

HALIFAX & WEST COMMUNITY COUNCIL

SPECIAL MEETING

MINUTES

April 9, 2013

PRESENT: Councillor Linda Mosher, Chair  
Councillor Wayne Mason, Vice Chair  
Deputy Mayor Reg Rankin  
Councillor Jennifer Watts  
Councillor Stephen Adams  
Councillor Russell Walker

STAFF: Ms. Karen Brown, Senior Solicitor  
Mr. Austin French, Manager, Planning  
Mr. David Lane, Senior Planner  
Ms. Cathy Mellett, Municipal Clerk  
Mr. Ted Aubut, Legislative Assistant

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## 1. CALL TO ORDER

The Chair called the meeting to order at 12:01 pm. in Media Room at City Hall, 1841 Argyle Street, Halifax.

## 2. IN CAMERA

*Community Council may rise and go into a private, In Camera session in accordance with Section 19 of the Halifax Regional Municipality Charter for the purpose of dealing with the following:*

### 2.1 Personnel Matter – Purcell’s Cove Community Steering Committee

Community Council agreed to discuss this matter in public session instead of convening in camera.

The Chair explained that she had called the meeting because four members of the Purcell’s Cove Community Steering Committee have resigned. Their resignations mean that the Committee no longer has quorum.

Community Council discussed the Steering Committee’s mandate, noting that it was created to provide advice on a study examining the possible extension of central sewer, water and stormwater systems to the community of Purcell’s Cove. The study is being prepared by a consultant. Staff confirmed that the Steering Committee has met seven times during which the public was widely consulted. The eighth meeting, scheduled for March 25, 2013, was cancelled due to the resignation of members.

Mr. Austin French, Manager of Planning, indicated that the eighth meeting would likely have been the Steering Committee’s final meeting as the planning and engineering feasibility study is nearing completion. Had this meeting gone ahead, the Steering Committee would likely have voted on the options outlined in the study.

Ms. Cathy Mellett, Municipal Clerk, clarified that the Steering Committee was created by Regional Council but overseen by the former Chebucto Community Council. In 2012, when the new Community Council structure was approved, responsibility for the Steering Committee was transferred to Halifax & West Community Council.

Mr. French, responding to questions from Deputy Mayor Rankin, clarified that the study area was divided into two sections: Area 1, from Wenlock Grove to Oceanview Drive and Area 2, from Oceanview Drive to Battery Drive. An equal number of citizens were appointed from each area to ensure balance. Mr. French went on to explain that while both areas were studied, the intention, from the very beginning, was to consider implementing the consultant’s recommendations for Area 1 only.

Councillor Mason entered the meeting at 12:10 pm.

Community Council discussed HRM's Public Appointments Policy, noting that they could fill the vacancies in one of two ways. It could instruct the Clerk's Office to:

- Launch a new recruitment process; or
- Bring forward applications retained from previous rounds of recruitment, with permission of the former applicants

The Chair reminded Community Council that this was the third wave of resignations. In the earlier cases, the vacancies had been advertised.

Community Council then discussed the possibility of dissolving the Steering Committee instead of appointing new members. Councillor Adams noted that the community had already - and in very clear terms - expressed their views on the six options presented by the consultant. He suspected that the same points would have been raised at the last meeting, had it not been cancelled. Instead of appointing new members and calling the Steering Committee back for one meeting, he wondered if the consultant's report could be forwarded directly to Community Council.

Ms. Karen Brown, Senior Solicitor drew attention to the following clause of the Steering Committee's Terms of Reference:

- Committee membership shall be for the duration of the project, up to and including, submission and presentation of the final report to Chebucto Community Council

She indicated that this clause would have to be amended if Community Council opts to dissolve the Steering Committee before the consultant's report is submitted and presented.

Councillor Mason noted that the process should continue. He did not want the work to be halted because members had resigned. He asked the Clerk to clarify if she had permission from former applicants to re-examine their applications.

Ms. Mellett indicated that, at this stage, her office does not have permission from former applicants.

Councillor Adams summarized the options before Community Council. It could:

- Fill vacancies by opening recruitment;
- Fill vacancies by re-examining previous applications. To do this, HRM would need to get permission from former applicants; or
- Receive the consultant's report and not act on it

Councillor Mosher stepped down as Chair at 12:21 pm. Councillor Mason assumed the Chair.

Councillor Mosher indicated that the community consultation process had been open, transparent and thorough. Notices had been circulated door to door and put in the Chronicle Herald. She felt that Community Council had two, not three options. It could

either reopen recruitment or dissolve the Steering Committee. She preferred the second option because the Steering Committee's work is essentially complete; what is left is the consultant's final report and the accompanying staff report, which addresses community consultation.

Councillor Adams noted that if Community Council dissolved the Steering Committee, then it would also have to amend its Terms of Reference, as the Solicitor had recommended.

Councillor Watts wished to know the main points that would be brought forward in the consultant's report. She did not want the report tabled and residents left hanging.

Councillor Mosher replied that it has not yet been written, but residents already know the six scenarios that will be reviewed.

Mr. French confirmed that the consultant is still working on the report.

Councillor Adams added that residents want certainty that these six options will not be acted upon. Tabling the report would accomplish this.

Ms. Brown, at the request of Community Council, clarified that tabling the report means that Community Council would receive it without recommendations from the Steering Committee. She believed that it was premature for Community Council to move a motion to receive a report that has not been submitted.

Deputy Mayor Rankin observed that all members of Community Council agree that the work of the Steering Committee is complete.

Community Council re-examined the option of appointing new members. They agreed that reviewing retained applications would be quicker than calling for new applications. However, Councillor Mosher reiterated that Community Council must be consistent. If it wants to appoint new members, then it should advertise the positions as it had done previously.

Next, they re-examined the option of dissolving the Steering Committee. Councillor Watts was concerned that in this scenario, the public would not have the opportunity to comment on the final report. After all, it would come to Community Council as an information report, not as a public hearing.

Deputy Mayor Rankin exited the meeting at 12:40 pm.

Mr. French, at the request of Community Council, noted that if the process had followed its normal course, the Steering Committee would have reviewed the report and made a recommendation to Community Council. Staff would have attached this recommendation to the report and forwarded it to Community Council.

Councillor Walker did not support the appointment of new members to the Steering Committee. Three waves of members had resigned because they felt bullied – and there is no indication that the bullying will stop. He believed that the Steering Committee should be dissolved in light of this, and because the work is essentially complete.

Councillor Mosher expressed support for the Steering Committee's dissolution. She believed that the community had been widely consulted and had made their views known.

**MOVED by Councillor Adams, seconded by Councillor Walker that Halifax & West Community Council recommend that Halifax Regional Council:**

- 1. Thank members of the Purcell's Cove Community Steering Committee for their work and discharge them of their duties;**
- 2. Direct staff to forward the consultant's final report to Halifax & West Community Council**
- 3. Direct staff to amend the Terms of Reference of the Purcell's Cove Community Steering Committee in order for Recommendation 1 and 2 to take effect.**

**MOTION PUT AND PASSED.**

- 3. NEXT MEETING DATE – April 22, 2013 (City Hall)**
- 4. ADJOURNMENT**

The meeting was adjourned at 12:46 pm.

Ted Aubut  
Legislative Assistant