

HALIFAX REGIONAL COUNCIL
MINUTES

REVISED

August 14, 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. Michael Labrecque, Acting Chief Administrative Officer
Mr. Karen Brown, Acting Municipal Solicitor
Ms. Sherryl Murphy, Acting Municipal Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

The meeting was called to order at 4:10 p.m. in the World Trade and Convention Centre.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

3. APPROVAL OF MINUTES – July 10, 2012

MOVED by Councillor Wile, seconded by Councillor Barkhouse that the minutes of July 10, 2012 be approved.

Councillor Rankin referred to page 15 and 16 of the minutes in regard to the item of Solid Waste Resource Management Strategy System Review – Project Budget Allocation and asked that the minutes be amended to note his point of concern and clarification to the CAO that the Community Monitoring Committee had not been consulted to date and also pointing out that the Strategy had been developed by a community stakeholder group.

Councillor Hum referred to page 9 of the minutes, in regard to the item of Memorandum of Agreement between HRM and the Province of Nova Scotia – World Trade and Convention Centre II , and noted that the second recorded vote shows her as voting in favour. Councillor Hum added that she had spoken with the Municipal Clerk since that meeting advising that her vote was not in favour. As per section 18 (2) (d), a Councillor must bring an error in voting to the attention of the Clerk immediately following the vote. She advised that she wanted to be on record as having voted in opposition.

THE MINUTES, AS AMENDED, WERE APPROVED.

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

Deletion:

11.1.7 – 6199 Chebucto Road – Maritime Conservatory of the Performing Arts

Additions:

13.1 Sidewalk Local Improvement Charges and Taxes
13.2 Long Term Arena Strategy
11.2.1(i) Councillor Watts – Emergency UNSM Resolution

MOVED by Councillor Walker, seconded by Councillor Sloane 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. **PUBLIC HEARINGS – 6:00 P.M.**

9.1 **By-Law N-200, Respecting Noise – Exemption Applications**

(i) **Mulgrave Park Days**

(ii) **University of King’s College Orientation Week**

The public hearing was dealt with later in the meeting at 6:00 p.m. See pages 16 and 17.

10. **CORRESPONDENCE, PETITIONS & DELEGATIONS**

10.1 **Correspondence**

10.1.1 **Request for Fly-Past – Cole Harbour Harvest Festival Society**

Correspondence from Jim Nicoll, Vice Chair of the Cole Harbour Harvest Festival Society was before Council.

MOVED by Councillor Nicoll, seconded by Councillor Karsten that Halifax Regional Council approve a Canadian Armed Forces flypast on September 9, 2012 to coincide with the opening of the Cole Harbour Harvest Festival.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

10.2 **Petitions - None**

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 12-167 – Abbey Park Playground Phase 1 – Budget Increase

Staff report dated July 9, 2012 was before Council.

MOVED by Councillor Lund, seconded by Councillor Johns that Halifax Regional Council:

- 1. Increase Project Budget CPX01328 – New Parks and Playgrounds, by \$110,000.00 with funding from the Haliburton Hills Area Rate account C120; and**
- 2. Award Tender No. 12-167 to PlayPower LT Canada Inc. for a Total Tender Price of \$91,131.00 (net HST included) with funding from CPX01328 as outlined in the Budget Implications section of the July 9, 2012 staff report.**

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.2 Budget Increase, Project No. CPX01177 – New Ball Field Development, Kingswood – Hammonds Plains

A staff report dated July 11, 2012 was before Council. A revised Appendix 2 was distributed to members of Council.

MOVED by Councillor Lund, seconded by Councillor McCluskey that Halifax Regional Council approve an increase to Project No. CPX01177 – New Ball Field Development, by \$150,000, with no change to the Net budget, to reflect secured funding for the Kingswood Ball Field Development, Lakeshore Drive, as outlined in the budget implications section of the July 11, 2012 staff report.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.3 Advanced Capital Funding – Stone Masonry Restoration, Halifax City Hall – Phase 4

A staff report dated July 27, 2012 was before Council.

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

- 1. Provide advance approval of the Proposed 2013/2014 Project Budget in the amount of \$1,500,000 for Project No. CBX01046, Halifax City Hall Stone Restoration, as outlined in the Budget Implications section of the July 27, 2012 staff report; and**
- 2. Direct staff to tender Phase 4 City Hall Stone Restoration immediately.**

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.4 Halifax Central Library Naming and Recognition Signage Policy

A report from Judith Hare, CEO, Halifax Public Libraries, dated July 31, 2012 was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council approve the Halifax Central Library Naming and Recognition Signage Policy, attached as revised Appendix 2 to the July 31, 2012 report from Judith Hare, CEO, Halifax Public Libraries.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.5 Rockingham Community Centre Property – 199 Bedford Highway

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

Councillor Hum indicated that she was prepared to move the staff recommendation however, she had an amendment to the first recommendation.

The Solicitor pointed out that Administrative Order 1 states that if a motion is brought forward that is in opposition to what is in the staff report, the recommendation in the staff report has to be voted on first, and if it fails, then an alternative motion can be brought forward.

Councillor Hum advised that her motion was not in opposition but a clarification.

The Mayor suggested that the motion from the staff report be put on the floor, and the Solicitor would clarify how Councillor Hum could proceed after it was moved and seconded.

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

- 1. Direct staff to undertake a detailed review of the programming needs and options with a view to developing a plan for possible sale of the facility and relocation of programs and services from Rockingham Community Centre to alternate community facilities; and**
- 2. Extend the RCC volunteer board's mandate at the Rockingham Community Centre through June 30, 2013 during the completion of the program review.**

The Solicitor suggested to Council that, at this time, Councillor Hum's motion could be amended.

MOVED by Councillor Walker, seconded by Councillor Hum that the motion be amended to remove the words in recommendation one, "review of the

programming needs and options with a view to developing a plan for possible sale of the facility and relocation of programs and services from Rockingham Community Centre to alternate community facilities” and replace them with, “building assessment on the condition and viability of the Rockingham Community Centre, a programming and needs assessment, cost analysis, and bring forward options, recommendations and opportunities on the future use and ownership of this municipal property, 199 Bedford Highway.” MOTION TO AMEND PUT AND PASSED

The amended motion now reads:

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

- 1. Direct staff to undertake a detailed building assessment on the condition and viability of the Rockingham Community Centre, a programming and needs assessment, cost analysis, and bring forward options, recommendations and opportunities on the future use and ownership of this municipal property, 199 Bedford Highway.**
- 2. Extend the RCC volunteer board’s mandate at the Rockingham Community Centre through June 30, 2013 during the completion of the program review.**

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.6 Assignment of Buy Back Agreement – Society for Supportive Housing for Young Women’s Christian Association – 341 Pleasant Street, Dartmouth

A staff report dated July 23, 2012 was before Council.

MOVED by Councillor Barkhouse, seconded by Councillor Watts that Halifax Regional Council authorize the Mayor and Municipal Clerk to allow the assignment of the existing Buy-Back Agreement, between HRM and the Society for Supportive Housing for Young Mothers, to the Young Women’s Christian Association of Halifax.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.1.7 6199 Chebucto Road – Maritime Conservatory of the Performing Arts

This item was deleted from agenda.

11.1.8 Encroachment Agreement – Dynamic Properties Company Limited, 3737 Kempt Road, Halifax – Steele Subaru

A staff report dated June 25, 2012 was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council approve the Encroachment Agreement with Dynamic Properties Company Limited, regarding private light standard bases and a retaining wall within the Kempt Road and Lady Hammond Road rights-of-way, as provided in Attachment A of the June 25, 2012 staff report.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, and Lund.

Councillor Rankin was not present for the vote.

Councillor Streach was not in attendance.

11.1.9 Commemorative and Administrative Names for HRM (Halifax Regional Municipality) Assets

A staff report dated July 25, 2012 was before Council.

MOVED by Councillor Johns, seconded by Councillor Karsten that Halifax Regional Council approve:

1. **The addition of the commemorative names identified in Attachment A to the existing Commemorative Names List;**
2. **The park name, Tyler Sampson Park, for the un-named park located at 316 Gary Martin Dr., Bedford;**
3. **The renaming of the park, Nottingham Park, Bedford, to Bill Dompierre Park;**
4. **The renaming of Charles Road Park, Timberlea, to Glengarry Estates Park;**
5. **The administrative park names outlined in Attachment D; and**
6. **Forwarding to the Province of Nova Scotia the suggestion of naming the new connector road from Akerley Blvd. to Rocky Lake Dr. in Bedford to Heroes Way.**

A recorded vote was taken.

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

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

Councillor Rankin was not present for the vote.

Councillor Streach was not in attendance.

At this time Mayor Kelly questioned Council members on whether they wished to break for supper or to remain and complete the council agenda, other than the public hearings.

MOVED by Councillor Adams, seconded by Councillor Harvey that Council remain and complete the agenda items, other than the public hearings. MOTION PUT AND PASSED.

11.1.10 First Reading Proposed Administrative Order SC-70, Street Closure – Portion of Marilyn Drive Right-of-Way, Dartmouth

A staff report dated July 12, 2012 was before Council.

MOVED by Councillor McCluskey, seconded by Councillor Wile that Halifax Regional Council move First Reading of Administrative Order SC-70, Street Closure of a portion of Marilyn Drive Right of Way, Dartmouth as outlined in Attachment “A” and “B” of the July 12, 2012 staff report.

A recorded vote was taken.

MOTION PUT AND PASSED. (21 in favour, 0 opposed)

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund.

Councillors Sloane and Harvey were not present for the vote.

Councillor Streach was not in attendance.

11.1.11 First Reading Proposed Administrative Order SC-71, Street Closure – Portion of Victoria Road Right-of-Way, Dartmouth

A staff report dated July 12, 2012 was before Council.

MOVED by Councillor Smith, seconded by Councillor McCluskey that Halifax Regional Council move First Reading of Administrative Order SC-71, Street Closure of a portion of Victoria Road Right of Way, Dartmouth as outlined in Attachment “A” and “B” of the July 12, 2012 staff report.

A recorded vote was taken.

MOTION PUT AND PASSED. (21 in favour, 0 opposed)

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund.

Councillors Sloane and Harvey were not for the vote.

Councillor Streach was not in attendance.

11.1.12 First Reading Proposed By-Law S-802, An Amendments By-law S-800, Respecting Temporary Signage – Election Signage

A staff report dated 24, 2012 was before Council.

MOVED by Councillor Walker, seconded by Councillor Nicoll that Halifax Regional Council move First Reading of proposed By-Law S-802, Licensing of Temporary Signs – Election Signage, as outlined in Attachment 1 of the July 24, 2012 staff report.

Councillor Uteck advised that she was prepared to move an amendment to the motion to prohibit election signage in HRM Right-of-Ways, and questioned whether she should do this now or wait until the public hearing.

In response, the Solicitor advised that there would be no public hearing on this matter, but that the Councillor could move the amendment at Second Reading or at this meeting, whichever she desired.

MOVED by Councillor Uteck, seconded by Councillor Blumenthal that the motion be amended to provide that election signs not be permitted in the Municipal Street Right of Way

In response to questions from members of Council, Ms. Cathy Mellett, Municipal Clerk, addressed Council clarifying that there is a balance to be achieved with regard to the candidate's right and the municipality's needs. She went on to indicate that staff and the Clerk's Office believe that the amendments proposed achieve that balance.

Following a further short discussion and questioning of the Clerk, the **MOTION TO AMEND WAS PUT AND PASSED WITHOUT A RECORDED VOTE.**

The motion now reads:

That Halifax Regional Council move First Reading of proposed By-Law S-802, Licensing of Temporary Signs – Election Signage, as outlined in Attachment 1 of the July 24, 2012 staff report with the exception that election signs not be permitted on the Municipal Street Right of Way.

A recorded vote was taken on the motion

MOTION PUT AND PASSED. (12 in favour, 11 opposed)

Those voting in favour were:

Mayor Kelly; and Councillors: Nicoll, McCluskey, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, and Lund.

Those voting against were: Deputy Mayor Karsten; and Councillors Dalrymple, Hendsbee, Fisher, Barkhouse, Smith, Wile, Johns, Harvey, Outhit, and Rankin.

Councillor Streach was not in attendance.

11.2 MEMBERS OF COUNCIL

11.2.1 Councillor Walker – UNSM (Union of Nova Scotia Municipalities) Town Task Force Interim Report

The following was before Council:

- Motion memorandum from Councillor Russell Walter, dated August 14, 2012, with attached correspondence from Betty MacDonald, Executive Director of UNSM to Tracey Verbeke dated August 12, 2012 re: comments on UNSM Towers Task Force Interim Report
- UNSM Town Task Force Interim Report dated June 2012

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council accept and support the recommendations outlined in the UNSM Town Task Force Interim Report as they pertain to supporting the interests of the Halifax Regional Municipal, specifically those recommendations found under Goal 6: Providing New Tools and Incentives to Increase Economic Growth in Downtowns.

Councillor Lund pointed out that to approve this motion, Council would only be supporting one particular goal and would be silent on the others. He encouraged Council to support the Town Task Force Report in its entirety.

Without a vote being taken on the above motion, the following motion was put:

MOVED by Councillor Walker, seconded by Councillor Lund that Halifax Regional Council accept and support the recommendations outlined in the UNSM Town Task Force Interim Report in its entirety.

A recorded vote was taken.

MOTION PUT AND PASSED. (22 in favour, 1 opposed)

Those voting in favour were:

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

Those voting against were: Councillor McCluskey

Councillor Streach was not in attendance.

11.2.1(i) Councillor Watts – Emergency UNSM Resolution

MOVED by Councillor Watts, seconded by Councillor Sloane that:
Whereas dependable, affordable transportation services are important elements in linking communities and people across the Province, and

Whereas Via Rail has announced that at the end of October, the Halifax to Montreal passenger rail service will be cut in half to three departures per week thereby significantly cutting back the Province's sole passenger rail link to the rest of Canada, and

Whereas Acadian bus line announced in August that it will shut down all operations by November 30, 2012, and

Whereas these planned rail and bus service cuts will leave people with limited travel options, and

Whereas Nova Scotians without access to private cars will face severely constrained travel futures, and,

Be it resolved that Halifax Regional Council ask the Union of Nova Scotia Municipalities to request that the Province of Nova Scotia initiate a review of transportation services across the Province with a view to developing a transportation strategy that will better meet the needs of the citizens of Nova Scotia.

A recorded vote was taken.

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

Those voting in favour:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Dalrymple, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Harvey, Outhit, Rankin, and Lund.

Councillor Streach was not in attendance.

11.2.2 Councillor Blumenthal – Free Transit Day for Seniors Pilot Project

A motion memorandum from Councillor Blumenthal, dated August 14, 2012 was before Council.

MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council approve the implementation of a pilot project — Metro Transit once weekly Free Transit Day for Seniors, beginning in September 2012 and

continuing for three months on Tuesdays, between the hours of 10:00 a.m. and 3:30 p.m. and resuming after 6:00 p.m., on all regular scheduled transit routes.

Councillor Blumenthal indicated that he was bringing this motion forward due to concern over the discontinuance of the Route 3 Manors bus and that this would lessen the financial burden for senior residents of HRM by providing the opportunity to travel to their medical appointments, carry out their banking and shopping one day per week on Metro Transit at no cost.

Mr. Labrecque, Acting Chief Administrative Officer, advised that this issue has been back to Council twice and the financial side of the matter has been presented to Council.

A discussion ensued with Mr. Eddy Robar, Director, Metro Transit responding to questions.

At 5: 50 p.m. Council recessed to deal with the public hearings, and discussion on this matter followed after the public hearings.

At 6:15 p.m. Council reconvened with Councillor Streach joining the meeting at this time. Councillors Dalrymple and Harvey were not in attendance.

9. PUBLIC HEARINGS

9.1 By-Law N-200, Respecting Noise – Exemption Applications

(i) Mulgrave Park Days

A staff report dated July 9, 2012 was before Council.

Ms. Tanya Phillips, Manager of By-Law Standards addressed Council and presented staff's recommendation on the application of Ms. Melissa Lewin, on behalf of Mulgrave Park Days, requesting an exemption of By-Law N-200, Respecting Noise.

Mayor Kelly reviewed the public hearing process and opened the public hearing calling for speakers to come forward at this time.

Mayor Kelly gave the third call for any speakers; hearing none, it was **MOVED by Councillor McCluskey , seconded by Councillor Blumenthal that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council approve the Mulgrave Park Days application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the July 9, 2012 staff report and any matters raised at the public hearing.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile , Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.

(ii) University of King's College Orientation Week

A staff report dated July 26, 2012 was before Council.

Ms. Tanya Phillips, Manager of By-Law Standards presented staff's recommendation of the application of Ms. Gabrielle Rekai, Coordinator of King's Orientation Week 2012 requesting an exemption to By-Law N-200, Respecting Noise.

Ms. Phillips responded to questions from Council.

Mayor Kelly opened the public hearing calling for speakers to come forward at this time.

Ms. Ann Gorman advised that she lived directly across the street from Kings College and indicated that she has dealt with many of these yearly events and suggested that anyone who has experienced them would agree that the volume is unnecessary. She added that she was not in favour of the exemption.

Mayor Kelly called for further speakers.

Mayor Kelly gave the third call for any speakers; hearing none, it was **MOVED by Councillor McCluskey, seconded by Councillor Johns that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED by Councillor Uteck, seconded by Councillor Sloane that Halifax Regional Council approve the University of King's College Orientation application for an exemption from the provisions of the Noise By-Law pursuant to the contents of the July 26, 2012 staff report and any matters raised at the public hearing.

Councillor Uteck noted that this event would be an alcohol-free event, and with regard to the concern expressed by Ms. Gorman about the volume of noise, Councillor Uteck advised that she would speak to the College about this, and if it should become a problem then Ms. Gorman could call her or the college.

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Johns, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.

Council then returned to dealing with item 11.2.2:

11.2.2 Councillor Blumenthal – Free Transit Day for Seniors Pilot Project (Cont.'d)

The following motion was on the floor:

MOVED by Councillor Blumenthal, seconded by Councillor Sloane that Halifax Regional Council approve the implementation of a pilot project — Metro Transit once weekly Free Transit Day for Seniors, beginning in September 2012 and continuing for three months on Tuesdays, between the hours of 10:00 a.m. and 3:30 p.m. and resuming after 6:00 p.m., on all regular scheduled transit routes.

A discussion continued with staff responding to questions.

Councillor Barkhouse indicated her support for the motion but advised that the times chosen were problematic and that the time should be from 10 a.m. to the end of the service day.

MOVED by Councillor Barkhouse, seconded by Councillor Sloane that the motion be amended to change the hours of service for the Free Transit Day for Seniors to be between 10:00 a.m. and the end of the service day.

Councillor Blumenthal advised that he could not support the amendment because his reason for choosing the hours he did, was because they were non-peak hours.

Mayor Kelly called for the vote on the amendment.

A recorded vote was taken.

THE MOTION WAS DEFEATED (4 in favour, 17 opposed)

Those voting in favour:

Mayor Kelly and Councillors: Streach, Smith, and Wile

Those voting against:

Deputy Mayor Karsten, and Councillors: Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.
Councillor Johns was not present for the vote.

Mayor Kelly called for the vote on the motion.

A recorded vote was taken.

MOTION PUT AND PASSED (18 in favour and 3 against).

Those voting in favour:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smithy, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Mosher, Adams, and Outhit.

Those voting against:

Councillors Hum, Rankin, and Lund

Councillors Dalrymple and Harvey were not in attendance.
Councillor Johns was not present for the vote.

11.3 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.3.1 Initiation – Proposed By-Law B-700, Respecting the Regulation of Business Improvement Districts (BID) and Administrative Order 47 – Service Agreement Amendments

A report from the Community Planning and Economic Development Standing Committee, dated August 9, 2012 was before Council.

MOVED by Councillor Uteck, seconded by Councillor McCluskey that Halifax Regional Council initiate the process to adopt By-Law B-700, Respecting the Regulation of Business Improvements Districts and Administrative Order 47, Respecting the Creation of Business Improvement Districts as outlined in the July 31, 2012 staff report.

A recorded vote was taken.

MOTION PUT AND PASSED. (21 in favour, 0 opposed)

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.

Councillor Johns was not present for the vote.

12. MOTIONS

12.1 Councillor Barkhouse

MOVED by Councillor Barkhouse, seconded by Councillor Hendsbee that Halifax Regional Council request that the provincial government designate HRM, including all agencies, boards and commissions as a public sector body for the purposes of the public sector Compensation Disclosure Act. This would mean that HRM would be required to disclose the compensation it pays to any employee whose yearly income exceeds \$100,000.

Councillor Barkhouse clarified that this motion was the correct motion and the one that she read into the record when she gave Notice of Motion, and that what had been printed on the agenda was incorrect.

Councillor Hendsbee suggested that in addition to 'any employee', the motion should also include any 'citizen appointee'. Councillor Barkhouse indicated she had no difficulty in including this in her motion

The Solicitor advised that the amendment suggested by Councillor Hendsbee was not part of the staff report, therefore, in order to have this included, it should go back to staff for review as to whether, legally, this can be done.

A recorded vote was taken.

MOTION PUT AND PASSED. (21 in favour, 0 opposed)

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.

Councillor Johns was not present for the vote.

12.2 Councillor Watts

MOVED by Councillor Watts, seconded by Councillor Uteck that staff provide a report on amendments to HRM By-Law C-500, that would facilitate the positive growth of the mobile food service industry in HRM (Halifax Regional Municipality) and specifically, request that staff re-examine the by-laws for food trucks and mobile food carts (bicycle powered) with the aim to improve service delivery so as to support the development of the local food truck/food cart business; and further that staff consult with current and prospective food truck/cart business operators and existing BIDs (Business Improvement Districts)."

A recorded vote was taken.

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

Those voting in favour were:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Outhit, Rankin, and Lund.

Those voting against were: Councillor Wile

Councillors Dalrymple and Harvey were not in attendance.

Councillor Johns was not present for the vote.

13. ADDED ITEMS

13.1 Local Improvement charges

This item was dealt with at a Committee of the Whole session held earlier on this date and was now before Council for ratification.

MOVED by Councillor Walker, seconded by Councillor Sloane that Halifax Regional Council direct staff to:

- 1. Develop new sidewalk, curb and gutter LIC and taxation system for 2013-2014 that recovers the costs of all sidewalks in HRM through the general rate;**
- 2. Provide additional details for the selected option and for option 3 of the February 28, 2102 staff report for comparison purposes, including potential tax rates, prior to the 2013-2014 budget presentation; and**

3. Provide direction as to whether similar solutions should be considered for LICs on other roads features such as paving of gravel road upgrades.

A recorded vote was taken

MOTION PUT AND PASSED. (17 in favour, 4 opposed)

Those voting in favour:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, and Outhit.

Those voting against were: Councillors: Hendsbee, Adams, Rankin, and Lund

Councillors Dalrymple and Harvey were not in attendance.

Councillor Johns was not present for the vote.

13.2 LONG TERM ARENA STRATEGY

This item was dealt with at a Committee of the Whole session held earlier on this date and was now before Council for ratification.

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

- 1. Approve the Long Term Arena Strategy (Attachment 1 of the July 26, 2012 revised staff report) in principle with the exception of the timeline for the Peninsula and Dartmouth consolidations and the location of the Peninsula 4-Pad and direct staff to undertake further assessment of those aspects based on new information received since the completion of the strategy;**
- 2. Direct staff to complete the project scope including consideration of partnership opportunities, capital costs, operational efficiencies, ice inventory, preliminary designs and public consultation for the Peninsula and Dartmouth consolidations and return to Regional Council for approval of an implementation plan;**
- 3. Direct staff to implement the Centralized Scheduling Process as outlined in the Long Term Arena Strategy (Attachment 1 of the July 26, 2012 revised staff report);**

4. **Direct staff to implement the Community Access Plan as outlined in the Long Term Arena Strategy (Attachment 1 of the July 26, 2012 revised staff report);**
5. **Direct staff to approach other levels of government and potential private sector partners for funding assistance; and**
6. **Officially thank the committee members for their work and disband the Long Term Arena Strategy Committee as their mandate has been completed.**

A recorded vote was taken

MOTION PUT AND PASSED. (21 in favour, 0 opposed)

Those voting in favour:

Mayor Kelly; Deputy Mayor Karsten; and Councillors: Streach, Hendsbee, Nicoll, McCluskey, Fisher, Barkhouse, Smith, Wile, Blumenthal, Sloane, Uteck, Watts, Walker, Hum, Mosher, Adams, Outhit, Rankin, and Lund.

Councillors Dalrymple and Harvey were not in attendance.

Councillor Johns was not present for the vote.

14. NOTICES OF MOTION

14.1 Councillor Hendsbee

“Take Notice that at the next regular meeting of the Halifax Regional Council to be held on September 11, 2012 I intend to introduce a motion to have a staff report to require the Municipality to bring about policy, procedures, and a program to refund taxes to property owners that have paid taxes either in error or overpaid due to errors in property assessment rolls, valuation adjustments, billing information, file misinformation, or anything else that created an overpayment to occur (Reference Sec. 113 of the MGA).”

14.2 Councillor Nicoll

“Take Notice that at the next Regional Council meeting, to be held on Tuesday, the 11th day of September 2012, I propose to move First Reading of By-Law B-700, Respecting the Regulation of Business Improvement Districts and Administrative Order 47, Respecting the Creation of Business Improvement Districts.”

14.3 Councillor Rankin

“Take Notice that at the next Regional Council meeting, to be held on Tuesday, the 11th day of September 2012, I propose to introduce first reading of By-Law T-1000 Respecting the Regulation of Taxis & Limousines which will repeal and replace By-Law T-108 and repeal and replace Administrative Order #39 and amendments to Administrative Order #15 which include;

- i) Rate Increases;
- ii) Extension of the current open zones to Thursday 11:00 p.m. to Friday 6:00 a.m.; Friday 11:00 p.m. to Saturday 6:00 a.m.; and Saturday 11:00 p.m. to Sunday 6:00 a.m.; and
- iii) Housekeeping and general amendments.”

14.4 Councillor Smith

“Take Notice that at the next Regional Council meeting, to be held on Tuesday, the 11th day of September 2012, I propose to move approval of Administrative Order SC-71. The purpose of which is to effect closure of a portion of Victoria Road, Dartmouth, Nova Scotia.”

14.5 Councillor McCluskey

“Take Notice that at the next Regional Council meeting, to be held on Tuesday, the 11th day of September 2012, I propose move approval of Administrative Order SC-70. The purpose of which is to effect closure of a portion of Marilyn Drive, Dartmouth, Nova Scotia.”

15. IN CAMERA

Private and Confidential Information Items

- 1. First Reading Proposed Administrative Order SC-70**, Street Closure – Portion of Marilyn Drive Right-of-Way, Dartmouth
- 2. Proposed Administrative Order SC-71**, Street Closure – Portion of Victoria Road Right-of-Way, Dartmouth

16. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Cathy J. Mellett
Municipal Clerk

The following information items were submitted:

1. Memorandum from Acting Director, Planning and Infrastructure dated August 3, 2012 re: Land Acquisition PID 40036360, Indian Harbour Lighthouse
2. Memorandum from the Municipal Clerk dated August 7, 2012 re: Requests for Presentation to Council – Breastfeeding Community of Practice Support Group & Nova Scotia Trails Federation