

HALIFAX REGIONAL COUNCIL
MINUTES
October 28, 2008

PRESENT:

Mayor Peter Kelly
Deputy Mayor Stephen Adams
Councillors: Steve Streach
Krista Snow
David Hendsbee
Harry McInroy
Gloria McCluskey
Andrew Younger
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Patrick Murphy
Dawn Sloane
Sheila Fougere
Russell Walker
Debbie Hum
Linda Mosher
Brad Johns
Robert Harvey
Tim Outhit
Reg Rankin
Gary Meade

REGRETS:

Councillor: Sue Uteck

STAFF:

Mr. Dan English, Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Julia Horncastle, Acting Municipal Clerk
Ms. Shawnee Gregory, Legislative Assistant

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1. **INVOCATION**

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

2. **SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS**

Councillor Murphy indicated that on November 15, 2008 the 6th annual North End Dance would be taking place; advising that tickets were on sale at the Halifax Forum Box Office and that all proceeds go back to community groups.

Councillor Sloane requested that the Mayor write a letter on Council's behalf to Mr. Wayne Mason of the Halifax Pop Explosion to thank him and the Festival's volunteers for a job well done.

Councillor Johns indicated that he had attended the laying of the cornerstone for the new Nova Scotia Freemasons lodge on Coronation Street in Fairview on October 25, 2008; noting that it had been attended by Freemasons from all over the province.

As it was the final meeting of the current Council; Deputy Mayor Adams thanked all Councillors and acknowledge the members that would not be returning. He thanked them for four years of debate, challenges and successes; noting that they were all great people. He stated that the contributions of Councillors Snow, McInroy, Murphy, Fougere and Meade would be remembered.

The exiting Councillors were then given an opportunity to give their closing remarks to Council:

Councillor Snow stated that she had given 100 percent to her position and had done her job with honour, passion and dignity; noting that she was proud of what Council had accomplished over the past four years. She indicated that she had performed her role with honesty and no hidden agendas and that she had the upmost respect for her fellow Councillors as the general public had no idea how hard they worked. She stated that she would miss them both as colleagues and friends. Councillor Snow advised that she had respect for HRM staff for their loyalty and dedication. She stated that it had been a pleasure and that she looked forward to continuing to work in her communities. In closing, she encouraged everyone to lend a helping hand to the new Councillor for District 2.

Councillor McInroy expressed his deep gratitude to his wife, Noreen, and his children, Jennifer, Becky and Rob as well as the members of his extended family for all of their support over the years. He stated that he was humbled and honoured by the amount of times that the residents of Cole Harbour had elected him. To his colleagues on Council; he stated that he appreciated the opportunity to have served with them as they had achieved many things together. In closing, he extended his best wishes and gratitude to everyone.

Councillor Murphy acknowledged his gratitude to Councillors Meade and McInroy for all of the hard work they had put into their positions. He stated that his campaign motto had been, 'getting the job done' and that he believed that he had during his term as seven playgrounds had been constructed, a community police office had opened and the Bloomfield Centre had been saved from closure; all with Council's help. He hoped that his commitment and energy had helped over the past four years and stated that he would continue to watch over and care for his community; noting that municipal government was the closest level of government to the people. He acknowledged Councillor Snow; stating that she was a wonderful person that came from a legacy of commitment in her neighbourhood. He then stated that it had also been a pleasure working with Councillor Fougere with whom he had done a great deal of neighbourhood work. In closing, Councillor Murphy wished to thank his committed campaign team.

Councillor Fougere indicated that Councillors McInroy, Walker, Harvey, Rankin and Deputy Mayor Adams were the only remaining members from when she had started her career at City Hall a decade ago. She stated that she was the only woman on Council at that time and wished to thank her fellow Councillors for their support. She noted that it had been a wonderful ten years and wished to especially thank HRM staff for all that they do. Councillor Fougere also wished to thank her husband and children who had spent their teenage years with their mother on Council and their father as a police officer. Upon taking a look back at some of the interesting things that Council had engaged in over the past ten years; Councillor Fougere noted that her first Council day had lasted for twelve hours as it was the day that Bishop's Landing was approved. She stated that it was the first time that she had ever seen a citizen spit at a Councillor which gladly did not happen again. Councillor Fougere also recalled the Swiss Air Tragedy, Hurricane Juan and White Juan as well as climbing to the top of the McDonald Bridge and wheelchairs around downtown Halifax. In closing, Councillor Fougere stated that it had been a pleasure meeting some of the most exceptionally wonderful as well as awful people and she thanked the residents of District 14 for their support as well as everyone with whom she had worked.

Councillor Meade stated that he had been the first staff person who Councillor Fougere had met; noting that he had given her a 'how to be a good Councillor' card which she still had. He advised that it had been great working with 65 Councillors as a staff member for the City of Halifax and the HRM from 1971-1999 and as a Councillor from 1999 to present. He thanked

the call centre for answering so many calls on Councils behalf as well as HRM staff. He thanked Councillor Rankin for taking over the Prospect area in 2004 as well as his District for voting him in five times. Councillor Meade thanked Ms. Brenda Murphy-Jollimore and Ms. Linda Johnson as well as his wife Marilyn and his children, Matthew and Sarah. In closing, he wished the new Council all the best.

3. APPROVAL OF MINUTES - NONE

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

Additions:

- 13.1 Correspondence - Rear Admiral Maddison, Commander Joint Task Force Atlantic - Request for Military Fly-past
- 13.2 Correspondence - Colonel Ploughman, Wing Commander, 12 Wing Headquarters Shearwater - Request for Military Fly-past
- 13.3 Citizen Appointments to Boards/Committees and Commissions
- 13.4 District 23 Election for District Councillor

MOVED BY Councillor Sloane, seconded by Councillor Snow 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

8.1 Request for Proposal 08-084 - Operation of Material Recovery Facility

C An extract of the October 7, 2008 Regional Council minutes was before Council.

C A supplementary report dated October 17, 2008 was before Council.

The following motion was on the floor from the October 7, 2008 meeting:

MOVED BY Councillor Walker, seconded by Councillor Snow that Halifax Regional Council award RFP No. 08-084, Operation of Materials Recovery Facility, to Waste Management in reference to the proposal submitted in response to the RFP, for the operations of the MRF from April 1, 2009 to March 31, 2014, at the per tonne rate and

other pricing as outlined in their response to the RFP, subject to the drafting and signing of an Agreement containing the terms and conditions of the RFP, and as outlined in the attached staff report dated September 16, 2008. Funding is from Operating Account number R330 and is outlined in the Budget Implications section of the attached staff report dated September 16, 2008.

Councillor Snow left the meeting at 6:30 p.m.

Mr. Jim Bauld, Manager of Solid Waste Resources, advised that the key variance between the top two scoring components, Miller Waste Systems and Waste Management, worked out to be approximately \$63,000 which staff considered to be quite reasonable considering the additional services which Miller Waste Systems was offering. He stated that even with the potential of HRM beginning to recycle number 3, 5 and 6 plastics there would still be a net reduction.

A discussion ensued with Mr. Bauld responding to questions. He advised that any potential additions to the contract would still be subject to staff analysis and approval by Council in 2009/10. With regards to employment; he noted that Waste Management planned to downsize while Miller Waste Systems planned to expand.

At Council's request for clarification; Ms. Mary Ellen Donovan, Municipal Solicitor, advised that if the current motion was defeated two thirds majority of Council would be required to move a motion to suspend the Rules of Order to put a motion forward to award Miller Waste Systems the contract as there had already been a negative vote taken.

MOTION DEFEATED.

MOVED BY Councillor Hendsbee, seconded by Councillor Johns that the Rules of Order be suspended. MOTION PUT AND PASSED.

MOVED BY Councillor Karsten, seconded by Councillor McCluskey, that Halifax Regional Council award RFP No. 08-084, Operation of Materials Recovery Facility, to the highest scoring proponent Miller Waste Systems, for the operations of the MRF from April 1, 2009 to March 31, 2014, at the per tonne rate and other pricing as outlined in their response to the RFP, subject to the drafting and signing of an Agreement containing the terms and conditions of the RFP, as outlined in the staff report dated September 16, 2008. Funding is from Operating Account number R330 and is outlined in the Budget Implications section of the staff report dated September 16, 2008. MOTION PUT AND PASSED.

9. **PUBLIC HEARINGS**

9.1 Case 01006: Dartmouth Municipal Planning Strategy and Land Use By-law Amendments - Heritage Properties

- C An extract of the October 7, 2008 Regional Council minute was before Council.
- C A Power Point presentation was before Council.
- C A report from the Harbour East Community Council dated September 11, 2008 was before Council.

Ms. Jennifer Chapman, Planner, presented the report; advising that by encouraging more uses the hope was to entice more properties to register for heritage status. She also noted that all proposed development agreements would still have to fit in with policy CH-1 of the Municipal Planning Strategy.

The Mayor called for those wishing to speak for or against the proposed By-Law amendment. As there was no one wishing to speak the following motion was placed:

MOVED BY Councillor McCluskey , seconded by Councillor Younger that the public hearing be closed. MOTION PUT AND PASSED.

MOVED BY Councillor Younger, seconded by Councillor Karsten that Halifax Regional Council approve the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law as shown in Attachments “A” and “B”, of the staff report dated July 15, 2008. MOTION PUT AND PASSED.

10. CORRESPONDENCE, PETITIONS & DELEGATIONS

10.1 Correspondence - None

10.2 Petitions

Councillor Streach submitted a petition containing 25 signatures from residents of Middle Musquodoboit requesting permission to access the municipal water service.

MOVED BY Councillor Streach, seconded by Councillor Younger that the petition be tabled and forwarded to both HRM and Halifax Regional Water Commission staff. MOTION PUT AND PASSED.

11. REPORTS

11.1 CHIEF ADMINISTRATIVE OFFICER

11.1.1 Request for Proposal 08-098 - Supply of Rural Transit Buses

C A report dated October 7, 2008 was before Council.

MOVED BY Councillor Meade, seconded by Councillor Hendsbee that Halifax Regional Council authorize the award of RFO #08-098, for a three-year period, to the highest ranking proponent, Overland Custom Coach (2007) Inc., at a cost of \$4,232,760.00 (including net HST), with funding for phase one (2008/09) in the amount of \$1,356,472.00 to come from Capital Account No. CMU00973 - Rural Express Transit as outlined in the Budget Implications section of the October 7, 2008 report, and the remaining two years of the contract to be completed as funding through future capital budgets is approved by Council for those years. MOTION PUT AND PASSED.

11.1.2 Tender 08-119 - Diesel Fuel Dispensing / Storage System

C A report dated October 14, 2008 was before Council.

MOVED BY Councillor Murphy, seconded by Councillor McCluskey that Halifax Regional Council award Tender No.08-119, Metro Transit Diesel Fuel Dispensing/Storage System to Redden Petroleum for a Total Tender Price of \$349,141.14 (net HST included) with funding from Capital Account Nos. CBY00951, CBX01057, all titled Transit Facilities Upgrades and CBR00747 - 200 Ilsley Ave-Underground Tank Removal, as outlined in the Budget Implications section of the report dated October 14, 2008. MOTION PUT AND PASSED.

11.1.3 Tender 08-343 - David P McKinnon Building Roof Replacement

C A report dated October 16, 2008 was submitted.

MOVED BY Councillor Younger, seconded by Councillor Sloane that Halifax Regional Council award Tender No.08-343 David P. McKinnon Building Roof Replacement to McCarthy's Roofing for a Total Tender Price of \$157,664.07 (net HST included) with funding from Capital Accounts CB300552, CBU00944 and CBX01047, all titled HRM Admin Buildings - Upgrades, as outlined in the Budget Implications section of the report dated October 6, 2008. MOTION PUT AND PASSED.

11.1.4 Proposed Administrative Order SC-54, Respecting Closure of a Parcel TT-1 (PID 41050535) Danforth Road, Halifax

C A report dated October 6, 2008 was before Council.

MOVED BY Deputy Mayor Adams, seconded by Councillor Sloane that Halifax Regional Council close Parcel TT-1 (PID# 41050535) Danforth Road, Halifax, as per HRM Administrative Order SC-54, as shown on Attachment "B" of the report dated October 6, 2008. MOTION PUT AND PASSED.

11.1.5 Case 01175 - Municipal Planning Strategy Amendment, Ferguson's Cove, Chebucto Peninsula

C A report dated October 3, 2008 was before Council.

MOVED BY Deputy Mayor Adams, seconded by Councillor Mosher that Halifax Regional Council:

- 1. Authorize staff to initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Planning District 5 to allow for the keeping of horses in the Ferguson's Cove area; and**
- 2. Instruct that the amendment process include a public participation program in accordance with the Public Participation Resolution, adopted by Regional Council on February 25, 1997.**

MOTION PUT AND PASSED.

11.2 INVESTMENT POLICY ADVISORY COMMITTEE

11.2.1 Review and Amendment to the Investment Policy

C A report dated October 16, 2008 was before Council.

MOVED BY Councillor Karsten, seconded by Councillor Sloane that Halifax Regional Council approve the Halifax Regional Municipality Investment Policy as amended in the report dated September 5, 2008.

Councillor Karsten thanked the members of the Investment Policy Advisory Committee for all of their hard work.

MOTION PUT AND PASSED.

11.3 MEMBERS OF COUNCIL

11.3.1 Councillor Younger - Request for Report re: Impact of World Market on Budget

MOVED BY Councillor Younger, seconded by Councillor Wile that Halifax Regional Council request an information report from staff advising what, if any, impact there is of the world market collapse on HRM's budget and any investment policy changes that may be required and if there is a budget impact, what rationalization may be required. MOTION PUT AND PASSED.

12. MOTIONS

12.1 Councillor Rankin

MOVED BY Councillor Rankin, seconded by Councillor Johns that Halifax Regional Council extend the terms of the current citizen appointments on Committees/Boards and Commissions that will expire on November 30, 2008 to December 31, 2008 to maximize recruitment of volunteers. MOTION PUT AND PASSED.

13. ADDED ITEMS

13.1 Correspondence - Rear Admiral Maddison, Commander Joint Task Force Atlantic - Request for Military Fly-past

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that Halifax Regional Council grant permission for the Canadian Forces to fly a Sea King helicopter (CH 124) over the city to the Grand Parade (routed north to south) at an altitude of 500 feet above the highest obstacles at approximately 11:02 a.m. on November 11, 2008. MOTION PUT AND PASSED.

13.2 Correspondence - Colonel Ploughman, Wing Commander, 12 Wing Headquarters Shearwater - Request for Military Fly-past

MOVED BY Councillor McCluskey, seconded by Councillor Sloane that Halifax Regional Council grant permission for 12 Wing Shearwater to fly a Sea King over the Cenotaphs at the following locations: Eastern Passage, Cole Harbour and Sullivan's Pond in Dartmouth at an altitude of 500 feet above the highest obstacles between approximately 11:05 a.m. and 11:20 a.m. on November 11, 2008. MOTION PUT AND PASSED.

13.3 Citizen Appointments to Boards/Committee and Commissions

This item was addressed at an earlier In Camera session, and was now before Council for ratification:

Councillor McInroy declared a conflict on this item.

MOVED BY Councillor Murphy, seconded by Councillor Karsten that Halifax Regional Council approve the appointment of Mr. Harry McInroy as an HRM citizen to the Halifax Regional Water Commission from November 1, 2008 to March 31, 2009. MOTION PUT AND PASSED.

13.4 District 23 Election for District Councillor

This item was addressed at an earlier In Camera session, and was now before Council for ratification:

MOVED BY Councillor Meade, seconded by Councillor Murphy that Halifax Regional Council:

- 2. Take no further action on this matter; and**
- 3. That the private and confidential report dated October 28, 2008 be released to the public.**

MOTION PUT AND PASSED.

14. NOTICES OF MOTION

14.1 Councillor Younger

“Take notice that at the next meeting of Regional Council to be held on Tuesday, November 18, 2008 I intend to introduce a motion which will have the impact of changing the street light standard to require all new or replacement street lights to be cut off lights and to require any new lights installed on municipal roads as part of new subdivisions be owned by HRM and further that HRM express a preference to NS Power for low energy options.”

15. ADJOURNMENT

The meeting was adjourned at 7:04 p.m.

Julia Horncastle
Acting Municipal Clerk

The following items were added as information:

1. Proclamation - Crohn's and Colitis Awareness Month - November 2008
2. Proclamation - Pain Awareness Week - November 3 - 9, 2008
3. Memorandum from Director, Community Development dated October 14, 2008
re: Affordable Housing Provisions in Developments
4. Memorandum from Director, Legal Services & Risk Management
dated October 21, 2008 re: Status of By-Law Prosecutions - June 1 - 30, 2008
5. Memorandum from Senior Manager, Finance dated October 24, 2008
re: 2007 / 2008 Year End Financial Report
6. Memorandum from Director, Legal Services & Risk Management
dated October 24, 2008 re: Legislative Approval Update - Provincial and Municipal
Land Transactions
7. Memorandum from the Acting Municipal Clerk dated October 24, 2008
re: Requests for Presentation to Council - Paul McKinnon, Executive Director,
Downtown Halifax Business Commission re: Capital Projects in the Downtown
Core