

HALIFAX REGIONAL COUNCIL
MINUTES

May 7, 2013

PRESENT:

Deputy Mayor Reg Rankin
Councillors: Barry Dalrymple
David Hendsbee
Bill Karsten
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Waye Mason
Jennifer Watts
Linda Mosher
Russell Walker
Stephen Adams
Matt Whitman
Brad Johns
Steve Craig
Tim Outhit

REGRETS:

Mayor Mike Savage

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. Martin Ward, Municipal Solicitor
Ms. Sherryl Murphy, Deputy Clerk
Ms. Sheilagh Edmonds, Legislative Assistant

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1. INVOCATION

Deputy Mayor Rankin called the meeting to order at 1:00 p.m. with the Invocation being led by Councillor Karsten.

The Deputy Mayor introduced Tanya Davis, HRM's Poet Laureate for 2011-2012, who then presented a poem to Council.

At 1:08 p.m. Councillor Adams entered the meeting.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of community announcements and acknowledgements.

3. APPROVAL OF MINUTES – April 9, 2013

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that the minutes of April 9, 2013 be approved. MOTION PUT AND PASSED.

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

Additions:

13.1 Councillor Adams - Land Purchase – 1672 Terence Bay Road

13.2 Environment and Sustainability Standing Committee - HRM Submission to the Nova Scotia Parks and Protected Areas Plan Consultation Process

MOVED by Councillor Watts and seconded by Councillor Walker that the agenda as amended be approved. MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – April 30, 2013

8.1 Councillor Johns – Extension of Water Service District Boundary to McCabe's Lake North Lands (Information Report dated March 11, 2013)

An Information Report dated March 11, 2013 (addressed to North West Community Council's) was submitted.

MOVED by Councillor Johns, seconded by Councillor Walker that staff initiate the process to extend the municipal water service boundary to Macabes North and amend the MPS for Beaver Bank, Hammonds Plains and Upper Sackville (Planning Districts 15, 18, and 19).

Councillor Johns advised that he originally raised this matter at Community Council, but has brought it to Regional Council because Community Council does not have the authority to deal with this type of planning matter. He explained that within the area in question, a developer owns a parcel of land which is 'grandfathered' under the Regional Plan, and he would like to have water service extended so that the lots can be developed with Municipal water service instead of wells. He pointed out that the cost, which is estimated between \$8 and \$10 million dollars would be borne by the developer, and not HRM or Halifax Water. Councillor Johns noted, however, if HRM were to wait 10 years to extend the service, the cost to the Municipality is estimated to be approximately \$25 million at that time.

A discussion ensued with Mr. Austin French, Manager, Planning, Planning and Infrastructure responding to questions.

In response to a question, Mr. French explained that, while this area is identified as a growth centre, the Regional Plan identifies that there needs to be a secondary planning strategy before that growth occurs.

Councillor Karsten expressed concern that Council was embarking on a process without the benefit of a staff recommendation report. He advised that Council should have a more thorough report, complete with cost estimates and a staff recommendation before any decision is made.

In response to a question of clarification, the Municipal Solicitor advised that the nature of the motion is to initiate a process and that it is up to Regional Council if they wish, as part of that process, that staff prepare a report. He added that in his view, the motion is not directing staff to go ahead—it is initiating a process, and it will be up to Council whether to proceed.

Councillor Johns advised that the intent of his motion was to initiate the process, which will include public consultation and then the matter will come back to Regional Council.

Councillor Watts pointed out that Council had supported the process for a Regional Plan review which was currently ongoing, and suggested that this matter should be deferred until the review is complete.

MOVED by Councillor Watts, seconded by Councillor Mason that this matter be deferred until such time as the review of the Regional Plan has been approved.

Councillor Johns noted that the area in question has already gone through a Visioning Process, and he expressed concern about delaying this any longer. He emphasized that the parcel of land is grandfathered and it will be developed, in any event, but that approval of his motion will end up saving HRM money in the long run, because the developer will be picking up the cost of the extension.

In response to a question, Mr. French advised that the property in question is a grandfathered subdivision, and development can proceed at this time without water service. He noted that a proposal for water services requires public consultation.

THE MOTION TO DEFER WAS PUT AND DEFEATED (3 in favour, 13 against)

Those voting in favour were: Councillors: Nicoll, Mason, and Watts.

Those voting against were: Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Karsten, McCluskey, Fisher, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Mayor Savage was not present for the vote.

Councillor Watts expressed concern that Council was initiating a process without having a staff report first.

The Deputy Mayor clarified that as part of the process, staff will be bringing a report to Council, and he noted that if Council approves the motion, it is approving a process and not the outcome.

MOTION PUT AND PASSED (12 in favour, 4 against)

Those voting in favour were: Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, McCluskey, Fisher, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Those voting against were: Councillors: Karsten, Nicoll, Mason, and Watts.

Mayor Savage was not present for the vote.

9. CORRESPONDENCE, PETITIONS & DELEGATIONS

9.1 Correspondence - None

9.2 Petitions - None

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

**10.1.1 Increase to Contract – Tender – 10-191, Memorial (Dingle) Tower
Masonry Restoration**

A staff report dated January 17, 2013 was submitted.

**MOVED by Councillor Mosher, seconded by Councillor Walker that Halifax
Regional Council approve:**

- 1. An increase of \$128,975.60 to Project No. CPX01230 – Dingle Tower Restoration, with funding from surplus Operating Pay as You Go Funding (Cappool), as outlined in the Financial Implications section of the January 17, 2013 staff report; and**
- 2. An increase to Tender No. 10-191 – Memorial (Dingle) Tower Masonry Restoration, with the Coastal Restoration and Masonry Ltd., for adjustment resulting from changes in the contracted scope of work, in the amount of \$358,488.00 (net HST included), with funding from Project No. CPX01230, as outlined in the Discussion section of the January 17, 2013 staff report.**

Councillor Mosher noted for the record that the formal name of the tower is Memorial Tower.

MOTION PUT AND PASSED UNANIMOUSLY (15 in favour, 0 against)

Mayor Savage and Councillor Johns were not present for the vote.

**10.1.2 Tender 13-014, The Receipt and Management of Separately Collected
Leaf and Yard Waste and/or Christmas Trees and/or Additional Organics
Capacity**

A staff report dated March 15, 2013 was submitted.

**MOVED by Councillor Craig, seconded by Councillor McCluskey that Halifax
Regional Council award Tender No. 13-014, The receipt and Management of
Separately Collected Leaf and Yard Waste and/or Christmas Trees and /or
Additional Organics Capacity to the lowest bidder meeting specifications for each
Service as noted in the March 15, 2013 staff report and at the prices provided in
the March 15, 2013 staff report with funding as outlined in the Financial
Implications section of the March 15, 2013 staff report:**

**Service A – Receipt and Management of Separately Collected Residential
Leaf & Yard Waste to Kel-Ann Organics for a one-year period commencing
October 1, 2013, at a total tender price of \$62,571.60 (net HST included)
with an option (at HRM's sole discretion) for two one-year extensions at a
total tender price of \$64,657.32 (net HST included) for the first extension**

year and at a total tender price of \$66,743.04 (net HST included) for the second extension year.

Service B – Receipt and Management of Separately Collected Christmas Trees to Kynock Resources Ltd. for a one-year period commencing December 27, 2013, at a total tender price of \$7,821.45 (net HST included) with an option (at HRM's sole discretion) for two one-year extensions at a total tender price of \$7,821.45 (net HST included) for the first extension year and at a total tender price of \$7,821.45 (net HST included) for the second extension year.

Service C – Additional Organics Capacity during Peak Season to Fundy Compost Inc. for a one year pricing agreement commencing upon contract award at a unit price of \$71.95 per tonne (net HST included) with an option (at HRM's sole discretion) for two one-year extensions at a unit price of \$76.27 per tonne (net HST included) for the first extension year and at a unit price of \$80.85 per tonne (net HST included) for the second extension year.

Mr. Gord Helm, Manager, Solid Waste Resources responded to questions.

MOTION PUT AND PASSED UNANIMOUSLY (16 in favour, 0 against)

Mayor Savage was not present for the vote.

10.1.3 Unit Price Tender – 13-223, Asphalt Overlays – Phase 1

A staff report dated April 15, 2013 was submitted.

MOVED by Councillor McCluskey, seconded by Councillor Nicoll that Halifax Regional Council

- 1. Approve a budget increase of \$113,539.30 (net HST included) to Project Account No. CYX01345 – Street Recapitalization, funded through cost sharing with Halifax Water and,**
- 2. Award Tender No. 13-223, Asphalt Overlays – Phase 1 – West/East/Central Regions, to the lowest bidder meeting specifications, Dexter Construction Company Limited for a Total Tender Price of \$1,016,371.36 (Net HST Included) with funding from Project Account No. CYX01345 – Street Recapitalization, as outlined in the Financial Implications section of the April 15, 2013 staff report.**

MOTION PUT AND PASSED UNANIMOUSLY (15 in favour, 0 against)

Mayor Savage and Councillor Craig were not present for the vote.

**10.1.4 Proposed Administrative Order SC-74, Respecting Closure of a Portion of Cobequid Road, Lower Sackville
Motion: Councillor Dalrymple – Approve Admin Order SC-74**

Notice of Motion for this matter was given on April 30, 2013.

A staff report dated April 15, 2013 was submitted.

MOVED by Councillor Dalrymple, seconded by Councillor Craig that Halifax Regional Council approve HRM Administrative Order No. SC-74 (Attachment A) to close a portion of Cobequid Road right-of-way, Parcel A, as shown on Attachment “B” of the April 15, 2013 staff report.

MOTION PUT AND PASSED UNANIMOUSLY (16 in favour, 0 against)

Mayor Savage was not present for the vote.

10.2 HERITAGE ADVISORY COMMITTEE

10.2.1 Case H00371: Substantial Alteration to 1259 Barrington Street, Halifax (William Esson House)

A report dated April 17, 2013 was submitted from the Chair of the Heritage Advisory Committee with an attached staff report dated March 8, 2013.

MOVED by Councillor Mason, seconded by Councillor Fisher that Halifax Regional Council approve the proposed substantial alteration of the William Esson House, 1259 Barrington Street as outlined in Attachments A to C of the March 8, 2013 staff report.

MOTION PUT AND PASSED UNANIMOUSLY (15 in favour, 0 against)

Mayor Savage and Councillor Whitman were not present for the vote.

10.2.2 Case H00378: Substantial Alteration to 5131 Morris Street, Halifax

A report dated April 17, 2013 was submitted from the Chair of the Heritage Advisory Committee with an attached staff report dated March 4, 2013.

MOVED by Councillor Mason, seconded by Councillor Fisher that Halifax Regional Council approve the proposed substantial alteration to 5131 Morris Street as outlined in Attachments A through C of the March 4, 2013 staff report.

MOTION PUT AND PASSED (15 in favour, 1 against)

Those voting in favour were: Deputy Mayor Rankin; and Councillors: Dalrymple, Hendsbee, Karsten, Nicoll, McCluskey, Fisher, Mason, Mosher, Walker, Adams, Whitman, Johns, Craig, and Outhit.

Councillor Watts voted against the motion.

Mayor Savage was not present for the vote.

11. MOTIONS - None

12. IN CAMERA

12.1 PERSONNEL MATTER

12.1.1 Councillor Johns – Sackville Sports Stadium - Oral

This matter was raised, in camera, at the conclusion of the regular session. There were no motions put forward at the In Camera session.

13. ADDED ITEMS

13.1 Councillor Adams- Land Purchase – 1672 Terence Bay Road

MOVED by Councillor Adams, seconded by Councillor Walker that staff provide a report on the merit of purchasing the property at civic number 1672 Terence Bay Road for use as park or recreation.

MOTION PUT AND PASSED UNANIMOUSLY (16 in favour, 0 against)

Mayor Savage was not present for the vote.

13.2 Environment and Sustainability Standing Committee- HRM Submission to the Nova Scotia Parks and Protected Areas Plan Consultation Process

A report dated May 3, 2013 was submitted from the Chair of the Environment and Sustainability Standing Committee.

MOVED by Councillor Dalrymple, seconded by Councillor Nicoll that Halifax Regional Council request the Mayor send a letter to the Nova Scotia Minister of the Environment:

- 1. Stating overall recognition and support of the draft Provincial Our Parks and Protected Areas Plan based on alignment with HRM's Regional Plan.**

2. **Requesting the consideration of increased protection for Crown lands in the Ingram River Watershed, Herring Cove Backlands, and the Sackville River Valley.**
3. **Indicating HRM's desire to further engage with the Province in on-going dialogue and future collaboration through the Regional Plan.**

MOTION PUT AND PASSED (16 in favour, 0 against)

Mayor Savage was not present for the vote.

14. NOTICES OF MOTION

14.1 Councillor Adams

"Take Notice that at the next meeting of Halifax Regional Council to be held on May 14, 2013 I intend to introduce a motion to direct staff to begin the process to site a new landfill facility for HRM."

15. ADJOURNMENT

The meeting adjourned at 2:48 p.m.

Sherrill Murphy
Deputy Municipal Clerk

The following Information Items were submitted:

1. Proclamation – Leave a Legacy Month – May 2013
2. Memorandum from the Municipal Clerk dated April 30, 2013 re: Requests for Presentation to Council – Heritage Trust of Nova Scotia and Halifax International Airport Authority – Executive Management Team