

HALIFAX REGIONAL COUNCIL
MINUTES

November 24, 2009

PRESENT:

Mayor Peter Kelly
Deputy Mayor Brad Johns
Councillors: Steve Streach
Barry Dalrymple
David Hendsbee
Lorelei Nicoll
Gloria McCluskey
Darren Fisher
Bill Karsten
Jackie Barkhouse
Jim Smith
Mary Wile
Jerry Blumenthal
Dawn Sloane
Sue Uteck
Jennifer Watts
Russell Walker
Debbie Hum
Linda Mosher
Stephen Adams
Robert Harvey
Tim Outhit
Peter Lund

REGRETS:

Councillor: Reg Rankin

STAFF:

Mr. Wayne Anstey, Acting Chief Administrative Officer
Ms. Mary Ellen Donovan, Municipal Solicitor
Ms. Sherryll Murphy, Acting Municipal Clerk
Ms. Melody Campbell, Legislative Assistant

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1. INVOCATION

Mayor Kelly called the meeting to order at 6:03 p.m. with the Invocation being led by Councillor Streach.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillor Blumenthal expressed his appreciation to residents of the North End who attended the meeting regarding the future of the Needham Centre. He advised that a meeting will be held to discuss Peninsula recreation centre issues at the St. Andrews Community Centre on Wednesday, November 25th at 7:00 p.m.

Councillor Sloane expressed her appreciation to Mayor Kelly, Councillor Watts, Councillor Nicoll, Councillor Barkhouse and Councillor Hendsbee and all those who attended the Parade of Lights. She advised that there were over 100,000 in attendance. She noted that the Halifax Tree Lighting will be taking place on Saturday, November 28th, 5:00 p.m. at the Grand Parade.

Councillor Dalrymple advised that the LWF Fall River Lions will be holding its Christmas Parade and Food Drive on Sunday, November 29th at 1:00 p.m.. He noted that the RCMP's Town Hall meeting will take place on Monday, November 30th at 7:00 p.m. The Councillor wished a happy birthday to Jagger Thornhill who is turning ten on Friday. The Councillor advised that in place of personal birthday gifts, Jagger, of Hammonds Plains, is accepting donations for sporting equipment for the Beaver Bank Kinsac Centre.

Councillor Adams advised that the Spryfield Christmas Parade is taking place on Sunday, November 29th at 2:00 p.m with the parade starting at Punch Bowl Drive heading toward South Centre Mall.

Councillor Barkhouse advised that the Eastern Passage/Cow Bay Christmas Tree Lighting will take place at 3:00 p.m. on Sunday, November 29th at Quigley's Corner.

Councillor Watts noted a Facilities Study meeting is to be held in the Multipurpose Room at the Halifax Forum at 7:00 p.m. on Thursday, November 26th to discuss Peninsula Recreation Facilities. She added that the a meeting regarding community gardening will be held at the Ecology Action Centre at 12:00 p.m. on Monday, November 30th.

Councillor Mosher advised that a meeting of the Halifax Homeowner's Association will be held on Wednesday, November 25th at 7:00 p.m. at St. Anges Church Hall with Mayor Kelly as the guest speaker. She urged residents interested in the Homeowner's Association to attend. She added that the J.L. Ilsley Prom Committee fundraiser, a bingo and silent auction, will be held on Wednesday, November 25th at 6:30 p.m. at J.L. Ilsley

High School. The Councillor noted that the Bethany United Church will be holding its annual Christmas concerts on Saturday, November 28th, with one concert at 2:30 p.m and another at 8:00 p.m. Tickets for the concert are currently on sale for \$30.00 each including a \$20.00 tax receipt.

Councillor Nicoll advised that the RCMP Town Hall meeting will be held on Thursday at 7:00 p.m. at Cole Harbour Place.

Councillor Hum, Councillor Lund and Councillor Outhit entered the meeting at 6:10 p.m.

Councillor Hendsbee noted that local Community Health Board will host a meeting on Tuesday, November 24th at 7:00 p.m. in Lawrencetown regarding survey results for "Our Health". He advised that the Annual General meeting Martin Luther King Jr. Peace Project will be held on Saturday at 11:00 a.m. at the New Beginnings Church on Cherry Brook Road. He noted that the O'Connell Drive School Toy Bingo will be held at the Lake Echo Community Centre at 1:00 p.m. on Saturday, November 28th. He added that the St. David's Church in Lake Echo will host their Christmas Turkey Supper on Saturday, November 28th.

Councillor Streach noted that the RCMP Open House Community meeting will be held in Middle Musquodoboit at 6:30 p.m. on Wednesday, November 25th.

Councillor Outhit advised that he, along with Councillor Hum and Councillor Lund, attended the official fundraising kickoff for the new Northwood Centre in Bedford. He expressed his congratulations to the Northwood group on the launch of the fundraising campaign.

3. APPROVAL OF MINUTES - NONE

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

Additions:

- 12.1 Legal Matter - Settlement of Claim
- 12.2 Legal Matter - Settlement of Claim
- 12.3 Personnel Matter - Citizen Appointments to Boards, Committees, and Commissions
- 12.4 Property Matter - Property Disposal - 6908 Chebucto Road
- 12.5 Information Item - Proclamation - Aids Awareness Week and World Aids Day, November 24 to December 1, 2009

Change to the order of agenda items:

Item 10.1.3 to be addressed prior to Item 10.1.1.

Information Item:

Information Item #3, Funding Agreement, Transit Service to the Airport, be added to the next Regional Council agenda.

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

5. **BUSINESS ARISING OUT OF THE MINUTES**

6. **MOTIONS OF RECONSIDERATION - NONE**

7. **MOTIONS OF RESCISSION - NONE**

8. **CONSIDERATION OF DEFERRED BUSINESS - November 17, 2009**

8.1 **Tender 09-289 - Dartmouth Harbourfront Trail - Parker Street Retaining Wall - East Region**

C A staff report dated October 22, 2009 was before Council.

MOVED BY Councillor Barkhouse, seconded by Councillor McCluskey, that Halifax Regional Council:

1. **Allocate \$52,300.00 from Capital Account No. CDG00984 - Regional Trails, MRIF to Capital Account No. CPX01032 - Regional Trails - Active Transportation, Res. No 1392;**
2. **Award Tender No. 09-289, Dartmouth Harbourfront Trail - Parker Street Retaining Wall - East Region to Allterrain Contracting Inc. for a Total Tender Price of \$673,476.90 (net HST included) with funding from Capital Account No. CPX01032 - Regional Trails - Active Transportation, Res. No. 1392 as outlined in the Budget Implications section of the report dated October 22, 2009.**
3. **Award construction administration and site supervision services under RFP 09-317 Engineering Services for the Replacement Design of the Parker Street Retaining Wall to CBCL Limited for an estimated fee of \$49,852.78 (net HST included) with funding from Capital Account No. CPX01032 - Regional Trails - Active Transportation, Res. No. 1392 as outlined in the Budget Implications section of the report dated October 22, 2009.**

Staff provided Council with the following clarifications:

- C if the completion date of March 31, 2010 is not met, HRM will implement penalties on the contractor
- C the award price is close to HRM estimates
- C the award was dependant on the completion of negotiations with private property owners
- C work will begin within three weeks

A number of Councillors raised concern regarding how this project may affect available funding for planned future projects.

MOTION PUT AND PASSED.

8.2 Special Events Grant Funding Requests - Second Intake Date Ending June 26, 2009

- C A Special Events Advisory Committee report dated October 19, 2009 was before Council.
- C A staff report dated August 6, 2009 was before Council.

MOVED BY Deputy Mayor Johns, seconded by Councillor Karsten, that Regional Council:

1. **Approve the 09/10 funding amounts identified in Table 1 from the Festival & Events program (C760) as outlined in the Budget Implications section of the report dated August 6, 2009, and;**
2. **Direct staff to amend the Special Event Grants Funding policy to clarify that, in future, family named events would not be accepted,**
3. **Amend the Civic Events Policy and Granting Framework to include the Shearwater East Dartmouth Minor Hockey Association (SEDMHA) as a Hallmark Event and award the event a \$15,000 annual grant through Marketing Levy Special Events Reserve (Q315).**

MOTION PUT AND PASSED.

- 9. **CORRESPONDENCE, PETITIONS & DELEGATIONS**
- 9.1 **Correspondence - None**
- 9.2 **Petitions - None**

10. REPORTS

10.1 CHIEF ADMINISTRATIVE OFFICER

10.1.3 Sheet Harbour Streetscape Phase 1 - Agreement with Sheet Harbour and Area Development Corporation

C A staff report dated November 7, 2009 was before Council.

MOVED BY Councillor Streach, seconded by Councillor McCluskey, that Halifax Regional Council:

- 1. Approve the terms of the Agreement between the Sheet Harbour Development Association and the Halifax Regional Municipality as attached to the November 7, 2009 report.**
- 2. Direct staff to bring forward the necessary terms for the local area charges and area rates as per the attached agreement for adoption by Regional Council.**

The following points of discussion ensued among Council:

- C concern was raised that this streetscape is being considered before the Quinpool and Spring Garden Streetscape projects
- C concern was expressed with how funding of this project may affect future projects
- C HRM is contributing \$500,000 which has already been committed by HRM
- C stimulus funding must be utilized by March 2011; ACOA funding must be utilized by March 2010
- C the Sheet Harbour streetscape has been on the project list

MOTION PUT AND PASSED.

10.1.1 Infrastructure Planning Office - Reserve Withdrawal

C A staff report dated October 21, 2009 was before Council.

MOVED BY Deputy Mayor Johns, seconded by Councillor Lund, that Regional Council approve the withdrawal of up to \$75,000 from Q310 - Service Improvement Reserve, in the form of a non-repayable grant, to support the administration of infrastructure funding programs for a one year period. MOTION PUT AND PASSED.

10.1.2 Case 01302 - Municipal Planning Strategy & Land Use By-Law Amendments and Development Agreement for 3473 Dutch Village Road, Halifax

C A staff report dated November 2, 2009 was before Council.

MOVED BY Councillor Walker, seconded by Councillor Sloane, that Regional Council:

- 1. Initiate the process to consider amending the Halifax Municipal Planning Strategy (MPS) and Peninsula Land Use By-law (LUB) to permit a mixed use building at 3473 Dutch Village Road, Halifax, as well as consider other amendments, as appropriate, to the MPS and LUB for the area bounded by Dutch Village Road, Joseph Howe Drive and Andrew Street to allow for future similar proposals; and**
- 2. Request staff to follow the public participation program as approved by Council in February 1997.**

MOTION PUT AND PASSED.

Councillor Streach retired from the meeting at 6:51 p.m.

10.1.3 Sheet Harbour Streetscape Phase 1 - Agreement with Sheet Harbour and Area Development Corporation

This item was addressed prior to Item 10.1.1 as requested during the approval of the Order of Business. See page 8.

10.2 GRAFFITI TASK FORCE

10.2.1 Annual Report - Graffiti Management Plan

C A staff report dated November 9, 2009 was before Council.

Councillor Mosher introduced Ms. Jane Nauss, Manager Community Response Team, to Council. The Councillor advised that members of the Graffiti Task Force were in attendance for the presentation.

A presentation, Graffiti Management Plan Update 2008 and 2009, was provided by Ms. Jane Nauss, Manager, Community Response Team, Constable Jim Bennet, Halifax Regional Police and Councillor Mosher.

In concluding the presentation, Councillor Mosher expressed her appreciation to Mr. Curtis Sliwa for the presentations he provided to Task Force members during their time in New York.

MOVED BY Councillor Mosher, seconded by Councillor Wile, that Halifax Regional Council accept the report from the Graffiti Task Force.

It was noted that many members of Council support the initiatives of the Graffiti Task Force.

Following the presentation, the following points were made:

- C it was suggested that staff consider utilizing persons in the adult diversion system or persons sentenced to community service for graffiti removal
- C HRM is working with various groups to assist in graffiti eradication
- C residents can remove and/or report graffiti
- C graffiti is reported by HRM staff and through citizen calls to the HRM Call Centre
- C the plan is not to charge homeowners; the plan is to notify homeowners through the Dangerous or Unsightly Premises Remedy to Order process
- C it was noted that the Dangerous or Unsightly Premises Order to Remedy process is 96% compliant
- C proposed changes to the HRM Charter (Respecting Dangerous or Unsightly Premises) has to go to the Province for approval
- C the violation if caught spreading graffiti is a criminal code mischief violation with a fine of up to \$2000 or up to six months in jail
- C HRM spends approximately \$380,000 on graffiti removal only
- C HRM's cost, on the whole, is approximately \$750,000 for graffiti initiatives
- C it was suggested that vandalism and graffiti issues be dealt with as a whole
- C the HRM Art Facilitator is working with youth through the restorative justice program; it was noted that this has been a success
- C it was suggested that if partners are unable to honour their commitment to clean up graffiti, they can supply the necessary funds to HRM to do the work
- C there are two types of graffiti tool kits; one removes graffiti from painted surfaces, ie. siding or vehicles, the second kit contains chemicals and wipes for graffiti removal
- C graffiti tool kits are provided at no cost to the public
- C it was noted that many new surfaces contain protective coatings and that some organizations are currently testing protective coatings on their property

MOTION PUT AND PASSED UNANIMOUSLY.

Councillor Uteck retired from the meeting at 7:28 p.m.

11. MOTIONS

11.1 Councillor Walker

MOVED BY Councillor Hum, seconded by Councillor Walker that Regional Council request a staff report regarding the Citizens on Patrol program.

It was requested that the report include, but not be exclusive to:

- the status of the program
- operating expenditures of the three divisions, including the RCMP
- the number of volunteers including number of active volunteers
- the type and amount of funding support provided to the volunteers to offset expenses
- information on the program relating the whole of HRM

MOTION PUT AND PASSED.

11.2 Councillor Barkhouse

MOVED BY Councillor Barkhouse, seconded by Councillor Walker, that Regional Council request a staff report regarding the status of funding for the Woodside Ferry as it did not qualify for Federal funding under the Build Canada Fund.

It was requested that the report include:

- whether funding from the Build Canada Fund is out of the question
- where the Woodside Ferry places in the capital process
- where transit places in the capital process
- supply a reason why this project did not meet Build Canada funding criteria
- information on bus scheduling in relation to ferry scheduling to enable provision of an incorporated and cohesive service
- where the ferry service places in the Five-Year Strategic Operations Metro Transit Plan

MOTION PUT AND PASSED.

12. ADDED ITEMS

12.1 Legal Matter - Settlement of Claim

This matter was discussed during an earlier In Camera session and was now before Council for ratification.

MOVED BY Councillor Nicoll, seconded by Councillor McCluskey that Regional Council:

1. **Settle this claim brought by Dominion of Canada Insurance in the amount of \$22,381.89 in full settlement of the property damage and loss of use claim resulting from this accident; and**
2. **The Private and Confidential report dated October 26, 2009 not be released to the public.**

MOTION PUT AND PASSED.

12.2 Legal Matter - Settlement of Claim

This matter was discussed during an earlier In Camera session and was now before Council for ratification.

MOVED BY Deputy Mayor Johns, seconded by Councillor Lund that Regional Council:

1. **Settle this claim brought by Aviva Insurance Company of Canada in the amount of \$19,661.79 in full settlement of the property damage associated with this accident only; and**
2. **The Private and Confidential report dated October 26, 2009 not be released to the public.**

MOTION PUT AND PASSED.

12.3 Personnel Matter - Citizen Appointments to Boards, Committees, and Commissions

This matter was discussed during an earlier In Camera session and was now before Council for ratification.

MOVED BY Councillor McCluskey, seconded by Councillor Nicoll that Regional Council approve the Citizen Appointments to Boards/Committees/Commissions as outlined in Attachment 1 of the staff report dated November 18, 2009. MOTION PUT AND PASSED.

12.4 Property Matter - Property Disposal - 6908 Chebucto Road

MOVED BY Councillor Watts, seconded by Councillor Walker that Regional Council:

1. **Authorize the Mayor and Municipal Clerk to enter into an Agreement of Purchase and Sale for the disposal of 6908 Chebucto Road as per the terms**

and conditions as detailed the Private and Confidential report dated November 5, 2009; and

2. Not release the Private and Confidential report dated November 5, 2009, until all conveyances related to the Rotary conversion/Chebucto Reversing Lane Project are completed.

MOTION PUT AND PASSED.

12.5 Information Item - Proclamation - Aids Awareness Week and World Aids Day, November 24 to December 1, 2009

This item was circulated for the information of Council.

13. NOTICES OF MOTION - NONE

14. ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

Cathy Mellett
Acting Municipal Clerk

INFORMATION ITEMS
November 24, 2009

1. Memorandum from Chief of Police dated November 16, 2009
re: Removal of Recyclables from Curbside
2. Memorandum from Chief Administrative Officer dated November 18, 2009
re: HRM Economic Strategy Renewal
3. Memorandum from Director, Infrastructure & Asset Management
dated November 18, 2009 re: Funding Agreement - Transit Service to the Airport
4. Memorandum from Director, Business Planning & Information Management
dated November 20, 2009 re: 2009 HRM Citizen Survey
5. Memorandum from the Acting Clerk Manager dated November 20, 2009
re: Requests for Presentation to Council - None