

HALIFAX REGIONAL COUNCIL
MINUTES

June 28, 2011

PRESENT:

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

REGRETS:

Councillors: David Hendsbee
Gloria McCluskey
Russell Walker
Reg Rankin
Peter Lund

STAFF:

Mr. Mike Labrecque, Deputy Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Krista Tidgwell, Legislative Assistant

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1. INVOCATION

The Mayor called the meeting to order at 3:35 p.m. with the Invocation being led by Councillor Streach.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Dalrymple congratulated HRM students, in particular the Lockview High School graduates, for their success and hard work over the past school year. He reminded motorists to slow down and be mindful of pedestrians. He further expressed his appreciation to the sponsors, participants, volunteers and volunteer board for their fundraising efforts at Grand Day held July 25th. Over \$76,000 was raised to purchase specialized equipment for the Cobequid Health Centre.

Councillor Blumenthal reminded residents of the following events taking place July 1st:

- Pancake Breakfast at Grand Parade
- Northwood Manor Program
- Bayers Westwood Barbeque
- Multi Cultural Festival opening ceremonies

Councillor Barkhouse reminded residents of the Canada Day events taking place at Fishermen's Cove, Eastern Passage. She indicated that she will be once again hosting the concert at Sullivan's Pond. She further congratulated the graduates and their families of Cole Harbour High School.

On behalf of Councillor Lund, Councillor Watts made the following announcements taking place over the Canada Day weekend:

- Run-Walkathon
- Westwood Hills and White Hills Fun Days
- Ceileidh on the Cove
- Fireworks at Shining Waters, Upper Hammonds Plains
- Can Jam Basketball Festival at the Upper Hammonds Plains Community Centre

She further reminded residents of the various activities taking place along the Peninsula over the Canada Day weekend:

- A workshop panel discussion on sustainable transportation at the World Trade and Convention Centre this evening
- Public Information Meeting on the redevelopment of St. Johns United Church at Maritime Hall, Halifax Forum on July 6th

Mayor Kelly introduced and welcomed Mayor David Leese of Staffordshire, England and his wife who were in attendance.

Councillor Sloane made the following announcements:

- St. Patricks (St. Pats) High School official closure/good bye party
- Public Information Meeting on the development of a Co-op Store on Gottingen Street

- Citizenship Ceremony at Pier 21
- Canada Day Kickoff Celebration at Citadel Hill, including the International Tattoo Parade, Public Gardens Tea Party, Pow Wow Kickoff on the Commons, The Standfields/The Trews Concert on the Dartmouth waterfront and fireworks

Councillor Johns reminded residents of the events taking place during the Sackville Patriot Days Canada Day weekend; information can be found at www.patriotdays.ca and on Facebook. As well, he and Councillor Harvey will be hosting their annual Councillors Tea at the Fultz House Museum on July 5th; indicating that they may be a bit late arriving to Council. He and Councillor Harvey further extended their congratulations to the graduates of Sackville High School and Millwood High School. Later in the meeting, Councillor Johns congratulated HRM resident Jenna Martin, who won the Canadian women's 400-metre title at the Canadian National Track and Field Championships with a time of 5.1.9. He requested the Mayor send a letter on behalf of Council congratulating Ms. Martin.

Councillor Nicoll congratulated the graduates of Cole Harbour High School and Auburn Drive High School. She further announced that the Cole Harbour Recreation Centre and the Westphal Cole Harbour Firefighters Association are hosting a Canada Day Kickoff on June 30th at the Fire Hall in Cole Harbour.

Councillor Mosher made the following announcements:

- Theatre Arts Guild's Pond Playhouse production of Laundry and Bourbon/Lone Star from June 23rd - July 9th
- 21 seats remaining in the Capital Campaign Seat Sale; dedicate a seat for \$500, tax deductible
- Chebucto Community Council Meeting July 4th; Public Hearings Cases: 16217 & 16333

She further congratulated the graduates of J. L. Ilsley High School.

Deputy Mayor Smith made the following announcements:

- Volunteer Appreciation hosted by Mayor Kelly, June 29th at Halifax Hall, City Hall
- Farrell Hall Benevolent Society Semi-Annual Meeting June 29th

Councillor Outhit made the following announcements:

- Charles P. Allen High school graduation June 29th
- 34th Annual Bedford Days June 30th – July 3rd; fireworks July 1st at the Bedford waterfront

Councillor Karsten announced that the Woodlawn Library's summer reading program kickoff is June 29th.

3. APPROVAL OF MINUTES – June 7, 2011

Minor revisions were submitted to the Clerks Office prior to the Council session.

MOVED by Councillor Sloane, seconded by Councillor Nicoll that the minutes of June 7, 2011 be approved, as amended. MOTION PUT AND PASSED.

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

Deletions:

10.1.5 Request for Proposal 10-335 – Supply of Vacuum Mechanical Sweepers (*to be circulated*)

Additions:

In Camera

- 12.1 PERSONEL MATTER - Appointment to the Heritage Advisory Committee
- 12.2 PERSONEL MATTER - Citizen Appointments to Boards, Committees & Commissions
- 12.3 PROPERTY MATTER - Queen and Clyde Streets, Halifax

Council agreed to address Item 12 – Added Items as the first Order of Business.

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

Councillor Streach exited the meeting approximately 3:45 p.m.

- 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. CORRESPONDENCE, PETITIONS & DELEGATIONS**
- 9.1 Correspondence – none**
- 9.2 Petitions – none**

Items 12.1, 12.2 and 12.3 were addressed at this time.

12.1 PERSONEL MATTER - Appointment to the Heritage Advisory Committee

This matter was discussed at an earlier In Camera meeting and was now before Council for ratification.

MOVED by Councillor Sloane, seconded by Councillor Wile that Susan Carroll be appointed to the Heritage Advisory Committee for a term to expire November 2011. MOTION PUT AND PASSED.

12.2 PERSONEL MATTER - Citizen Appointments to Boards, Committees & Commissions

This matter was discussed at an earlier In Camera meeting and was now before Council for ratification.

MOVED by Deputy Mayor Smith, seconded by Councillor Sloane that Halifax Regional Council approve the following citizen appointments to the Design Review Committee:

1. **Mr. Bill Hyde in the position of Architect for a term to November 2013**
2. **Mr. Terry Smith-Lamothe in the position of Architect (LEED professional) for a term to November 2013**
3. **Mr. Nick Pryce in the position of Planner/Urban Designer for a term to November 2013**
4. **Ms. Suzanne Saul and Mr. Jeff Pinhey in the position of Citizen at Large for a term to November 2013**

and further, that the vacancy in the position of landscape architect be filled through an Expression of Interest focusing on this discipline.

MOTION PUT AND PASSED.

12.3 PROPERTY MATTER - Queen and Clyde Streets, Halifax

This matter was discussed at an earlier In Camera meeting and was now before Council for ratification.

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

1. **Authorize the Mayor and the Municipal Clerk to enter into an Agreement of Purchase and Sale with the highest scoring proponent to RFP 11-001, Proposals to Purchase Municipally Owned Properties – Queen and Clyde Streets, W.M. Fares Group and Banc Developments Ltd. or assigned company name, subject to the minimum key terms and conditions outlined in Table 1 on page 5 of the May 20, 2011 Private and Confidential staff report; and**
2. **It is further recommended that the May 20, 2011 Private and Confidential staff report not be released to the public until the property transaction has closed.**

MOTION PUT AND PASSED.

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.1 Tender 11-205 – Underground Utilities – Morris/Hollis Street – West Region

A staff report dated June 2, 2011 was before Council.

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

- 1. Approve a budget increase of \$61,421.24 (net HST included) to Project No. CDX01182 – Downtown Streetscape, funded through cost sharing with Bell/Aliant; and**
- 2. Award Tender No. 11- 205, Underground Utilities – Morris/Hollis Street – West Region, to the lowest bidder meeting specifications, Black & McDonald Limited, for a Total Tender Price of \$622,561.35 (net HST included) with funding from Project Nos. CDX01182 – Downtown Streetscape, CRU00792 – Street Lighting, and CTU01284 – Overhead Wiring Conversion, as outlined in the Budget Implications section of the June 2, 2011 staff report.**

MOTION PUT AND PASSED.

10.1.2 Tender 11-253 – Thin Overlays – Phase 2 – Various Locations

A staff report dated June 8, 2011, along with a revised plan identifying the limits of proposed thin overlay on Upper Water Street was before Council.

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

- 1. Approve a budget increase of \$87,822.37 (net HST included) to Project No. CYX01345 –Street Recapitalization, funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 11-253, Thin Overlays – Phase 2 – Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited, for a Total Tender Price of \$1,116,809.20 (net HST included) with funding from Project No. CYX01345 –Street Recapitalization, as outlined in the Budget Implications section of the June 8, 2011 report.**

MOTION PUT AND PASSED.

10.1.3 Tender 11-217 – Pavement Renewal and Water Main Renewal – Rankin Drive – Phase 3, Sackville – Central Region

A staff report dated June 8, 2011 was before Council.

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

- 1. Approve a budget increase of \$227,970.18 (net HST included) to Project No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 11-217, Pavement Renewal and Water Main Renewal, Rankin Drive, Phase 3 – Central Region, to the lowest bidder meeting specifications, Amber Contracting Limited, for a Total Tender Price of \$614,855.66 (net HST included) with funding from Project NO. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the June 8, 2011 staff report.**

In response to a question raised by Councillor Johns, staff indicated that they believe Amber Contracting Limited has done work for the Municipality previously, but would review and report back to Council.

MOTION PUT AND PASSED.

10.1.4 2011 – 2012 Budgets and Business Plans for Area-Rated Services

A staff report dated June 1, 2011 was submitted.

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

- 1. Approve the attached Schedule of Area Tax Rates (Appendix A), the catchment area maps in Appendix B, and the business plans and budgets for recreation services as detailed in Appendix C and D of the June 1, 2011 staff report; and**
- 2. Approval of the new Area-Rated Local Improvement Charges be made conditional on final approval of By-Law S-431.**

Councillor Nicoll requested an amendment to include that be it resolved as the abutters were not consulted prior to the start of construction and as no Local Improvement Charge (LIC) funds were budgeted for, that the levying of an area rate for the upgrading of the main street sidewalk not be levelled until such time as Council can review its LIC policy.

Mr. Bruce Fisher, Acting Chief Financial Officer, clarified that staff would return next week with the LIC policy, along with a staff recommendation to review the entire policy. He further indicated that levying of the rate is time sensitive and could not confirm whether Council would have the ability to review the entire policy prior to the bill being issued.

Upon further clarification, Mr. Fisher indicated that the tender award did not require an LIC; however, it was recognized that it could be a possibility. He noted that Council could choose to defer the LIC for the Main Street project, review the policy and implement the LIC in the 2012-2013 fiscal year.

MOVED by Councillor Nicoll, seconded by Councillor Karsten to amend the motion to defer the LIC for the Main Street project to the 2012-2013 fiscal year. MOTION TO AMEND PUT AND PASSED.

The motion before Council now reads:

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

- 1. Approve the attached Schedule of Area Tax Rates (Appendix A), the catchment area maps in Appendix B, and the business plans and budgets for recreation services as detailed in Appendix C and D of the June 1, 2011 staff report;**
- 2. Approve the new Area-Rated Local Improvements Charges be made conditional on final approval of By-Law S-431; and**
- 3. Defer the LIC for the Main Street project to the 2012-2013 fiscal year.**

Mayor Kelly stepped down as Chair at 4:05 p.m. and Deputy Mayor Smith assumed the Chair.

Council entered into discussion with staff responding to questions respecting area rates and sidewalk maintenance.

Councillor Johns noted a correction in Appendix "A" of the June 1st staff report, which should read the Sackville Heights Community and Cultural Centre redevelopment.

Mayor Kelly resumed as Chair at 4:11 p.m. and Deputy Mayor Smith took his seat.

Councillor Johns expressed concern regarding the development of a sidewalk along Sackville Drive not being included within the Schedule of Area Tax Rates. He indicated that through his discussion with staff and by way of email, it was his understanding that this sidewalk would be constructed through the Capital Works program for the 2011-2012 fiscal year as it would be fully funded through an area rate. Mr. Fisher advised

that there has been no opportunity for consultation on the area rate boundary. He clarified that there are property owners, both existing homes and the new subdivision that would be responsible to pay for the sidewalk. He commented that Council could choose to create the Capital Budget and the Area Rate; however, staff was not comfortable proposing both within its recommendation.

In response to a question raised by Councillor Karsten, Mr. Fisher indicated that the report has been drafted. Staff will confirm the timeframe with the Chief Administrative Officer regarding bringing the report forward to Council for August/September.

Councillor Johns reiterated the importance of the Sackville Drive sidewalk being constructed, expressing concern that this matter has been ongoing for the past two years. Mr. Fisher clarified that the issues around the guidelines for area rates can be solved relatively easily; however, the sidewalk is of low priority in terms of HRM's rating system for sidewalks. Mayor Kelly indicated that staff would review this matter and report back to Council.

MOTION PUT AND PASSED.

10.1.5 Request for Proposal 10-335 – Supply of Vacuum Mechanical Sweepers (to be circulated)

This matter was removed from the agenda during the approval of the Order of Business.

10.2 COMMUNITY PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE

10.2.1 2011 – 2012 Service Level Agreement – Greater Halifax Partnership

A report dated June 10, 2011 was submitted from the Chair of the Community Planning and Economic Development Standing Committee, with an attached staff report dated May 26, 2011.

A revised Service Level Agreement with the Greater Halifax Partnership, approved by Legal, was circulated to Council.

MOVED by Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council approve the Service Level Agreement with the Greater Halifax Partnership (as approved by Legal and circulated in Council June 28, 2011) for the 2011-2012 fiscal year.

MOTION PUT AND PASSED.

10.3 TRANSPORTATION STANDING COMMITTEE

10.3.1 ecoMOBILITY Project: Second Initiative

A report dated June 3, 2011 was submitted from the Chair of the Transportation Standing Committee, with an attached staff report dated April 24, 2011.

MOVED by Councillor Watts, seconded by Councillor Sloane that Halifax Regional Council recommend the ecoMOBILITY project proceed with a Halifax Commons Pay and Display component and a Neighbourhood Parking by Permit Only expansion component as described in the April 24, 2011 staff report. MOTION PUT AND PASSED.

10.4 GRANT COMMITTEE

10.4.1 HRM Community Grants Program 2011-2012: Recommended Awards

A report dated June 14, 2011 was submitted from the Chair of the Grants Committee, with an attached staff report dated May 4, 2011.

MOVED by Councillor Dalrymple, seconded by Councillor Sloane that Halifax Regional Council approve the HRM Community Grants Program Awards as detailed in Attachment 2 of the May 4, 2011 staff report for a total of 54 grants with a combined value of \$327,721 with funding from operating account M311-8004 (Community Grants) including the following amendment:

Approve a \$12,500 conditional grant to the Farrell Benevolent Society, Attachment 3 Recreation & Leisure category, conditional upon a copy of a building condition report and urgency of need for the funding/project being provided to HRM staff.

Councillor Dalrymple clarified that first condition outlined in the May 4th staff report could be deleted as it is his understanding from staff that the conditions have been met and is no longer needed for deferral.

MOVED by Councillor Harvey, seconded by Councillor Wile, that the motion be amended to refer the Acadia Recreation Club request back to the Committee for reconsideration. MOTION TO AMEND PUT AND PASSED.

Deputy Mayor Smith indicated that the Farrell Benevolent Society's initial request was for \$25,000. However, the Grants Committee's recommendation is for \$12,500, less than half of the cost of the roof. There were difficulties during the application process; however the Grants Committee has since received the building condition report and a letter of explanation. He requested that Council refer the remaining balance back to the Grants Committee for further reconsideration based on the new information received.

MOVED by Deputy Mayor Smith, seconded by Councillor Dalrymple, that the motion be amended to refer the balance of the Farrell Benevolent Society's request back to the Grants Committee for further reconsideration. MOTION TO AMEND PUT AND PASSED.

Councillor Johns noted that over the last number of years, Neptune Theatre has received a \$20,000 grant from HRM, which they have been incorporating into their overall budget each year. He commented that there was never a guarantee for this grant but requested reconsideration be given. Councillor Johns further suggested that notice be given to Neptune Theater, indicating that in future years it is possible no funding will be available.

MOVED by Councillor Johns, seconded by Councillor Harvey to amend the motion to refer the Neptune Theatre request back to the Grants Committee for reconsideration. MOTION TO AMEND PUT AND PASSED.

The motion before Council now reads:

MOVED by Councillor Dalrymple, seconded by Councillor Sloane that Halifax Regional Council approve the HRM Community Grants Program Awards as detailed in Attachment 2 of the May 4, 2011 staff report for a total of 54 grants with a combined value of \$327,721 with funding from operating account M311-8004 (Community Grants) including the following amendments:

- 1. Approve a \$12,500 conditional grant to the Farrell Benevolent Society, Attachment 3 Recreation & Leisure category, conditional upon a copy of the building condition report and urgency of need for the funding/project being provided to HRM staff and to refer the balance of the request back to the Grants Committee for further reconsideration.**
- 2. Refer the Acadia Recreation Club request back to the Grants Committee for reconsideration.**
- 3. Refer the Neptune Theatre request back to the Grants Committee for reconsideration.**

MOTION PUT AND PASSED.

11. MOTIONS – NONE

12. ADDED ITEMS

12.1 PERSONEL MATTER - Appointment to the Heritage Advisory Committee

12.2 PERSONEL MATTER - Citizen Appointments to Boards, Committees & Commissions

12.3 PROPERTY MATTER - Queen and Clyde Streets, Halifax

Items 12.1, 12.2 and 12.3 were addressed earlier in the meeting, see pages 6 and 7.

13. NOTICES OF MOTION

13.1 Councillor Fisher on behalf of Councillor McCluskey

“Take Notice that at the next meeting of Halifax Regional Council on July 5, 2011, I intend to bring forward a motion to correct an administrative error in Administrative Order #35 – Respecting the Procurement Policy – that was inadvertently removed from Clause 9 (5), the award of Sole Source/Single Source purchases not to exceed \$50,000 from the CAO’s delegated contract award authorities during Council break periods.”

14. ADJOURNMENT

Prior to adjournment, Mayor Kelly noted that this would probably be the last Council meeting for Paul Dunphy, Director of Community Development, as he is retiring. On behalf of Council, Mayor Kelly wished Mr. Dunphy well in his retirement.

The meeting adjourned at 4:30 p.m.

Cathy J. Mellett
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from Director, Transportation & Public Works dated June 10, 2011
re: HRM SmartCar Update
2. Memorandum from Chair, Transportation Standing Committee dated June 15, 2011
re: HRM SmartCar Update
3. Memorandum from Director, Transportation & Public Works dated June 02, 2011
re: Safe Pedestrian Access to Flinn Park
4. Memorandum from the Municipal Clerk dated June 21, 2011
re: Requests for Presentation to Council - None