

# **HALIFAX REGIONAL MUNICIPALITY**

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## **HALIFAX REGIONAL COUNCIL MINUTES December 18, 2001**

**PRESENT:**

Mayor Peter J. Kelly  
Deputy Mayor Robert P. Harvey  
Councillors: Stephen Streach  
Gary Hines  
Keith Colwell  
Ron Cooper  
Harry McInroy  
Brian Warshick  
Condo Sarto  
Bruce Hetherington  
Jim Smith  
John Cunningham  
Jerry Blumenthal  
Dawn Sloane  
Sue Uteck  
Sheila Fougere  
Russell Walker  
Diana Whalen  
Linda Mosher  
Stephen D. Adams  
Brad Johns  
Len Goucher  
Reg Rankin  
Gary Meade

**STAFF MEMBERS:**

Mr. George McLellan, Acting Chief Administrative Officer  
Mr. Wayne Anstey, Municipal Solicitor  
Ms. Vi Carmichael, Municipal Clerk  
Ms. Patti Halliday, Assistant Municipal Clerk

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1. **INVOCATION**

Mayor Kelly called the meeting to order at 6:00 p.m. with the Invocation being led by Councillor Colwell.

2. **PROCLAMATIONS - None**

3. **APPROVAL OF MINUTES - November 27 & December 4, 2001**

**MOVED by Councillor Hetherington, seconded by Councillor Sloane, that the minutes of November 27 and December 4, 2001 be approved, as circulated. MOTION PUT AND PASSED UNANIMOUSLY.**

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

The following items were added to the agenda:

- 12.1 Councillor Goucher - Request for staff report re: Green Cart Biodegradable Bags
- 12.2 The Halifax International Airport Advisory Committee
- 12.3 Legal Matter - Municipal Access Agreement Dixon Networks
- 12.4 Legal Matter - Tellus Lease Agreement - Western Commons
- 12.5 Property Matter - Sale - 1164 Queen Street, Halifax
- 12.6 Citizen Appointments - District Boundaries Review Committee
- 12.7 Councillor Blumenthal - Nova Scotia Power Rate Increases

Council agreed to deal with Item 9.2 - Presentations following Item 5 - Business Arising Out of the Minutes. Councillor Warshick requested Item 10.4.2 - Commonwealth Games Committee be moved up to follow Item 8 - Consideration of Deferred Business.

**MOVED by Councillor Hetherington, seconded by Councillor Blumenthal, that the Order of Business, Additions and Deletions, be approved, as amended. MOTION PUT AND PASSED UNANIMOUSLY.**

5. **BUSINESS ARISING OUT OF THE MINUTES**

Councillor Adams addressed comments made by Mr. Darshan Virk at the November 27, 2001 meeting of Council. For the record, the Councillor stated he has never made any travel expense claims during his tenure on Council.

As agreed to during Approval of the Order of Business, Council addressed Item 9.2 Presentations at this time.

**9.2 Presentations**

**9.2.1 Halifax International Airport Authority**

- (i) Reg Milley, President & CEO**
- (ii) Bernie Miller, Chair**

Mr. Bernie Miller, Chair, and Mr. Reg Milley, President & CEO, Halifax International Airport Authority, made a presentation to Council, copies of which were circulated to Council.

Mayor Kelly thanked the representatives for their presentation. Responding to a question of the Mayor, Mr. Milley stated signage at the airport will reflect Halifax Regional Municipality.

Councillors Blumenthal, Hines and Goucher expressed thanks to the Halifax International Airport Authority.

In closing, Mayor Kelly wished Messrs. Milley and Miller well in the airport expansion plans.

**9.2.2 Cobequid Multi-Service Centre Foundation**

- (i) Don Farmer, Capital Campaign Chair**
- (ii) Anthony Benson, Foundation Chair**

C A briefing document from the Cobequid Multi-Service Centre Foundation was before Council for its consideration.

Mr. Tony Benson, Foundation Chair, and Mr. Don Farmer, Capital Campaign Chair, made a presentation to Council. In their presentation, the representatives made a funding request to Council in the amount of \$500,000 over a 5 year pledge period.

Councillor Hines and Deputy Mayor Harvey spoke in support of the request, and put forth the following motion:

**MOVED by Deputy Mayor Harvey, seconded by Councillor Hines, that the \$500,000 request from the Cobequid Multi-Service Centre Foundation be referred to the Grant Committee for consideration.**

Responding to a question of Councillor Hetherington, Mr. Farmer stated the Foundation has the commitment of the provincial government in writing, as well as through statements in the House, that they are still fully committed to the original date of December 2003. Councillor

Uteck stated when it is certain that this funding is forthcoming in the provincial budget, then HRM could take a serious look at it.

In response to a question of Councillor Goucher, Mr. Farmer stated any extra money raised over \$4 million will come back to the Foundation for equipment.

Responding to a question of Councillor Sarto, Mr. Benson stated patient records are coded by postal code, and it was determined that 30 percent of the clients are from outside the catchment area.

Councillors Streach and Johns expressed thanks to the Foundation for their presentation and spoke in support of the funding request.

In closing, Mayor Kelly thanked Messrs. Benson and Farmer for their presentation.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 HALIFAX REGIONAL WATER COMMISSION**

**10.2.1 2000/01 Annual Report Presentation**

C The Fifth Annual Report of the Halifax Regional Water Commission, dated March 31, 2001, was before Council for its information.

Mr. Carl Yates, General Manager, and Mr. John Dick, Chair, Halifax Regional Water Commission, presented the Annual Report to Council. Copies of the presentation were circulated to members of Council.

Mayor Kelly thanked Messrs. Yates and Dick for their presentation.

Councillors Uteck, Sloane, Hetherington, Smith, Streach and Deputy Mayor Harvey expressed thanks to the Commission for their work and congratulated them on the annual report.

**MOVED by Councillor Hetherington, seconded by Councillor Goucher, that Council accept the Fifth Annual Report of the Halifax Regional Water Commission, dated March 31, 2001, as presented. MOTION PUT AND PASSED UNANIMOUSLY.**

At this time, Council returned to the regular Order of Business.

**6. MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS**

8.1 **Halifax Forum Expansion**

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Councillor Fougere submitted correspondence, for the record, from Saint Catherine's Church, opposing the change to the Forum.

Councillor Walker stated there is a lot of confusion with respect to this issue, and put forth the following motion:

**MOVED by Councillor Walker, seconded by Councillor Adams, that this matter be referred back to staff for a report in two weeks regarding what effects this expansion will have on other major facilities in HRM. MOTION PUT AND PASSED UNANIMOUSLY.**

8.2 **Police Consolidation Funding**

C A staff report prepared for Dan English, Deputy Chief Administrative Officer, regarding the above, was before Council for its consideration.

Mr. George McLellan, Acting Chief Administrative Officer, gave a brief overview of the purpose of the report, and Mr. Phil Townsend, Manager, Capital Projects, Real Property Services, presented the report to Council.

**MOVED by Councillor Adams, seconded by Councillor Mosher, that Council approve a budget increase of \$285,000 to Account CBP00772 Relocation - Police Services to Headquarters. Funding to be provided by withdrawal of \$185,000 from Account #CRESPOOL. Remaining \$100,000 to be withdrawn from operating accounts; \$50,000 from Real Property Services Operating Account W200-6606 Heating Fuel, and \$50,000 from Halifax Regional Police Operating Account P405-6001, as outlined in the Budget Implications Section of the staff report dated November 27, 2001.**

Responding to a question of Councillor Walker, Mr. McLellan stated full funding from CRESPOOL was one of the options considered by staff when this item was first introduced. However, he noted that most of these funds have been appropriated. With respect to the increase in costs, Mr. McLellan stated there needs to be some responsibility on the part of staff to take a better approach in estimating the scope of problems. Therefore, he stated he



believed the responsible departments should be accountable in finding the extra funding required.

Councillor Streach spoke in support of the motion.

Councillor Cooper stated it may be appropriate to look at funding a position in Real Property Services, for an expert in renovations or refurbishing of capital assets.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**8.3 Budget Survey (Info Report - December 4th)**

C An Information Report regarding the Budget Survey was previously circulated to Council On December 4, 2001, and was now before Council for discussion.

Councillor Cooper expressed concern with the limited scope of public input the Municipality would receive with respect to the budget survey and the budget process. In response, Mr. McLellan stated there are broader intentions for consultation with the public, and the questionnaire is only one mechanism. A session is also planned for each Community Council jurisdiction to provide an overview of the budget and to obtain feedback. With respect to the web page, Mr. McLellan stated the intent is to get some earlier information.

Councillor Walker also expressed concerns with the survey, and suggested the question "Own or Rent?" should not be included. The Councillor also expressed concern as to how the surveys will get out to the public and suggested they could be included in the water bill or sent to groups such as the Chamber of Commerce. In response, Mr. McLellan stated these are options that can be considered. Councillor Walker noted there is no return address on the survey. Mr. McLellan advised that staff will take another look at the survey and it will be brought back to Council before it goes out.

In response to a question of Councillor Whalen, Mr. McLellan stated the survey has not been placed on the web site as of yet as it was put on hold pending this discussion. Mayor Kelly noted Council also has the option of extending the deadline to bring forth the preliminary budget.

**8.4 Amendment to Administrative Order 17 - Councillor Stipends**

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was previously circulated to Council.

**MOVED by Councillor Blumenthal, seconded by Councillor Hetherington, that Halifax Regional Councillors' salaries be adjusted, effective April 1, 2001, by 3.0%; that a 2.0% RRSP or equivalent deferred annuity be paid out by December 2001; and, a**

**2.0% RRSP or equivalent deferred annuity be paid out by April 1, 2002 (pending approval of and inclusion in the 2002/03 Operating Budget.**

Councillor Fougere requested a **Recorded Vote**.

Members of Council voting **in favour** of the motion: Councillors: Streach, Hines, Colwell, Cooper, McInroy, Warshick, Sarto, Hetherington, Smith, Blumenthal, Sloane, Walker, Whalen, Mosher, and Goucher.

Members of Council voting **against** the motion: Mayor Kelly, Deputy Mayor Harvey, Councillors: Cunningham, Fougere, Adams, Rankin and Meade.

**MOTION PASSED. (15 in favour, 7 against) (Councillors Uteck and Johns were absent for the vote.)**

**8.5 Councillor Uteck - Point Pleasant Park Sanitary Sewer Project  
(Info Report - November 27th)**

C An Information Report prepared for Phillip Cochrane, Acting Director, Public Works and Transportation, regarding the above, was previously circulated to Council on November 27, 2001.

Councillor Uteck noted this project was proposed to the residents in 1997 at a cost of \$225,000 which meant a Local Improvement Charge of \$86.50 per lineal foot per residence. The Councillor stated over 50 percent of the residents agreed to this charge at that time. However, the project was delayed due to the Harbour Solutions project. Councillor Uteck requested that Council approve the 1998 LIC of \$86.50 per lineal foot. The Councillor noted the letter sent to the residents in 1997 indicated to the residents that Point Pleasant Park Drive would be reconstructed which has not yet taken place.

**MOVED by Councillor Uteck, seconded by Councillor Goucher, that Council approve the original estimated charge of \$86.50 per lineal foot for the Point Pleasant Park Sanitary Sewer Project.**

Speaking in support of the motion, Councillor Goucher stated there are extenuating circumstances and there is some responsibility on Council's part to ensure the residents can rely on what was told to them.

Also speaking in support of the motion, Councillor Rankin stated this project also has an opportunity for funds through community integration and the infrastructure program.

In response to a question of Councillor Cooper, Mr. Rick Paynter, Manager, Design and Construction Services, stated at the time these particular types of projects are brought forward for implementation, the estimate that was used for the petition has to be validated by the public tendering process. In this particular case, the estimate used for the petition in 1997 was not validated by a public tender. Mr. Paynter further stated that in cases such as this, if the cost turns out to be higher than what was initially presented to the residents, staff always re-petition the residents to determine their support for the change in the cost. If the tender price was the same or lower than the original estimate, the residents would receive the benefit of the lower cost.

Speaking against the motion, Councillor Mosher stated, although she empathized with the residents, it may set a difficult precedent.

Councillor McInroy suggested the Municipality should include in any letter for projects where there will be a charge back to the homeowner that the cost estimate is only good for twelve months, and, in any event, the amount charged is subject to the actual cost based on tendered amounts. Mayor Kelly stated staff can take this suggestion under advisement.

Responding to a question of Councillor Whalen, Mr. Kulvinder Dhillon, Director, Public Works and Transportation Services, stated if the \$86.50 per lineal foot charge is approved, staff will have to find alternative areas, such as CRESPOOL, to fund the approximate \$50,000 shortfall. The Councillor stated she would like more information as to where this will be found before making a decision.

Councillor Uteck stated this project was approved by the previous Council in 1997, and the residents received a letter stating, as part of the municipal upgrading project, curb/gutter/sidewalk work was going to be done for this street. The residents suggested it would be a good opportunity while this work was being done to hook up to the sewer line. The charge determined at that time was \$86.50. Following that, HRM Council delayed the project due to the harbour solutions project. Councillor Uteck stated these residents are willing to pay their fair share of the project plus the hook-up to the roadway. Therefore, the Councillor stated she is only asking that Council approve this project to go forth for 2002-2003 at \$86.50 per lineal foot.

Responding to a question of Councillor Sloane regarding septic tanks, Mr. Dhillon stated it is his understanding there currently are septic tanks permitted in the urban area as long as they are functioning at a level acceptable to the Department of Health. The Councillor stated she will support the motion.

In response to a question of Councillor Blumenthal regarding the Local Improvement Charge policy, Mr. Dhillon stated the policy says the Local Improvement Charge should be based on the final cost of the project. If this motion is adopted, it will not be in accordance with policy.

Councillor Cooper stated it has to be recognized that the project was delayed at the suggestion of the Municipality and put forth the following amendment:

**MOVED by Councillor Cooper, seconded by Councillor Colwell, that the motion be amended that the cost be \$86.50 per lineal foot plus a 10 percent inflation surcharge.**

Responding to a question of Councillor Fougere, Mr. Dhillon stated the cost of \$86.50 was only for the sewer itself. In response to a further question of the Councillor, Mr. Dhillon stated the street reconstruction will most likely be asphalt. With respect to septic tanks in HRM, Councillor Fougere stated it is her understanding that if a septic tank should fail, until such time it is hooked to the sanitary sewer, an occupancy permit cannot be issued, and this is a risk these residents face the longer this project is delayed. Therefore, the Councillor stated she would support the original motion and not the amendment.

The vote was then taken on the amendment.

**MOTION DEFEATED.**

The main motion was back on the floor.

Responding to a question of Councillor Smith, Mr. Dhillon stated it was always his understanding that this project was being delayed to be done in conjunction with the Harbour Solutions project.

Speaking in support of the motion, Deputy Mayor Harvey stated Council can do something different with regard to this project without changing policy.

For clarification, Mr. McLellan stated if anything happens to the existing septic tanks, they can be reconstructed. With regards to the Local Improvement Charge, Mr. McLellan stated it is very clear that it is based on construction costs. If the motion is adopted, he noted that Council will have to make a choice of from where the extra funding will come.

Responding to a question of Councillor Hines, Mr. Paynter stated staff anticipates there will be a trunk line installed on Point Pleasant Drive as part of the Harbour Solutions project. However, the size, capacity and function of that line will not be conducive for residential home hook-up, so there will still be a requirement for a local sewer. In response, Mr. Dhillon advised that it will be a gravity line, and it is his opinion that residential properties can be serviced off that line.

The vote was taken on the main motion.

**MOTION DEFEATED.**

## RECESS

A ten minute recess was taken at 8:10 p.m.

Following the recess, a **Recorded Vote** was requested to reaffirm the results of the previous motion.

Members of Council voting **in favour** of the motion: Deputy Mayor Harvey, Councillors: McInroy, Warshick, Smith, Sloane, Uteck, Fougere, Walker, Adams, Goucher and Rankin.

Members of Council voting **against** the motion: Mayor Kelly, Councillors: Hines, Colwell, Cooper, Sarto, Hetherington, Cunningham, Blumenthal, Whalen, Mosher and Meade.

**MOTION DEFEATED (11 in favour, 11 against). (Councillors Streach and Johns abstained from the Recorded Vote as they were not present for the first vote.)**

Based on comments made by staff during discussion of this item, Councillor Uteck requested that this matter be referred to the first In Camera Session to be held in January 2002 (personnel matter).

**MOVED by Councillor Uteck, seconded by Councillor Hetherington, that this matter be referred to the first In Camera Session to be held in January 2002 (personnel matter.) MOTION PUT AND PASSED.**

### **8.6 Councillor Adams - Herring Cove Water & Sewer Design**

C An Information Report prepared for Kulvinder Dhillon, Director, Public Works and Transportation Services, dated September 24, 2001, was previously circulated to Council.

Councillor Adams stated he would like Council to consider directing staff to prepare and release tender documents for the design of municipal sewer and water extension to the community of Herring Cove upon successful resolution of land acquisition. In response, Mr. McLellan stated staff does not think it is appropriate to consider releasing the greater magnitude of funds required for the complete project until a contract is in place for the treatment plant to go forward. However, he noted it would be possible to begin the design work, but the tender for the design work would not be released until the outstanding issues regarding securing the land are resolved.

In response to a question of Mayor Kelly, Mr. Dhillon confirmed that the expropriation process has commenced and is expected to be completed by the end of January. Councillor Adams stated he would also ask that staff be directed to meet with representatives of HREP and 360Networks to see if negotiation and acquisition of an appropriate piece of property can take place.

**MOVED by Councillor Adams, seconded by Councillor Mosher, that Council direct staff to prepare a tender document for the design of municipal water and sewer services for Herring Cove pending successful resolution of land acquisition, and that staff be directed to meet with representatives of HREP and 360Networks to see if negotiation and acquisition of an appropriate piece of property can take place.**

Responding to a question of Councillor Hetherington, Mr. Dhillon stated Council will have to deal with the issue of the priority of the three plants. Assuming all funding is in place next year, the Herring Cove plant is currently in the third phase of the program.

In response to concerns expressed by Councillor Sloane, Mayor Kelly stated negotiations are taking place with the Port Authority on the Dartmouth site and the Department of Fisheries, and Council has instructed staff to expropriate the 360Networks site, if need be, and Council is continuing to negotiate with DND over and above the site in the downtown core.

Mr. McLellan noted there will be no tender until the lands are secured and there will be no water project until there is a plant. From staff's point of view, Mr. McLellan stated the issue now before Council represents a consolidation of intent, and there is no change in the intentions of what plants would be placed first.

Councillor Uteck stated this community is very serious about this project, and Council gave the direction to staff that it wanted this project to go forth. Therefore, the sewer design project should get underway as the first step in the process.

Councillor Cunningham expressed concern with this matter, noting the harbour solutions money was not collected from Herring Cove where it is suggested it is going to be used. Councillor Cooper noted there are other areas that have been paying into this fund and have never benefited from it. The Councillor stated Council needs to be flexible and take advantage of anything that arises to advance this project.

Councillor Mosher noted Herring Cove has accepted sewage from HRM for over 50 years. The Councillor further noted that the residents of Herring Cove are willingly accepting a sewage treatment plant and water is needed for this plant. Councillor Mosher stated the integration funds already approved by Council should be used to initiate this process.

Responding to a question of Councillor Hetherington, Councillor Adams stated four public meetings were held in Herring Cove. Approximately 100 residents were in attendance at each. As a result, a Herring Cove Settlement Strategy was put forth, and there have been numerous meetings illustrating the costs of this particular project.

Councillor Johns spoke in support of the project, but noted there are other outstanding projects waiting to be completed.

Closing the debate, Councillor Adams requested a **Recorded Vote**.

Mr. McLellan stated it would be staff's position that this motion is to tender the design work. If there is a decision about water in Herring Cove, and it is to be constructed independent of that waste water plant, then the funding will have to be independent of the waste water project.

With regard to Councillor Adams' request that staff be directed to meet with representatives of HREP and 360Networks to see if negotiation and acquisition of an appropriate piece of property can take place, it was agreed that this should be addressed through a separate motion.

In response to a question of Councillor Hetherington, Mr. McLellan stated the final design will be dependent upon the location of the land. Following a brief discussion, the Mover and Seconder agreed that the motion be amended as follows:

**MOVED by Councillor Adams, seconded by Councillor Mosher, that Council direct staff to prepare a tender document for the design of municipal water and sewer services for Herring Cove pending successful resolution of land issues.**

A **Recorded Vote** was requested.

Members of Council voting **in favour** of the motion: Mayor Kelly, Deputy Mayor Harvey, Councillors: Streach, Hines, Colwell, Cooper, McInroy, Sarto, Hetherington, Smith, Blumenthal, Sloane, Uteck, Walker, Whalen, Mosher, Adams, Johns, Goucher, Rankin and Meade.

Members of Council voting **against** the motion: Councillors Warshick, Cunningham and Fougere.

**MOTION PASSED (21 in favour, 3 against).**

With respect to the second part of Councillor Adams' original motion, Mayor Kelly noted this has already been addressed by Council as it has already proceeded to move forward to

secure that site. Based on this, Councillor Adams agreed to withdraw the second part of the motion.

**8.7 Amendment to By-Law S-100 Respecting Sewer Charges - Late Payment Charges on Pollution Control Billings  
Motion Councillor Cooper - Move First Reading By-Law S-104**

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Cooper, seconded by Councillor Hetherington, that By-Law S-104 pass First Reading.**

Responding to a question of Councillor Fougere, Mr. Blaine Rooney, Manager of Finance, Halifax Regional Water Commission, stated the 1.5 percent will be compounded.

Councillor Uteck stated she finds the 18 percent annual charge to be excessive and suggested there could be an annual cap. The Councillor suggested staff could work with the Water Commission to come up with a reasonable amount.

**MOVED by Councillor Uteck, seconded by Councillor Sloane, that this matter be referred back to staff for further review.**

In response to a question of Councillor Goucher, Mr. Rooney stated if there was an unusual case where a water bill was outstanding for an entire year, the total charge would be 19.5 percent. The intent of the by-law is to bring the late charge for pollution control in line with the late charge for water.

**MOTION DEFEATED.**

The main motion for First Reading was back on the floor.

Responding to a question of Councillor Streach, Mr. Rooney stated the purpose of the late payment charge is to encourage people to pay their bill on time.

In response to a question of Councillor Sloane regarding the possibility of a lesser late payment charge for commercial operations, Mr. Rooney stated Council can impose whatever charge it wishes, but staff is recommending one rate for both water and pollution control.

**MOTION PUT AND PASSED.**



As agreed to during Approval of the Order of Business, Council dealt with Item 10.4.2 Councillor Warshick - Commonwealth Games Committee at this time.

**10.4.2 Councillor Warshick - Commonwealth Games Committee**

**MOVED by Councillor Warshick that a Commonwealth Games Committee be established, consisting of municipal staff, Councillor representation and members of the general public. This committee would be recognized as the official committee for the Commonwealth Games.**

Mr. George McLellan, Acting Chief Administrative Officer, advised Council that some preliminary work has already been done by HRM staff with the Commonwealth Games group in Ottawa, as well as meetings with Mr. Fred MacGillivray in an attempt to bring the various initiatives together. Mr. McLellan noted that he has been requested to sit on the committee that is following this issue at that level. A feasibility study will be conducted to determine whether or not this should be pursued for 2010. Mr. McLellan noted this is a joint initiative between senior members of HRM's business community, the Events Halifax group and HRM.

Councillor Warshick stated the purpose of the motion is to recognize that this is, in fact, an HRM initiative.

Councillor Hetherington stated this initiative requires professional people, noting updates will be provided to the Board of the World Trade and Convention Centre as this progresses. The Councillor stated it is his opinion that HRM is already well placed in this initiative.

Councillor Cunningham suggested the motion could be referred to staff to have some liaison with the existing committee in an attempt to work together.

**MOVED by Councillor Cunningham, seconded by Councillor Fougere, that this matter be referred to staff.**

Speaking against the deferral and the original motion, Councillor Streach stated he believes this initiative is already being well taken care of.

The vote was taken on the referral to staff.

**MOTION DEFEATED.**

The main motion was back on the floor.

Councillor Warshick stated the intent of the motion is not to shut out any group. The Councillor agreed it is important to have one voice on this issue, but suggested HRM should be at the top and that is the purpose of the motion.

Councillor Hetherington stated there is a group of professionals already working on HRM's behalf, and the Acting Chief Administrative Officer of HRM is on the Committee.

**MOTION DEFEATED.**

Council returned to the regular Order of Business at this time.

**9. CORRESPONDENCE, PETITIONS AND DELEGATIONS**

**9.1 Petitions**

**9.1.1 Councillor Whalen - Traffic Lights, Broadholm and Castle Hill**

Councillor Whalen submitted four pieces of correspondence from residents expressing safety concerns with respect to the above intersection and requesting traffic lights at this intersection. The Councillor asked that the correspondence be referred to the Traffic Authority.

**9.1.2 Councillor Mosher - Traffic, Dutch Village Road 7 Mumford Road**

Councillor Mosher submitted correspondence from a resident expressing concerns regarding traffic on both Dutch Village and Mumford Roads. The Councillor asked that the correspondence be forwarded to the Traffic Authority.

**9.2 Presentation**

**9.2.1 Halifax International Airport Authority**

This item was addressed earlier in the meeting.

**9.2.2 Cobequid Multi-Service Centre Foundation**

This item was addressed earlier in the meeting.

**10. REPORTS**

**10.1 HARBOUR EAST COMMUNITY COUNCIL**

**10.1.1 Case 00243 - Woodland Avenue East Planning Process and Traffic Study (including the former YMCA, Lands of Canada Lands Company, Lands of Can-Euro and MTT) (To set Public Hearing Date - Jan. 29/02)**

C A report from the Harbour East Community Council, regarding the above, was before Council for its consideration.

**MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Halifax Regional Council:**

- 1. Move Notice of Motion to consider the proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Dartmouth and schedule a public hearing for Tuesday, January 29, 2002.**
- 2. Approve the proposed amendments to the Municipal Planning Strategy and Land Use By-Law for Dartmouth as presented as Attachments #1 and #2 of the staff report dated November 29, 2001.**
- 3. Notwithstanding recommendation #2, that the portion of the report pertaining to MicMac Mall property not be included in any recommendation as a supplementary report has been requested to be brought back to the Community Council in February 2002.**

Councillor Smith requested that staff respond to a concern he has with respect to the buffer zone on Sea King Avenue before the public hearing. The Councillor agreed to contact staff regarding his concern.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**10.2 HALIFAX REGIONAL WATER COMMISSION**

**10.2.1 2000/01 Annual Report Presentation**

This matter was addressed earlier in the meeting.

**10.3 CHIEF ADMINISTRATIVE OFFICER**

**10.3.1 Tender 01-342- Three (3) Model 2002 4-Door Sedans**

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Sarto, seconded by Councillor Hetherington, that Council authorize the award of Tender #01-342 to Carroll South Shore at a price of \$25,481.23 (tax included) per unit for a total project cost of \$76,443.69 (tax included) with funding outlined in the Budget Implications Section of the staff report dated December 11, 2001. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3.2 Tender 01-170R - Purchase of One (1) Mobile Flashover Simulator, Trailer Mounted**

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Streach, seconded by Councillor Hetherington, that:**

- 1. Council approve an increase to the capital project, Account #CEJ00046 in the amount of \$7,568.43 (new gross \$92,220.73) to be taken from Account F120-6905 titled Training, Research and Development.**
- 2. Council authorize the award of Tender #01-170R, one (1) Mobile Flasher Simulator, Trailer Mounted for the Halifax Regional Fire and Emergency Service from Phoenix Fire Training Services, at a cost of \$92,220.73 (tax included) with funding provided as outlined in the Budget Implications Section of the staff report dated December 17, 2001. All prices include the non-refundable portion of the HST. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.3.3 Award of Tenders - Fleet Vehicles**

C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Fougere, seconded by Councillor Walker, that Council authorize the award of:**

- 1. Tender #01-134 to Lockhart Truck Centre for \$526,851.00 plus net HST for a total of \$560,722.25 with funding authorized from Capital Account #CVD00096, Fleet Replacement (greater than 10 year life).**

2. Tender #01-135 to Wood Motors for \$260,512.00 plus net HST for a total of \$277,260.32 with funding authorized from Capital Account #CVD00097, Fleet Replacement (less than 10 year life). MOTION PUT AND PASSED UNANIMOUSLY.

**10.3.4 Advanced Funding Approval Proposed 2002/03 Roads & Sidewalks Capital Budget**

- C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

It was agreed that this item be deferred to January 8th.

**10.3.5 Automated Fingerprint System**

- C A staff report prepared for George McLellan, Acting Chief Administrative Officer, regarding the above, was before Council for its consideration.

**MOVED by Councillor Hetherington, seconded by Councillor Sarto, that Council authorize the awarding of a contract to “Printrack” for the purchase and installation of a Fingerprint Work Station as set out in RFP #01-129 and Live Scan Capture Station equipment with interfaces to the existing Police Service Niche Mug Shot System in the amount of \$391,127 (net HST) with the funds from Capital Accounts CIP00765, CIP00768, and CIP00778. MOTION PUT AND PASSED UNANIMOUSLY.**

**10.4 MEMBERS OF COUNCIL**

**10.4.1 Councillor Smith - Recent Decision by Provincial Government re: Unsightly Premises**

It was agreed to defer this item to January 8th.

**10.4.2 Councillor Warshick - Commonwealth Games Committee**

This item was addressed earlier in the meeting.

**11. MOTIONS**

**11.1 Councillor Walker - Administrative Order 10 - Residential Tax Exemption Program**

**MOVED** by Councillor Walker, seconded by Councillor Streach, that Council adopt the following amendments to Administrative Order 10 - Residential Tax Exemption program:

1. The revised income categories and rebate levels as detailed in Attachment 1 of the staff report dated December 5, 2001, specifically the increased eligibility level for applicants whose combined household income is less than \$26,000;
  2. The minimum payment clause be lowered from \$200 to \$100 for eligible applicants whose combined household income is less than \$5,000/year and whose taxes are under \$1,000/year.
  3. The increase in the *Residential Tax Exemption Program* costs, estimated to be \$100,000 in fiscal year 2002-2003, to be funded through the transfer of \$100,000 from the *Capital Pledges Program*. These funds are available through the completion of a multi-year grant commitment. **MOTION PUT AND PASSED UNANIMOUSLY.**
- 11.2 Councillor Walker - Move First Reading of By-Law T-207 to extend the current By-Law T-201 through 2002/03, Tax Exemption For Non-Profit Organizations (supp report)
- C A supplementary staff report prepared for Dale MacLennan, Director, HRM Financial Services, regarding the above, was before Council for its consideration.

**MOVED** by Councillor Walker, seconded by Councillor Streach, that By-Law T-207 be given First Reading. **MOTION PUT AND PASSED UNANIMOUSLY.**

It was agreed to deal with Item 13 - Notices of Motion at this time.

**13. NOTICES OF MOTION**

**13.1 Councillor Blumenthal - Amendment to Administrative Order 17**

**TAKE NOTICE** that at the regular meeting of Halifax Regional Council to be held on January 15, 2002, I intend to introduce a motion to amend Administrative Order 17 to adopt a new salary scale for Council as per Appendix "D" of the staff report dated December 11, 2001.

**13.2 Councillor Cooper - First Reading of By-Law C-300**

**TAKE NOTICE** that at the regular meeting of Halifax Regional Council to be held on Tuesday, January 15, 2002, I propose to move First Reading of By-Law C-300, the Civic Addressing By-Law, the purpose of which is to establish and adopt the policies and procedures for the assignment and display of civic addresses on buildings within the Halifax Regional Municipality.

**12. ADDED ITEMS**

**12.1 Councillor Goucher - Request for staff report re: Green Cart Biodegradable Bags**

This item was deferred to January 8, 2002.

**12.2 The Halifax International Airport Authority Advisory Committee**

This item was addressed later in the meeting.

**12.3 Legal Matter - Municipal Access Agreement Dixon Networks**

C This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED by Councillor Fougere, seconded by Councillor Hetherington, that the Mayor and Clerk be authorized by Halifax Regional Council to execute a Municipal Access Agreement in substantially the same terms as in the draft agreement attached to the December 13, 2001 Private and Confidential staff report and with the ability to transfer to another location. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.4 Legal Matter - Tellus Lease Agreement - Western Commons**

C This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Hetherington, that Regional Council authorize the Mayor and Municipal Clerk to enter into a lease agreement with Tellus Mobility subject to the key business terms and conditions outlined in the Private and Confidential staff report dated December 7, 2001; and further that this report not be released until the lease agreement has been duly executed. MOTION PUT AND PASSED UNANIMOUSLY.**

**12.5 Property Matter - Sale - 1164 Queen Street, Halifax**

C This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED by Councillor Uteck, seconded by Councillor Fougere, that Council authorize the Real Property Services (Administrator of the Estate on behalf of HRM) to enter into an agreement of Purchase and Sale with Fenwick Developments Ltd. for \$159,000 plus applicable taxes for 1164 Queen Street, Halifax, subject to the terms and conditions set out in the December 6, 2001 Private and Confidential staff report; and that this report not be released to the public until the Agreement of Purchase and Sale is finalized. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **12.6 Citizen Appointments - District Boundaries Review Committee**

C This item was discussed during an In Camera session held prior to the Regular Session and was now before Council for ratification.

**MOVED by Councillor Goucher, seconded by Councillor Streach, that Beverly Miller, Donald L. Mason, David Fitzgerald, Phil Elliot, Robert Russell, Glen M. LeBlanc, and Paul F. Hyland be appointed to the District Boundaries Advisory Committee and further that Paul Hyland be appointed Chair of the Committee. MOTION PUT AND PASSED UNANIMOUSLY.**

#### **12.7 Councillor Blumenthal - Nova Scotia Power Rate Increases**

**MOVED by Councillor Blumenthal, seconded by Councillor Streach, that the Mayor write a letter to the Minister of Service Nova Scotia and Municipal Relations asked if NSP is going for a rate increase that HRM should be receiving full municipal taxes from NSP. MOTION PUT AND PASSED UNANIMOUSLY.**

### **13. NOTICES OF MOTION**

This was addressed earlier in the meeting.

#### **12.2 The Halifax International Airport Authority Advisory Committee**

C A report from the Membership Selection Committee, regarding the above, was before Council for its consideration.

**MOVED by Councillor Rankin, seconded by Councillor Fougere, that the citizens nominated to serve on the Halifax International Airport Authority Advisory Committee**



**be at large and not based on the geographical boundaries of the four previous municipal units.**

Councillor Rankin noted the previous boundaries no longer exist, and HRM is now one municipal unit.

As it was now 10:00 p.m., the following motion was put on the floor:

**MOVED by Councillor Adams, seconded by Councillor Walker, that the meeting extend beyond 10:00 p.m. MOTION DEFEATED.**

**14. ADJOURNMENT**

The meeting adjourned at 10:00 p.m.

Vi Carmichael  
Municipal Clerk