

HALIFAX REGIONAL COUNCIL  
MINUTES

June 19, 2012

PRESENT:

Mayor Peter Kelly  
Deputy Mayor Bill Karsten  
Councillors: Steve Streach  
Barry Dalrymple  
David Hendsbee  
Lorelei Nicoll  
Gloria McCluskey  
Darren Fisher  
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  
Reg Rankin  
Peter Lund

STAFF:

Mr. Mike Labrecque, Deputy Chief Administrative Officer  
Mr. Martin Ward, Municipal Solicitor  
Ms. Cathy Mellett, Municipal Clerk  
Ms. Sherryl Murphy, Deputy Municipal Clerk  
Ms. Krista Vining, Legislative Assistant  
Ms. Sheilagh Edmonds, Legislative Assistant

TABLE OF CONTENTS

1.	INVOCATION .....	4
	SPECIAL PRESENTATION – CITIZENSHIP AWARDS.....	4 & 21
2.	SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS .....	4
3.	APPROVAL OF MINUTES – May 22, 2012 .....	4
4.	APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS.....	4
5.	BUSINESS ARISING OUT OF THE MINUTES – NONE.....	4
6.	MOTIONS OF RECONSIDERATION – NONE.....	4
7.	MOTIONS OF RESCISSION – NONE .....	4
8.	CONSIDERATION OF DEFERRED BUSINESS – NONE.....	4
9.	CORRESPONDENCE, PETITIONS & DELEGATIONS .....	4
	9.1 Correspondence – None.....	4
	9.2 Petitions – None .....	4
10.	REPORTS .....	4
	10.1 CHIEF ADMINISTRATIVE OFFICER .....	4
	10.1.1 Tender 12-246 – Asphalt Overlays, Phase 2 – Various Locations ..	4
	10.1.2 Tender 12-247 – Micro Surfacing, Phase 2 – Various Locations ....	5
	10.1.3 Tender 12-256 – New Paving, Phase 2 – Various Locations – Central Region .....	5
	10.1.4 Tender 12-262 – Micro Surfacing, Phase 3 – Various Locations ....	6
	10.1.5 Tender 12-265 – Street Planer Patching, Phase 2 – Various Locations.....	6
	10.1.6 Appointment of Building Officials.....	7
	10.1.7 UNSM (Union of Nova Scotia Municipalities) Conference Resolutions 2012 .....	7
	10.1.8 Parkland Disposal – Portion of Parcel B (PID# 00443820) Civic No. 5 Josephine Court, Dartmouth .....	9
	10.1.9 Budget Increase – Project No. CID00631 – Enterprise Asset Management (EAM) Program .....	9
	10.1.10 First Reading Proposed By-Law A-402, An Amendment to By- Law A-400, Respecting Alternative Voting re: Legislative and Administrative Changes .....	10
	10.1.11 Facility Lease Agreement – Lake Echo Community Centre.....	11
	10.1.12 Second Reading Proposed Amendment to Administrative Order One, Respecting Procedures of Council – Recorded Votes and In Camera Procedures .....	12
	10.1.13 Second Reading - Proposed Amendment to Administrative Order 45 – Respecting Private Road Maintenance -Road Maintenance Fee for Bald Rock Road.....	15
	10.2 MEMBERS OF COUNCIL.....	16
	10.2.1 Councillor Smith – Addition of Information Item 6 from June 12, 2012 Regional Council Agenda re: Formation of a Citizen Led Committee or Task Force.....	16

---

	10.2.2 Councillor Adams – Request for staff report re: Chebucto Head Road Maintenance Issues.....	18
11.	MOTIONS.....	18
	11.1 Councillor Adams.....	18
	11.2 Councillor Sloane.....	19
12.	ADDED ITEMS.....	20
	12.1 Councillor Walker – Federation of Canadian Municipalities (FCM) Target 2014 – Building Our Future Initiative.....	20
13.	NOTICES OF MOTION .....	21
	13.1 Councillor Hendsbee .....	21
14.	IN CAMERA – NONE .....	21
15.	ADJOURNMENT .....	22

**1. INVOCATION**

The Mayor called the meeting to order at 2:00 p.m. with the Invocation being led by Councillor Harvey.

**SPECIAL PRESENTATION – CITIZENSHIP AWARDS**

This matter was dealt with at 6:00 p.m.; refer to page 21.

**2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillors noted a number of acknowledgements and community events.

**3. APPROVAL OF MINUTES – May 22, 2012**

**MOVED by Councillor Uteck, seconded by Deputy Mayor Karsten that the minutes of May 22, 2012 be approved, as presented. MOTION PUT AND PASSED.**

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

Addition:

12.1 Councillor Walker – Federation of Canadian Municipalities (FCM) Target 2014 – Building Our Future Initiative

**MOVED by Councillor Nicoll, seconded by Councillor McCluskey that the Order of Business be approved, as amended. 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. CORRESPONDENCE, PETITIONS & DELEGATIONS**

**9.1 Correspondence – None**

**9.2 Petitions – None**

**10. REPORTS**

**10.1 CHIEF ADMINISTRATIVE OFFICER**

**10.1.1 Tender 12-246 – Asphalt Overlays, Phase 2 – Various Locations**

A staff report dated May 24, 2012 was before Council.

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

- 1. Approve a budget increase of \$94,277.67 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 12-246, Asphalt Overlays – Phase 2 – Various Locations, to the lowest bidder meeting specifications, Cumberland Paving and Contracting, for a Total Tender Price of \$1,530,268.07 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the May 24, 2012 staff report.**

**MOTION PUT AND PASSED.**

#### **10.1.2 Tender 12-247 – Micro Surfacing, Phase 2 – Various Locations**

A staff report dated May 22, 2012 was before Council.

**MOVED by Councillor Fisher, seconded by Councillor Nicoll that Halifax Regional Council:**

- 1. Approve a budget increase of \$97,350.98 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water; and**
- 2. Award Tender No. 12-247, Micro Surfacing – Phase 2 – Various Locations, to the lowest bidder meeting specifications, Industrial Cold Milling for a Total Tender Price of \$1,550,775.58 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the May 22, 2012 staff report.**

Following a brief questioning of staff, the **MOTION WAS PUT AND PASSED.**

#### **10.1.3 Tender 12-256 – New Paving, Phase 2 – Various Locations – Central Region**

A staff report dated May 28, 2012 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council award Tender 12-256, New Paving – Phase 2; Various Locations – Central Region, to the lowest bidder meeting specifications, Cumberland Paving and Contracting Limited for a Total Tender Price of \$956,640.29 (net HST included) with funding from Project Account No. CR000002 – New Paving Streets – Core Area, as outlined in the Budget Implications section of the May 28, 2012.**

Staff responded to questions raised by Council with the following clarification being provided:

- A Councillor has the ability to suspend the petition process if there is a sense that it is in the best interest of the community, which must be approved by Council
- Staff received a favourable tender price for Cora Lane which is currently under review; a separate report will be provided to Regional Council upon completion of this review

Staff clarified that additional work would be identified and carried out using savings realized from tenders coming in under budget.

**MOTION PUT AND PASSED.**

**10.1.4 Tender 12-262 – Micro Surfacing, Phase 3 – Various Locations**

A staff report dated May 24, 2012 was before Council.

**MOVED by Councillor Rankin, seconded by Councillor Wile that Halifax Regional Council:**

- 1. Approve a budget increase of \$105,250.65 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water;**
- 2. Award Tender No. 12-262, Micro Surfacing – Phase 3 – Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$1,222,735.62 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the May 24, 2012 staff report.**

**MOTION PUT AND PASSED.**

**10.1.5 Tender 12-265 – Street Planer Patching, Phase 2 – Various Locations**

A staff report dated May 29, 2012 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council award Tender 12-265, Street Planer Patching – Phase 2; Various Locations, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$588,590.18 (net HST included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Budget Implications section of the May 29, 2012 staff report.**

Councillor McCluskey noted a correction in the Street Planner Patching – Phase 2 – Sheet List, attachment A1 of the May 29<sup>th</sup> staff report, which should read *Prince Albert Rd.* not Prince Arthur Rd.

Staff responded to a question of clarification respecting the process for the Phase 2 Street Planer Patching.

**MOTION PUT AND PASSED.**

**10.1.6 Appointment of Building Officials**

A staff report dated May 30, 2012 was before Council.

**MOVED by Councillor Watts, seconded by Councillor Wile that Halifax Regional Council appoint Troy Mansfield, Dustin Garnett and Craig MacMillan as a Building Official, pursuant to Section 5(2) of the *Nova Scotia Building Code Act*. This appointment is effective for the duration of their current conditions of employment with the Halifax Regional Municipality. MOTION PUT AND PASSED.**

**10.1.7 UNSM (Union of Nova Scotia Municipalities) Conference Resolutions 2012**

The following was before Council:

- A staff report dated May 23, 2012
- 2012 UNSM Resolutions; Sustainable Annual Funding for Municipal Public Transit Initiatives

**MOVED by Councillor Walker, seconded by Councillor Blumenthal that Halifax Regional Council forward the three resolutions outlined in the May 23, 2012 staff report to the UNSM Annual Conference. The resolutions concern the development of the new federal long term infrastructure plan and specifically address:**

- Infrastructure Renewal
- CCME Wastewater Strategy
- Infrastructure Program Administration

It was further **MOVED by Councillor Fisher, seconded by Councillor Nicoll to amend the motion to include the following 2012 UNSM Resolutions pertaining to Sustainable Annual Provincial Funding for Municipal Public Transit Initiatives:**

**WHEREAS public transit ridership is rising significantly throughout Canada, with an all-time record 1.9 billion trips in 2010;**

**AND WHEREAS transit systems across the country continue to expand their services to meeting rising demand;**

**AND WHEREAS effective public transit systems reduce traffic congestion and gridlock, which Transport Canada estimates cost Canadians up to \$4.6 billion per year;**

**AND WHEREAS** public transit systems have significant environmental, health and economic benefits;

**AND WHEREAS** increasing energy prices and concerns over carbon emissions are leading to increased demands on public transit systems;

**AND WHEREAS** the availability of public transit is a significant factor in the continued independence of senior citizens, and Nova Scotia has the highest proportion of senior citizens in Canada;

**AND WHEREAS** municipalities are responsible for operational funding for public transportation in Nova Scotia;

**AND WHEREAS** it is estimated that over \$105 million is needed annually to operate and maintain transit systems in Nova Scotia;

**THEREFORE BE IT RESOLVED** that the Union of Nova Scotia Municipalities and municipalities enter into discussions with the Province of Nova Scotia concerning the possibility of increased sustainable, predictable operating funding on an annual basis for public transit within the Province and/or providing municipalities with the means to raise funds for public transit outside property taxes and paid fares; and

**FURTHER BE IT RESOLVED** that the Union of Nova Scotia Municipalities urge the provincial government to re-engage in the provision of public transit in the Province of Nova Scotia and work with the municipalities to develop a Public Transit Strategy for the Province.

Following a brief discussion on the amendment, the **MOTION TO AMEND WAS PUT AND PASSED.**

The motion before Council now read:

**MOVED** by Councillor Walker, seconded by Councillor Blumenthal that Halifax Regional forward the three resolutions outlined in the May 23, 2012 staff report to the UNSM Annual Conference and one added by Councillor Fisher. The resolutions concern the development of the new federal long term infrastructure plan and Provincial support for transit service and specifically address:

- **Infrastructure Renewal**
- **CCME Wastewater Strategy**
- **Infrastructure Program Administration**
- **Sustainable Annual Provincial Funding for Municipal Public Transit Initiatives**

Staff responded to questions related to program-based funding available to HRM.

Councillor Blumenthal noted the importance of having funding available for accessibility, in particular for visually impaired persons in the use of bus services.

Councillor Sloane entered the meeting around 2:30 p.m.

**MOTION PUT AND PASSED.**

**10.1.8 Parkland Disposal – Portion of Parcel B (PID# 00443820) Civic No. 5 Josephine Court, Dartmouth**

A staff report dated June 11, 2012 was before Council.

**MOVED by Deputy Mayor Karsten, seconded by Councillor Fisher that Halifax Regional Council set a date for public hearing for the closure and disposal of a 544 square foot portion of HRM Park property, Parcel B, (PID # 00443820) Dartmouth, as shown in Attachment “A” of the June 11, 2012 staff report.**

Councillor Karsten noted a correction to the June 11, 2012 staff report, that the words Cole Harbour should be replaced with *Dartmouth*.

Staff responded to questions of clarification related to the process for disposing parkland, estimated costs of the park land acquisition and advertisement process. It was noted that this particular parcel of land came into Municipal ownership through the subdivision process and requires a public hearing to dispose of the surplus asset.

**MOTION PUT AND PASSED.**

The Public Hearing is scheduled for July 10, 2012.

**10.1.9 Budget Increase – Project No. CID00631 – Enterprise Asset Management (EAM) Program**

A staff report dated May 2, 2012 was before Council.

**MOVED by Councillor McCluskey, seconded by Councillor Hendsbee that Halifax Regional Council approve an increase of \$700,000 to Project No. CID00631 – Enterprise Asset Management Program, with funding from surplus Operating Pay as You Go Funding (Cappool), as outlined in the Budget Implications section of the May 2, 2012 staff report.**

In response to question raised, staff confirmed that HRM currently has a record of all assets, which will soon include information on the assets' condition and impact on the levels of service.

Several members of Council expressed concern with regard to the Program's cost. Staff provided an overview of the previously budgeted \$3.25 million, approved by

Council for the asset management program. The increase of \$700,000 would allow the Municipality to spend approximately \$5 million over a 3 year period, as identified in the budget implication section of the May 2, 2012 staff report. It was noted that the Program is intended to improve how HRM manages its assets, which will assist with decision making on investment and capital spending.

In response to question raised on the scheduling of the Program, Mr. Mike Labrecque, Deputy Chief Administrative Officer, highlighted the Enterprise Asset Management Program Road Map attached to the May 2, 2012 staff report. He noted that as part of the 2012-2013 plan, staff will be coming back to Council with an approach to the five year plan.

Mayor Kelly stepped down as Chair at 2:44 p.m. and exited the meeting; Deputy Mayor Karsten assumed the Chair.

In response to questions raised the following points were noted:

- The development of the EAM Program Road Map will inform what computer software will be used to map out HRM's business process; staff anticipates having a suite of software systems
- The Program's cost is in line with what other Municipalities are spending for this process; the EAM Program cost is comparable to what has been spent on other HRM IT projects
- The software will be fully intergraded with HRM's other asset management software (ie. GIS and SAP)

Councillor Sloane noted that HRM shares roadway management with the Province for some of its road and suggested using the same software as the Province, or even sharing systems with the Province. She further suggested having a plan in place to work together with other utility groups (ie. NSPI, Halifax Water) when doing roadway and sidewalk maintenance, to prevent having to tear up a road/sidewalk during future work.

In response to questions raised, staff advised they would report back to Council on the following:

- the cost of the consultants working on the project
- confirmation on the policy that prohibits cuts to new paving within the first two years

#### **MOTION PUT AND PASSED.**

#### **10.1.10 First Reading Proposed By-Law A-402, An Amendment to By-Law A-400, Respecting Alternative Voting re: Legislative and Administrative Changes**

A staff report dated June 4, 2012 was before Council.

**MOVED by Councillor Fisher, seconded by Councillor Smith that Halifax Regional Council Give First Reading to the proposed amendment to By-Law A-400, Respecting Alternative Voting, as outlined in Appendix “A” and “B” of the June 4, 2012 staff report, the purpose of which is to incorporate a number of required legislative and administrative changes.**

Ms. Cathy Mellett, Municipal Clerk and Returning Officer provided clarification of using Power of Attorney for proxy voting in relation to the *Municipal Elections Act*, the correction to Form 31B (French), and the 16 advanced polling locations for registration and voting.

Councillor Streach entered the meeting around 3:00 p.m.

**MOTION PUT AND PASSED.**

#### **10.1.11 Facility Lease Agreement – Lake Echo Community Centre**

A staff report dated May 22, 2012 was circulated to Council.

**MOVED by Councillor Hendsbee, seconded by Councillor Streach that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to enter into a Facility Lease Agreement (Attachment 1 of the May 22, 2012 staff report) with the Lake Echo Community Recreation Society to become the new volunteer board to lease and operate the Lake Echo Community Centre as per the key terms and conditions set out in Table #1 in the discussion section of the May 22, 2012 staff report; and**
- 2. Authorize the Mayor and Municipal Clerk to assign the current lease between Halifax Regional Municipality and the Lake Echo Lions Club (Attachment 2 of the May 22, 2012 staff report) to the Lake Echo Community Recreation Society with the same terms and conditions approved for the Lake Echo Lions Club by HRM Regional Council on October 25, 2011.**

Councillor Hendsbee noted a correction to Facility Lease Agreement; wherein the postal code for the Lake Echo Community Recreation Society is *B3E 1B2* not *B0J 2S0*.

Staff responded to questions of clarification on the Facility Lease Agreement, in particular to the leasing exclusions identified in Schedule C – Permitted Facility Use – Site Specific Permitted Facility Use.

In response to a concern raised by Councillor McCluskey respecting competing businesses, Ms. Denise Schofield, Manager, Regional Recreation and Culture, clarified

that if a proposal came forward, staff would review it to determine if it met the zoning and conditions of the Facility Lease Agreement (ie. 50% community usage space).

Mayor Kelly entered the meeting at 3:06 p.m. and assumed the Chair; Deputy Mayor Karsten took his seat.

**MOVED by Councillor Fisher, seconded by Councillor McCluskey to defer item 10.1.11 – Facility Lease Agreement (FLA) – Lake Echo Community Centre to the next Council session to provide Council additional time to review the report.**

Council entered into discussion on the deferral with staff responding to further questions of clarification on the Facility Lease Agreement and the process through which HRM works with community groups.

Councillor Johns entered the meeting at 3:11 p.m.

**MOTION TO DEFER PUT AND DEFEATED.**

The motion before Council is:

**MOVED by Councillor Hendsbee, seconded by Councillor Streach that Halifax Regional Council:**

- 1. Authorize the Mayor and Municipal Clerk to enter into a Facility Lease Agreement (Attachment 1 of the May 22, 2012 staff report) with the Lake Echo Community Recreation Society to become the new volunteer board to lease and operate the Lake Echo Community Centre as per the key terms and conditions set out in Table #1 in the discussion section of the May 22, 2012 staff report; and**
- 2. Authorize the Mayor and Municipal Clerk to assign the current lease between Halifax Regional Municipality and the Lake Echo Lions Club (Attachment 2 of the May 22, 2012 staff report) to the Lake Echo Community Recreation Society with the same terms and conditions approved for the Lake Echo Lions Club by HRM Regional Council on October 25, 2011.**

**MOTION PUT AND PASSED.**

**10.1.12 Second Reading Proposed Amendment to Administrative Order One, Respecting Procedures of Council – Recorded Votes and In Camera Procedures**

The following was before Council:

- A staff report dated June 6, 2012

- Proposed Amendments to Administrative Order #1 in regard to In Camera (Option 2); provided to Council June 19, 2012

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

- 1) Approve the proposed amendment to Administrative Order One, as outlined in Attachment “1” of the June 6, 2012 staff report, the purpose of which is to provide for recorded votes for all motions of Council, and;**
- 2) Approve the proposed amendments to Administrative Order One, as outlined in Attachment “2” of the June 6, 2012 staff report, the purpose of which is to clarify In Camera procedures.**

Deputy Mayor Karsten requested the vote be spilt, to which Council agreed.

Deputy Mayor Karsten further requested that the second recommendation be deferred to the next Council session to allow Council additional time to review the options proposed for In Camera procedures, and to provide clarity as to how the proposed changes will affect the overall In Camera process.

Mr. Martin Ward, Municipal Solicitor, clarified that the intent of the changes was to address three procedural problems:

The first question raised by Council was moving items into closed session. The practice developed by Council was that before an item was moved into closed session, that Council would have an opportunity to vote again to confirm that they wanted to move the item into closed session. If Council did not choose to move the item into closed session, then the item would remain in open session. Mr. Ward advised that the only problem with this practice is there is no rule under the current procedure that supports this practice.

The second question raised was the issue of In Camera recommendations. If for example Council decides when the item on the agenda comes forward that they did not want to move it to a closed session, then what would happen to the recommendation. Mr. Ward indicated that a practice was developed which would allow Council to bring that recommendation forward in the public session and adopt the recommendation without debate. This interpretation to the rule, based on the ruling he made a few weeks ago, was not correct. What staff is proposing in the second option is to allow Council to bring the recommendations forward for debate, but should any member call for the question at that moment, then there would be no further debate; or no debate if the question was called for immediately following the motion being given.

Lastly, question was raised as to the status of In Camera reports and what would happen for example if Council reaches the item in the order of business and Council decides not to move it to In Camera. Mr. Ward indicated that there is concern with

respect to information that could be identified in a report (ie. pricing) that Council would not want made public at the time. The last change would provide clear notice that those reports remain as In Camera reports unless Council decided to release the report or any portion thereof.

Mr. Ward went on to note that the options provided are to better the proposal for the changes which were given to Council last week.

Deputy Mayor Karsten indicated that Council could also choose to go back to the former practice for dealing with In Camera matters.

Councillor Rankin suggested revising Recommendation #1 to exclude having recorded votes for procedural motions; approval of the minutes, order of business and adjournment.

**MOVED by Councillor Rankin, seconded by Councillor Hendsbee to amend the motion to provide for recorded votes for all motions of Council except for Approval of Minutes, Approval of the Order of Business and Adjournment.**

Following a brief discussion, the **MOTION TO AMEND TO RECOMMENDATION #1 PUT AND PASSED.**

The motion before Council now read:

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

- 1) Approve the proposed amendment to Administrative Order One, as outlined in Attachment "1" of the June 6, 2012 staff report, the purpose of which is to provide for recorded votes for all motions of Council, except for Approval of Minutes, Approval of the Order of Business and Adjournment, and;**
- 2) Approve the proposed amendments to Administrative Order One, as outlined in Attachment "2" of the June 6, 2012 staff report, the purpose of which is to clarify In Camera procedures.**

During the ensuing discussion, several members expressed concern with the length of time it would take to record all votes using the current system. Staff provided clarification on the process for recording, displaying all votes and making them available to the public, as outlined in Administrative Order One.

**MOVED by Deputy Mayor Karsten, seconded by Councillor Walker to defer Recommendation #2 outlined in the June 6, 2012 staff report for a supplementary report.**

Councillor Sloane requested a recorded vote be taken on the two recommendations.

The motion was spilt and a recorded vote was taken for each recommendation as follows:

**MOVED by Deputy Mayor Karsten, seconded by Councillor Walker to defer Recommendation #2 outlined in the June 6, 2012 staff report for a supplementary report. MOTION TO DEFER RECOMMENDATION # 2 PUT AND PASSED. (12 in favour, 11 opposed)**

Those voting in favour were: Deputy Mayor Karsten, Councillors Barkhouse, Blumenthal, Fisher, Lund, McCluskey, Nicoll, Sloane, Streach, Walker, Watts and Wile.

Those voting against were: Mayor Kelly, Councillors Adams, Dalrymple, Harvey, Hendsbee, Johns, Mosher, Outhit, Rankin, Smith and Uteck.

Councillor Hum was not present for the vote.

**MOVED by Deputy Mayor Karsten, seconded by Councillor Nicoll that Halifax Regional Council approve the proposed amendment to Administrative Order One, as outlined in Attachment "1" of the June 6, 2012 staff report, the purpose of which is to provide for recorded votes for all motions of Council, except for Approval of Minutes, Approval of the Order of Business and Adjournment. MOTION PUT AND PASSED. (17 in favour, 6 opposed)**

Those voting in favour were: Deputy Mayor Karsten, Councillors Barkhouse, Fisher, Hendsbee, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile.

Those voting against were: Mayor Kelly, Councillors Adams, Blumenthal, Dalrymple and Harvey and Johns.

Councillor Hum was not present for the vote.

#### **10.1.13 Second Reading - Proposed Amendment to Administrative Order 45 – Respecting Private Road Maintenance -Road Maintenance Fee for Bald Rock Road**

A staff report May 28, 2012 was before Council.

**MOVED by Councillor Adams, seconded by Councillor Lund that Halifax Regional Council:**

- 1. Set an annual uniform charge of \$385.33 per property to be applied to all properties abutting the private portion of Bald Rock Road, as depicted in the map shown in Appendix "A" of the May 28, 2012 staff report, effective**

**with the 2012-13 fiscal year for the purpose of funding the road maintenance activities of the Sambro Head Lot Owners Association;**

- 2. Approve an amendment to Administrative Order 45, Respecting Private Road Maintenance, by adding Schedule 8, respecting a Uniform Charge for the Sambro Head Lot Owners Association, as shown in Appendix "A" of the May 28, 2012 staff report; and**
- 3. Subject to the approval of Schedule 8 of Administrative Order 45, authorize the Mayor and Municipal Clerk to sign on behalf of HRM, a Management and Operating Agreement between HRM and the Association.**

Staff responded to questions of clarification raised by Council. It was noted that payment of the administrative fee would be collected at the time the operating agreement is signed. It was further noted that should the Sambro Head Lot Owners Association require additional funds in the future, due to rising or unforeseen costs, then the request to increase the fee would be brought back to Council for decision.

A recorded vote was taken.

**MOTION PUT AND PASSED. (20 in favour, 1 opposed)**

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Hendsbee, Lund, McCluskey, Mosher, Nicoll, Outhit, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile.

Those voting against were: Councillor Johns

Councillors Harvey, Hum and Rankin were not present for the vote.

## **10.2 MEMBERS OF COUNCIL**

### **10.2.1 Councillor Smith – Addition of Information Item 6 from June 12, 2012 Regional Council Agenda re: Formation of a Citizen Led Committee or Task Force**

A staff information report dated May 14, 2012 was before Council.

Councillor Smith provided background on the formation of a Citizen Led Committee or Task Force to review the root causes of crime in North Dartmouth and other areas of HRM, as outlined the May 14<sup>th</sup> staff information report. He expressed concern noting it was never his intent to involve the Halifax Regional Police or the Mayor's Round Table on Violence.

Mayor Kelly clarified that similar issues were raised during Mayor's Round Table and that there was support for a community initiative, but did not want to duplicate what has already been done.

Councillor Smith expressed concern with the community not being consulted and that this review should be lead by the community and not Halifax Regional Police.

**MOVED by Councillor Smith, seconded by Councillor Watts that Halifax Regional Council refer the motion outlined in the May 14, 2012 information report, as follows, to the Community Planning and Economic Development Standing Committee for review.**

*That Regional Council support the formation of a citizen led and membership focused, including those residents in areas particularly affected by violent crime, Committee or Task Force, tasked with compiling resident and other stakeholder input and solutions in regard to revising the Culture of Violent Crime in HRM, and that Regional Council request the support and involvement of the provincial government of Nova Scotia support in the Committee/Task Force formation with HRM, and that both levels of Government agree to consider and adopt the recommendations from this entity recognizing the need to come forward in a timely manner (within 3 months) in regards to a focus on addressing the root causes of Crime in the Halifax Regional Municipality.*

Council entered debate on the motion, the involvement of the Halifax Regional Police and Mayor's Round Table on Violence and how best to proceed.

Councillor Sloane suggested Council speak with staff who assisted with the Community Mobilization Plan.

Mr. Martin Ward, Municipal Solicitor, referred Council to Section 48 of Administrative Order One, noting Council must receive a staff report before voting on a motion which arises out of an added item.

Without a vote on the motion, it was **MOVED by Councillor Streach, seconded by Councillor Sloane that Halifax Regional Council refer the motion outlined in the May 14, 2012 staff information report to the Chief Administrative Officer, as per Section 48 of Administrative Order One.**

Council requested the report include:

- Opportunities within the Centre Plan respecting root causes of crime; the Community Planning and Economic Development Standing Committee reviewing matters such as affordable housing, public and social spaces in communities and how neighbourhoods are made safe in regard to their design
- Opportunities to tap into work carried out previously in this area
- Options for funding from Federal grant programs related to crime prevention
- Identify what is currently being done to address crime prevention and what has been done to date
- Opportunities for Community Council involvement, as community needs differ between rural, urban and suburban communities

Councillor Smith reiterated the importance of community engagement.

A recorded vote was taken.

**MOTION TO REFER TO CHIEF ADMINISTRATIVE OFFICER PUT AND PASSED.  
(16 in favour, 8 opposed)**

Those voting in favour were: Mayor Kelly, Councillors Barkhouse, Blumenthal, Dalrymple, Fisher, Hendsbee, Hum, Lund, Mosher, Nicoll, Outhit, Rankin, Sloane, Streach, Walker and Watts.

Those voting against were: Deputy Mayor Karsten, Councillors Adams, Harvey, Johns, McCluskey, Smith, Uteck and Wile.

**10.2.2 Councillor Adams – Request for staff report re: Chebucto Head Road Maintenance Issues**

A motion memorandum from Councillor Adams dated June 19, 2012 was before Council for consideration.

Councillor Adams highlighted the rationale outlined in his memorandum.

**MOVED by Councillor Adams, seconded by Councillor Wile that Halifax Regional Council request a staff report determining what can be done with regard to maintenance and upkeep of Chebucto Head Road. Solutions could include, but would not be limited to, developing a strategy with other levels of government to cost share in upgrades, or exploring alternative sources of funding, such as tourism. The solutions developed could serve as a template for other roads with similar issues.**

Council requested the report identify the following:

- Confirmation of the length of the road and number of residents living on the road
- Opportunity for a Local Improvement Charge

A recorded vote was taken.

**MOTION PUT AND PASSED UNANIMOUSLY. (22 in favour, 0 opposed)**

Those voting in favour were: Mayor Kelly, Councillors Adams, Barkhouse, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile.

Deputy Mayor Karsten and Councillor Blumenthal were absent for the vote.

**11. MOTIONS**

**11.1 Councillor Adams**

“To amend By-Law N-300, Respecting Nuisances to include “dust” from, but not limited to, construction sites and areas of in-filling as a Nuisance under the By-Law.”

Councillor Adams clarified that the request is not to stop ongoing construction or operations such as masonry work, sand blasting or use of a saw, but is to deal with dust collecting over time from construction sites and areas of in-filling. He provided examples where over an inch of dust has collected on cars and buildings, and residents are unable to hang their clothes outside. He went on to suggest the possibility of working with the Homebuilders Association to find solutions.

**MOVED by Councillor Adams, seconded by Councillor Barkhouse that Halifax Regional Council amend By-Law N-300, Respecting Nuisances to include “dust” from, but not limited to, construction sites and areas of in-filling as a Nuisance under the By-Law.**

Council requested the report identify the following:

- The impact when HRM is the cause of the dust nuisance
- How this change to the By-Law would affect the Municipality in regard to maintenance on gravel roads
- Working with the Homebuilders Association respecting the removal of dust from residential homes, buildings, etc; including consideration of the removal of dust through the use of power washing and damage being done to homes
- Whether dust falls within the Department of the Environment’s mandate
- If available, include a record of the number of complaints related to dust from construction sites
- The amount of dust that needs to be collected (ie. more or less than an inch) before enforced under By-law
- Best practices to control dust
- A review of other zoning, not just residential, with respect to the management of dust; options for remediation

**MOTION PUT AND PASSED. (20 in favour, 3 opposed)**

Those voting in favour were: Mayor Kelly, Councillors Adams, Barkhouse, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, McCluskey, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Walker and Watts.

Those voting against were: Councillors Blumenthal, Uteck and Wile.

Deputy Mayor Karsten was absent for the vote.

### **11.2 Councillor Sloane**

“To request a study regarding the amount of films and plastics which are not recycled, whether an outright ban of plastic shopping bags would achieve better diversion and what Halifax Regional Municipality can do to aid in the reduction of packaging of solid items.”

A submission from Carolyn Pineau dated June 15, 2012 was circulated to Council.

Councillor Sloane reviewed a study she found online entitled: How long does it take to decompose.

Councillor Sloane noted a correction to the Notice of Motion given that the wording "solid items" should be "sold items". She further referred to the ongoing Solid Waste Strategy Review and **MOVED, seconded by Councillor Rankin that the amount of films and plastics which are not recycled be included in the Solid Waste Strategy Review.**

Council entered into discussion on the motion, with clarification being provided that the motion is to review the makeup of the landfill deposits and not a ban of the materials.

It was noted that the Solid Waste Strategy Review would be coming to the Environment and Sustainability Standing Committee, which would then move forward to Regional Council.

In response to a question raised on the Notice of Motion given and the motion before Council, Mr. Martin Ward, Municipal Solicitor, clarified that the motion before Council is not in opposition to the Notice of Motion given. The essence of the original motion was to seek a study and this motion provides more focus in this regard.

Following further discussion, the **MOTION WAS PUT AND PASSED. (13 in favour, 10 opposed)**

Those voting in favour were: Mayor Kelly, Councillors Barkhouse, Harvey, Hendsbee, Johns, Lund, Nicoll, Outhit, Rankin, Sloane, Streach, Uteck and Watts.

Those voting against were: Deputy Mayor Karsten, Councillors Adams, Blumenthal, Dalrymple, Fisher, Hum, Mosher, Smith, Walker and Wile.

Councillor McCluskey was absent for the vote.

## **12. ADDED ITEMS**

### **12.1 Councillor Walker – Federation of Canadian Municipalities (FCM) Target 2014 – Building Our Future Initiative**

A motion memo dated June 19, 2012, with attached resolution on the development of a new long-term federal plan for municipal infrastructure funding, was before Council.

**MOVED by Councillor Walker, seconded by Councillor Johns that Halifax Regional Council support FCM's initiative Target 2014: Building Our Future, including adopting a resolution for the development of a long-term Federal plan**

**for Municipal infrastructure funding and supporting a letter to Honourable Denis Lebel, Minister of Transport, Infrastructure and Communities.**

**MOTION PUT AND PASSED. (23 in favour, 0 opposed)**

Those voting in favour were: Mayor Kelly, Deputy Mayor Karsten, Councillors Adams, Barkhouse, Blumenthal, Dalrymple, Fisher, Harvey, Hendsbee, Hum, Johns, Lund, Mosher, Nicoll, Outhit, Rankin, Sloane, Smith, Streach, Uteck, Walker, Watts and Wile.

Those voting against were: None.

Councillor McCluskey was absent for the vote.

**13. NOTICES OF MOTION**

**13.1 Councillor Hendsbee**

Take Notice that, at the next regular Regional Council meeting, to be held on Tuesday, the 26<sup>th</sup> day of June 2012, I proposed to move First Reading of By-Law S-436, an amendment to By-Law S-400, Respecting Charges for Street Improvements, relating to new paving of subdivision streets outside the core area.

**14. IN CAMERA – NONE**

Council recessed at 4:52 p.m.

Council reconvened at 6:00 p.m. for the special presentation of the citizenship awards.

**SPECIAL PRESENTATION – CITIZENSHIP AWARDS**

On behalf of HRM, Mayor Kelly, Deputy Mayor Karsten, and members of Council, welcomed those in attendance to the Annual Citizenship Awards presentation. Deputy Mayor Karsten advised that the students who were receiving the awards had been chosen by their teachers, guidance councillors and principals based on the criteria that they exemplified motivation, caring, achievement, and giving individuals who were role models for others. The recipients, being good role models at school who also give back to their community, will continue to exemplify that spirit in the future throughout HRM. He expressed his congratulations to the forty-eight students receiving the 2012 Citizenship Award.

Mayor Kelly and Councillors presented the awards to the following students:

Annie Elizabeth Isenor, Musquodoboit Rural High School  
Samantha Smith, Oyster Pond Academy  
Hannah Fahie, Duncan MacMillan High school  
Hunter Marriott, Lockview High School

Lauren Thomander, Harold T. Barrett Junior High School  
Paige Turple, George P. Vanier Junior High School  
James Dyson, Ross Road School  
Mikaela Hallett, Gaetz Brook Junior High School  
Kyla Simmons, Graham Creighton Junior High school  
Marina Muberwa, Halifax Christen Academy  
Hailey Thomas, Prince Arthur Junior High School  
Stuart Tabour, Bicentennial High School  
Maggie Renouf, Shambhala School  
Ben Kidston, Caledonia Junior High School  
Catherine Campbell, Eric Graves Memorial Junior High School  
Jenna McNutt, Astral Drive Junior High School  
Daniel Jack, Sir Robert Borden Junior High School  
Christina Letchford, Ellenvale Junior High School  
Robyn Curry, Eastern Passage Education Centre  
Colin MacDonald, John Martin Junior High School  
Emily Cote, Park West School  
Claire d'Entremont, Highland Park Junior High School  
Sylvan Greyson, Halifax Grammar School  
Jack Gillham, Fountain Academy of the Sacred Heart  
Lachlan Topshee, Gorsebrook Junior High School.  
Geoff Hebb, Cornwallis Junior High School  
Mona Challa, Clayton Park Junior High School  
Katrina Wicha, Armbrae Academy  
Rebecca Butler, Sacred Heart School of Halifax  
Drew Packman, Saint Agnes Junior High School  
Desta Thomas, Elizabeth Sutherland School  
Brooke McNeil, Oxford School  
Jacob Brown, Rockingstone Heights School  
Hannah Cameron, Herring Cove Road Junior High School  
Afomia Gebra, Fairview Junior High School  
Rebecca Clahane, Sackville Heights Junior High School  
Melanie Bryant, Leslie Thomas Junior High School  
Spencer Conway, Cavalier Drive School  
Emma Taylor, A.J. Smeltzer Junior High School  
Donica Larade, Ecole Secondaire duSommett  
Annika Benson, Bedford Junior High School  
Katheryne Ladouceur, Bedford South School  
Gregory Squires, Ridgecliff Middle School  
Michaela Peters, Brookside Junior High School  
Liam McEvoy, King's View Academy  
Matthew McQuade, Madaline Symonds School  
Nick Bennett, Five Bridges Junior High School  
Jessica Llewellyn, Sandy Lake Academy

**15. ADJOURNMENT**

The meeting adjourned at 6:37 p.m.

Cathy J. Mellett  
Municipal Clerk

INFORMATION ITEMS

1. Memorandum from the Municipal Clerk dated June 11, 2012 re: Requests for Presentation to Council – None