



**HALIFAX REGIONAL COUNCIL
MINUTES
October 6, 2015**

PRESENT:

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

REGRETS: Councillor Darren Fisher

STAFF:

Mr. Richard Butts, Chief Administrative Officer
Mr. John Traves, Municipal Solicitor
Ms. Cathy Mellett, Municipal Clerk
Ms. Phoebe Rai, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

A video recording of this meeting is available:
http://archive.isiglobal.ca/vod/halifax/archive_2015-10-06_live.mp4.html

The agenda, supporting documents, and information items circulated to Council are available online:
<http://www.halifax.ca/council/agendasc/151006rc-agenda.php>

The meeting was called to order at 11:34 a.m., and recessed at 12:01 p.m. Council reconvened in at 1:00 p.m., and recessed at 2:54 p.m. Council reconvened in at 3:18 p.m., and recessed at 5:16 p.m. Council reconvened in at 6:00 p.m. Council moved into an In Camera (In Private) session at 6:51 p.m. and reconvened at 9:18 p.m. Council adjourned at 9:26 p.m.

1. INVOCATION/REFLECTION

The Mayor called the meeting to order at 11:34 a.m. and noted the recent passing of Mr. Stewart McInnes. Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements. Later in the meeting, Council recognized Mr. Joseph Richard Newell as the Municipality's longest consecutively serving staff member having achieved 50 years of service.

3. APPROVAL OF MINUTES – September 8, 2015

Councillor Outhit requested that the minutes be amended to note he was present.

MOVED by Councillor McCluskey, seconded by Councillor Mason

THAT the minutes of September 8, 2015 be approved as amended.

MOTION PUT AND PASSED.

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

Additions: 14.1 Councillor Whitman – Tender No. 15-162 Demolition of Former St. Pat's High – Increase to Contract and Budget Decrease.

MOVED by Deputy Mayor Nicoll, seconded by Councillor McCluskey

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

Councillor Whitman requested Information Item 12 – Executive Compensation Retirement Savings Plan be added to the agenda of a subsequent meeting of Regional Council for questions of clarification.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. MOTIONS OF RECONSIDERATION – NONE

7. MOTIONS OF RESCISSION – NONE

8. CONSIDERATION OF DEFERRED BUSINESS – NONE

8.1 Off-site Parkland Dedication Request – Marsh Lake Lands, Bedford (Supplementary Report)

The following was before Council:

- A staff supplementary recommendation report dated September 21, 2015

- A staff recommendation report dated June 8, 2015
- An extract of minutes from the August 4, 2015 meeting of Regional Council

MOVED by Councillor Outhit, seconded by Councillor Walker

THAT Halifax Regional Council accept the transfer of the Marsh Lake lands as shown on Map 1 of the staff report dated September 21, 2015 as public parkland with a value of \$1,620,000, for the benefit of Armco Capital Inc. and its affiliates, as lands of equal value outside the area being subdivided, for their various subdivision application requests.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

9. PUBLIC HEARINGS

9.1 Request to Amend the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Addressing the Kuhn Road Area

This item was dealt with later in the meeting, see page 13 for details.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

The Clerk noted that correspondence was received for items 11.4.4 and 13.2.1. This correspondence was circulated to Council. For a detailed list of correspondence received refer to the specific agenda item.

10.2 Petitions

10.2.1 Councillor McCluskey

Councillor McCluskey presented a petition with 885 signatures requesting Council and Halifax Water to support daylighting the maximum portion of Sawmill River between Sullivan's Pond and the Halifax Harbour.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Second Reading, Proposed By-law S-1001, Respecting the Regulation of Sidewalk Cafés

The following was before Council:

- A draft minute extract from Regional Council September 8, 2015
- A staff recommendation report dated August 14, 2015

MOVED by Councillor Mason, seconded by Councillor Karsten

THAT Halifax Regional Council:

- 1. Adopt By-law S-1001, amending By-law S-1000, Respecting the Licensing of Sidewalk Cafés, as set out in the revised amending by-law, as circulated, which includes amendments made during First Reading to replace the word 'committee' with 'appeals committee' in sections 41 and 42;**
- 2. Adopt the proposed amendments to Administrative Order 2014-016 GOV, as set out in Attachment E, of the staff report dated August 14, 2015; and**

3. **Adopt the proposed amendments to Administrative Order 15, as set out in Attachment H, of the staff report dated August 14, 2015.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

Council agreed to consider item 11.1.4 next on the agenda.

11.1.4 Call for Submissions – Canada Giver 150 Build Program

The following was before Council:

- A staff recommendation report dated September 28, 2015

MOVED by Councillor Watts, seconded by Councillor Walker

THAT Halifax Regional Council authorize staff to submit the four candidate sites, listed in the discussion section of the report, for consideration as a Giver project with Sinking Ship Entertainment Inc. as outlined in the staff report dated September 28, 2015.

Councillors spoke in support of the opportunity the program may provide to improve playground infrastructure at the candidate sites in Dartmouth North, Northbrook, Halifax Centre and Fairview.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

Council recessed at 12:01 p.m. and reconvened at 1:00 p.m.

11.1.2 Administrative Order 50 – Disposal of Surplus Real Property – Package 03.15

The following was before Council:

- A staff recommendation report dated September 2, 2015

MOVED by Councillor Hendsbee, seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council:

1. **Declare the properties contained in Attachments B, C, D and E of the staff report dated September 2, 2015, as surplus to municipal purposes; and**
2. **Declare surplus properties categorized as specified in Attachments B, C, D and E of the staff report dated September 2, 2015, for the purposes of Administrative Order 50, respecting the Disposal of Surplus Real Property.**

Councillor Hendsbee provided commentary with respect to the property at 4032 Mooseland Road, advising Council that there has been an expression of interest brought forward by a community group to retain the space as a community hall through the establishment of a Facility Lease Agreement with the municipality.

The following amendment was MOVED by Councillor Hendsbee, seconded by Councillor Adams

That the property at 4032 Mooseland Road as set out in Attachment B be removed from the list for further discussion with the community group in relation to a Facility Lease Agreement (FLA).

In response to a question from Councillor Karsten, Mr. Peter Stickings, Manager of Corporate Real Estate noted that if the amendment passes, a staff report would assess whether an FLA agreement would be appropriate for the facility.

Councillor Johns requested information regarding the history of the property. Mr. Stickings responded that the background and current usage of the centre were recognized in the review. He advised that the property was placed in the Community Interest Properties category for which there is a standard process under *Administrative Order 50 – Respecting the Disposal of Surplus Real Property* for non-profit organizations to submit proposals for ownership.

Councillor Mason remarked that since the property is in the Community Interest Properties category, the amendment was not required. He described the process for disposal of properties as outlined in section 4, subsection 1(e) of Administrative Order 50.

The Mayor left the Council Chamber at 1:16 p.m. and Deputy Mayor Nicoll assumed the Chair.

Councillor Hendsbee explained that the rationale for the amendment was to establish an FLA to provide support for the operational costs of maintaining the property.

MOTION TO AMEND PUT AND PASSED. (9 in favour, 6 against)

In favour: Councillors: Dalrymple, Hendsbee, Karsten, McCluskey, Mosher, Adams, Rankin, Whitman and Outhit.

Against: Deputy Mayor Nicoll, Councillors: Mason, Watts, Walker, Johns and Craig.

Not present: Mayor Savage, Councillor Fisher

Mayor Savage returned to the meeting and assumed the Chair at 1:28 p.m.

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.1.3 Surplus Municipal Property at 18 Scotia Drive, Bedford

The following was before Council:

- A staff recommendation report dated September 15, 2015

MOVED by Councillor Outhit, seconded by Councillor Craig

THAT Halifax Regional Council continue with the sale of surplus property at 18 Scotia Drive, Bedford (PID# 00428961), as shown on Attachment 2 of the staff report dated September 15, 2015 and as per Regional Council's approval at the July 29, 2014 meeting of Halifax Regional Council in accordance with Administrative Order 50.

Councillor Outhit requested that the motion be defeated, commenting that a portion of the site could be used as a playground, and the remaining portion disposed declared surplus and, he noted that the area is currently under served with respect to recreational space.

MOTION PUT AND DEFEATED UNANIMOUSLY.

Not present: Councillor Fisher

Councillors Adams, Mosher and Craig declared they had intended to vote against the motion and Council agreed to record their votes as such.

MOVED by Councillor Outhit, seconded by Councillor Johns

That Regional Council direct staff to retain a portion of the property for open space and prepare a report that includes a site plan to articulate the area recommended for retention along with the detailed financial implications.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.1.4 Call for Submissions – Canada Giver 150 Build Program

This matter was dealt with earlier in the meeting. See page 4 for details.

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 Hammonds Plains Common Area Rate Request

The following was before Council:

- A recommendation report from North West Community Council dated September 22, 2015, with attached staff report dated August 6, 2015

MOVED by Councillor Whitman, seconded by Councillor Walker

THAT Halifax Regional Council approve an allocation of up to \$75,000 from the Hammonds Plains Common Area Rate to facilitate the construction of a Veterans Monument in Uplands Park, Hammonds Plains.

Councillor Whitman spoke in regard to the effort being undertaken by the local community group and the community support for the project and asked Council for their support.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.3 AUDIT AND FINANCE STANDING COMMITTEE

11.3.1 Proposed Administrative Order 2015-003-ADM, Respecting the Halifax Explosion 100th Anniversary Grants Program

The following was before Council:

- A recommendation report from the Audit and Finance Standing Committee dated September 23, 2015, with attached staff report dated August 18, 2015

MOVED by Councillor Watts, seconded by Councillor McCluskey

THAT Halifax Regional Council:

- 1. Approve Administrative Order Number 2015-003-ADM, the Halifax Explosion 100th Anniversary Grant Program as outlined in the revised copy circulated at the Audit and Finance Standing Committee meeting on September 16, 2015 (Attachment 1 of the Audit and Finance Standing Committee Report dated September 23, 2015);**
- 2. Approve funding in the amount of \$100,000 from Account M311-8004 for implementation of the Halifax Explosion 100th Anniversary Grants Program in fiscal year 2015-16; and**

3. **Direct the Special Advisory Committee on the 100th Anniversary of the Halifax Explosion to make recommendations to the Grants Committee in regards to funding applications for the Halifax Explosion 100th Anniversary Grants Program**
4. **That the digits “17(2)” in section 21 subsection (e) be replaced with “17(3)” to correct an administrative error.**

Councillor Watts noted that the correction in recommendation 4 was brought forward by staff. The Councillor also spoke in support of the Halifax Explosion 100th Anniversary Grant Program and the opportunity the program would provide for non-profit and community groups to advance projects related to this important anniversary.

The following amendment was MOVED by Councillor Craig, seconded by Councillor Outhit, in order to provide more clarity in regard to the review panel.

5. **That the words “panel convened” in section 2 subsection (i) be replaced with “panel of HRM staff convened by the Director of Finance and ICT”**

MOTION TO AMEND PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

AMENDED MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.4 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

11.4.1 Halifax Explosion 100th Anniversary Emblem Proposal

The following was before Council:

- A report from the Community Planning and Economic Development Standing Committee dated September 22, 2015, with attached staff report dated July 20, 2015

MOVED by Councillor Watts, seconded by Councillor Craig

THAT Halifax Regional Council approve the approach proposed as outlined in the July 20, 2015 staff report, to develop and implement a Halifax Explosion 100th Anniversary emblem.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.4.2 Membership on the Economic Strategy Advisory Committee

The following was before Council:

- A report from the Community Planning and Economic Development Standing Committee dated September 22, 2015

During discussion it was noted that the Committee is being convened for a short time only to oversee the update to the Economic Strategy.

MOVED by Deputy Mayor Nicoll, seconded by Councillor Karsten

THAT Halifax Regional Council appoint the Chair of Community Planning and Economic Development Standing Committee to the Economic Strategy Advisory Committee, Halifax Partnership.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.4.3 Recreation Needs Assessment – Eastern Shore

The following was before Council:

- A report from the Community Planning and Economic Development Standing Committee dated September 22, 2015, with attached staff report dated September 10, 2015

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council direct staff to:

- 1. Decline the request from the Province of Nova Scotia, Department of Education and Early Childhood Development, and Halifax Regional School Board to fund a HRM enhancement or addition to the new Primary-12 Eastern Shore School: and**
- 2. Engage with the Province Of Nova Scotia in the design discussions of the new Primary-12 Eastern Shore School in order to ensure that, as much as possible, the design of the new school is able to be used to support recreation uses.**

Councillor Mason provided commentary with respect to the new Eastern Shore School and urged Council to support the Committee recommendation. Councillor Mason expressed concern that the site for the school may be well outside the core, as the community had indicated a strong desire to have the amenities within walking distance of downtown.

Councillor Hendsbee suggested that it would be premature for Council to take a decision on whether or not to fund an HRM enhancement or addition to the school before the location and design are finalized.

MOVED by Councillor Hendsbee, seconded by Councillor Outhit

That part 1 of the main motion be deferred pending more information on the site and design aspects of the school.

Councillor Watts asked staff to comment on how a deferral may be interpreted by the Province and to outline possible consequences.

Ms. Denise Schofield, Manager of Program Support Services responded that if the second part of the motion is approved by Council, staff will engage with the Province during their initial design work. She indicated that if the first part of the motion is deferred, staff would return to Council with information regarding the location and design of the school once that work is complete to determine whether Council would seek to authorize staff to enter negotiations for a possible enhancement. Ms. Scofield emphasized that staff are not authorized to initiate negotiations for enhancements without Council's direction.

Councillor Hendsbee requested confirmation from staff that if the first part of the motion is deferred, staff will notify the Province that a decision regarding a possible enhancement will not be made until the location and design are determined. Ms. Schofield indicated that staff would ensure that information is passed along to both the Province and the Halifax Regional School Board.

MOTION TO DEFER PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

Council then proceeded to vote on the main motion as follows:

THAT Halifax Regional Council direct staff to:

- 2. Engage with the Province Of Nova Scotia in the design discussions of the new Primary-12 Eastern Shore School in order to ensure that, as much as possible, the design of the new school is able to be used to support recreation uses.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.4.4 Multi District Facility (MDF) Project Phase 2 – Governance – Supplementary Report

The following was before Council:

- A staff presentation dated October 6, 2015
- A report from the Community Planning and Economic Development Standing Committee dated September 22, 2015, with attached staff report dated August 31, 2015
- Correspondence dated October 1, 2015 from John Snow

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council direct staff to develop standard board governance model for the facilities included in the MDF Project Phase 2 and implement new agreements that achieve the following objectives:

- a. Establish a regional funding model;**
- b. Initiate the absorption of the outstanding operating and capital debts of the facilities;**
- c. Align annual budgets and business plans with the overall HRM budget process including requirement to meet budget targets and approval by Regional Council;**
- d. Provide for the provision of HRM delivered ICT technology and software including support and maintenance;**
- e. Restore appropriate and legally defined employer relationships for the operation of the facilities; this would include the option of HRM employees for facility management and program implementation;**
- f. Support completion of an HRM safety review of all facility maintenance, operation and processes and subsequent agreement of resolution of all findings; and**
- g. Outline clear community access requirements and initiates implementation of consistent pricing and membership model to enable a “one-client” model across all facilities.**
- h. Return to Regional Council the plan and advisory Board governance options to complete Phase 2 of the MDF Project no later than the spring of 2016,**

And further, request a staff report regarding possible amendment or removal of Alderney Landing from the MDF process and develop an appropriate approach reflecting its nature of an arts and entertainment facility.

Ms. Denise Schofield, Manager of Program Support Services and Mr. Brad Anguish, Director of Parks and Recreation delivered a presentation to Council regarding Multi-District Facilities (MDF) Governance and actions taken in response to the January 23, 2014 motion of the Community Planning and Economic Development (CPED) Standing Committee. Ms. Schofield and Mr. Anguish highlighted the need for increased support and accountability and outlined different approaches to achieve that end. They indicated that staff's original recommendation was for Regional Council to transfer direct operational oversight to the municipality; however, the motion passed at CPED was to recommend Regional Council direct staff to develop a coordinated board governance model.

Council recessed at 2:54 p.m. and reconvened at 3:18 p.m.

Councillor Mason spoke to the challenges of imposing change on arms-length organizations while highlighting the importance of harmonizing service delivery. He addressed the motion for a staff report to consider removing Alderney Landing from the MDF process, indicating that as an entertainment complex it is a fundamentally different type of operation. He also questioned the inclusion of Centennial Pool.

Deputy Mayor Nicoll moved an amendment to the motion on the floor to add: **“for approval at that time”** to the end of part (h). Council agreed to accept the amendment as friendly.

Deputy Mayor Nicoll asked staff whether they would continue to engage with general managers under the board governance model and what form that engagement may take. She also requested confirmation that all MDFs had provided audited financial statements to staff

Mr. Anguish responded that if the motion on the floor is approved, collaboration with general managers of MDFs would be embedded as a core principle in the new agreements. He confirmed that audited financial statements had been received from all MDFs.

In response to questions from Councillor Whitman in regard to salaries and benefits, Ms. Schofield indicated that currently the MDFs are run by individual boards rather than HRM staff and as such, there is currently no consistency with respect to salaries and benefits. She indicated that part (e) of the motion would direct staff to consider options related to the status of MDF employees.

Councillor Rankin presented his view that if debt is going to be waived, fiscal discipline must be enforced. He requested staff to comment on whether business practices would be harmonized under the motion on the floor. Mr. Anguish responded that the challenge would be to collaborate with management to achieve efficiencies and to ensure those are embedded in management agreements.

Further discussion ensued with several councillors expressing concern that the motion on the floor does not do enough to mitigate the financial risk, which they suggested may be best achieved through a hub and spoke model with regional boards reporting to community councils as staff recommended.

The question was called and the Mayor reminded Council that the motion on the floor was the CPED recommendation, rather than the original recommendation from staff.

AMENDED MOTION PUT AND PASSED. (10 in favour, 6 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, Councillors: Karsten, McCluskey, Mason, Watts, Walker, Adams, Whitman, and Craig.

Against: Councillors: Dalrymple, Hendsbee, Mosher, Rankin, Johns, and Outhit.

Not present: Councillor Fisher

11.5 TRANSPORTATION STANDING COMMITTEE

11.5.1 Administrative Order 39, Respecting Taxi and Limousine Regulation – Annual Rate Review

The following was before Council:

- A report from the Transportation Standing Committee dated September 25, 2015, with attached staff report dated August 6, 2015

MOVED by Councillor Rankin, seconded by Councillor Walker

THAT Halifax Regional Council approve that the Taxi and Limousine Rates in Administrative Order 39, Schedule 1, 2 and 3 remain unchanged.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.6 BOARD OF POLICE COMMISSIONERS

11.6.1 RCMP Criminal Analyst Funding Request

The following was before Council:

- A report from the Board of Police Commissioners dated September 15, 2015

Mr. Richard Butts, CAO noted that the request was before Regional Council as it related to analysis required to be conducted by municipal staff to enable the Board of Police Commissioners and Council to fully consider the matter during the 2016/2017 budget process.

MOVED by Councillor Mosher, seconded by Councillor Whitman

THAT Halifax Regional Council

- a) request a staff report to consider the human resource and other implications of the attached RCMP Criminal Analyst Funding Request, and to provide additional information on the modality of the pilot Crime Analyst positions at Kings, Yarmouth, Colchester and Antigonish Counties outlined in the attached document, and**
- b) refer the attached funding request to staff for consideration in the 2016/2017 budget.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.7 MEMBERS OF COUNCIL

11.7.1 Deputy Mayor Nicoll – Deed Transfer Tax

The following was before Council:

- A Councillor Request for Council's Consideration form

MOVED by Deputy Mayor Nicoll, seconded by Councillor Mason

THAT Halifax Regional Council request a staff report to examine the options of amending the policy regarding the collection of the Deed Transfer Tax. This could include waiving the DTT for first-time buyers, extending the DTT over a five (5) year payment period for first time or all buyers or reducing the DTT.

Deputy Mayor Nicoll advised that there are six municipalities in the province that do not charge a Deed Transfer Tax (DTT) for various reasons. She indicated that in 2014/15 the total Deed Transfer Tax collected decreased from previous years. She indicated that changes to the Deed Transfer Tax could help boost real estate sales and stimulate the economy while being revenue neutral to the municipality.

Mr. Richard Butts, Chief Administrative Officer noted that collection of Deed Transfer Tax had peaked at \$39 million and had since decreased to \$32 million in the current year. He advised that the staff report would not explore the Capped Assessment Program.

A brief discussion ensued with some Councillors expressing concerns with the motion including possible adverse impacts on seniors and the difficulty of determining who would qualify as a first-time home buyer.

MOTION PUT AND PASSED. (14 in favour, 2 against)

In favour: Mayor Savage, Deputy Mayor Nicoll, Councillors: Dalrymple, Karsten, McCluskey, Mason, Watts, Walker, Adams, Rankin, Whitman, Johns, Craig, and Outhit

Against: Councillors Hendsbee and Mosher

Not present: Councillor Fisher.

11.7.2 Councillor Karsten – Review of 2007 Crosswalk Taskforce Policy

The following was before Council:

- A Councillor Request for Council's Consideration form

MOVED by Councillor Karsten, seconded by Councillor Mason

THAT Halifax Regional Council request a report to review the following 2007 Crosswalk Safety Task Force recommendation: "The road authority must require the assessment of existing marked crosswalks when refurbishing highways and roadways to ensure they reflect current traffic situations guidelines and standards. Where existing marked crosswalks are not warranted they must be removed due to potential safety hazards."

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillor Fisher

11.7.3 Deputy Mayor Nicoll – Acquisition of Lands on Cole Harbour Road

The following was before Council:

- A Councillor Request for Council's Consideration form
- A Private and Confidential Memorandum provided by Deputy Mayor Nicoll

MOVED by Deputy Mayor Nicoll, seconded by Councillor Hendsbee

THAT Halifax Regional Council request a staff report on the merits of acquiring the properties as outlined in the private and confidential information memorandum dated October 1, 2015 for municipal purposes.

Deputy Mayor Nicoll indicated that this property is noted in the Municipal Planning Strategy for protection from future development.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Mason

11.7.4 Councillor McCluskey – Municipal Museum

The following was before Council:

- A Councillor Request for Council's Consideration form, with attached Mclvor Conservation report.

MOVED by Councillor McCluskey, seconded by Councillor Karsten

THAT Halifax Regional Council direct staff to prepare a staff report that:

- 1. Outlines the findings of the conservator's report on phase 1 of work on the DHMS artefact collection;**
- 2. Outlines a plan to work with stakeholders, including the Board of DHMS, to determine the size and scope of a municipal museum;**
- 3. Outlines the next steps in the completion of a municipal museum including allocation of capital funding and how it relates to the Cultural and Heritage Priorities Plan outlined in the January 28th motion and the subsequently requested Cultural Spaces Plan;**
- 4. Explains the relationships with and impact to other museums in HRM;**
- 5. Outlines potential short term options, including opportunities for displaying the artefacts; and**
- 6. Outlines potential cost sharing and fundraising opportunities.**
- 7. That Council direct staff to release the completed conservator's report (executive summary attached) that outlines the work completed on the artefacts and the ongoing requirements to maintain the collection.**

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Mason

11.7.5 Councillor Whitman - Bedford Highway Reversing Lane

The following was before Council:

- A staff information report dated August 12, 2015

Mr. Bob Bjerke, Director of Planning and Development and Mr. Taso Koutroulakis, Manager of Traffic Management responded to questions of clarification from Council.

In response to questions from Councillor Whitman, Mr. Bjerke indicated that the Road Network Priorities Plan will provide some information that will assist in consideration of necessary improvements to address capacity issues on the Bedford Highway. He informed Council that staff is currently conducting a study regarding the Fairview Interchange, which will examine the idea of a reversing lane and other options.

The Mayor noted that discussion of this item would continue later in the meeting. Council recessed at 5:16 p.m.

The meeting reconvened at 6:00 p.m. Councillors Mason and Fisher were not present.

9. PUBLIC HEARINGS

9.1 Request to Amend the Dartmouth Municipal Planning Strategy (MPS) and Land Use By-law (LUB) Addressing the Kuhn Road Area

The following was before Council:

- A recommendation report dated July 31, 2015 submitted by the Chair of the Harbour East Marine Drive Community Council, with an attached staff recommendation report dated July 21, 2015
- An extract of draft minutes from the September 8, 2015 meeting of Regional Council
- A staff presentation dated October 6, 2015

Mr. Marcus Garnet, Senior Planner, provided the staff presentation. In his remarks he advised that when Regional Council approved MPS and LUB provisions for Dartmouth Main Street in September 2013, Kuhn Road area was not included in the new Main Street designation and was to proceed to Regional

Council under a separate report. He noted that this hearing focuses on 3 sub-areas the North block, which is between St. Thomas More Catholic Church and the Kuhn Swamp, and the recommendation is to apply specific criteria for development agreements for multiple-unit residential in case these lands are ever sold. The next area is the Wetlands which are municipal lands to be retained to protect wetland and to control runoff to the Morris-Russell Lake system; to re-designate from residential to park and open space and rezone from R-3 & R-1 to Conservation. The third sub-area is the South Block and these are private lands between Kuhn Road and Main Street with no sanitary sewer, and the recommendation is to apply a Schedule to the existing R-3 zoning restricting density in the absence of piped sewers, and expanding the scope for low-impact enterprises.

The Mayor reviewed the Rules of Procedure for public hearings, and then opened the hearing for anyone wishing to speak.

Mr. Karl Tonn, Dartmouth addressed Council and advised that he owned one of the lots in in the area in question. Mr. Tonn added that he strongly supported allowing a wider mixed-use of the lots in this area, noting that as an owner of the lot he is very aware of the difficulty in trying to re-develop the lot when there is no sanitary sewer service. He advised that enabling a wider mixed use will provide opportunity to the residents of the area and will give more opportunity for people to come to this area.

The Mayor called three times for any other speakers; there being none, it was MOVED by Councillor McCluskey, seconded by Councillor Karsten

THAT the public hearing close.

MOVED by Councillor McCluskey seconded by Deputy Mayor Nicoll

THAT Halifax Regional Council adopt the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Dartmouth as set forth in Attachment A of the staff report dated July 21, 2015.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Councillors Fisher and Mason.

Council continued consideration of agenda item 11.7.5 – Councillor Whitman- Bedford Highway Reversing Lane, with Mr. Bob Bjerke, Director, Planning and Development responding to questions of clarification.

Councillor Walker expressed concern that Council's discussion was deviating from the topic of the information report. He also noted that Council has received two previous reports on this matter and both indicated that reversing lanes on the Bedford Highway were not feasible, and he questioned the effectiveness of requesting a third report.

Mr. Bjerke noted that staff will be bringing forward the Road Network Functional Plan soon, and that it will deal with the road network as a whole.

12. MOTIONS - NONE

14.1 Councillor Whitman – Tender No 15- 162 Demolition of former St. Pat's High Increase to Contract and Budget Decrease

Councillor Whitman requested an update from staff on the Request for Proposal for Tender No. 15-162

In response, Ms. Jane Fraser, Director, Operations Support advised that the RFP was awarded in July and work is progressing. She explained that there is both an increase to the Purchase Order and a decrease in the budget for the project from \$4.5 million to \$2.45 million. She added that the staff had

done some initial testing of hazardous materials and, at that time based on information from the consultant, staff felt that \$4.5 million would be prudent, given the complexity of the building. Ms. Fraser advised that since the tender has been awarded, staff have a better understanding of the site and believe that the amount can be reduced.

15. NOTICES OF MOTION:

15.1 Councillor Rankin

“Take Notice that, at the next meeting of Halifax Regional Council to be held on October 20, 2015, I propose to introduce Administrative Order Number 2015-004-OP, Respecting Traffic Calming, the purpose of which is to:

- a) establish the process for residents to make requests to have a street assessed for installation of traffic calming measures;
- b) provide clear and concise criteria and method for assessing Municipal streets in order to determine the need and suitability of implementing traffic calming measures; and
- c) provide information to the Traffic Authority for consideration when assessing applications for the installation of traffic calming measures.

15.2 Councillor McCluskey

“Take Notice that at the next meeting of Halifax Regional Council to be held on October 20, 2015, I propose to:

1. Move First Reading of Proposed By-law A-700, which will repeal and replace By-law A-300, Respecting Animals and Responsible Pet Ownership the purpose of which is to include amendments in the areas of: fines, Leashes and tethering, muzzles, noise, feeding waterfowl, dog registration, and livestock; and additional housekeeping and general amendments;
2. Move First Reading of By-law N-302, which proposes amendments to By-law N-300, Respecting Nuisances to repeal Part 3 – Cats, Section 12 (1)(a) and (b) to include these provisions in proposed By-law A-700; and
3. Introduce proposed amendments to Administrative Order 11 Respecting the Animal By-law the purpose of which is to change the expiry date of the annual dog license to 12 months from the issue date and to allow for the addition of a lifetime dog license.”

15.3 Councillor Mason

On behalf of Councillor Mason, Councillor Watts gave notice.

“Take Notice that at a future meeting of Halifax Regional Council, I will request a staff report to outline options to amend By-law number S-801 Respecting licensing of temporary signs to allow for greater flexibility and/or license exemption for signs on hoardings or scaffolding in the right of way to indicate nearby businesses and services are still open and accessible.”

13.1 In Camera Minutes – September 8 and 22, 2015

MOVED by Councillor McCluskey, seconded by Councillor Karsten

That the In Camera Minutes of September 8 and 22, 2015 be approved.

Councillor Rankin advised that he had amendments to the minutes, therefore, Council dealt with the approval of the minutes in camera.

13.3.1 Personnel Matter – Expenses – Private and Confidential Report

The following was before Council:

- A private and confidential recommendation report dated September 21, 2015 submitted by the Chair of the Audit and Finance Standing Committee

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

That Halifax Regional Council approve the expenses as outlined in the private and confidential Audit and Finance Standing Committee report dated September 21, 2015.

Councillor Whitman advised that he had questions regarding the report, therefore, Council, dealt with the item in camera.

13.4.1 NSUPE Memorandum of Understanding – Private and Confidential Report

MOVED by Councillor McCluskey, seconded by Councillor Karsten

THAT Halifax Regional Council ratify the Memorandum of Understanding as outlined in the private and confidential staff report dated September 29, 2015.

It is further recommended that this report not be released to the public.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors: Fisher, Mason, and Johns.

MOVED by Councillor Rankin, seconded by Councillor Walker

That Council convene in camera.

MOTION PUT AND PASSED.

At 6:51 p.m. Council convened to an in camera session.

At 9:18 p.m. Council reconvened to ratify the motions for 13.1, 13.3.1 and 13.2.1

13.1 In Camera Minutes – September 8, and 22, 2015

MOVED by Councillor Walker, seconded by Councillor McCluskey

That the minutes be approved as amended.

MOTION PUT AND PASSED.

13.2 Contract Negotiation/Legal Advice

13.2.1 Otter Lake – Private and Confidential Report

Councillor Rankin requested that the motions be divided, as provided for in Administrative Order 1, to which the Chair agreed.

MOVED by Councillor Mason, seconded by Councillor Watts

That all recommendations but 8 be made public.

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Fisher and Johns.

MOVED by Councillor Mason, seconded by Councillor Walker

That Regional Council direct staff to commence contract negotiations with Mirror NS on an extension to the 1997 HRM – Mirror NS “Agreement for the Design, Construction and Operation of Components of Halifax Regional Municipality’s Solid Waste Facilities” (the “Extension Agreement”) subject to the parameters as outlined within this report and return to Halifax Regional Council for ratification of the Agreement by December 31, 2015;

MOTION PUT AND PASSED. (11 in favour, 4 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors: Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Whitman, Craig, and Outhit.

Against: Councillors Dalrymple, Mosher, Adams, and Rankin

Not Present: Councillors Fisher and Johns.

MOVED by Councillor Mason, seconded by Councillor Walker

That Regional Council direct staff to consult with the Community Monitoring Committee (CMC) on the Extension Agreement

MOTION PUT AND PASSED. (13 in favour, 2 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors: Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Adams, Rankin, Whitman, Craig, and Outhit.

Against: Councillors Dalrymple and Mosher

Not Present: Councillors Fisher and Johns

MOVED by Councillor Mason, seconded by Councillor Whitman

That Regional Council direct staff to develop better and more comprehensive community consultation requirements and parameters to be included within the Extension Agreement and made a requirement with respect to vertical expansion as approved by Council on December 9, 2014, as well as in respect to other future considerations of operational amendments at the Otter Lake Facility;

MOTION PUT AND PASSED. (11 in favour, 4 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors: Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Whitman, Craig, and Outhit.

Against: Councillors: Dalrymple, Mosher, Adams, and Rankin

Not Present: Councillors Fisher and Johns

MOVED by Councillor Mason, seconded by Councillor Karsten

That Halifax Regional Council direct staff to include as a requirement of the Extension Agreement and any amended Operating Permit that, provided the operating permit is amended to approve vertical expansion as per Council's motion of December 9, 2014, utilization of the Otter Lake Landfill will not exceed the originally designated 9 cell footprint and further that the total height of all residual disposal cells at Otter Lake be limited to 128 meters above sea level subject to any provincial permitting requirements thereby allowing no more than a fifteen (15) meter height expansion above the currently permitted maximum elevation.

MOTION PUT AND PASSED. (10 in favour, 5 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Craig, and Outhit.

Against: Councillors: Dalrymple, Mosher, Adams, Rankin, and Whitman

Not Present: Councillors Fisher and Johns

MOVED by Councillor Mason, seconded by Councillor Walker

That, due to the nature of the negotiations and the subsequent time constraints, Regional Council authorize staff to hire external legal services, engineering consultants and other professionals, as required, with funding as outlined within the Financial Implications section of this report and increase the CAO's sole source signing authority for this work to \$500,000.

MOTION PUT AND PASSED. (10 in favour, 5 against)

In favour: Mayor Savage, Deputy Mayor Nicoll; and Councillors: Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Craig, and Outhit.

Against: Councillors: Dalrymple, Mosher, Adams, Rankin, and Whitman

Not Present: Councillors Fisher and Johns

MOVED by Councillor Mason, seconded by Councillor Karsten

That the Private and Confidential report dated September 14, 2015 remain confidential and not be released to the public.

MOTION PUT AND PASSED. (10 in favour, 5 against)

In favour: Mayor Savage; Deputy Mayor Nicoll; and Councillors: Hendsbee, Karsten, McCluskey, Mason, Watts, Walker, Whitman, and Craig.

Against: Councillors: Dalrymple, Mosher, Adams, Rankin, and Outhit.

Not Present: Councillors Fisher and Johns.

13.3.1 Personnel Matter – Expenses – Private and Confidential Report

The following motion was on the floor from the previous public session of Council.

MOVED by Councillor Karsten, seconded by Councillor Hendsbee

That Halifax Regional Council approve the expenses as outlined in the private and confidential Audit and Finance Standing Committee report dated September 21, 2015

MOTION PUT AND PASSED UNANIMOUSLY.

Not Present: Councillors Fisher and Johns

16. ADJOURNMENT

The meeting adjourned at 9:26 p.m.

Cathy J. Mellett
Municipal Clerk