HALIFAX REGIONAL COUNCIL
MINUTES
September 30, 2008

PRESENT:
Mayor Peter Kelly
Deputy Mayor Stephen Adams
Councillors: Steve Streatch
Krista Snow
David Hendsbee
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Tim Outhit
Reg Rankin
Gary Meade

REGrets:
Deputy Mayor Stephen D. Adams

STAFF:
Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant
Ms. Shawnee Gregory, Legislative Assistant
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1. **INVOCATION**

The Mayor called the meeting to order at 3:52 p.m. with the Invocation being led by Councillor Harvey.

2. **SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

This item was dealt with later in the meeting. Please see page 7.

3. **APPROVAL OF MINUTES - NONE**

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

**Additions:**

13.1 Round Table on Violence
13.2 2007 2008 Winter Works Program
13.3 Contractual Matter - Alderney 5 Surplus Capacity
13.4 Councillor Younger - Request for Staff Report - Waverley Road Construction Issues

At the request of Councillor Rankin, Council agreed to move up item 11.1.4 on the agenda to be dealt with as the first order of business.

**Deferral:** Item 8.2 - Case 01114: Development Agreement - Hollis/Duke/Upper Water Streets

Councillor Uteck made reference to a letter from The Armour Group sent to the Councillors this past Friday and advised that the developer has indicated a willingness to compromise. She suggested that Item 8.2 be deferred to October 21, to give the developer an opportunity to meet with representatives of Heritage Trust for discussion on the proposal.

**MOVED by Councillor Uteck, seconded by Councillor Streatch that Item 8.2 Case 01114 Development Agreement - Hollis/Duke/Upper Water Streets be deferred to October 21, 2008. MOTION PUT AND PASSED.**
Councillor Walker questioned if another public hearing would have to be held, should an agreement be reached.

In response, Ms. Mary Ellen Donovan, Municipal Solicitor advised that the assumption is that the discussion will be within the context of what is permitted in the terms of the public hearing; however if there is no agreement on that, and there was some discussion around something external to the public hearing, then a new public hearing would have to be held.

Councillor Walker also questioned whether Council has been given any indication that Heritage Trust is flexible on the proposal.

The Mayor clarified that the motion is to find out if there is a desire to see if there is any flexibility.

Councillor Uteck added that, when the matter comes back to Council on October 21, if there has been no compromise, then Council will vote on the proposal as is.

Councillor Karsten pointed out that Heritage Trust has not contacted him to advise that they are willing to have a discussion with the developer. He indicated that he was prepared to deal with the matter now, noting that there has been plenty of time leading up to the public hearing for such discussion. Councillor Karsten advised that he would be willing to go along with the deferral as long as both parties were willing to meet and discuss the matter.

Councillor Uteck noted that the letter from The Armour Group indicates a willingness to compromise and that Mr. Pacey, from Heritage Trust, has stated many times that he would be willing to sit down for discussion.

**THE MOTION TO DEFER WAS PUT AND PASSED.**

**Deferral:** Item 11.2.1 - Undergrounding of Overhead Utilities in Capital District

Councillor McCluskey advised that she had requested additional information on this item but had not yet received it, therefore, she would like to defer the item for one week.

**MOVED by Councillor McCluskey, seconded by Councillor Snow that Item 11.2.1 - Undergrounding of Overhead Utilities in Capital District be deferred to October 7, 2008.**

Councillor Fougere expressed concern about the timing of going forward with the project if it is delayed.

Councillor McCluskey advised that the information she was requesting was on how staff arrived at the scores.
THE MOTION TO DEFER WAS PUT AND PASSED.

MOVED by Councillor Rankin, seconded by Councillor Snow that the agenda, as amended, be approved. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES - NONE

6. MOTIONS OF RECONSIDERATION - NONE

7. MOTION OF RECISSION - NONE

11. REPORTS:

11.1 CHIEF ADMINISTRATIVE OFFICER:

11.1.4 Site Selection for Satellite Transit Garage

A staff report dated August 28, 2008 was submitted.

MOVED by Councillor Rankin, seconded by Councillor Meade that Halifax Regional Council approve the selection of Ragged Lake Business Park as the site for the new satellite transit garage (Attachment “B” - Site Location).

Mr. Mike Labrecque, Director, Transportation and Public Works addressed Council and briefly outlined the report. Mr. Labrecque and Ms. Cathie O’Toole, Director, Infrastructure and Asset Management responded to questions.

MOTION PUT AND PASSED.

Councillor Rankin asked that staff in their plans take into account the following:

  C Regional Plan priorities in this area identifies the need of rural transit along the Prospect Bay Road, and he ask that staff consider converging this service with the arrival of the transit garage.
  C To provide for passenger transit service into Ragged Lake at the same time as the satellite garage (this park is currently within the urban service boundary and in their tax bills yet no service).
  C Provide for a Park and Ride as part of the construction of the satellite garage.

Council recessed at 4:36 p.m.

Council reconvened at 6:02 p.m.
2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

MOVED BY Councillor Murphy, seconded by Councillor Sloane, that item 11.1.1 be moved up on the agenda and addressed immediately following item 9.1. MOTION PUT AND PASSED.

Councillor McCluskey wished to congratulate Mayor Kelly and his wife on their nineteenth anniversary. She advised that there had been a terrible fire in her district over the past week and wished to thank the fire department, EMO, Halifax Regional Police, Metro Transit, the Dartmouth Sportsplex and Metro Housing, for all of their help. Councillor McCluskey also indicated that she had attended the regional IODE Conference on September 27, 2008; noting that the members do a wonderful job.

Councillor Sloane indicated that there had been a Democracy 250 concert in the Grand Parade on September 27, 2008; noting that it was great to see so many young adults out and thinking about voting. She wished to thank everyone for their help with the set up and cleaning. She stated that Elton John had performed that same night and hoped that many more entertainers would come to HRM.

Councillor Outhit indicated that there had been an 80th birthday celebration that afternoon for Mr. Lou Turner at the Bedford United Church and wished him a happy birthday as the Councillor and Mayor could not attend due to the Council meeting.

Councillor Mosher indicated that on October 1, 2008 from 11:45 a.m. until 1:00 p.m. the official opening of the beach volleyball court at Cunard beach would be taking place at Cunard Junior High School. She advised that on October 2, 2008 at 6:30 p.m. a ceremony would be taking place to commemorate the anniversary of the laying of the first cornerstone at the Dingle Tower; noting that a decision on it being designated a national historic site should be made by the end of October.

Councillor Smith wished to thank the residents of district 9 who had worked together to put on the District 9 carnival on September 13, 2008. He also wished to thank community members for putting on the Scotia Court Barbeque Carnival on September 20, 2008 at which a new Scotia Court street name was symbolically unveiled. The new street name will be Demetrius Lane. Councillor Smith also indicated that the District 9 drama club, which meets every Thursday at 7:00 p.m. had both male and female roles available, however, they were looking for additional males to join the group.

Councillor Hum indicated that a public meeting would be taking place at St. Peters Church on October 1, 2008 at 7:00 p.m. regarding the process involved with the Bedford Basin Western Shore Land Use Study.
Councillor Snow indicated that on October 4, 2008 from 2:00 p.m. to 4:00 p.m. the Mayor and members of Council would be attending the grand opening and ribbon cutting at the new Fall River Recreation Centre. She advised that on October 5, 2008 from 1:00 p.m. to 4:00 p.m. youth in District 2 would be hosting an official naming of their commons and a grand opening of their bike park. She stated that from 3:00 p.m. to 5:00 p.m. that day the Capilano Family would be having a fall gathering at the playground. Councillor Snow also stated that a public meeting would be taking place at Harold T. Barrett Junior High School on October 6, 2008 at 7:00 p.m. regarding amending the fraternal centres provision in the MPS.

Councillor Hendsbee wished to congratulate everyone involved with the second annual Craig’s Cause Bike Tour which raised awareness for pancreatic cancer which had taken place in Porter’s Lake. He indicated that on October 2, 2008 Democracy 250 celebrations would be taking place throughout the day in the Grand Parade; starting with an 18th century breakfast and ending with fireworks over the harbour at 8:30 p.m. He stated that D250 exhibits were also being displayed at Pier 21 and the Art Gallery of Nova Scotia.

Councillor Murphy wished to thank Mr. Peter Magus, local mural artist, as well as North End youth who had helped create the mural at the Eisner Street playground.

Councillor Barkhouse indicated that the Miles of Smiles auction in support of Muscular Dystrophy would be taking place at Pier 21 on October 9, 2008 and would feature comedian Mr. Jimmy Flynn.

Council dealt with the public hearing at this time as follows:

9. **PUBLIC HEARINGS**


- An extract of the September 9, 2008 Regional Council minutes was submitted.
- A report from the Grants Committee dated July 25, 2008 was submitted.
- Correspondence from the SS Atlantic Heritage Park Society was submitted.

Ms. Peta Jane Temple, Team Leader, Tax, Grants & Special Projects, advised Council of several corrections to the above noted report. The corrections were as follows:

1. **Attachment 1, page 4: Club 75/80, Musquodoboit Harbour**

- The effective date of removal from the By-Law should be July 1, 2008 as the property had been sold in June;
C  Savings to the program decreased by $579.45. HRM pays the $579.45 and the new Owner, the Lions Club, pays $1,738.35.

2.  Attachment 1, page 5: Northwoodcare Incorporated, Halifax

C  The civic address has been changed to 5534 Almon Street, Halifax

3.  Report, page 3: Budget Implications

C  Increase budget overage from $25,329.44 to $25,908.89 in order to account for the change in Club 75/80 as noted above.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings. He called for those wishing to speak for or against the proposed By-Law amendment. As there was no one wishing to speak, the following motion was placed:

MOVED by Councillor McCluskey, seconded by Councillor Karsten, that the public hearing be closed. MOTION PUT AND PASSED.


Councillor Younger proposed the following amendment:

MOVED BY Councillor Younger, seconded by Councillor Johns, that the effective date of the Dartmouth Kinsmen Club (page 5) be changed from July 1, 2008 to October 1, 2008.

Councillor Younger noted that it had been anticipated that the Boys and Girls Club would move in earlier than they actually were able to.

MOTION PUT AND PASSED.

The motion now reads:

MOVED BY Councillor Walker, seconded by Councillor Fougere, that Halifax Regional Council:
1. Approve proposed By-Law T-223, Respecting Tax Exemptions for Non-Profit Organizations 2008 - 2009 - Renewals and Records Management as outlined in the staff report dated June 23, 2008; and

2. That the effective date of the Dartmouth Kinsmen Club (page 5) be changed from July 1, 2008 to October 1, 2008.

Regarding the transferability of tax free status, Ms. Temple advised that legislation stated that tax exemption was non transferable as the status was attached to the property. She stated that if a group was moving they would have to re-apply by contacting her office; noting that it was never too early to apply as staff was unable to give tax exemption retroactively.

A vote on the main motion was taken:

MOTION PUT AND PASSED.

Council dealt with the remaining agenda items in the order as follows:

11. REPORTS:

11.1 CHIEF ADMINISTRATIVE OFFICER:

11.1.1 HRM Entrance Signage - Home of Canada’s East Coast Navy

A report dated September 17, 2008 was submitted.

Councillor Murphy introduced Rear Admiral Paul Madison.

The Rear Admiral stated that it was his pleasure to stand before Council and formally thank them for supporting their Navy on behalf of the thousands of men and women throughout HRM, as well as their families, who have chosen to serve. He noted that members of the Navy give charitable donations and volunteer in their community. He indicated that the Navy had been a constant in Halifax for 250 years and that their relationship with HRM was now stronger than ever; noting that residents inspired them with support when they went overseas. He listed a number of activities which the Halifax Navy was carrying out around the world every day; the HMCS St. John’s completing a humanitarian mission to help those in Haiti affected by the hurricane, the HMCS Fredericton and Ville de Quebec acting as armed escorts for the World Food Program in Somalia and the HMCS Iroquois currently heading home from the Mediterranean after leading allies in the international campaign against terror. He stated that, on the home front, when the need arose as it did during Hurricane Juan and the Porter’s Lake Wild Fire the Navy would be there to help. In closing, he wished to thank Council again for their leadership and outstanding support as they all sailed together towards the Democracy 250 ceremony and the Navy Centenary in 2010.
Mayor Kelly thanked the Admiral and Navy on behalf of Council; stating that they certainly appreciated their presence in HRM. He stated that Council wished to work with the Navy as they continued to grow here and around in world.

MOVED BY Councillor McCluskey, seconded by Councillor Sloane, that Halifax Regional Council approve the incorporation of the phrase "Home of Canada's East Coast Navy" on existing HRM signs at the three highway entrances to HRM (Highway 103, Highway 102, and Highway 101) at the boundaries.

Council gave their thanks and support to the Navy. Many noted the good work that service men and women carry out in their districts as well as the Councillor’s many personal and family connections to the military.

MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions - None

10.3 Presentation

10.3.1 Community Leadership Advisory Council to the Admiral

A letter dated September 23, 2008 from The Honourable Myra A. Freeman, Honorary Captain (Navy) was submitted.

Mr. Chuck Harlan spoke on behalf of the Honourable Myra A. Freeman, Honorary Captain (Navy) and Chair of the Community Leadership Advisory Council to the Admiral. He stated that the Navy had played a vital role in the history and development of Halifax and that residents of HRM represented a proud and supportive community base for Canada’s East Coast Navy. He indicated that the Navy was in support of a revision to three HRM signs to demonstrate the municipality’s support of the Navy; noting that it comprised the largest portion of the Department of National Defence which was HRM’s largest employer. He advised that military personnel were always there for their community; ready to provide assistance as they were in such disasters as Hurricane Juan, White Juan and the Swiss Air crash. In closing, he stated that a sign guided you home and that having a sign to honour the over 6000 members of the Navy and their families would remind them that HRM and its residents would always welcome them back.
Mr. Dan English, Chief Administrative Officer, attested to the hard work of the Community Leadership Advisory Council to the Admiral as he had served on the Committee since its inception. From a staff perspective, he advised that HRM had an excellent working relationship with DND and that one of HRM’s economic strategy goals was to expand it. In closing, he stated that staff had been working with DND to develop a memorandum of understanding; noting that the military was always there when needed.

8. CONSIDERATION OF DEFERRED BUSINESS

8.1 PACE Car Program

C A report dated August 14, 2008 was submitted.

Ms. Janet Barlow, a representative from the Ecology Action Centre, provided the presentation on the PACE Car Program. Highlights were as follows:

C The program first began in Australia and was launched in Canada two years ago;
C Halifax Regional Police have been supportive of the program;
C The ‘clings’ which are placed on a car bumper are not stickers and are, therefore, removable;
C Schools become very involved in the program;
C A group was needed to take on the program and community members may also do so after being provided with the PACE Car kit;
C The program is getting closer to being able to collect speed data. Existing data has already shown that PACE car drivers do change their behaviour when they have the clings on their vehicles;
C Nova Scotia is the leader nationally and internationally for this program.

MOVED BY Councillor Hum, seconded by Councillor Hendsbee, that Halifax Regional Council endorse the PACE Car program and the efforts of the IBC to expand PACE cars in HRM.

Councillor Hum stated that she was pleased to help with the program and wished to recognize the efforts of Mr. Graham Steele, Fairview MLA and Councillor Walker who were the first representatives to have the clings on their vehicles.

A discussion on the motion ensued with Ms. Barlow responding to questions. The following points were noted:

C Speeding is a major issue in all districts and is the number one complaint from residents to their Councillor;
C It was agreed that this was an excellent program, however, it would not completely solve the problem of speeding and, therefore, further measures would also have to be taken; 
C Driving slower burns less fuel; 
C Public awareness and education is crucial to the program’s success; 
C Data shows that 99 percent of PACE car drivers have slowed their driving down as a result of the program.

In closing, Council encouraged residents to contact their local Councillor to obtain more information on the PACE Car Program or to put their name on the list. In District 15 in particular residents may sign up at local convenience stores or through Mr. Steele, MLA.

MOTION PUT AND PASSED.

8.2 Case 01114 - Development Agreement - Hollis/Duke/Upper Water Streets

This item was dealt with earlier in the meeting. Please see page 4 under the Approval of the Order of Business.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.2 Tender 08-138 - Install Passenger Landing Pads

C A report dated September 12, 2008 was submitted.

Councillor Smith left the meeting at 7:30 p.m.

MOVED BY Councillor Murphy, seconded by Councillor Sloane, that Halifax Regional Council award Tender No. 08-138, Install Passenger Landing Pads to Humphrey’s Landscaping and Construction Ltd. for a Total Tender Price of $103,191.11(net HST included) with funding from Capital Account No. CBT 00432, as outlined in the Budget Implications section of the report dated September 12, 2008.

A discussion on the motion ensued. The following points were noted:

C Both staff and members of the Advisory Committee for Persons with Disabilities worked on this project;
Council requested an email from staff advising of where the passenger landing pads would be located;

Humphrey’s Landscaping and Construction Ltd. has done good work for HRM in the past.

MOTION PUT AND PASSED

11.1.3 Request for Proposal 08-121 - Consulting Services - Quinpool “Your Neighbourhood Mainstreet” Streetscape Phase 1 and 2

A report dated September 9, 2008 was submitted.

Councillors Murphy and McInroy left the meeting at 7:39 p.m.

MOVED BY Councillor Fougere, seconded by Councillor Uteck, that Halifax Regional Council award RFP # 08-121, Consulting Services - Quinpool “Your Neighbourhood Mainstreet “ Streetscape Phase 1 and 2 to the highest scoring proponent, Terrain Group for a total cost of $503,268.96 with funding from Capital Account No.CDG00271, Downtown Streetscapes as outlined in the Budget Implications section of the report dated September 9, 2008.

When asked by Council how staff could justify choosing the group with the higher cost, Mr. Barry Yanchyshyn, Senior Landscape Architect, advised that in the request for proposals it was mentioned several times that a legal survey was required. He stated that only one of the proposals had included the survey in their fee; the lower price as being included as a dispersement, as the survey cost $100,000.

MOTION PUT AND PASSED.

11.1.4 Site Selection for Satellite Transit Garage

This item was dealt with earlier in the meeting. Please see page

11.1.5 Public Participation Programs - Bedford Waterfront, Birch Cove and Fall River

A report dated September 16, 2008 was submitted.

MOVED BY Councillor Outhit, seconded by Councillor Snow, that Halifax Regional Council:
(a) approve the public participation programs for the Bedford Waterfront and Birch Cove Area Planning Study/MPS Amendment Process, as presented in Attachments A and B of the report dated September 16, 2008; and

(b) approve the public participation program for the Fall River MPS Amendment Process as presented in Attachment C of the report dated September 16, 2008.

MOTION PUT AND PASSED.

11.1.6 Chebucto Landing - Service Corridor

A report dated September 26, 2008 was submitted.

MOVED BY Councillor Sloane, seconded by Councillor Walker, that Halifax Regional Council designate Chebucto Landing (George Street Extension) as a Service Corridor and authorize staff to apply the regular permitting and reinstatement fees for the gas line extension through the corridor as shown on Attachment ‘A’, in accordance with HRM’s Street By-Law S-300.

Mr. English and Mr. Ken Reashor, Manager, Traffic Authority, advised that Heritage Gas would be involved in advanced alerts as per normal procedure and that public service announcements would be done as well.

MOTION PUT AND PASSED.

11.2 ENERGY & UNDERGROUND SERVICES ADVISORY COMMITTEE

11.2.1 Undergrounding of Overhead Utilities in Capital District

A report dated September 22, 2008 was submitted.

This item was dealt with earlier in the meeting. Please see page 5 under the Approval of the Order of Business.

12. MOTIONS - NONE

13. ADDED ITEMS

13.1 Round Table on Violence
This item was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

MOVED BY Councillor Walker, seconded by Councillor McCluskey that Halifax Regional Council:

1. Accept the Mayor’s Roundtable on Violence; report and forward it to staff including Police, Police Commission and all other relevant departments within HRM, Province of Nova Scotia and the Federal Government to create an implementation strategy; and

2. Further; that in consideration of any other reports that impact on community safety initiatives; direct staff to return to Council with a report and any recommendations that should be considered in preparation for the upcoming business planning cycle.

MOTION PUT AND PASSED.

13.2 2007 2008 Winter Works Program

This item was addressed at an earlier Committee of the Whole session and was now before Council for ratification.

MOVED BY Councillor Karsten, seconded by Councillor Sloane, that Regional Council approve:

2. The withdrawal of $2,100,000.00 from the Snow and Ice Reserve (Q309);

3. The withdrawal of up to $2,235,000 from the Operations Stabilization Reserve (Q308), as per the Budget Implications section of the report dated September 5, 2008.

MOTION PUT AND PASSED.

13.3 Contractual Matter - Alderney 5 Surplus Capacity

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

MOVED BY Councillor McCluskey, seconded by Councillor Uteck, that Halifax Regional Council authorize staff to negotiate key details of a sole source public-
private partnership for a Green Thermal Utility (Phase 1) with the King’s Wharf Developer. MOTION PUT AND PASSED.

13.4 Councillor Younger - Request for Staff Report - Waverley Road Construction Issues

Councillor Younger advised of ongoing issues with HRM's joint project for the replacement of the Red Bridge Pond Pumping Station on Waverley Road. He stated that Dexter Contracting had undertaken the project and that over the past several months there had been many complaints of the company not following HRM By-Laws; including the closure of roads which were not permitted to be closed, litter being left on the site, neglecting to fill pot holes at the end of the day, allowing construction materials to leech into the pond and working at night without permission. Councillor Younger also advised that Halifax Water staff as well as Halifax Regional Police had tried to deal with the situation to no avail.

MOVED BY Councillor Younger, seconded by Councillor Karsten, that a staff report come forward regarding the construction issues on Waverley Road. MOTION PUT AND PASSED.

Councillor McCluskey noted that the Dartmouth Lakes Advisory Board was also very concerned with this matter.

14. NOTICES OF MOTION - NONE

15. ADJOURNMENT

The meeting was adjourned at 7:53 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were circulated to Council:

1. Proclamation - National Safe Communities Day - October 1, 2008

2. Proclamation - Insurance Information Week - October 6 - 12, 2008

3. Memorandum from Director, Community Development dated August 12, 2008 re: HRM by Design - Extension of South Barrington Precinct 2 (Potential Heritage Conservation District)

4. Memorandum from Managing Director, External & Corporate Affairs
dated September 25, 2008 re: Memorandum of Understanding with Halifax International Airport Authority

5. Memorandum from Manager, Budget and Financial Analysis dated September 30, 2008 re: Gas Tax Funding Allocation


8. Memorandum from Director, Community Development and Acting Director, Infrastructure & Asset Management dated September 22, 2008 re: Mainland Common - Build Canada Funds Contribution Agreement

9. Memorandum from the Acting Municipal Clerk dated September 26, 2008 re: Requests for Presentation to Council - None