

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL
October 27, 2009

MINUTES

PRESENT:

Mayor Peter Kelly
Deputy Mayor David Hendsbee
Councillors: Steve Streach
Barry Dalrymple
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Brad Johns
Robert Harvey
Tim Outhit
Peter Lund

REGRETS:

Councillor Reg Rankin

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

Mayor Kelly called the meeting to order at 6:00 p.m.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Mosher advised that on Saturday, November 14, 2009, 8:00 p.m. a fundraiser for the Crohns and Colitis Foundation, entitled All that Glitters Gala will be held at the Elements Bath and Fireplace in Bayers Lake. She noted that the price of the tickets were \$750 for a party of 10 or \$75 each.

Councillor Blumenthal offered congratulations to Sadie Petre who placed first in the Intermediate Girls Cross Country Meet, held in Antigonish yesterday.

Councillor Blumenthal advised of a meeting for the North End community to be held tomorrow evening at the Blessed Mother Theresa Church, 7:00 p.m. The meeting is being held to discuss local issues such as the burned playground equipment and other problems in the North End. He thanked Dan Trivett for organizing the meeting.

Councillor Blumenthal congratulated the Downtown Business Commission and the Shriners for working out a compromise so the Shriners can be in the holiday parade.

Councillor Blumenthal advised that next week is called Holocaust week and on November 9, 2009 at 5:45 p.m. a special event, entitled the Remembrance of Kristallnacht will be held. He also advised that on that evening, at 7:30 p.m. at the Maritime Museum, there will be the opening of the St. Louis to Commemorate the 71st. Anniversary of Kristallnacht.

Councillor Adams announced that on Sunday, November 29, 2009 at 2:00 p.m. the Spryfield Annual Santa Claus parade will be held. He noted that anyone wanting to enter in the Parade can get an application on his website.

Councillor Dalrymple advised, for the information of the residents of Brookhill Estates and Grand Lake, that following the public meetings held in regard to paving of streets, the survey ballots resulted in 47 to 3 in favour of the paving project, and the project will now go to the next step. He also announced the Marine Drive Valley and Canal Community Council meeting tomorrow evening, 7:00 p.m. at the LWF Community Hall. Councillor Dalrymple advised, for the information of the residents of the Monarch Rivendale subdivisions and the Beaverbank side of Windgate Drive, of a public meeting Thursday, October 29, 2009 at 7:00 p.m. in regard to the extension of city water service in those subdivisions, and it will be held at the Peace Lutheran Church on Windgate Drive.

Councillor Sloane advised that on Thursday, October 29, 2009, 5:30 p.m. an *Education for a Better World* will be held at Pier 21.

Councillor Watts advised of a public information meeting at Halifax West, Thursday, October 29, 2009, at 7:00 p.m. and the topic for discussion is Temporary Signs. She also advised of a chocolate fundraiser for the Northwood Centre to be held on Sunday, November 1, 2009, 1:00 p.m. at the Weston Hotel.

Councillor Lund advised that Sunday, November 1, 2009 at 2:00 p.m. there will be a film screening and fundraiser at the St. Luke's United Church in Upper Tantallon. He added that the film is entitled, *Norm*, and there will be an opportunity to meet the film makers who are from Boutilier's Point. He added that donations will be accepted for the St. Margaret's Bay and Area Association for Community Living.

Deputy Mayor Hendsbee advised that on Friday, October 30, 2009 at the West Chezzetcook Old Acadia House Museum a Haunted House will be held and it is a fundraiser for Feed Nova Scotia.

Councillor Mosher advised of the Cole Harbour Major Midget Hockey Auction being held this weekend at Big Leagues on Forest Hill Parkway, at 12:00 noon, and admission is \$10. She also advised of the Greyhounds of Nova Scotia Auction being held at Winston's Pub, Sunday, November 8, 2009.

Councillor Mosher requested that Mayor Kelly forward a letter of appreciation to the United States Consulate for arranging to have Mr. Roger Geller, the City Bike Coordinator for the City of Portland, Oregon provide a special presentation at City Hall.

Councillor Wile advised that the Canadian Paraplegic Association of Nova Scotia will be holding a Wine and Chocolate Tasting at Windows Restaurant on Thursday, October 29, 2009 at 6:30 p.m. and the cost is \$50 per person.

Councillor McCluskey thanked Billy Comer from HRM Civic Events for the great work he put into the Festival of Fire.

Councillor Dalrymple advised, for the information of the residents of Kings Road, the South West Grand Lake Property Owners Association has achieved the 66.7% ballot required to move to the next stage to have HRM administer the private road. He added that a public meeting will be held and will be announced once the date is confirmed.

Councillor Barkhouse thanked the individuals who worked on the Seaside Harvest Festival this past Saturday. She noted that although it rained, over 1000 individuals attended.

Councillor Smith advised that the consultant hired by the Dartmouth North Community Centre and HRM to carry out an operational review of the community centre will be presenting their final report to the Community at the Dartmouth North Community Centre on November 9, 2009.

3. APPROVAL OF MINUTES - None

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

Additions:

- 13.1 In Camera Recommendation - October 20, 2009:
Property Matter - 2190 Barrington Street - Right of First Refusal in Favour of Halifax Water

- 11.1.2 Request for Proposal 09-070 - Leased Office Accommodations (referred to the Committee of the Whole Meeting held on this date)
- 11.2.1 Former Dartmouth City Hall - Museum (referred to the Committee of the Whole Meeting held on this date)

Deferral:

- 11.5.1 Councillor Watts - Request to add October 20, 2009 Information Item #10 to the Agenda - Community Garden (deferred to the next Regional Council meeting)

MOVED by Councillor Sloane, seconded by Councillor Blumenthal 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. MOTIONS OF RESCISSION - NONE

8. CONSIDERATION OF DEFERRED BUSINESS - NONE

9. PUBLIC HEARINGS:

9.1 Case 01263 - Water Service Area Expansion, Middle Musquodoboit

- A staff report dated September 10, 2009 from the Chair of the Marine Drive Valley and Canal Community Council, with an attached staff report dated June 22, 2009 was before Council for consideration.

First Reading of this matter was given at the September 22, 2009 Regional Council meeting.

Mr. Joseph Driscoll, Planner, reviewed the staff report outlining the amendments that would expand a water service area in Middle Musquodoboit to enable Halifax Water to take ownership of a private water main that the Province of Nova Scotia constructed to service two school properties in the area. In his remarks, Mr. Driscoll noted that the amendments will enable abutting residents to connect to the system if they wish, and that the Province has indicated that they are willing to transfer ownership of the system to Halifax Water at no cost.

Mr. Driscoll advised that Mr. Jamie Hannam, representing Halifax Water, was also in attendance this evening.

At 6:18 p.m. Councillor Uteck entered the meeting.

Mr. Driscoll responded to questions.

Mayor Kelly reviewed the Rules of Procedure for Public Hearings and opened the Hearing for anyone wishing to speak.

Mr. Ernest Brennen, Ketch Harbour, advised that he supported the amendments and that he hoped it would be followed up with additional capital projects in this community and other rural communities in HRM. Mr. Brennen noted that since the water main was built in 2004 he wondered why it had not been included in the original Regional Plan, adding that it seems unusual it was not done when there was the opportunity.

Mayor Kelly called three times for any further speakers; there being none, it was **MOVED by Councillor McCluskey, seconded by Councillor Karsten that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Streach, seconded by Councillor Dalrymple that Halifax Regional Council approve the proposed amendments to the Regional Subdivision By-law and the Musquodoboit Valley/Dutch Settlement MPS and LUB, as set out in Attachments A, B, and C of the June 22, 2009 staff report to expand a water service area in Middle Musquodoboit to include lands that abut an existing water main on Highway 224 in Middle Musquodoboit. MOTION PUT AND PASSED.

9.2 By-Law T-225, An Amendment to By-Law T-200, Respecting Tax Exemption for Non-Profit Organizations - 2009 / 2010

- A staff report dated August 12, 2009 was before Council for consideration.

First Reading of this matter had been given at an October 6, 2009 meeting of Regional Council.

Ms. Peta Jane Temple, Team Lead, Grants & Contributions, presented the staff report. She explained that Provincial legislation allows the Municipality, at its discretion, to award full or partial tax exemption to non profit organizations in the region. She noted that this year the demand exceeded the budget for the program, but that in August Council approved an interim approach for this year only, to take into account the projected budget shortfall.

Ms. Temple pointed out that the Home of the Guardian Angel has withdrawn their application for a tax increase for their property at 3 Sylvia Avenue in Spryfield. She also noted a correction, referring to page 7 of the report, item 2 and advised that it should read, "see item 15, Attachment 3 of Page 13" explaining that, in effect, the reference is to the Metro Turning Point Society and not the Metro NonProfit Housing Society.

Ms. Temple added that staff anticipate a further report to come before Council in this fiscal year, and it will take account of the sale of the property by the Lung Association of Nova Scotia. Also, she advised that there have been a merger of four nonprofit co-operatives and staff will come back to address those issues.

There were no questions from Council

Mayor Kelly called three times for anyone wishing to address Council on this item; there being none, it was **MOVED by Councillor McCluskey, seconded by Councillor Sloane that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Councillor Johns that Regional Council approve By-law T-225, An Amendment to By-law T-200, Respecting Tax Exemptions for Non-Profit Organizations - 2009-2010, as outlined in the Recommendation Section of the staff report dated August 12, 2009.

Councillor Streach requested staff clarify Number 5, the Musquodoboit Lions Club advising that staff was recommending partial exemption, but the Club applied for full exemption in regard to the residential rate.

Ms. Temple explained that the recommendation for a conversion from the commercial to residential tax rate this year was in accordance with the interim approach approved by Council. She advised that staff took those who were paying full commercial taxes and converted them all, however, under normal circumstances some might receive a higher rebate; therefore, because the applicant is going to accommodate a food bank, staff have suggested they apply for additional tax relief for next year's program.

MOTION PUT AND PASSED.

2. CORRESPONDENCE, PETITIONS & DELEGATIONS:

10.1 Correspondence

10.1.1 Department of National Defence - Request for Military Fly-Past - November 11, 2009

- A letter dated October 15, 2009 from S. M. Michaud, Colonel, Wing Commander, National Defence was submitted.

MOVED by Councillor McCluskey , seconded by Councillor Sloane, that Halifax Regional Council approve a request from 12 Wing Shearwater for a fly-past of the Cenotaphs located at Halifax Grand Parade, Eastern Passage, Cole Harbour, and Sullivan's Pond at an altitude of 500 feet above the highest obstacle, between 11:02 a.m. and 11:20 a.m. on November 11, 2009. MOTION PUT AND PASSED.

10.2 Petitions:

10.2. 1 Councillor Sloane

Councillor Sloane submitted a petition containing 164 signatures requesting that the proposed Downtown Shuttle be reinstated into the Five-year Transit Plan for the Municipality. (note: the portion of the petition that was signed electronically contained 12 'anonymous' or 'name not displayed' signatures)

10.3 Presentation:

10.3.1 2011 Canada Winter Games Host Society - Annual Update

Mr. Jean Paul Deveaux and Mr. Chris Morrisey provided an update to Regional Council on the progress of the 2011 Winter Games. In the presentation, Mr. Deveaux noted that they are pleased with the progress to date and that they expect to raise \$10 million of which \$8 million will be from sponsorships. He also noted that they are very optimistic they will meet their fundraising targets, with the total raised at this time being \$4 million.

• **REPORTS:**

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Quotation 09M199, Asphalt Improvements, Emergency Fleet Services, 196 Waverley Road

- A staff report dated October 20, 2009 was submitted.

MOVED by Councillor Fisher, seconded by Councillor McCluskey that Regional Council:

- **Allocate \$35,000.00 from Operating Account R981 6701 to Capital Account CBX01170 - HRM Depot Upgrades (Bundle);**
- **Approve an increase to Capital Account CBX001170 - HRM Depot Upgrades (Bundle) by \$35,000.000 for the transfer from Operating;**
- **Award Quotation 09M199 to Dexter Construction Company Limited for a Total Quotation Price of \$43,233.32 (net HST included) with funding from Capital Account CBX01170 - HRM Depot Upgrades (Bundle) as outlined in the Budget Implications section of the October 20, 2009 staff report.**

MOTION PUT AND PASSED.

11.1.2 Request for Proposal 09-070 - Leased Office Accommodations

- This item had been deferred to the Committee of the Whole meeting held on this date.

11.1.3 ecoMOBILITY Contribution Agreement - ConserveNS

- A staff report dated October 9, 2009 was submitted.

MOVED by Councillor Uteck, seconded by Councillor Sloane that Regional Council authorize the Mayor and Municipal Clerk to enter into a contribution agreement with Conserve Nova Scotia for the ecoMOBILITY project.

Councillor Uteck asked staff to provide clarification on the project deliverables and what is meant by the 'guaranteed ride home'.

In response, Mr. David McCusker, Manager, Strategic Transportation advised that the deliverables of the project would be to develop a framework for a policy that HRM provides employers, and some of the tools to help to make different choices concerning how they travel to work. With regard to 'guaranteed ride home', Mr. McCusker advised that it is one of the tools staff use to encourage people to use alternative means of commuting to work. He explained that one of the primary reasons people give for not leaving their car home is that they may have an emergency at home that they have to respond to quickly. A 'guaranteed ride home' is something that can only be used in emergencies defined under the policy. He noted that it gives the employees access to taxi chits which allow them to get home quickly, but it is only for a limited number of times during the year and for specific, defined emergencies.

MOTION PUT AND PASSED.

11.1.4 Budget Update -Staff Presentation

- A PowerPoint presentation was circulated.

Mr. Dan English, Chief Administrative Officer advised that in May staff identified some areas of risk and promised to be back to Council on how to mitigate those risk areas. He added that the presentation staff has prepared is positive given the current economic climate. Mr. English noted that he was confident that the year will end with a balanced budget, and staff will be back after the third quarter to provide a further update.

Ms. Cathie O'Toole, Director of Finance, provided the staff presentation updating Council on the budget risks and how staff are managing the risks. She advised that at this time staff were not projecting a deficit and were projecting a small surplus. She also advised that the main risk projected for the future is if the growth in revenues does not continue at the same level and, the more pressure there is in operating, the greater the risk to sustain the capital budget.

Ms. O'Toole reviewed the areas of risk staff have determined and concluded by advising of the following ways in which staff have identified that the risk can be managed:

- there is the potential of \$2.7 million in savings in vacancy management
- there is the potential of \$1.2 million in savings in fuel expenses
- there is a healthy balance in the Snow and Ice Reserve
- the claim from the White Juan storm will be coming back this year and will augment the Snow and Ice Reserve
- current projected operating surplus for this fiscal year of \$169,000
- positive results in the Pension Fund issues with respect to the Pension Review Panel consultation and the public consultation this fall
- a posted surplus from 2008/09 of \$800,000
- the HST offset payment for the Municipality came in \$475,000 higher than anticipated

Ms. O'Toole responded to questions from Council.

Councillor Outhit referred to a comment Ms. O'Toole made in her presentation regarding the trend that transit revenue tends to drop off for a while once there has been a fare increase, but that it rebounds. He asked that staff provide additional information on this point to Council, so that they would have it as they go forward in discussing the 5-year plan. The Councillor indicated that he did not require a staff report and that the information could be forwarded via e-mail.

11.1.5 Guarantee of Halifax Water Debt

- A staff report dated October 15, 2009 was submitted.

MOVED by Councillor Harvey, seconded by Councillor Karsten that Halifax Regional Council approve the Municipality's guarantee of Halifax Water's debt related to their 2009 Fall Municipal Finance Corporation Debenture Issue in the amount of \$13,000,000. MOTION PUT AND PASSED.

11.1.6 St. George's Lane - Resident's Petition

- A staff report dated October 6, 2009 was submitted.

MOVED by Councillor McCluskey, seconded by Councillor Barkhouse that Halifax Regional Council, in light of the recent petition of residents of St. George's Lane, reconsider the previous motion of June 16, 2009 which made an exception to the current Council policy and approved the change of the existing two-way street to one-way from Portland Street to Pleasant Street.

Councillor Walker questioned if the appropriate Council procedure would be to rescind the motion, and then have it come back to Council.

The Mayor asked staff to clarify the intent of their recommendation.

Mr. Ken Reashor, Manager, Traffic and Right of Way explained that if Council gives direction to allow the street to remain a two-way street, noting that staff have not converted it to a one-way street at this point, then the street will remain as is.

Councillor Walker requested the Solicitor's opinion on procedure as there was a previous motion passed pertaining to this matter, and now it is being reversed. The Councillor suggested that a motion of rescission or reconsideration would be in order.

The Mayor advised that a motion to suspend the Rules of Order, with a two-third's majority, at this time would enable Council to proceed.

MOVED by Councillor Walker, seconded by Councillor Johns that the Rules of Order be suspended, and that Council reconsider the motion relative to this matter at this time. MOTION PUT AND PASSED.

Mayor Kelly indicated that a Motion of Rescission on the matter would now be in order.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that the previous motion of June 16, 2009 which made an exception to the current Council policy and approved the change of the existing two-way street to one-way from Portland Street to Pleasant Street be rescinded. MOTION PUT AND PASSED.

MOTION PUT AND PASSED.

11.1.7 Case 01325 - Municipal Planning Strategy and Land Use By-Law Amendments for 5454 Kaye Street / 5455 Russell Street, Halifax

- A staff report dated October 6, 2009 was submitted.

MOVED by Councillor Blumenthal, seconded by Councillor Walker that Halifax Regional Council:

- **Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and Peninsula Land Use By-law to permit an 11 storey mixed-use building at 5454 Kaye Street/5455 Russell Street, the site of the former St. Joseph's Church, by development agreement; and**
- **Direct staff to follow the public participation program approved by Council in February 1997.**

Councillor Blumenthal advised that although he was moving the motion, he was doing so with some trepidation as he has some concern with the proposed height of the building.

Mayor Kelly clarified with Councillor Blumenthal that he was open to having this matter go through the public process and then to public hearing, to which Councillor Blumenthal concurred.

In response to a question by Councillor Watts as to why this matter would not come to Peninsula Community Council first, the Mayor indicated that as it was an amendment to the Municipal Planning Strategy, it is required to come to Regional Council first rather than Peninsula Community Council.

MOTION PUT AND PASSED.

11.2 HARBOUR EAST COMMUNITY COUNCIL:

11.2.1 Former Dartmouth City Hall - Museum

This matter had been referred to the Committee of the Whole meeting held on this date.

11.3 HERITAGE ADVISORY COMMITTEE:

11.3.1 Case 01299 - Amending Agreement - Greenvale School, 130 Ochterloney Street

- A report dated September 28, 2009 was submitted from the Vice Chair of the Heritage Advisory Committee, with an attached staff report dated August 20, 2009.

MOVED by Councillor Nicoll, seconded by Councillor Watts that Regional Council:

- **Refuse to approve the removal of the chimney from the heritage building at 130 Ochterloney Street, Dartmouth; and**
- **The chimney be replaced with a replica of a reinforced brick sheathed plywood box anchored to the remaining chimney and that this new feature match the old design in colour, texture and other visual qualities, including height and, where possible, materials. Further, it is recommended that the developer work closely with HRM Heritage Planners to arrive at a suitable design.**

Councillor McCluskey advised that she would be voting against the motion. She noted that the building had been neglected for so long, a lot of it could not be repaired. Councillor McCluskey added that the motion would require that the developer rebuild the chimney at a cost of \$5000 or more, and that she did not think Council should be putting any more obstacles in the developer's way.

Mr. Kurt Pyle, Acting Manager, Planning Services, Mr. Darrell Joudrey, Planner, and Mr. Bill Plaskett, Heritage Planner, responded to questions from Council.

Councillor Watts advised that she was a member of the Heritage Advisory Committee, and that she supported the motion as the Development Agreement clearly stated that the chimney was a character defining element, and the developer took the chimney down without consulting staff.

Councillor Nicoll advised that, as a member of the Heritage Advisory Committee, she was undecided as to whether or not she supported the chimney during the Committee's discussion, and that she agreed to support whatever the Committee brought forward. She noted, however, that she does not support the Committee recommendation.

MOTION DEFEATED.

MOVED by Councillor McCluskey, seconded by Councillor Karsten that Regional Council approve the chimney not being replaced. MOTION PUT AND PASSED.

11.4 GRANT COMMITTEE:

11.4.1 Partial Tax Exemption for Homes Destroyed by Fire

- A report dated October 5, 2009 from the Chair of the Grants Committee was submitted.

MOVED by Councillor Walker, seconded by Councillor Johns that Halifax Regional Council approve Option 2: Early Reassessment Approach as outlined in the Staff Report dated September 3, 2009 and the Supplementary Staff Report dated, September 21, 2009 attached to the October 5, 2009 Grants report as Attachments 1 and 2, and; that the commencement date be for a fire that occurred on or after December 1, 2008.

MOVED by Deputy Mayor Hendsbee, seconded by Councillor Streach that the motion be amended to change the commencement date to be retroactive to April 1, 2005.

The Municipal Solicitor advised the amendment to the motion was not a friendly amendment, and Mayor Kelly advised that it would be removed.

Deputy Mayor Hendsbee suggested that he was prepared to move a more friendly amendment by asking for the commencement date to be retroactive to December 1, 2007.

The Municipal Solicitor advised that there was no difference between this amendment and the previous one.

The Mayor suggested that in light of Deputy Mayor Hendsbee's request, the Committee could consider it and come back with a recommendation

Councillor Dalrymple advised that he was a member of the Grants Committee and suggested that any further improvements to tax exemptions involving homes destroyed by fire should be submitted to the Committee for consideration.

MOTION PUT AND PASSED.

11.5 MEMBERS OF COUNCIL:

11.5.1 Councillor Watts - Request to add October 20, 2009 Information Item #10 to the Agenda - Community Gardening

This item was deferred to the next regular Regional Council meeting.

At 8:24 p.m. Council recessed.

At 8:39 p.m. Council reconvened.

12. MOTIONS:

12.1 Councillor Mosher

"That in future all discussions regarding appointments to Boards, Committees and Commissions be held in public."

An Information Report prepared by Mary Ellen Donovan, Municipal Solicitor, dated November 24, 2005, originally distributed for the December 13, 2005 Regional Council meeting, was submitted.

MOVED by Councillor Mosher, seconded by Councillor McCluskey that all appointments to board committees and commissions be held in public.

Councillor Mosher indicated that she has been advocating for several years to have appointments made in the public Regional Council meeting and did not see any reason for doing this In Camera. She pointed out that prior to amalgamation no other municipal unit made their appointments In Camera.

Councillor Wile advised that she did not support the motion. She noted that she had been a career councillor and instructor for many years and was cognizant of keeping resumes and personal information private. She added that she felt it was wrong to have resumes dealt with in public and that the Freedom of Information and Protection of Privacy Legislation is in place to assure that personal information is kept private.

The Municipal Solicitor explained that the process is governed by the Charter and legislation as opposed to the Freedom of Information and Protection of Privacy Act. He advised that there are a number of matters Council may consider In Camera, one of which is personnel matters. He added that there is no definition of personnel matters in the legislation so Council is free to take either a narrow or wider view on this definition, but in either event, Council does not need to know if it is narrow or wide because it has the discretion to either hear them In Camera or not.

A discussion ensued and the general view of those in support of the motion was that Council should be making the appointments to its boards and committees in public as it was being open and transparent; and those opposing the motion with the view that individuals have the right to have their personal information contained in resumes held in private when they apply to Boards and Committees.

A recorded vote was requested.

THE MOTION WAS PUT AND DEFEATED

Those voting in favour:

Mayor Peter Kelly; and Councillors: Adams, Fisher, McCluskey, Mosher, Nicoll, Sloane, Watts, and Smith.

Those voting against:

Deputy Mayor Hendsbee; and Councillors Barkhouse, Blumenthal, Dalrymple, Harvey, Johns, Karsten, Lund, Outhit, Streach, Wile, and Walker

Those absent for the vote:

Councillors: Hum, Rankin, and Uteck.

13. ADDED ITEMS:

13.1 Property Matter - 2190 Barrington Street - Right of First Refusal in Favour of Halifax Water

This matter had been dealt with at the October 20, 2009 In Camera session and was now before Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Johns that Regional Council not entertain selling the land at this time, and HRM retain the property. MOTION PUT AND PASSED.

14. NOTICES OF MOTION:

14.1 Councillor Lund gave Notice of Motion that, at the next regular Regional Council meeting, to be held on Tuesday, the 10th day of November, 2009, he proposes to move that Regional Council direct staff to initiate the process to amend the St. Margaret's Bay and Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategies and Land Use By-laws to place the entire Westwood Hills subdivision within the St. Margaret's Bay plan area to provide for consistent land use regulations throughout the subdivision.

14.2 Councillor McCluskey gave Notice of Motion that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, November 10, 2009 she intends to introduce a motion to provide the media and the general public with the Council package at the same time as it is provided to Regional Council by publishing it on the HRM website.

14.3 Councillor Walker gave Notice of Motion that at the next regular meeting of the Halifax Regional Council to be held on Tuesday, November 10, 2009 he intends to introduce a motion to disband the membership selection committee and have the Mayor and Deputy Mayor bring forward the members to Council

15. ADJOURNMENT:

The meeting adjourned at 9:25 p.m.

Cathy J. Mellett
Acting Municipal Clerk

The following information items were submitted:

1. Proclamation - Crohns's and Colitis Awareness Month - November 2009
2. Proclamation - Pain Awareness Week - November 1 -7, 2009
3. Proclamation - Community Social Service Workers Appreciation Day - November 6, 2009
4. Memorandum from Deputy Chief Administrative Officer, Corporate Services & Strategy dated October 16, 2009 re: District 6 Special Election
5. Memorandum from Director, Business Planning & Information Management dated October 21, 2009 re: 2009 HRM Citizen Survey
6. Memorandum from Director, Finance dated October 23, 2009 re: Second Quarter 2009 / 2010 Financial Report
7. Memorandum from the Acting Clerk Manager dated October 23, 2009 re: Requests for Presentation to Council - None
8. Memorandum from Canada Games Committee re: Second Quarter Update - September 2009