

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES JANUARY 26, 2010

PRESENT: Mayor Peter Kelly
Deputy Mayor Brad Johns
Councillors: Steve Streach
Barry Dalrymple
David Hendsbee
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
Robert Harvey
Tim Outhit
Reg Rankin
Peter Lund

ABSENT: Councillor Stephen Adams (Regrets)

STAFF: Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryll Murphy, Acting Municipal Clerk
Ms. Barbara Coleman, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 6:03 p.m. with the Invocation being led by Councillor Fisher.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Barkhouse expressed gratitude to the Grade 4 Class at the Tallahassee School. The class will be holding a cookie sale on January 27, 2010 to raise money for the Red Cross Haitian Fund.

Councillor Sloane indicated that Black History Month commences on Thursday, January 28, 2010 with activities at the North End Library at 7:00 p.m..

She noted that Q104 Halifax will be holding a radio-a-thon in support of Haiti on February 1, 2010 at 6 a.m. Further, Halifax for Haiti will be held at the Halifax Metro Centre February 8, 2010 at 7:30 p.m with many local talents performing.

Councillor Sloane advised that the Waterfront Development Corporation has taken on the initiative of *Park After Dark* until March 12, 2010. A flat rate of \$6:00 will be charged to park a car in a secure place until 8:00 a.m.

Councilor Karsten announced that the Adult Learning Program at the Akerley Campus of Nova Scotia Community College (NSCC) and the Atlantic Jewish Council will host an event commemorating International Holocaust Remembrance Day and the 65th anniversary of the liberation of Auschwitz at NSCC's Akerley Campus located at 21 Woodlawn Road, on Wednesday, January 27, 2010 beginning at 2 p.m. Mr. Philip Riteman, Holocaust survivor and Order of Nova Scotia recipient, will be the keynote speaker. Brigadier General Anthony Stack, Commander Land Force Atlantic Area will also speak.

Councillor Watts advised residents that a meeting of the Halifax Urban Greenway Trail in District 14 will be held on January 27, 2010 at 7 pm in the meeting room at Oxford School (entrance off Willow Street, through the main school doors).

Councillor Dalrymple announced that the HRM Community Development section will be hosting a Mind Shift presentation for youth at the Fall River Recreation Centre on Saturday, January 30, 2010 from 1:00 until 3:00 p.m. On Monday, February 1, 2010 a public information meeting will be held at the Waverley Legion, 2234 Rocky Lake Drive, Waverley - 7:00 p.m. to discuss the application to extend the water service boundary to the Rocky Lake Quarry (Dexter Construction), 927 Rocky Lake Drive, Waverley.

Councillor Fisher indicated that the Lets Get Active Committee of Nova Scotia Trails, Shubenacadie Canal Commission and the Nova Scotia Boat Club are hosting a Full Moon Walk at Shubie Park on Friday January 29, 2010 at 7:00 p.m. at the Fairbanks Centre, 54 Lockes Road in Dartmouth, NS. A Kid Friendly Historic Canal Walk will also be held with refreshments served and a cookie contest to follow. The Boys and Girls Club of East Dartmouth are holding their 8th Annual Community Breakfast Fund Raiser on Friday, January 29, 2010 at 7:45 a.m. at the NSCC Akerley Campus Cafeteria. Captain John F. Newton, Base Commander for the Canadian Forces Base, Halifax will be the guest speaker. Tickets are \$13 and are available at the RBC, Tacoma Branch, or at the Saint Thomas Moore Parish.

Councillor Mosher indicated that it was an honour to represent Council at the opening of 2010 World Taekwondo Federation Canadian Junior National and 1st Para National Championship. She requested that a letter of congratulations be sent on behalf of Council to the organizers of the event. She expressed appreciation to Ms. Katie Pyke, President of the Nova Scotia Tae Kwon Do and Director of the Tournament and Mr. Bruce Carrol, Assistant Tournament Director, both from Halifax, and Mr. Shawn Fitzgerald, Newfoundland, the President of the World Tae Kwon Do Federation, Canada for their tireless efforts in securing the sponsors. She also wanted to express gratitude to Bank of Montreal as well the many other sponsors, organizers, and the athletes that came out and gave their personal best.

Councillor Hendsbee announced that the Porters Lake Community Centre and the Halifax Recreation Services will be holding a Youth Strategy meeting targeting youth ages 13 to 18 on Friday, January 29, 2010 at 7:00 p.m. Pizza will be provided. He further announced that on Saturday, January 30, 2010 there will be a benefit auction and fund raiser for Terry Roma and his family at the Porters Lake Pub at 2:00. More information can be found on Facebook under the Terry Roma Benefit and Fundraiser. On Sunday January 31, 2010 at 11:00 a.m., as a part of an Outreach program and follow up of the Peace Marches that were held earlier in the year in North Preston, the Hillside Westlyn Church, Cole Harbour will be holding their church services at the Saint Thomas Baptist Church in North Preston.

Councillor Nicoll announced that Canada Post and the Canadian Armed Forces will hold a commemorative stamp unveiling on February 2 at 2:00 p.m. at the Black Cultural Center honouring Mr. William Hall, the first Canadian to receive the Victoria Cross.

Councillor Lund announced that HRM will be holding a Public Meeting to discuss a proposed high speed broadband internet antennae tower which is being proposed for Ingraimport on Thursday January 28, 2010 at the Black Point Fire Hall at 7:00 p.m.

Councillor Smith announced that on Wednesday, January 27, 2010 at 7:00 p.m. there will be a public information meeting at Dartmouth High School to discuss the proposed area in Burnside remaining Zone 2.

3. APPROVAL OF MINUTES - January 12, 2010

MOVED by Councillor Nicoll, seconded by Councillor McCluskey, that the minutes of January 12, 2010 be approved as presented. MOTION PUT AND PASSED

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

Regrets Stephen Adams

- Additions:
- 12.1 Councillor Rankin - Request for Letter to the Province re: Tire Derived Aggregate Project - Goodwood
 - 12.2 First Reading Proposed By-Law T-140, An Amendment to By-Law T-108, Respecting Regulation of Taxis & Limousines
 - 12.3 Legal Matter - Settlement of Claim
 - 12.4 Legal Matter - Settlement of Claim

- Deletions:
- 11.1 Motion - Councillor Karsten

Council agreed to deal with Item 12.1 after Petitions as Councillor Rankin had a petition relating to Item 12.1

MOVED by Councillor Nicoll, seconded by Councillor Barkhouse that the Order of Business be approved as amended. MOTION PUT AND PASSED

- 5. BUSINESS ARISING OUT OF THE MINUTES**
- 6. MOTIONS OF RECONSIDERATION - NONE**
- 7. MOTIONS OF RESCISSION - NONE**
- 8. CONSIDERATION OF DEFERRED BUSINESS - NONE**

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions

9.2.1 Councillor Rankin

Councillor Rankin submitted a petition of 70 emails with multiple signatures per email requesting Halifax Regional Council to urge the Provincial Department of Environment to conduct an environmental review of the Provincial Tire Recycling Project at Goodwood.

12.1 Councillor Rankin - Request for Letter to the Province re: Tire Derived Aggregate Project - Goodwood

MOVED by Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council request the Mayor to write a letter to the Minister of the Department of Environment “requesting him to give due consideration to designating the Tire Recycling process as an activity likely to have significant adverse effects on the environment and require approval of the Minister pursuant to the *Environment Act*”.

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

MOVED by Councillor Rankin, seconded by Councillor Lund that the motion on the floor be put. MOTION PUT AND DEFEATED

Councillor Rankin advised Council that this community is already overtaxed with environmental issues such as the land fill. They are not on municipal water and sewer but on well systems.

Concern was expressed that Council did not have sufficient enough information to indicate that this was an activity that would have significant adverse effects on the environment.

Ms. Mary Ellen Donovan, Solicitor, HRM, advised that it is a matter of personal judgement as to whether there is enough information before them to make a decision.

Councillor Lund advised Council that this issue had not gone through the Community Monitoring Committee.

Councillor Rankin advised Council that he would amend his motion striking the following words: *requesting him to give due consideration to designating the Tire Recycling process as an activity likely to have significant adverse effects on the environment and require approval of the Minister pursuant to the Environment Act* and replacing them with that an environmental review be completed with regards to the Tire Derived Aggregate Project - Goodwood

The motion now reads:

MOVED by Councillor Rankin, seconded by Councillor Lund that Halifax Regional Council request the Mayor to write a letter to the Minister of Environment requesting that an environmental review be completed with regards to the Tire Derived Aggregate Project - Goodwood. MOTION PUT AND PASSED

Moved by Deputy Mayor Johns, seconded by Councillor McCluskey that Items 10.1.10 and 10.3.1 be dealt with next on the agenda. MOTION PUT AND PASSED

Moved by Councillor Hendsbee, seconded by Councillor McCluskey that Item 10.1.7 be dealt with after Item 10.3.1. MOTION PUT AND PASSED

Moved by Councillor Mosher, seconded by Councillor McCluskey that Item 12.2 be dealt with after Item 10.1.7. MOTION PUT AND PASSED

Moved by Councillor Dalrymple, seconded by Councillor McCluskey that Item 10.1.13 be dealt with after Item 12.2. MOTION PUT AND PASSED

Moved by Councillor Nicoll, seconded by Councillor McCluskey that Item 10.1.6 be dealt with after Item 10.1.13. MOTION PUT AND PASSED

10.1.10 LED Street Lights Replacement Project

- A report dated January 8, 2010 was before Council.

MOVED by Deputy Mayor Johns, seconded by Councillor Sloane, that Halifax Regional Council:

- 1. Approve a capital expenditure of \$1,740,000 from capital account CRU00792 with a net cost to HRM of \$670,000, in order to fund an LED street light replacement project for the installation of approximately 2000 existing HRM owned high pressure sodium light fixtures within the 2010 calendar year;**
- 2. Increase the budget in capital account CRU00792 by \$1,070,000 to account for external cost sharing associated with this project as outlined in the budget implications section of this report;**
- 3. Approve the withdrawal of \$156,000 from the Service Improvement Reserve Q310 to capital account CRU00792 which is to be paid back through a transfer of \$156,000 from operating account R825 in fiscal year 2010/11;**
- 4. Pre-approve a budget allotment of \$200,000 from the 2010/11 capital budget for capital project CRU00792.**
- 5. Approve the staff application on January 31, 2010 to the Provincial Eco Trust Program for funding of \$870,000.**

MOTION PUT AND PASSED

10.3.1 Green Thermal Utility (GTU) Opportunities

- A report dated January 14, 2010 was before Council.

Councillor Uteck reviewed the presentation noting that HRM is always looking for new sources of revenue. The Halifax and Dartmouth Waste Water Treatment Facilities could provide the opportunity to use sewage as a means to produce heat.

At this time the Mayor asked Councillor Uteck to put the motion on the floor.

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

1. **Approve in principle the concept of a Green Thermal Utility (GTU) subject to financial feasibility and funding.**
2. **Endorse a preliminary governance structure of a HRM/HW owned and operated GTU, subject to subsequent detailed risk analysis (technical, financial, regulatory).**
3. **Endorse continued governance development as between HRM and HW.**
4. **Approve the execution of an MOU with Provident Development Inc.**
5. **Approve the filing of an application to the UARB to confirm jurisdiction.**
6. **Approve the submission of an EcoTrust application in support of the project.**

Councillor Uteck continued the presentation suggesting that should this project proceed, the potential for local jobs, and more competitive businesses with reduced energy capital and maintenance costs would be created. HRM would also reduce green house gas emissions, reduced noise and reduced local air emissions. The results of the Consultant's study on this issue will be submitted to Council when complete.

MOTION PUT AND PASSED

10.1.7 Porter's Lake Community Centre / School Partnership

- A report dated January 11, 2010 was before Council.

MOVED by Councillor Hendsbee, seconded by Councillor McCluskey, that Halifax Regional Council:

1. **Approve entering into a joint project with the Province to add a community centre component to the new Lakeview Elementary School project;**
2. **Direct staff to include \$1.65M in the proposed 2010/11 Operating Budget as HRM's contribution to the cost of the new facility by deferring \$1.65M for the Lacewood Transit Terminal capital project (CB200428) to 2011/12 thereby reducing Capital from Operating by this amount;**

3. **Direct staff to initiate a public consultation process for determining the appropriate catchment area for an area rate as the community contribution to the project;**
4. **Direct staff to further explore the possible private donor contribution with possible naming rights and surplus land transaction with any contribution received used to reduce the amount of funding required from an area rate;**
5. **Authorize staff to initiate the process for the closure of the existing Porter's Lake Community Centre such that closure occurs concurrent with the opening of the new facility; and**
6. **Authorize staff to begin discussions with the Community Board overseeing the old facility to offer them the opportunity to oversee the new facility.**
7. **Declare that, on the closure of the existing Porter's Lake Community Centre, it be surplus to the needs of the municipality, and staff be authorized to arrange for its disposal.**

Councillor Hendsbee identified that this is a key opportunity to partnership with the Province and the School Board. Staff were present to answer any further questions or clarifications of this proposal.

Ms. Cathie O'Toole, Director, Finance, advised that the approach that staff were taking to this project is in keeping with the direction staff are taking with other capital projects. This approach will be provided under Item 10.1.3.

MOTION PUT AND PASSED

12.2 First Reading Proposed By-Law T-140, An Amendment to By-Law T-108, Respecting Regulation of Taxis & Limousines

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee, that Halifax Regional Council give First Reading Proposed By-Law T-140, An Amendment to By-Law T-108, Respecting Regulation of Taxis & Limousines. MOTION PUT AND PASSED

10.1.13 Proposed Amendment to Administrative Order 45, Respecting Private Road Maintenance - Road Maintenance Fee for South West Grand Lake Property Owners Association Motion - Councillor Dalrymple - Approve Admin. Order 45

- A report dated December 15, 2009 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Nicoll, that Halifax Regional Council:

- 1. Approve in principle the Schedule of Annual Uniform Charges as shown in Appendix A of the report dated December 15, 2009 to be applied against all properties which must be accessed via Kings Road, Wellington as depicted in the map shown in Appendix B effective with the 2010-11 fiscal year for the purpose of funding the road maintenance activities of the South West Grand Lake Property Owners Association.**
- 2. Approve in principle amending Administrative Order 45, Respecting Private Road Maintenance, by adding Schedule 4, respecting uniform charges for the South West Grand Lake Property Owners Association, attached hereto as Appendix C.**
- 3. Subject to the approval of Schedule 4 of Administrative Order 45, authorize the Mayor and Municipal Clerk to sign on behalf of HRM, the Management and Operating Agreement between HRM and the Association included as Appendix D of the report dated December 15, 2009**

MOTION PUT AND PASSED

10.1.6 Award - Request for Proposal (RFP) No. 09-137, Animal Services - Shelter Services

- A report dated December 15, 2009 was before Council.

MOVED by award RFP No. 09-137 to the recommended proponent Homeward Bound City Pound for a period of two (2) years, with the right to award an additional three, one year extensions for a potential five (5) year contract, for a total price of \$2,390,969.00 (net HST included). Funding exists in the operating budget, S320 - 6399 as outlined in the Budget Implications section of this report.

MOTION PUT AND PASSED

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Parking Initiatives for ecoMobility Program

- A report dated December 1, 2009 was before Council.

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

1. **Endorse the implementation of new parking controls on the public streets in Downtown Halifax and Dartmouth shown in Attachment One of the report dated December 1, 2009; and**
2. **Approve changes to Administrative Order 15 as indicated in the report dated December 1, 2009, the purpose being to reduce the monthly cost of parking permits; and**
3. **Create a new Cost Centre TDM Migration Fund and allocate all revenue generated from the sale of Parking permits for the areas outlined in the report dated December 1, 2009 to that account to be used for Transportation Demand Management programs**

Mr. David McCusker, Manager, Regional Transportation, explained that although Downtown Dartmouth was part of the discussions, further consultations will need to be done. Mr. McCusker requested that with the mover's indulgence, that Dartmouth be stricken from section one of the motion, Councillor Sloane agreed.

The motion now reads:

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

1. **Endorse the implementation of new parking controls on the public streets in Downtown Halifax shown in Attachment One of the report dated December 1, 2009; and**
2. **Approve changes to Administrative Order 15 as indicated in the report dated December 1, 2009, the purpose being to reduce the monthly cost of parking permits; and**
3. **Create a new Cost Centre TDM Migration Fund and allocate all revenue generated from the sale of Parking permits for the areas outlined in the report dated December 1, 2009 to that account to be used for Transportation Demand Management programs**

In response to questions, staff provided the following:

- the number of parking spaces would equate to the number of number of permits sold
- the advantages of having the permit parking over the 2-hour parking is that working residents will no longer need to move their vehicle every two hours.
- hours of permit parking will only occur during business hours on a first come first served basis

- the largest employer in the subject area of the recommendation, QEII would benefit greatly from this initiative as they do not have adequate parking facilities
- students of Citadel Hill would not benefit from this initiative as the parking spaces would be in use by the time they arrived at school
- the pilot project on Williams Street differs from what is being proposed today in that Williams Street was in a residential area. There is no residential area in the proposed parking area
- this parking initiative could be carried out on a trial basis and if not successful the permit parking would be removed

MOVED By Councillor Sloane, seconded by Councillor Blumenthal that this item be deferred until a staff report on public engagement on this matter can be brought back to Council. MOTION PUT AND DEFEATED

The main motion is now before Council.

A recorded vote was requested on the motion.

MOTION PUT AND DEFEATED (10 in favour, 13 against)

Those voting in favour were Councillors Barkhouse, Harvey, Hum, Karsten, Lund, Sloane, Smith, Walker, Watts, and Mayor Kelly.

Those voting against were Councillors Blumenthal, Dalrymple, Fisher, Hendsbee, McCluskey, Mosher, Nicoll, Outhit, Rankin, Streach, Uteck, Wile, and Deputy Mayor Johns.

Councillor Adams was not in attendance.

10.1.2 Proposed Changes to Tax Billing

- A report dated January 20, 2010 was before Council

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

- 1. Authorize changing the final tax bill due date to the last business day in October from the current due date of the last business day in September.**
- 2. Authorize staff to change the calculation of the interim tax bill to 50% of current year estimated taxes from 50% of the previous year's total taxes.**

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

MOVED by Councillor Walker, seconded by Councillor Mosher that the motion be amended to authorize staff to leave the calculation of the interim tax bill at 50% of the previous year's total taxes.

The Motion now reads:

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

- 1. Authorize changing the final tax bill due date to the last business day in October from the current due date of the last business day in September.**
- 2. Authorize staff to leave the calculation of the interim tax bill at 50% of the previous year's total taxes.**

Ms. Cathie O'Toole advised Council that there are two advantages to changing the calculations of the interim bill to 50% of current year estimated taxes.

- Taxpayers would have their taxes distributed over two billings 6 months apart. Paying 50% of the current year estimated taxes would also reduce the possible negative impact to the taxpayer when receiving the final statement of taxes owing. This practice would give a more accurate picture of the total amount owing for the year.
- HRM would have increased cash flow of \$22 million dollars, based on the 2009 assessment roll and tax rates, from the interim bill which would mitigate the loss of income by changing the date from September to October

Council agreed that the motion be split as follows:

Authorize changing the final tax bill due date to the last business day in October from the current due date of the last business day in September. MOTION PUT AND PASSED

Authorize staff to leave the calculation of the interim tax bill at 50% of the previous year's total taxes. MOTION PUT AND DEFEATED

MOVED by Councillor Karsten, seconded by Councillor Watts, that Halifax Regional Council authorize staff to change the calculation of the interim tax bill to 50% of current year estimated taxes from 50% of the previous year's total taxes. MOTION PUT AND PASSED

Councillor Jim Smith retired from the meeting at 8:00 p.m due to a family emergency.

- A report dated January 5, 2010 was before Council.
- A presentation dated January 26, 2010 was before Council.

Ms. Cathie O'Toole, Director, Finance, reviewed the presentation and report before Council noting the following:

- Council approved the debt strategy on November 19, 2009
- this strategy will add \$33,000,000 in capacity over 5 years while debt continues to decline
- contribution to capital projects from operations continues to grow 3% a year
- when the 4-pad arena budget was approved it was initially approved at 100% but in November 2009 Council approved 1/3 debt funding
- some of the HRM funding for the 4 pad was available from reserves and the remainder became available through a finance review of project accounts with funds remaining or projects that the funds would not be spent by March 31, 2010
- the gross budget is less, reflecting that the Build Canada application for the Woodside ferry was not successful
- HRM's share of the Economic Stimulus and Build Canada projects and the 4 pad has impacted the 09/10 and the 10/11 budget
- after today the focus will be the 2010/11 budget cycle with the Fiscal Framework returning to Council on February 16, 2010

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that Halifax Regional Council

- 1. Approve the revisions to the 2009/10 Operating and Capital budget as per Attachment "A" to the report dated January 5, 2010.**
- 2. Approve the reduction and/or closing of Capital Projects as per Attachment "B" of the report dated January 5, 2010. Any unused funding will be transferred to CRESPOOL, and any unused Reserve Funding will be returned to the respective reserve, per the CRESSPOOL and Reserve policies. These funds will be used as a funding source for the revised 2009/10 Capital Budget.**

Discussion ensued with Ms. O'Toole responding to the questions of Council.

Ms. O'Toole provided assurances that funds will be there when needed. Priority of the projects would be Council's decision.

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

Moved by Deputy Mayor Johns, seconded by Councillor Walker that Halifax Regional Council approve that:

- 1. The \$4500.00 removed from the Weirs Field upgrades be reallocated to the Weir Field Upgrades.**
- 2. The funds be transferred from Q124 reserve to CP300791**

MOTION PUT AND PASSED

A vote was taken on the main motion.

MOTION PUT AND PASSED

10.1.4 Case 01361 - Municipal Planning Strategy Amendment - Dartmouth Bridge Transit Terminal

- A report dated January 8, 2010 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll, that Halifax Regional Council:

- 1. Initiate the process to consider amending the Dartmouth Municipal Strategy (MPS) and Land Use By-law (LUB) in order to permit a new Metro Transit terminal on a portion of the Dartmouth Common between Nantucket Avenue and Thistle Street at a location behind the Dartmouth Sportsplex; and**
- 2. Direct staff to follow the public participation program approved by Council in February 1997.**

Mr. Joseph Driscoll, Planning Services, responded to questions of Council noting the following:

- the HRM Charter allows HRM to build, expand or improve public transit facilities on that part of the Dartmouth Commons adjacent to Nantucket Avenue but not to exceed six acres
- the proposal that Metro Transit is proceeding with is three and one-half acres
- staff undertaking this project will be consulting with the HRM staff leading the Dartmouth Common master plan

- there is no impact anticipated on the vision for the Sportsplex and the proposed field house

MOTION PUT AND PASSED

10.1.5 Case 15781 - Pine Street Extension Lands, Downtown Dartmouth

- A report dated December 18, 2009 was before Council.

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

1. **Authorize staff to initiate the process to consider amending the Municipal Planning Strategy for Downtown Dartmouth to designate the applicant's lands as an Opportunity Site;**
2. **Direct staff to follow the public participation program approved by Council in February 1997.**

MOTION PUT AND PASSED

10.1.6 Award - Request for Proposal (RFP) No. 09-137, Animal Services - Shelter Services

This item was dealt with earlier in this Council session. See Page 11

10.1.7 Porter's Lake Community Centre / School Partnership

This item was dealt with earlier in this Council session. See Page 9

10.1.8 Long Term Arena Strategy

- A report dated January 11, 2010 was before Council.

MOVED by Councillor Karsten, seconded by Councillor Nicoll, that Halifax Regional Council approve the Terms of Reference attached to this report dated January 11, 2010 to establish a Steering Committee to develop a Long Term Arena Strategy.

Councillor Karsten noted that when the 4-pad arena was approved there was support for Dartmouth or East Region being considered for the next phase of the Arena Strategy.

Council expressed concerns regarding the proposed composition of the steering committee. Members of Council suggested that a more recreational user should be

representatives while other members believed that owners and/or operators of the arenas could provide input from an operational perspective.

MOVED by Councillor Walker, seconded by Councillor Wile that the meeting continue until such time as the agenda is complete. MOTION PUT AND PASSED

Council further suggested that a member of Destination Halifax was not required on this committee.

MOVED by Councillor Streach seconded by Councillor McCluskey that Halifax Regional Council amend the Terms of Reference attached to the report dated January 11, 2010 to establish a Steering Committee to develop Long Term Arena Strategy to delete the requirement for a member from Destination Halifax. MOTION PUT AND PASSED

MOVED by Councillor Watts, seconded by Councillor Wile that Halifax Regional Council amend the Terms of Reference attached to the report dated January 11, 2010 to establish a Steering Committee to develop Long Term Arena Strategy to reduce the number of citizens at large having a professional background from two to one; to add one member of the Lacrosse Association; and to add two residents representing recreational users bringing the total membership to twelve. MOTION PUT AND PASSED

A vote was taken on the main motion.

MOVED by Councillor Karsten, seconded by Councillor Nicoll, that Halifax Regional Council approve the Terms of Reference, as amended to establish a Steering Committee to develop a Long Term Arena Strategy.

MOTION PUT AND PASSED

10.1.9 Nova Scotia Transportation and Infrastructure Renewals - Pedestrian Activated Flashing Amber Beacon Cost Sharing Program 2008-09 Agreement

- A report dated January 7, 2010 was before Council.

MOVED by Deputy Mayor Johns, seconded by Councillor Harvey, that Halifax Regional Council:

- 1. Authorize His Worship the Mayor and the Municipal Clerk to sign on behalf of HRM, the Pedestrian Activated Flashing Amber Beacon Cost Sharing Program 2008-09 Agreement between HRM and NSTIR, a three-year**

agreement, as outlined in the Discussion Section of the report dated January 7, 2010;

- 2. Approve an increase of \$25,000 in capital project No.CTU01085 - Traffic Signal Installation to account for the cost sharing as outlined in the Budget Implications section of the report dated January 7, 2010.**

Staff will only be replacing the existing traffic signals in the designated 44 crosswalks outlined in the report and not adding any new ones.

10.1.10 LED Street Lights Replacement Project

This item was dealt with earlier in this Council session. See Page 8

10.1.11 Eco Trust Applications, January 31 and Final Deadline

- A report dated January 8, 2010 was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Halifax Regional Council approve the staff applications for January 31, 2010 to the Eco Trust for the following projects:

- a. Green Thermal Utility Project**
- b. Metro Transit Bus Fleet Fuel Efficiency project**
- c. Electric Vehicle Infrastructure Assessment and Test Sites**
- d. Community Energy / Sustainability Map**

Councillor Sloane suggested that the Downtown Waterfront has been forgotten. Without a vote being taken on the motion on the floor, the following motion was put.

MOVED by Councillor Sloane. seconded by Councillor Uteck that the motion be amended to ask staff to request the Waterfront Development Corporation to engage in a partnership with the Provincial's Municipal and Environmental Technology Programs to put forward the Downtown Waterfront to be used as a test site for the Electric Vehicle Infrastructure Project.

In response to Councillor Walker's question regarding time sensitivity, Ms. Donovan advised that staff had until January 31, 2010 to submit their applications to Eco Trust. Staff advised that it would be possible to initiate the test site.

MOTION PUT AND PASSED

A vote was taken on the main motion.

MOTION PUT AND PASSED

10.1.12 Proposed Amendment to Administrative Order 39, Respecting Taxi Fares & Roof Light Sign Requirements - Request from the Halifax International Airport Authority (HIAA) to Amend Schedule 3

- A report dated December 18, 2009 was before Council.

MOVED by Councillor Dalrymple, seconded by Councillor Streach, that Halifax Regional Council adopt the proposed Schedule 3, Taxi Rates to and from Airport, of Administrative Order 39 attached as Appendix B to the report dated December 18, 2009

MOTION PUT AND PASSED

**10.1.13 Proposed Amendment to Administrative Order 45, Respecting Private Road Maintenance - Road Maintenance Fee for South West Grand Lake Property Owners Association
Motion - Councillor Dalrymple - Approve Admin. Order 45**

This item was dealt with earlier in this Council session. See Page 10

10.2 HARBOUR EAST COMMUNITY COUNCIL

10.2.1 Case 01291 - Cole Harbour Road Planning and Street Improvement Processes

- A report dated January 15, 2010 was before Council.

MOVED by Councillor Nicoll, seconded by Councillor McCluskey, that Halifax Regional Council:

1. Staff initiate a review of the planned Unit Development policies and regulations within the Cole Harbour/Westphal Municipal Planning Strategy and Land Use By-Law upon a request from the Province; and
2. Not initiate a community visioning or streetscape design process at this time for Cole Harbour Road, Cole Harbour.

MOTION PUT AND PASSED

10.3 ENERGY & UNDERGROUND SERVICES ADVISORY COMMITTEE

10.3.1 Green Thermal Utility (GTU) Opportunities

This item was dealt with earlier in this Council session. See Page 9

11. MOTIONS

Councillor Karsten

“To request Council to allow Dr. Robert Strang, Chief Public Health Officer, Province of Nova Scotia, to offer a presentation to an upcoming meeting of Committee of the Whole entitled Alcohol: A Public Health and Safety Issue.”

This item was deleted during the setting of the agenda.

12. ADDED ITEMS

12.1 Councillor Rankin - Request for Letter to the Province re: Tire Derived Aggregate Project - Goodwood

This item was dealt with earlier in this Council session. See Page 7

12.2 First Reading Proposed By-Law T-140, An Amendment to By-Law T-108, Respecting Regulation of Taxis & Limousines

This item was dealt with earlier in this Council session. See Page 10

12.3 Legal Matter - Settlement of Claim

The following item was dealt with at the In Camera session held earlier in the day and was now before Council for ratification

MOVED by Councillor Dalrymple, seconded by Councillor Hendsbee, that Halifax Regional Council:

- 1. Settle the claim brought by the Claimants against the Municipality by contributing the amount of \$25,000 to the full and final settlement of the claim (being 50% of the total settlement amount) and obtaining a release.**
- 2. Approve that the contribution be contingent on the Attorney General for Canada contributing an equal amount of \$25,000 to the settlement.**
- 3. Not release to the public the Private and Confidential report dated January 4, 2010.**

MOTION PUT AND PASSED

12.4 Legal Matter - Settlement of Claim

The following item was dealt with at the In Camera session held earlier in the day and was now before Council for ratification.

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

- 1. Settle the claim brought by the Plaintiff in the amount of \$60,000.00 to achieve a full and final settlement of the Plaintiff's action, upon obtaining a full release from the Plaintiff from any further claims arising out of the incident on December 13, 2007; and**
- 2. Not release to the public the Private and Confidential report dated January 7, 2010.**

MOTION PUT AND PASSED

13. NOTICES OF MOTION

13.1 Councillor Karsten

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 2nd of February, I propose to introduce first reading of By-law T-141, Respecting the Regulations of Taxi & Limousines, the purpose of which is to approve:

1. The elimination of zones within the HRM; and
2. Administrative changes to the By-law T-108, Administrative Orders # 39, 21 and 15.

13.2 Councillor Dalrymple

TAKE NOTICE that at the next regular meeting of Halifax Regional Council to be held on Tuesday, the 2nd of February, I intend to move approval of amendments to Administrative Order #39, Respecting the Setting of Taxi Fares & Taxi Rooflight Signs, the purpose of which is to amend Schedule 3, Taxi Rates To and From the Airport.

14. ADJOURNMENT

The meeting adjourned at 10:20 p.m.

Cathy Mellet
Acting Municipal Clerk

INFORMATION ITEMS
January 26, 2010

1. Proclamation - African Heritage Month - February 2010
2. Memorandum from Acting Director, Transportation and Public Works dated November 23, 2009 re: Transportation Demand Management Migration Fund Survey
3. Memorandum from Acting Director, Transportation and Public Works dated December 21, 2009 re: Petition to Reinstate the Proposed Downtown Shuttle
4. Memorandum from the Chair, District Boundary Review Committee dated January 18, 2010 re: Phase 1 Public Consultation - District Boundary Review
5. Memorandum from the Acting Municipal Clerk dated January 22, 2010 re: Requests for Presentation to Council - None