bid Information be brought forward for discussion.

The two thirds majority vote required to add the item to the agenda was not achieved; therefore, it was agreed to add the item to the September 11th agenda.

MOVED by Councillor Sloane, seconded by Councillor Walker, 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

8.1 Proposed Administrative Order SC-46, Respecting Closure of a Portion of Cole Drive, Cole Harbour

- An extract from the Draft August 7, 2007 Regional Council minutes was before Council.
- A supplementary report dated August 20, 2007, on the above noted, was before Council.

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

- 1. Close the portion of the Cole Drive right-of-way, as shown on Attachment "A" of the August 20, 2007 supplementary staff report, subject to the outcomes of the public hearing;**
- 2. Set a date for a public hearing for consideration of HRM Administrative Order SC-46 concerning the closure of a portion of the Cole Drive right-of-way.**

MOTION PUT AND PASSED UNANIMOUSLY.

9. PUBLIC HEARINGS

9.1 By-Law S-604, An Amendment to By-Law S-600, Respecting Solid Waste Resource Collection and Disposal

- An extract from the Draft August 7, 2007 Regional Council minutes was before Council.
- A report dated July 31, 2007, on the above noted, was before Council.

Mr Jim Bauld, Manager, Solid Waste Resources, presented the staff report to Council and clarified the following;

- HRM will provide the signage with property owners being responsible for the placement of signage on commercial bins,
- Red and yellow bags are not recommended to be used for household waste as they are the colours used by hospitals for medical waste,
- The By-Law would have to be amended to introduce the use of tags,
- Apartment buildings of less than six units are eligible for residential collection services,
- There is regular monitoring of waste from commercial businesses and if they are not in compliance, a summary offence ticket is issued as well as an information session

is held with the tenants.

Mayor Kelly called for those wishing to speak either in favour of or in opposition to the proposed Administrative Order.

Mr. Donald Wright, Dartmouth, noted some of the bag limits in other cities in Canada. He suggested that staff should visit every apartment and condo building to ensure there is a program in place and tenants are aware of their responsibilities. He urged council to continue refining the system.

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.

MOVED by Councillor Karsten, seconded by Councillor Fougere, that Council approve By-Law S-604, Respecting Amendments to By-Law S-600, Solid Waste Resource Collection and Disposal By-Law.

Councillor Mosher noted the majority of residents are complying and HRM has to make it as easy as possible to encourage people to recycle, compost and divert from the landfill. She stated there is a need for a good public relations campaign. She noted there is single sort recycling in other cities and requested staff provide a memo to all Councillors on this matter.

Councillor Younger stated the ability to address tags quickly without going to a public hearing should be a part of the By-Law and placed the following motion.

MOVED by Councillor Younger, seconded by Councillor McCluskey, that the By-Law be further amended by adding a new section #7 to read as follows “Council may by administrative order establish fees and a process whereby residential properties may purchase tags or similar means to allow such properties to exceed the refuse bag limit”.

Councillor Rankin expressed concern that the use of tags would create a two tier system.

Council recessed at 7:20 p.m.

Council reconvened at 7:40 p.m.

Councillor Fougere stated Council needs to recognize the amendment does not mean Council

is endorsing people having more than six bags of garbage but allows for a mechanism in the by-law that would enable HRM, at some future point, to enable a tag system.

Councillor Karsten noted clear bags are used in other municipalities and stated that he would like to see the possibility of clear bags being added as the preferred next step.

AMENDMENT DEFEATED.

MAIN MOTION PUT AND PASSED UNANIMOUSLY.

10. CORRESPONDENCE, PETITIONS AND DELEGATIONS

10.1 Correspondence - None

10.2 Petitions

Councillor Adams served a petition requesting development in Herring Cove abide by the Herring Cove Service and Settlement Strategy of 2000 and placed the following motion.

MOVED by Councillor Adams, seconded by Councillor Mosher, that staff proceed with appropriate amendments to the Chebucto Peninsula Land Use By-Law to implement the Herring Cove Servicing and Settlement Strategy and Chebucto Peninsula Planning Strategy relative to watercourse buffers and setbacks. MOTION PUT AND PASSED UNANIMOUSLY.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Request for Proposal 07-133 - Water Monitoring and Engineering Services at Closed Highway 101 Landfill

- A report dated August 21, 2007, on the above noted, was before Council.

MOVED by Councillor Harvey, seconded by Councillor Sloane, that Regional Council award RFP No. 07-133, Water Monitoring and Engineering Services at Closed Highway 101 Landfill, to the highest scoring proponent, ADI Limited, at a cost of \$133,877.46 (net HST included), with funding from Capital Account No. CWI00780 (Q119) - Environmental Improvements, Highway 101 Landfill, as outlined in the Budget Implications section of this report. MOTION PUT AND PASSED

UNANIMOUSLY.

11.1.2 Tender 07-266 - New Sidewalk, Cow Bay Road - East Region

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

MOVED by Councillor Kent, seconded by Councillor Wile, that Council:

1. **approve the recovery of Local Improvement Charges for the new concrete sidewalk and new curb and gutter on Cow Bay Road - East Region by an area rate to the Urban area of District 8;**
2. **award Tender No. 07-266, New Sidewalk, Cow Bay Road - East Region to Dexter Construction Company Limited for a Total Tender Price of \$673,529.65 (net HST included) with funding from Capital Account No. CJU00785 - New Sidewalks, as outlined in the Budget Implications section of the August 15, 2007 report.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.3 Turf Covering - Halifax North Common

- A report dated August 24, 2007, on the above noted, was before Council.

MOVED by Councillor Sloane, seconded by Councillor Wile, that Council authorize staff to issue a purchase order to Covermaster Inc. for a total purchase price of \$96,973.84 (net HST included) with funding from Capital Account No. CHG01002 as outlined in the Budget Implications section of the August 24, 2007 report.

Mr. Peter Bigelow, Manager, Real Property Planning, provided clarification to members of Council.

MOTION PUT AND PASSED.

11.1.4 Municipal Rural Infrastructure Fund Top Up Funding Priorities

- A report dated August 22, 2007, on the above noted, was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor Streach, that Halifax Regional Council support, by resolution, the application by Halifax Regional Water

Commission to the Municipal Rural Infrastructure Fund for the additional \$2,993,200 to provide funding to North Preston and Middle Musquodoboit Small system Upgrades; both rural communities within the HRM, as the highest priority water and wastewater projects relative to the MRIF program criteria. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.5 Canada Nova Scotia Infrastructure Program Funding Reallocation

- A report dated August 24, 2007, on the above noted, was before Council.

MOVED by Councillor Wile, seconded by Councillor Karsten, that Regional Council approve the Canada Nova Scotia Infrastructure Funding Reallocation as per the Discussion section of the August 24, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.6 Proposed By-Law T-219, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non-Profit Organizations - City of Halifax Non-Profit Housing Society (Harbour City Homes) - Settlement of Claim and Arrears

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

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

1. **Application for tax exemption retroactive to April 1st, 1996 for all properties owned or operated by Harbour City Homes be declined;**
2. **Regional Council direct staff to set a public hearing date to approve the recommendations set out in the Discussion section of the August 30, 2007 report and amendments to Schedule 26 and Schedule 30.**

MOTION PUT AND PASSED UNANIMOUSLY.

11.1.7 Request for Permanent Encroachment - Dalhousie University Entrance Sign

- A report dated August 13, 2007, on the above noted, was before Council.

MOVED by Deputy Mayor Uteck, seconded by Councillor Fougere, that Halifax Regional Council approve the application for permanent encroachment of an

entrance sign at University Avenue. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.8 Edith Hope Estates, Boscobel Road

- A report dated August 20, 2007, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Adams, that Regional Council authorize staff to pay the owner of the property (PID 0027162) \$92,070 (net HST included) to satisfy the terms of the agreement attached as Schedule A. Funding to be provided as per the Budget Implications section of the August 20, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.1.9 Reserve Withdrawal - 2008 Municipal and School Board Election Project Manager

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

MOVED by Councillor Younger, seconded by Councillor McCluskey, that Regional Council approve a withdrawal from the Municipal Election Reserve - Q313 to secure the services of a Project Manager for the 2008 Municipal and School Board Election as per the Budget Implications section of the August 15, 2007 report. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 MEMBERS OF COUNCIL

11.2.1 Councillor Hum - Request for Report re: Kearney Lake Road Water Main Break

Councillor Hum referenced the recent watermain break on Kearney Lake Road and placed the following motion.

MOVED by Councillor Hum, seconded by Councillor Walker, that staff provide a report outlining what led to the event, what occurred, what action has been taken by the Water Commission since December 26, 2003 on that watermain line, how the damage is being monitored and what measures are being put in place to mitigate future watermain breaks. MOTION PUT AND PASSED UNANIMOUSLY.

11.2.2 Councillor Adams - Request for Report re: Street Light Outage - Report and Repair Process

Councillor Adams noted many burnt out street lights throughout HRM are not being repaired/replaced in a timely manner and placed the following motion.

MOVED by Councillor Adams, seconded by Councillor Sloane, that staff provide a report regarding the possibility of community groups such as Citizens on Patrol being given the authority to identify and report on burnt out street lights so that they can be replaced/repared in a timely manner. MOTION PUT AND PASSED UNANIMOUSLY.

MOVED by Councillor Wile, seconded by Councillor Murphy, that Council extend beyond 10:00 p.m. MOTION DEFEATED

11.2.3 Councillor Streach - Request for Letter to the Honourable Peter MacKay re; Parallel Highway - Sheet Harbour to Newcombe's Brook, Ship Harbour

Due to time constraints, this item was deferred to September 11th.

11.2.4 Councillor Younger - Request for Report re: Grass Cutting - Municipal Right of Ways

Due to time constraints, this item was deferred to September 11th.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Property Matter - Case 00955: Cobequid Road and Glendale Drive, Sackville - Sale of HRM Parkland

Due to time constraints, this item was deferred to September 11th.

13.2 Legal Matter - Lot 111, Ahmadi Crescent, Bedford

Due to time constraints, this item was deferred to September 11th.

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Jan Gibson
Municipal Clerk

The following information items were circulated to Council.

1. Proclamation - Continuing Care Month, September 2007
2. Proclamation - Shinerama Day - September 4, 2007
3. Proclamation - Shinerama Shine Day - September 8, 2007
4. Memorandum from Chief Administrative Officer dated August 29, 2007
re: Commonwealth Games Bid Information
5. Memorandum from Director, Transportation and Public Works dated August 21, 2007
re: Petition for Street Upgrades, Balsam Circle - Central Region
6. Memorandum from Traffic Authority dated August 20, 2007
re: Petition for Traffic Signals at Intersection of Beaver Bank Road and Beaver Bank Windsor Junction Cross Road
7. Memorandum from Director, Legal Services & Risk Management dated August 28, 2007 re: Status of By-Law Prosecutions between May 1, 2007 and May 31, 2007
8. Memorandum from Director, Legal Services & Risk Management dated August 28, 2007 re: Status of By-Law Prosecutions between June 1, 2007 and June 30, 2007
9. Memorandum from the Municipal Clerk dated August 31, 2007

re: Requests for Presentation to Council - All Women's Empowerment and Development Association (AWEDA)