

HALIFAX REGIONAL MUNICIPALITY

HALIFAX REGIONAL COUNCIL MINUTES March 4, 2003

PRESENT:

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

REGRETS:

Councillors: Jerry Blumenthal
Stephen Adams
Gary Meade

STAFF:

Mr. George McLellan, Chief Administrative Officer
Mr. Wayne Anstey, Municipal Solicitor
Ms. Vi Carmichael, Municipal Clerk
Ms. Julia Horncastle, Legislative Assistant

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1. **INVOCATION**

The meeting was called to order at 6:00 p.m. with the Invocation being led by Councillor Fougere.

SPECIAL PRESENTATION

Mayor Kelly and Acting Chief Beazley, on behalf of Council, presented the Queen's Jubilee Medal to Cst. Lisa Jackson, Cst. Bryan Naas and Cst. Terry Graves.

2. **APPROVAL OF MINUTES**

MOVED by Councillor Hetherington, seconded by Councillor Rankin, that the minutes of February 18, 2003 be approved as circulated. MOTION PUT AND PASSED UNANIMOUSLY.

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

Additions

11.1 Membership Selection Committee - Boards and Committees

11.2 Councillor Warshick - Street Lighting on the Circumferential Highway

11.3 Contractual Matter - MAPP Negotiations

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

MOVED by Councillor Whalen, seconded by Councillor Sloane that Information Item #7, Weekly Summer Green Cart Collection, be brought forward on the agenda. MOTION PUT AND PASSED. (Item 11.4)

4. **BUSINESS ARISING OUT OF THE MINUTES - NONE**

5. **MOTIONS OF RECONSIDERATION - NONE**

6. **MOTIONS OF RESCISSION - NONE**

7. CONSIDERATION OF DEFERRED BUSINESS

7.1 Councillor Sloane - Acquisition of Theodore Tugboat and Intellectual Property Rights

MOVED by Councillor Sloane, seconded by Councillor Goucher, that Council endorse the use of the monies that have been collected, and held in trust by HRM, to develop a business plan for the acquisition of Theodore Tugboat.

Councillor Sloane noted donated monies for Theodore are being held in trust by HRM. The Councillor stated she is requesting endorsement of a business plan for Theodore which will cost approximately \$10,000.00. The Councillor advised the fund contains \$6,200.00 and she is requesting an additional amount from HRM (\$3,800.00).

Councillor Goucher stated the Halifax Tugboat Society requested the members of Council bring forth a request for the amount that is held in trust as well as an additional \$3,800.00 to fund up to a maximum of \$10,000.00. The Councillor stated the Society was not asking for support in the purchase of the tugboat but rather support up to a maximum of \$10,000.00 to allow the committee to do a business plan to see if they are in a position to move forward.

Without a vote being taken on the motion before Council, the following motion was placed.

MOVED by Councillor Hetherington, seconded by Councillor Harvey, that the matter be referred to the CAO and staff for a report. MOTION PUT AND PASSED UNANIMOUSLY.

8. CORRESPONDENCE, PETITIONS AND DELEGATIONS

8.1 Correspondence - None

8.2 Petitions

No petitions were served at this meeting.

9. REPORTS

9.1 SOLID WASTE RESOURCE ADVISORY COMMITTEE

9.1.1 Construction and Demolition Sites - Setbacks and Liners

- A report from Councillor Jim Smith, Chair, Solid Waste Resource Advisory Committee, dated February 11, 2003, on the above noted, was before Council.

CONFLICT OF INTEREST

Councillor Streach declared a conflict of interest due to a family business connection and left his seat.

Mr. Jim Bauld, Diversion Planning Coordinator, Solid Waste Resources, outlined the staff report.

MOVED by Councillor Smith, seconded by Councillor Goucher, that the setbacks from Construction and Demolition (C&D) facilities to parks/wilderness areas, operating quarries and to water courses/lakes, and Nova Scotia Department of Environment and Labour Liner requirements for C&D disposal facilities be maintained at the status quo.

Councillor Warshick noted the distances from watercourses as well as parks and quarries and placed the following motion.

MOVED by Councillor Warshick, seconded by Councillor Sloane, that the setbacks from Construction and Demolition (C&D) facilities and the Nova Scotia Department of Environment and Labour Liner requirements for C&D disposal facilities for water courses/lakes be maintained at the status quo and the separation distance from operating quarries and parks/wilderness areas be referred back to the Solid Waste Resource Advisory Committee. MOTION DEFEATED.

Those voting **in favour** of the motion were: Councillors Cooper, Warshick, Smith, Cunningham, Sloane and Walker.

Those voting **against** the motion were: Mayor Kelly, Deputy Mayor McInroy and Councillors Hines, Colwell, Sarto, Hetherington, Uteck, Fougere, Whalen, Mosher, Johns, Harvey, Goucher and Rankin.

Councillors Blumenthal, Adams and Meade were absent.

Councillor Streach declared conflict of interest.

MAIN MOTION PUT AND PASSED.

In response to Councillor Sarto as to whether the Federal Department of Fisheries is involved,

Mr. Bauld advised he would check and provide the information directly to Council.

9.2 CHIEF ADMINISTRATIVE OFFICER

9.2.1 Tabling of 2003/04 Capital and Operating Budgets

- A copy of the slide presentation entitled "Proposed 2003/2004 Budget and Business Plans" was circulated to Council.
- Copies of the Operating and Capital Budgets were circulated to Council.

MOVED by Councillor Hetherington, seconded by Councillor Goucher, that the Operating and Capital Budget be tabled. MOTION PUT AND PASSED UNANIMOUSLY.

Mr. George McLellan, Chief Administrative Officer, with the aid of a Powerpoint presentation, presented the proposed budget outlining the following:

- FOCUS
 - Creating Value
 - Healthy, Sustainable, Vibrant Communities
 - Safe Communities
 - Excellence in Service Delivery
 - Excellence in Governance
 - Meeting Demand
 - Increase payment to Province/School Board
 - Increase in cost pressures
 - Some additions/changes to Services
 - Prudent Planning
 - HRM achieving Financial Stability
 - Long Term Capital
 - Assessment Impacts
 - HRM's Debt Continues to Decline
 - Long Term Capital Analysis
 - Building Future Value
- Options for Council
- Increased Capital from Operating
- Schedule for Budget presentation and approval

Mayor Kelly thanked staff for their presentation.

9.2.2 Heritage Incentives Program: Action Plan for HRM

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated February 19, 2003, on the above noted, was before Council.

MOVED by Councillor Uteck, seconded by Councillor Sloane, that Regional Council endorse the development of heritage incentive programs outlined in the staff report dated February 19, 2003 and forward the report to the Heritage Advisory Committee. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.3 One Year Extension of Request for Proposal 01-116, Composting of Separately Collected Leaf and Yard Waste Composting

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated February 25, 2003, on the above noted, was before Council.

Mr. Jim Bauld, Diversion Planning Coordinator, Solid Waste Resources, outlined the staff report.

In response to Councillor Smith, Mr. Bauld advised staff were recommending a one year extension to provide the ability to negotiate with New Era and Miller for leaf and yard waste collection starting in the spring and fall.

MOVED by Councillor Smith, seconded by Councillor Hetherington, that Halifax Regional Council authorize staff to prepare the appropriate documentation for an extension of contract RFP 01-116 with Kel Ann Organics for the receipt and processing of separately collected leaf and yard waste for the period covering July 1, 2003 to June 30, 2004 for a total lump sum price of \$57,750.00 plus applicable HST. MOTION PUT AND PASSED UNANIMOUSLY.

9.2.4 Case 00540: Municipal Planning Strategy and Land Use By-Law amendment - Corner of Chester Avenue and Connolly Street, Halifax

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated February 14, 2003, on the above noted, was before Council.

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

- 1. Approve the request to initiate the process to amend the Halifax Municipal Planning Strategy and Land Use By-Law for the property situated at the corner of Chester Avenue and Connolly Street, Halifax, as generally shown on Map**

- 1 to allow for lower density residences such as townhouses.
2. Request staff to follow the public participation program as approved by Council in February, 1997.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.5 Case 00494: Municipal Planning Strategy and Land Use By-Law amendment for 5251 South Street, Halifax

- A report prepared for Mr. George McLellan, Chief Administrative Officer, dated February 21, 2003, on the above noted, was before Council.

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

1. Authorize staff to initiate a process to amend the Halifax Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) to enable consideration of a multi-unit residential building at 5251 South Street, Halifax, by way of development agreement; and,
2. Instruct that the MPS amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

MOTION PUT AND PASSED UNANIMOUSLY.

9.2.6 First Reading By-Law S-106, Respecting Sewer Charges

- A copy of the proposed amendment was before Council.

MOVED by Councillor Goucher, seconded by Councillor Sloane, that Halifax Regional Council give first reading to By-Law S-106, Respecting Sewer Charges. MOTION PUT AND PASSED.

10. MOTIONS - NONE

11. ADDED ITEMS

11.1 Membership Selection Committee - Boards and Committees

- A report prepared for Mayor Kelly, Chair, Membership Selection Committee, dated March 4, 2003, on the above noted, was before Council.

MOVED by Councillor Rankin, seconded by Councillor Streach, that Gerald Duffy be appointed to the Hotel Standards Committee to November, 2003. MOTION PUT AND PASSED UNANIMOUSLY.

11.2 Councillor Warshick - Street Lighting on the Circumferential Highway

Councillor Warshick advised that approximately thirty street lights are out along the Circumferential highway between the exit ramp to the Penhorn Mall and the airport as well as the lights at the intersection of Waverley Road and the Circumferential highway.

MOVED by Councillor Warshick, seconded by Councillor Cunningham, that Mayor Kelly write the Department of Transportation requesting they replace the burnt out lights along the Circumferential Highway. MOTION PUT AND PASSED UNANIMOUSLY.

11.3 Contractual Matter - MAPP Negotiations

CONFLICT OF INTEREST

Councillors Hetherington and Fougere declared a conflict of interest on this matter as they have family members on the police force.

MOVED by Rankin, seconded by Councillor Sloane, that Regional Council endorse the tentative Municipal Association of Police Personnel (MAPP) collective agreement as presented to Council on March 4, 2003. MOTION PUT AND PASSED.

11.4 Councillor Whalen - Weekly Collection of Green Bins

MOVED by Councillor Whalen, seconded by Councillor Mosher, that staff provide a report, prior to the budget discussions, on the costs to provide a weekly green bin collection in Halifax and Dartmouth and how this can be funded through the residential tax base.

Councillor Cooper noted that similar problems are experienced in all areas of HRM and not just Halifax and Dartmouth and placed the following amendment.

MOVED by Councillor Cooper, seconded by Councillor Goucher, that the costs be

for HRM wide collection.

MOTION PUT AND PASSED.

Those voting **in favour** were: Mayor Kelly, Deputy Mayor McInroy and Councillors Streach, Hines, Colwell, Cooper, Warshick, Walker, Whalen, Mosher, Johns and Goucher.

Those voting **against** were: Councillors Sarto, Hetherington, Smith, Cunningham, Sloane, Uteck, Fougere, Harvey and Rankin.

Councillors Blumenthal, Adams and Meade were absent.

Motion as amended.

MOVED by Councillor Whalen, seconded by Councillor Mosher, that staff provide a report, prior to the budget discussions, on the costs to provide a weekly green bin collection in (1) Halifax, (2) Dartmouth and (3) all HRM and how this can be funded through the residential tax base.

Councillor Warshick advised he had provided a number of questions to Mr. Bauld prior to the Council Session and would like to have answers to these incorporated in the report.

MOTION PUT AND PASSED.

Those voting **in favour** were: Mayor Kelly, Deputy Mayor McInroy and Councillors Colwell, Warshick, Sloane, Uteck, Fougere, Walker, Whalen, Mosher and Johns.

Those voting **against** were: Councillors Streach, Hines, Cooper, Sarto, Hetherington, Smith, Cunningham, Harvey, Goucher and Rankin.

Councillors Blumenthal, Adams and Meade were absent.

12. **NOTICES OF MOTION - NONE**

13. **ADJOURNMENT**

The meeting was adjourned at 8:40 p.m.

Vi Carmichael
Municipal Clerk

