

**HALIFAX REGIONAL COUNCIL
MINUTES**

March 18, 2008

PRESENT: Mayor Peter Kelly, Chair
Deputy Mayor Stephen Adams
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn M. Sloane
Sue Uteck
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert P. Harvey
Reg Rankin
Gary Meade

REGRETS: Councillor Andrew Younger

STAFF: Mr. Dan English, Chief Administrative Officer
Mr. Randolph Kinghorne, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Barbara Coleman, Legislative Assistant
Ms. Sheilagh Edmonds, Legislative Assistant

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16. INVOCATION

The Mayor called the meeting to order at 2:05 p.m. with the Invocation being led by Councillor Harvey.

17. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Council agreed to move the Special Community Announcements & Acknowledgements to the evening session of Council.

18. APPROVAL OF MINUTES - None

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

Additions:

13.1 Telus Encroachment Agreement

Councillor Hendsbee requested item 11.1 be addressed prior to the deferred business and that items 8.2 and 8.3 be addressed prior to 8.1

Mayor Kelly advised Council that Items 8.3, 8.4, 9.1, and 11.3.1 will be deferred until the evening session along with 10.3 Presentations.

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

20. BUSINESS ARISING OUT OF THE MINUTES - None

21. MOTIONS OF RECONSIDERATION - None

22. MOTIONS OF RESCISSION - None

23. CONSIDERATION OF DEFERRED BUSINESS - March 4, 2008

8.1 Motion of Regional Council February 26, 2008

“That Halifax Regional Council remove the provisions relating to cat legislation from By-Law A-300 and maintain the status quo in regards to a contracted sheltering service with the NSSPCA or other service provider at the end of the contract.” (as a result of motion to reconsider March 4, 2008)

At the request of Mayor Kelly, the Municipal Solicitor clarified the process for Council.

Deputy Mayor Adams clarified that this is to go back to the original motion to remove the

provisions of the cat legislation.

Deputy Mayor Adams advised Council that the reason for the By-law was to deal with problematic cats, not an encompassing by-law.

MOVED BY Deputy Mayor Adams and seconded by Councillor Sloane that Halifax Regional Council remove the provisions of the Cat legislation from By-law A-300 and move that particular legislation with respect to the nuisance component to By-law N-100 which is a nuisance by-law eliminating registration and licencing of cats.

Deputy Mayor Adams advised the intent is simply not to have to go through the licencing and the registration of cats but deal with them on a case by case basis through the Nuisance By-law which will resolve the issues that councillors face in their areas.

Councillor Wile entered the room at 2:11 p.m.

Mayor Kelly clarified that discussion would be on the amendment of the Main Motion.

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

MOVED by Councillor Rankin and seconded by Councillor Sloane that the question now be put.

In response to Councillor Smith regarding costs, Mr. English, CAO, advised more detail on costs would have to be examined noting residents could still capture a stray cat and take it to the pound.

Deputy Mayor Adams clarified that he is speaking to the nuisance component of the motion to be moved to the Nuisance By-law.

Mayor Kelly asked that Deputy Mayor Adams clarify his motion by restating his motion.

Deputy Mayor Adams restated his motion as that Halifax Regional Council remove the provisions of the Cat legislation from By-law A 300 and move that particular legislation with respect to the nuisance component to By-law N-100 which is a Nuisance By-law eliminating registration and licencing of cats.

Mayor Kelly clarified to Council that what Deputy Mayor Adams is proposing to amend is that the nuisance portion of the By-law A 300 be moved to the Nuisance by-law.

Mayor Kelly advised that if this Motion is passed and the Amendment passes as well, Council will direct staff to go back and bring forth the proposed amendments to reflect the will of Council. If Council directs them to go in this direction then that will come back at a future meeting.

Mayor Kelly advised a 2/3 vote was required.

MOTION PUT AND PASSED. (13 in favour; 7 against)

Those voting in favour were: Mayor Kelly, Deputy Mayor Adams; and Councillors: Streach, McCluskey, Barkhouse, Murphy, Sloane, Uteck, Fougere, Johns, Harvey, and Rankin, and Meade.

Those voting against were: Councillors: Snow, Hendsbee, Karsten, Smith, Wile, Walker, and Hum.

Councillors McInroy, Younger and Mosher were absent for the vote.

At this time Council voted on the amendment.

MOVED BY Deputy Mayor Adams and seconded by Councillor Sloane that Halifax Regional Council remove the provisions of the Cat legislation from By-law A-300 and move that particular legislation with respect to the nuisance component to By-law N-100 which is a nuisance by-law eliminating registration and licencing of cats. MOTION PUT AND PASSED. (14 in favour; 5 against)

Those voting in favour were: Mayor Kelly, Deputy Mayor Adams; and Councillors: Streach, McCluskey, Barkhouse, Murphy, Sloane, Uteck, Fougere, Hum, Johns, Harvey, and Rankin, and Meade.

Those voting against were: Councillors: Snow, Hendsbee, Karsten, Wile, and Walker.

Councillors McInroy, Younger, Smith, and Mosher were absent for the vote.

MOVED by Councillor Hendsbee, seconded by Councillor Wile, that the motion be tabled for eight months.

MOTION DEFEATED. (5 in favour; 14 against)

Those voting in favour were: Councillors: Snow, Hendsbee, Karsten, Smith, and Wile.

Those voting against were: Mayor Kelly, Deputy Mayor Adams; and Councillors: Streach, McCluskey, Murphy, Sloane, Uteck, Fougere, Walker, Hum, Johns, Harvey, Rankin, and Meade.

Councillors McInroy, Younger, Barkhouse, and Mosher were absent for the vote.

The motion as amended was now before Council.

MOVED BY Deputy Mayor Adams and seconded by Councillor Sloane that Halifax Regional Council remove the provisions of the Cat legislation from By-law A 300 and move that particular legislation with respect to the nuisance component to By-law

N-100 which is a nuisance by-law eliminating registration and licencing of cats and maintain the status quo in regards to a contracted sheltering service with the NSSPCA or other service provider at the end of the contract.

Discussion ensued on the Amended Motion with the following highlights:

- The Municipal Solicitor clarified that Council can deal with both issues under one Public Hearing
- Nuisance By-law officers are not trained to take care of the feral cats
- Not concerned with the feral cats in rural areas
- Why should cats be treated any different than other animals
- Let this go to a plebiscite and let the people decide where the monies are coming from
- How can you enforce - you can not detect a cat
- What happens to the people that already paid for their licences

MOTION PUT AND PASSED

Mayor Kelly advised Council that a referral for a staff report would be automatically done.

8.2 First Reading Proposed By-law C-800, Respecting Regional Capital Cost Charges for Solid Waste Facilities (deferred Committee of the Whole)

Cathie O'Toole, Director, Infrastructure and Asset Management, gave a brief overview advising there had been a media release giving incorrect information from the Nova Scotia Home Builders Association that that raised some concerns about the Capital Cost Contributions proposed for Solid Waste. Ms. O'Toole advised Council that they are inviting the Association in to meet with staff to explain the issues.

Peter Duncan, Manager, Infrastructure and Asset Management submitted a presentation to Council with Staff answering any questions or concerns of Council noting the following:

- Information has been circulated to Council for their review.
- CCC's do not fund operational costs or rehabilitation costs.
- CCC's under discussion at this time will be Solid Waste, Transit CCC'S will be in late summer
- New homes will generate more waste going into the Otter Lake Facility
- Costs need to be indexed to cover the inflation over the 18 year period - HRM's current policy does not recognize the time value of money
- A four year review if being recommended
- The By- law is very similar to the one passed for Waste Water
- If a building is reconstructed for whatever reason and there is no change in the use of the building then there will be no CCC charge.
- If a piece is added on to the structure there should be no collection of CCC's for Solid Waste

- The size of the house is not an accurate reflection of the number of people living in the house therefore it is not a true reflection of the amount of Solid waste generated.

Mr. Duncan advised the next steps are to give First Reading and a public hearing date be set. Notice of Motion was already given last week at Council. There are amendments required to the Business case for the Reserve that revenue would be paid into, that can happen at any time but does not have to be done until the Public Hearing. If the By-law is approved at the Public Hearing then the Business Case can be changed also.

MOVED BY Councillor Rankin and seconded Councillor Karsten that Regional Council approve in principle:

- **By-law C-800 “A By-law Respecting Capital Cost Charges for Solid Waste Facilities” as shown in Attachment “A” of the staff report dated January 8, 2008 and schedule a public hearing.**
- **The amendments to the attached Reserve Business Case for Q137, Regional capital Cost Charges Reserve.**

MOTION PUT AND PASSED

MOVED BY Councillor Fougere and seconded by Councillor Sloane that Council request a staff report on the options to address the benefits of density development and brown field redevelopment in the administration of capital costs contributions.

Ms. O’Toole suggested that if Council was requesting that type of report that it be considered in the context of tax reform and not just CCC’s but area rates, general tax rates, etc.

MOTION PUT AND PASSED

MOVED BY Councillor Hendsbee and seconded by Councillor Sloane that Item 8.3 Future Community Visioning be moved to the evening session. MOTION PUT AND PASSED.

8.3 Future Community Visioning Program

This item was addressed during the evening session. (See page 16)

8.4 By-Law S-424, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving O’Connell Drive, Porters Lake

This item was addressed during the evening session. (See page 17)

9. PUBLIC HEARINGS - 6:00 p.m.

9.1 By-Law T-222, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non Profit Organizations - Appeals 2007 - 2008

This item was addressed during the evening session. (See page 15)

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence

10.1.1 Brian Masse, Member of Parliament, Windsor West, Ontario re: Motion that the Standing Committee on Transport, Infrastructure & Communities engage in a study of border and gateway infrastructure

MOVED BY Councillor Fougere and seconded by Councillor Hendsbee that this Correspondence be received. MOTION PUT AND PASSED

10.1.2 Bernie White, Municipal Clerk, Cape Breton Regional Municipality re: Proclamation in support of reinstatement of rail service from Sydney to Truro and Halifax

MOVED BY Councillor Uteck and seconded by Councillor Sloane that this Correspondence be received. MOTION PUT AND PASSED

10.2 Petitions

Councillor Rankin served a petition from residents of Lynwood Drive and Bens Court, Bookside requesting repair to the damaged surfaces of those streets.

Councillor Adams served a petition from the students and staff of Sacred Heart School of Halifax requesting HRM participate in Earth Hour 2008 by turning off all non-essential electronics and lighting for one hour on March 29, 2008 at 8:00 p.m.

10.3 Presentations

10.3.1 Canoe 09 World Senior Championships

This item was addressed during the evening session. (See page 19)

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Tender 08-031 - Supply and Delivery of 8 Phase Traffic Signals Controller Cabinets

A report dated March 6, 2008 was before Council.

MOVED BY Councillor Smith and seconded by Councillor Wile that Council award Tender No. 08-031, Supply & Delivery of 8-Phase Traffic Signals Controller Cabinets, Accessories and Signal Timers in part to Innovative Traffic Solutions Inc. for \$172,493.71; Tacel Limited for \$56, 017.15; Electromega Limited for \$7,785.72 (net HST included), for a Total Tender Price of \$236,296.58 (net HST included) with funding from Capital Account NOS. CTU00561 - Traffic Signal Installation and Capital Account No. CTU00337-Controller Cabinet Replacement as outlined in the budget implications section of the report dated March 6, 2008. MOTION PUT AND PASSED

11.1.2 Tender 08-201 - Street Improvement Projects - Various Locations

A report dated February 29, 2008 was before Council.

MOVED BY Councillor Wile and seconded by Councillor Sloane that Council award Tender No-08-201, Street improvement Projects - Various Locations to Dexter construction company Limited for a total Tender Price of \$819, 571.40 (net HST included) with funding from Capital Account No. CZU01082 - Resurfacing, as outlined in the Budget Implications section of the report dated February 29, 2008. MOTION PUT AND PASSED

11.1.3 Tender 08-203 - Hillside Avenue (Robie Street to Agricola Street) and Highland Avenue (Normand Drive to Hillside Avenue) Pavement Resurfacing, Sidewalk Renewal and Curb Renewal - West Region

A report dated March 7, 2008 was before Council.

MOVED BY Councillor Fougere and seconded by Councillor Sloane that Council award Tender No. 08-203, Hillside Avenue and Highland Avenue Pavement Resurfacing, Sidewalk Renewal and Curb renewal - West Region to Lafarge Canada Inc. for a Total Tender Price of \$384,238.73 (net HST included) with funding from Capital Accounts No. CZU01082 - Resurfacing Program, CKU01084 - Sidewalk renewals and CYU01076 - Curb Renewals, as outlined in the Budget implications section of the report dated March 7, 2008. MOTION PUT AND PASSED

11.1.4 Tender 08-204 - Paving Resurfacing, New Concrete Curb & Gutter, Dartmouth - East Region

A report dated February 11, 2008 was before Council.

MOVED BY Councillor McCluskey and seconded by Councillor Karsten that Council award Tender No. 08-204, Pavement Resurfacing, New Concrete Curb and Gutter, Dartmouth - East Region to Lafarge Canada Inc. for a Total Tender Price of \$444,641.27 (net HST included) with funding from Capital Accounts No. CZU01082 - Resurfacing, CYU01076 - Curb Renewals and CRU00683 - Curb Renewals, as outlined in the Budget implications section of the report dated February 11, 2008. MOTION PUT AND PASSED

11.1.5 Tender 08-208 - Micro Surfacing - Phase 1, Various Locations

A report dated February 22, 2008 was before Council.

MOVED BY Councillor Hendsbee and seconded by Councillor Wile that Council award Tender No. 08-208, Micro Surfacing - Phase 1, Various Locations to Industrial Cold Mining for a Total Tender Price of \$780,563.15 (net HST included) with funding from Capital Account No. CZU01082 - Resurfacing Program, as outlined in the Budget implications section of the report dated February 22, 2008. MOTION PUT AND PASSED

11.1.6 Tender 08-210 - Paving Renewal, Crown Drive, West Region

A report dated March 3, 2008 was before Council.

MOVED BY Deputy Mayor Adams and seconded by Councillor Sloane that Council award Tender No. 08-210, Paving Renewal, Crown Drive - West Region to Dexter Construction Company for a Total Tender Price of \$118,943.35 (net HST included) with funding from Capital Accounts No. CYU00784 -Paving Renewal Program as outlined in the Budget implications section of the report dated March 3, 2008. MOTION PUT AND PASSED

11.1.7 Tender 08-212 - Thin Overlays - Phase 1, Various Locations

A report dated February 22, 2008 was before Council.

MOVED BY Councillor Karsten and seconded by Councillor Sloane that Council award Tender No. 08-212, Thin Overlays - Phase 1, Various Locations to Dexter Construction Company for a Total Tender Price of \$710,453.80 (net HST included) with funding from Capital Accounts No. CZU01082 - Resurfacing Program, as outlined in the Budget implications section of the report dated February 22, 2008. MOTION PUT AND PASSED

11.1.8 Tender 08-217 - Main Artery Patching, Phase 1 - East, West and Central Regions

A report dated February 28, 2008 was before Council.

MOVED BY Councillor Rankin and seconded by Councillor Sloane that Council award Tender No. 08-217, Main Artery Patching, Phase 1 - East, West, and Central Regions to Lafarge Canada Inc for a Total Tender Price of \$614,109.69 (net HST included) with funding from Capital Accounts No. CRU01078 - Main Artery Patching as outlined in the Budget implications section of the report dated February 28, 2008. MOTION PUT AND PASSED

11.1.9 Memorandum of Understanding - IIHF World Hockey Championships

A report dated March 8, 2008 was before Council.

MOVED BY Councillor Walker and seconded Councillor Wile by that Halifax Regional Council approve the attached Memorandum of Understanding (MOU) between Halifax Regional Municipality, the Province of Nova Scotia and Events Halifax respecting the 2008 International Ice Hockey Federation World Hockey Championship and authorize the Mayor and Municipal Clerk to sign the MOU.

Discussion ensued with the following highlights:

- Hospitality rights for putting up the \$1,000,000.00 means that HRM and the Province are entitled to a certain number of tickets for all events. The staff report directs that the complimentary tickets be directed towards the youth in the region. The Province will be doing the same thing
- VIP sitting arrangements distribution would be up to Council, certain events should have official representation from the Mayor and/or his delegate
- There will be a complete reporting of the tournament
- This particular \$1,000,000.00 is for Hockey and it was suggested that some of this money be used for the World Paddling. Staff told Council that they encouraged the organizers of the World paddling to submit an application and they did not. The organizers are getting significant funding from the Federal government.
- The VIP events that the youth would not be entitled to attend should be given to Hockey Nova Scotia, coaches and the presidents of the Minor Hockey in the Metro and around the area so that they are given a chance to attend these events.
- Strongly encourage the Mayor, Deputy Mayor Adams or another councillor to attend these events
- Recreational groups should be used to distribute tickets so that everyone has a fair chance to obtain tickets

MOTION PUT AND PASSED

11.2 NORTH WEST COMMUNITY COUNCIL

11.2.1 District 21 District Activity Fund and Building Communities Fund

MOVED BY Councillor Harvey and seconded by Councillor Johns that Halifax Regional Council approve the carry forward of any currently unexpended and/or uncommitted funds from the District 21, Bedford , Councillor District Activity Fund and Building Communities Fund to fiscal year 2008-2009. MOTION PUT AND PASSED

11.3 TAX REFORM COMMITTEE

11.3.1 Property Tax System for halifax Regional Municipality (Presentation)

This item was addressed during the evening session (See page 19)

11.4 MEMBERS OF COUNCIL

11.4.1 Councillor Karsten - Request to Add February 26, 2008 Information Report to the Agenda - Water Quality Notification

MOVED by Councillor Karsten and seconded by Councillor McCluskey that Regional Council request staff to initiate policy regarding public notification of poor water quality, particularly when high counts of faecal coliform are detected, within 53 lakes included in the current sampling program. This would apply whether it is an HRM supervised swim area or not. MOTION PUT AND PASSED

11.4.2 Councillor Smith - Dartmouth Adult Services Centre Land Acquisition

Councillor Smith submitted a letter from DASC Industries and requested that it be forwarded to the Grant Committee for consideration.

MOVED BY Councillor Smith and seconded by Councillor Walker that the letter from DASC Industries and requested that it be forwarded to the Grant Committee for consideration. MOTION PUT AND PASSED

19. MOTIONS

20. ADDED ITEMS

13.1 Telus Encroachment Agreement

This item was addressed during the evening session (See page 15)

14. NOTICES OF MOTION

Deputy Mayor Adams:

Take Notice that at a future meeting of Regional Council, I propose to take the Cat component from the Animal by-law and incorporate it into the Nuisance By-law, By-Law N-300.

The meeting recessed at 4:50 p.m.

The meeting reconvened at 6:00 p.m. with the same members present including Councillor Mosher; and excluding Councillor Hum.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Sloane thanked everyone who participated in the St. Patrick's Day Parade, advising that this was the first St. Patrick's Day parade since 1939.

Councillor Sloane advised that tomorrow evening, *Imagine Our Schools* are allowing public presentations regarding school closures on the Peninsula and she encouraged all those who are interested to come out to the meeting at Dartmouth High School.

Councillor McCluskey congratulated the Cole Harbour Sharks on winning a gold medal in a recent inter-provincial tournament and noted that her grandson, Matthew McCluskey, is a member of this team.

Councillor Fougere advised that she represented Council at the 5th Anniversary of *The Centre* (a youth drop-in centre in District 14 sponsored by the Halifax Shopping Centre) and was asked to present a plaque to Council on behalf of the Centre. Councillor Fougere presented the plaque and read an excerpt of a letter which highlighted the many successes the Centre have had in regard to their community efforts and fundraising activities.

Deputy Mayor Adams encouraged Council members, staff, and residents to participate in Earth Hour which will be held on March 29, 2008 and turn off any unnecessary electrical equipment for one hour.

Deputy Mayor Adams advised that this past weekend, he and Mayor Kelly attended the 50th Anniversary of the Spryfield Legion Branch 152–The Earl Francis Memorial Legion—and he offered congratulations to President Betty Neville and her team for holding an excellent celebration. He also expressed appreciation to Mr. Buster Brown for being Master of Ceremonies for the occasion.

Councillor Barkhouse congratulated the students and staff of the Southdale North Woodside School on becoming the first school in Metro to receive accreditation through the Nova Scotia School Accreditation Program. She explained that this is a school improvement process that helps enhance student achievement and raise overall school performance by setting specific and measurable goals that focus on teacher and student learning.

Councillor Barkhouse also offered congratulations to 94.7 Seaside FM, a community based, not-for-profit radio station in Eastern Passage who just completed a second successful fundraiser. She noted that more than \$60,000 was raised through the efforts of Station Manager, Wayne Herod and many volunteers throughout the community. Councillor Barkhouse added that funds raised this year will go toward a power increase.

Councillor Hendsbee highlighted the various Open Houses which are scheduled in regard to the Community Facilities Master Plan and encouraged the public to come out and see what HRM has planned for its major community facilities over the next 15 years.

Councillor Smith congratulated the DS Ballers, a youth basketball group established by

a District 9 volunteer, Ms. Nellie Klike. He noted that during the playoffs, the group won all of their games and the championship of their league. They will now attend the Provincial Championship in Truro.

Councillor Streach advised that March 26, 2008 at 7:00 p.m., the Marine Drive Valley and Canal Community Council will be meeting at Ostrea Lake Fire Hall and invited all members of the community to attend the meeting.

13. ADDED ITEMS:

13.1 Contractual Matter - Telus Encroachment Agreement

This matter had been dealt with at an In Camera session held earlier on this date and was now before Council for ratification.

MOVED by Councillor Karsten, seconded by Councillor McCluskey that Regional Council:

1. **Approve the execution of an Encroachment Agreement as set out in Attachment "A", of the Private and Confidential staff report dated March 7, 2008 with the Telus Communications Company.**
2. **That the Private and Confidential staff report dated March 7, 2008 not be released to the public.**

MOTION PUT AND PASSED.

9. PUBLIC HEARINGS

9.1 By-Law T-222, An Amendment to By-Law T-200, Respecting Tax Exemptions for Non Profit Organizations - Appeals 2007 - 2008

- C First Reading of this matter was given at a meeting of Regional Council held on February 26, 2008.

A report from the Grants Committee dated February 4, 2008, originally submitted to the February 19, 2008 Regional Council meeting was before Council for consideration.

Ms. Peta-Jane Temple, Team Lead, Grants & Special Projects addressed Council and provided a overview of the matter. In her comments, Ms. Temple advised that Club 24 was asking for 100% tax exemption and the recommendation is to decline, but assist the Club through a payment plan. She added that the second matter under consideration is in regard to the Dartmouth Kinsmen Club, and noted that there was some confusion at the last by-law hearing, but the motion tonight will correct this. Ms. Temple advised that the intent of the recommendations is to place the Dartmouth Kinsmen Club on the by-law at 100% tax exemption for this fiscal year, and in going forward, in July of the next year, when the East Dartmouth Community Centre comes on board, the exemption level will be

reviewed under next year's program.

There were no questions of clarification from Council.

The Chair opened the floor for anyone wishing to speak either in favour or in opposition.

The Chair called three times for speakers; there being none **MOVED by Councillor McCluskey, seconded by Councillor Johns that the public hearing close. MOTION PUT AND PASSED.**

MOVED by Councillor Walker, seconded by Councillor Johns that Regional Council approve By-law T-222 Respecting tax exemptions for Non profit organizations as shown in Attachment 2 of the staff report dated January 10, 2008. MOTION PUT AND PASSED.

8. CONSIDERATION OF DEFERRED BUSINESS - March 4, 2008

8.3 Future Community Visioning Program

- C A staff report dated February 11, 2008 originally submitted at the February 26, 2008 Regional Council meeting was before Council for consideration.
- C A PowerPoint presentation regarding this matter was submitted.

Mr. Fred Morley, Chair of the Regional Planning Advisory Committee, Ms. Susan Corser, Planner, Regional and Community Planning, and Mr. Roger Wells, Supervisor of Regional Community Planning addressed Council and provided a presentation on this matter. Mr. Morley provided an overview of the valuation of the project and the future visioning programs; Ms. Corser outlined the pilot project, and Mr. Wells reviewed the future community visioning program, noting the method, criteria, and the priorities of the program.

In concluding his remarks, Mr. Wells advised that the priorities for 2008 are the Penhorn Mall area, Spryfield, and Middle Sackville. He pointed out that in regard to the Penhorn site, which is owned by Sobey's, representatives of the company have indicated their support of the visioning process for this area but are concerned over the timing, as they may have short term commercial opportunities and do not want it delayed. In this regard, Mr. Wells advised that staff were recommending an amendment to the recommendation that would defer the Penhorn Mall area for one month to give staff more time for discussion with Sobey's; and following this, staff will come back to Council with a report.

MOVED by Councillor Streach, seconded by Councillor Snow that Regional Council approve the methodology and priorities for the future Community Visioning Program as contained in the February 11, 2008 staff report.

Mr. Wells responded to questions from Council.

Councillor McCluskey indicated that she did not support deferring the Penhorn Site, and

that she wanted as many residents as possible involved in the visioning process for this area.

Councillor Uteck suggested that reckless infilling is a problem in her area and she expressed concern that by the time the visioning program focussed on her district, there would be little point to the program, as there would not be much left to plan. She indicated that she felt this was an immediate driver for a visioning program and requested staff give consideration to this matter.

In response, Mr. Austin French, Manager, Planning advised that the next step in the HRM By Design process is to come forward with a recommendation on prioritization of communities within the Regional Centre, and the issues raised by Councillor Uteck will be factored into the recommendations.

Councillor Karsten noted that he would prefer the Penhorn Mall area be given a different title that would better describe the area under consideration. He added that he had no difficulty in extending an additional month for this site to allow for further discussion between staff and representatives from Sobeys.

Councillor Harvey advised that he was disappointed that Lower Sackville was not slated for the program until 2011. In addition, he noted that the Sackville Drive Business Association was also disappointed that Lower Sackville, and, in particular, the commercial portion of Sackville Drive was not higher on the list. Councillor Harvey added that the Business Association recently held an open house to review issues which may be negatively influencing more rapid development of the commercial section of Sackville Drive. He requested consideration for this area if there happens to be a re-prioritization of communities over the few years. As well, Councillor Harvey requested that staff dialogue with the Sackville Drive Business Association on the particular issues that came out of their open house process to see if some of the issues can be addressed prior to a visioning exercise. Councillor Harvey pointed out that if the Streetscape project, which was approved several years ago, had been further along in its implementation at this point, the level of dissatisfaction concerning the visioning process may have been reduced.

MOTION PUT AND PASSED.

Council recessed at 7:45 p.m.

Council reconvened at 7:58 p.m. with the same members present.

8.4 By-Law S-424, An Amendment to By-Law S-400, Respecting Charges for Street Improvements - New Paving O'Connell Drive, Porter Lake (Supplementary Report)

- C A Supplementary Report dated March 13, 2008 was submitted.

A public hearing was held and closed on this matter on March 4, 2008. At that time a motion was passed to defer decision pending a staff report and the circulation of submitted e-mails from residents

Mayor Kelly noted that rules of procedure for Public Hearings permitted only those Councillors to vote who were in attendance during the public hearing. He advised that the following Councillors can vote: Deputy Mayor Adams; and Councillors: Snow, Hendsbee, McInroy, McCluskey, Barkhouse, Smith, Wile, Sloane, Uteck, Walker, Johns, and Harvey.

MOVED by Councillor Hendsbee, seconded by Councillor Snow that Regional Council:

- 1. Approve Bylaw S-424 as outlined in Appendix A of the January 15, 2008 report (attached to the March 18, 2008 Supplementary Report)**
- 2. Direct staff to draft a policy for Council's consideration outlining guidelines for the surveying of LIC/Area Rated projects.**

Councillor Hendsbee advised that the supplementary report addresses a number of issues that were raised in the public hearing. He added that there has been discussion that using funds from either the Councillors' District Funds or from general funds would jeopardize Council's current Local Improvement Charge policies. Councillor Hendsbee suggested that if this is opened to precedent then there will be numerous demands of reclaims, rebates, and refunds of other Local Improvement Charges throughout the municipality. He advised that Council needs a crystal clear policy and guideline to follow so that in the future, the public will have a better appreciation of how these things can be done.

A discussion ensued with staff responding to questions.

Councillor Hendsbee indicated he believed the staff recommendation is equitable. He questioned if there were another option in regard to this process, it would it entail another public hearing.

In response, the Chair advised that the Solicitor would have to review the newspaper advertisement first and then respond. He noted that the Municipal Clerk had left the Chamber to get a copy of the ad and asked if, in the interim, Council wanted to proceed with another agenda item or recess until the Solicitor has had an opportunity to review the newspaper ad.

MOVED by Councillor Walker, seconded by Councillor Snow that Council proceed with agenda item 10.3.1, Canoe 09 World Senior Championships at this time. THE MOTION WAS PUT AND DEFEATED.

Council recessed at 8:31 p.m.

Council reconvened at 8:42 p.m. with the same members present

The Chair advised that the Solicitor would respond now to the question raised as to the impact of change of funding and/or boundaries.

Ms. Mary Ellen Donovan, Municipal Solicitor explained that, in the event a motion were put

forward that expanded either the area affected by what is before Council tonight or increased the cost beyond that which is proposed and before Council this evening, a Public Hearing would be required. She added that, correspondingly, if there is a motion that reduces the area, i.e reduces the number of people affected or reduces the cost to the residents, it would not require Public Hearing.

To further clarify, Ms. Donovan added that if funding were found from some other source to facilitate a reduction in those affected or a reduction in the individual cost to the residents, it could be considered by Council this evening.

MOTION PUT AND PASSED (8 voted in favour; 5 voted against).

Those voting in favour were: Deputy Mayor Adams; and Councillors: Snow, Hendsbee, McInroy, McCluskey, Barkhouse, Smith, and Uteck.

Those voting against were: Councillors: Wile, Sloane, Walker, Johns, and Harvey.

Those ineligible to vote were: Mayor Kelly; and Councillors: Streach, Karsten, Murphy, Fougere, Hum, Rankin, and Meade.

Councillors Younger and Mosher were not in attendance.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.3 Presentations

10.3.1 Canoe 09 World Senior Championships

A presentation on this matter was submitted.

Mr. Frank Garner, General Manager, and Mr. Chris Keevill, President, of the Host Organizing Committee addressed Council and provided a presentation on the 2009 ICF World Senior Canoe Championship being held on Lake Banook August 12 - 16, 2009.

In his remarks, Mr. Keevill advised that they are not looking for support from the Municipality in terms of operating dollars, but in terms of support for upgrades to Birch Cove which will be the site of the athlete's village; the area along Prince Albert Road which will be the spectators area; and upgrades to the course.

Mr. Garner and Mr. Keevill responded to questions and were thanked by Mayor Kelly for bringing forward the presentation.

At approximately 9:00 p.m. Councillors McInroy, Mosher, and Adams retired from the meeting.

11. REPORTS

11.3 TAX REFORM COMMITTEE

11.3.1 Property Tax System for Halifax Regional Municipality

- C A presentation entitled, *Creating a Modern Property Tax System for Halifax* a Report of the Tax Reform Committee, March 18, 2008 was submitted.
- C A PowerPoint presentation was submitted.

Mr. Mark Gilbert, Chair, Tax Reform Committee addressed Regional Council and provided the presentation.

Councillor Meade retired from the meeting at 9:15 p.m.

In his presentation Mr. Gilbert advised that the draft tax model the Committee was putting forward for discussion focussed on the following points:

- C Provincial property taxes will remain a Provincial responsibility
- C Municipal services collected through nine tax rates
- C Provide an enhanced rebate for lower income
- C Phase out the Deed Transfer tax
- C Benefits of economic competitiveness belong to residents and business The Committee's work is to continue
- C If given the authority, consider replacing the regional tax rate with income tax or surtax.

In concluding his presentation, Mr. Gilbert advised that the Tax Reform Committee is requesting Council's approval to move forward toward public consultation and receive feedback on the foundations, principles and objectives of a new tax system; the draft tax model; and that the Committee will then report back to Regional Council.

Mr. Gilbert and Mr. Bruce Fisher, Manager, Financial Planning responded to questions.

The Mayor questioned what the impact would be on homes valued in the area of \$1 million and more.

Mr. Fisher advised that he did not have the information with him at this time, but would provide it.

MOVED by Councillor Rankin, seconded by Councillor Johns that Regional Council recommend:

1. **The Tax Reform Committee move forward toward public consultations and receive feedback on:**
 - C **The foundations, Principles and Objectives of a new tax system, and**

C The Draft Tax Model; and

2. Report back to Regional Council.

Councillor Streach noted that due to the late hour, the presentation skipped over much of the information contained in the PowerPoint slides. He advised that he was not comfortable with the information presented and felt that Council needed more time to evaluate.

Councillor Karsten concurred with Councillor Streach, suggesting that the matter should be deferred to Committee of the Whole.

Without a vote being taken on the motion on the floor, the following motion was put:

MOVED by Councillor Karsten, seconded by Councillor Streach that this matter be deferred to Committee of the Whole.

Mayor Kelly noted that it was approaching 10:00 p.m. and it was unlikely Council would finish up with matter prior to that time. He questioned if Council wanted to continue meeting beyond 10:00 p.m. or adjourn.

MOVED by Councillor Hendsbee, seconded by Councillor Karsten that Council continue meeting to 10:30 p.m. MOTION PUT AND DEFEATED.

15. ADJOURNMENT

Without calling for the question on either the motion to defer or the main motion, the meeting adjourned at 10:00 p.m.

Julia Horncastle
Acting Municipal Clerk

The following information items were circulated to Council:

1. Proclamation - International Day for the Elimination of Racism - March 21, 2008
2. Memorandum from Director, Business Planning & Information Management dated March 14, 2008 re: Third Quarter 2007 / 2008 Business Plans Goals & Objectives Update
3. Memorandum from the Acting Municipal Clerk dated March 14, 2008 re: Requests for Presentation to Council - Canoe 09 World Senior Championships & Halifax Dartmouth Bridge Commission