ΗΛΙΓΛΧ

HALIFAX REGIONAL COUNCIL MINUTES April 11, 2017

PRESENT: Mayor Mike Savage Deputy Mayor Steve Craig Councillors: Steve Streatch David Hendsbee Bill Karsten Lorelei Nicoll Sam Austin Tony Mancini Waye Mason Lindell Smith Shawn Cleary Russell Walker Stephen Adams Richard Zurawski Matt Whitman Lisa Blackburn Tim Outhit

STAFF: Jacqu John Kevin

Jacques Dubé, Chief Administrative Officer John Traves, Municipal Solicitor Kevin Arjoon, Municipal Clerk Phoebe Rai, Legislative Assistant Liam MacSween, Legislative Assistant

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

A video recording of this meeting is available: <u>http://www.halifax.ca/site/exit.php?url=http://archive.isiglobal.ca/vod/halifax/archive_2017-04-</u> <u>11_live.mp4.html</u>

The agenda, supporting documents, and information items circulated to Council are available online: <u>http://www.halifax.ca/council/agendasc/170411rc-agenda.php</u>

The meeting was called to order at 1:00 p.m., and Council moved into an In Camera (In Private) session at 3:34 p.m. Council reconvened at 6:19 p.m. and adjourned at 6:20 p.m.

1. CALL TO ORDER

The Mayor called the meeting to order at 1:00 p.m. and Council stood for a moment of reflection.

2. SPECIAL COMMUNITY ANNOUNCEMENTS & ACKNOWLEDGEMENTS

Councillors noted a number of special community announcements and acknowledgements.

3. APPROVAL OF MINUTES – NONE

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

Additions:

- 17.1 Ratification from Committee of the Whole Proposed Multi-Year Financial Strategy 2017-2021, and Business and Capital Plans for 2017/2018 2018/2019
- 16. IN CAMERA (IN PRIVATE)
 - 16.1 Personnel Matter

Citizen and Councillor appointments to boards and committees in keeping with the Public Appointment Policy adopted by Regional Council in August 2011, to be found at http://www.halifax.ca/boardscom/documents/Citizenrecruitmentpolicy.pdf

16.1.3 Ratification of Citizen Appointments to Board of Police Commissioners – Private and Confidential Report

16.3 Personnel Matter A matter pertaining to an identifiable individual or group.

16.3.1 Chief Administrative Officer Performance Planning and Review Process - Private and Confidential Report - Verbal Update

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: Municipal Expense Reporting

Information Items

11. Proclamation - Child Abuse Prevention Month - April, 2017

Council agreed to consider item 17.1 prior to item 14.1.1

MOVED by Councillor Smith, seconded by Councillor Mason

THAT the agenda be approved as amended.

Two-third majority vote required.

MOTION PUT AND PASSED.

- 5. BUSINESS ARISING OUT OF THE MINUTES NONE
- 6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS NONE

- 7. MOTIONS OF RECONSIDERATION NONE
- 8. MOTIONS OF RESCISSION NONE
- 9. CONSIDERATION OF DEFERRED BUSINESS NONE
- 10. NOTICES OF TABLED MATTERS NONE
- 11. PUBLIC HEARINGS NONE

12. CORRESPONDENCE, PETITIONS & DELEGATIONS

12.1 Correspondence

The Clerk noted that correspondence was received for items 14.1.2. This correspondence was circulated to Council.

For a detailed list of correspondence received refer to the specific agenda item.

12.2 Petitions - None

13. INFORMATION ITEMS BROUGHT FORWARD – NONE

Council proceeded to consider item 17.1 next as determined during the approval of the order of business.

17.1 Ratification from Committee of the Whole – Proposed Multi-Year Financial Strategy 2017-2021, and Business and Capital Plans for 2017/2018 - 2018/2019

MOVED by Deputy Mayor Craig, seconded by Councillor Whitman

THAT Halifax Regional Council adopt the

1. "Resolution for Approval of Operating and Capital Budgets and Tax Rates for Fiscal 2017/2018," as set out in Schedule 1 of the staff report dated March 31, 2017:

It is hereby resolved that:

a) the Operating Budget in the amount of \$894,363,300 gross expenditures (which includes \$741,520,100 in municipal expenditures including the reserve withdrawals specified in the Operating and Capital Budget); \$684,766,500 in property tax revenues (including area rate revenues) and \$209,596,800 in other revenues be approved;

b) the Capital Budget in the amount of \$187,269,000 be approved;

- c) the general rates of taxation on residential and resource property be set at
 - (i) \$0.667 for the urban area
 - (ii) \$0.634 for the suburban area; and
 - (iii) \$0.634 for the rural area

per \$100 of taxable assessment;

d) the general rates of taxation on commercial property be set at

- (i) \$2.869 for the urban area;
- (ii) \$2.869 for the suburban area; and
- (iii) \$2.542 for the rural area

per \$100 of taxable assessment;

e) the Halifax Transit Annual Service Plan and the tax rates associated with Transit Taxation be set at

(i) \$0.048 for the Regional Transportation tax rate;

(ii) \$0.098 for the Local Transit tax rate

per \$100 of taxable assessment;

f) (i) the boundaries of the urban, suburban and rural areas are delineated in Attachment A, the "Tax Area Map";

(ii) the boundary of the Regional Transportation area includes all properties within communities included within Attachment B, the "Regional Transportation Area map"; and,

(iii) the boundary for the Local Transit area includes all properties within 1km walking distance of any HRM transit stop.

g) Fire Protection rates shall be set at the rate of \$0.013 per \$100 for all residential and resource assessment and at \$0.036 per \$100 of the commercial assessment for properties which are within 1,200 feet of a hydrant that is designed and operated for public fire protection purposes.

h) the final tax bills will become due on Tuesday, October 31, 2017;

i) the interest rate on the Reserve Funds, designated as requiring interest under Section 121(2) of the Halifax Charter, be set at the rate of return on funds invested by HRM for the period April 1, 2017 to March 31,2018;

j) the interest rate on all reserves except for those identified in (i) above will be set at the rate of return on funds invested by HRM for the period April 1, 2017 to March 31, 2018;

k) an advance funding commitment is approved for the amount of \$89,753,000 for the fiscal years 2018-19 through 2021-22 for the projects listed in Attachment C, the "Schedule of Multi-Year Capital Projects"; and

I) withdrawals from Reserves in the amount of \$ 85,778,200 are approved, as detailed in Attachment D, the "Reserves Withdrawal 2017-18"; and

2. "Resolution for Approval in Principle of Operating Budget for Fiscal 2018/19" as set out in Schedule 2 of the staff report dated March 31, 2017:

It is hereby resolved that the Operating Budget in the amount of \$920,884,700 gross expenditures (which includes \$763,107,700 in municipal expenditures); \$709,739,600 in property tax revenues (including area rate revenues) and \$211,145,100 in other revenues be approved in principle.

Councillors Cleary and Outhit joined the meeting at 1:10 p.m.

MOTION PUT AND PASSED. (16 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Smith, Walker, Adams, Zurawski, Whitman, Blackburn and Outhit

Against: Councillor Cleary

14. REPORTS

14.1 CHIEF ADMINISTRATIVE OFFICER

14.1.1 Request from Community Foundation of Nova Scotia to Partner in the Community Foundations of Canada 150 Fund

The following was before Council:

• A staff recommendation report dated March 24, 2017

MOVED by Councillor Walker, seconded by Councillor Whitman

THAT Halifax Regional Council direct the CAO to instruct staff to inform charitable organizations who receive funding from HRM under the 2017 Community Grants Program that they may also be eligible for additional funding from the Community Fund for Canada's 150th offered through the Community Foundation of Nova Scotia.

MOTION PUT AND PASSED UNANIMOUSLY.

14.1.2 By-law S-1002, Amending Sidewalk Café By-law

The following was before Council:

- A staff recommendation report dated March 21, 2017
- Correspondence dated April 10, 2017 from Christian Rankin

MOVED by Councillor Mason, seconded by Councillor Whitman

THAT Halifax Regional Council continue to require the written consent of the property owner when an applicant for a sidewalk café license is a tenant.

Councillor Mason requested that Council defeat the motion. The Councillor indicated that this requirement of Regional Council to secure written consent of the property owner has the potential to cause complications between property owners and tenants, as outlined in the correspondence received from Christian Rankin. Mason spoke in favour of defeating the motion and amending the by-law to allow tenants to provide a security bond to HRM in lieu of a letter from the property owner, as set out in alternative 1 in the staff report dated March 21, 2017.

A brief discussion ensued, with some Councillors expressing discomfort with the lack of community engagement and public consultation on the matter. It was suggested that if the motion is defeated and alternative 1 brought forward, there could be a Public Hearing to receive public comments on the proposed amendments.

MOTION PUT AND DEFEATED. (2 in favour, 15 against)

In favour: Councillors Adams and Outhit

Against: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Smith, Cleary, Walker, Zurawski, Blackburn and Whitman

For further information, please see Notice of Motion item 18.4 on page 11.

14.1.3 Councillor Appointment to the Halifax Water Commission Board

The following was before Council:

• A staff recommendation report dated March 27, 2017

Councillor Hendsbee withdrew their name from consideration for the Halifax Regional Water Commission Board and recommended that Councillor Nicoll be appointed instead.

MOVED by Councillor Hendsbee, seconded by Councillor Streatch

THAT Halifax Regional Council proceed to appoint Councillor Lorelei Nicoll to the Halifax Regional Water Commission Board for a term to November 2018.

MOTION PUT AND PASSED UNANIMOUSLY.

14.1.4 Halifax Regional Water Commission (HRWC) Cost Sharing Agreement – New Sidewalk – Hammonds Plains Road (Brookshire to Smith), Central Region

The following was before Council:

• A staff recommendation report dated March 27, 2017

MOVED by Councillor Outhit, seconded by Councillor Nicoll

THAT Halifax Regional Council authorize the Director of Transportation and Public Works to enter into a cost sharing agreement and authorize reimbursement of an amount up to \$335,499 (net HST included) to the Halifax Regional Water Commission with funding from Project Account No. CTU00420 – Active Transportation, as outlined in the Financial Implications section of the staff report dated March 27, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

14.2 COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

14.2.1 Kindness Meters

The following was before Council:

• A recommendation report dated March 27, 2017 submitted by the Chair of the Community Planning and Economic Development Standing Committee, with attached staff report dated March 23, 2017

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

- 1. Direct staff that procurement documents for parking pay stations specify that the pay stations have the ability to be programmed to accept charitable donations.
- 2. Direct staff that parking pay stations be programmed to accept charitable donations when they are installed (expected in summer of 2018).
- 3. Once parking pay stations are installed and operating, direct staff to negotiate a Contribution Agreement with United Way of Halifax Region for kindness meter funds to advance identified charitable purposes, and return to Council with the resulting Contribution Agreement or key terms.

Council entered into a discussion with Maggie MacDonald, Managing Director of Government Relations and External Affairs responding to questions of clarification. Key points included:

- The Contribution Agreement with United Way of Halifax would consider how collected funds should be used, and would be brought back to Council for approval; and
- Staff did not consider providing a bonus for donating but could explore this possibility.

A number of Councillors expressed discomfort with the recommendation for the following reasons:

- Some residents could be confused by how the meters work;
- There has not been any formal evaluation to consider the effectiveness of kindness meters;
- This would not address the root problems of poverty and homelessness; and
- There are alternatives to United Way that could be considered.

Councillor Smith asked that the motion be split, to which Council agreed.

MOVED by Councillor Mason, seconded by Councillor Mancini

THAT Halifax Regional Council:

1. Direct staff that procurement documents for parking pay stations specify that the pay stations have the ability to be programmed to accept charitable donations.

MOTION PUT AND PASSED. (16 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Smith, Cleary, Walker, Adams, Whitman, Blackburn and Outhit

Against: Councillor Zurawski

2. Direct staff that parking pay stations be programmed to accept charitable donations when they are installed (expected in summer of 2018).

MOTION PUT AND PASSED. (16 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Smith, Cleary, Walker, Adams, Whitman, Blackburn and Outhit

Against: Councillor Zurawski

3. Once parking pay stations are installed and operating, direct staff to negotiate a Contribution Agreement with United Way of Halifax Region for kindness meter funds to advance identified charitable purposes, and return to Council with the resulting Contribution Agreement or key terms.

MOTION PUT AND PASSED. (14 in favour, 3 against)

In favour: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Cleary, Walker, Whitman, Blackburn and Outhit

Against: Councillors: Smith, Adams and Zurawski

14.3 EXECUTIVE STANDING COMMITTEE

14.3.1 Federation of Canadian Municipalities (FCM) Resolution – Board Appointment

The following was before Council:

• A recommendation report dated March 27, 2017 submitted by the Chair of the Executive Standing Committee

MOVED by Deputy Mayor Craig, seconded by Councillor Karsten

THAT Halifax Regional Council adopt the resolution required by the Federation of Canadian Municipalities in regard to the nomination of Councillor Walker as Council's nominee to the Board of FCM for a term to June 2018 as provided in attachment 1 of the report dated March 27, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

14.3.2 Federation of Canadian Municipalities (FCM) Resolution – Councillor Endorsement Table Officer

The following was before Council:

 A recommendation report dated March 27, 2017 submitted by the Chair of the Executive Standing Committee MOVED by Councillor Nicoll, seconded by Councillor Austin

THAT Halifax Regional Council:

- 1. Support Councillor Bill Karsten as a candidate for Second Vice President of the Federation of Canadian Municipalities for one year term to June 2018.
- 2. Adopt the resolution required by the Federation of Canadian Municipalities as provided in attachment 1 of the report dated March 27, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

14.4 TRANSPORTATION STANDING COMMITTEE

14.4.1 Speed Limits in Residential Areas

The following was before Council:

• A recommendation report dated March 31, 2017 submitted by the Chair of the Transportation Standing Committee, with attached staff report dated March 10, 2017

MOVED by Councillor Nicoll, seconded by Councillor Outhit

THAT Halifax Regional Council submit a request to the Province of Nova Scotia to reduce the speed limit in residential districts identified in section 102 (2) of the Motor Vehicle Act to forty kilometres per hour (40 km/h).

Taso Koutroulakis, Manager of Traffic Services responded to questions of clarification, noting the following:

- The study commissioned by the provincial authority to assess the impact of reduced speed limits has not yet been made public;
- Current data suggests lowering speed limits does not necessarily translate to lower speeds;
- At present, if the municipality wishes to reduce speed on a particular street as a traffic calming measure, it must approach the province on a case-by-case basis supported by evidence based on physical measures; and
- If approved by the Province, a speed limit of forty kilometres per hour would become the de facto speed limit in residential districts unless signs are posted to indicate otherwise.

Councillor Nicoll suggested that the motion be amended to clarify that the request to the Province would be made through a letter from the Mayor. The amendment was accepted as friendly.

Council entered into a brief discussion regarding the impact of such a change on other municipalities in Nova Scotia. Several Councillors expressed interest in discussing the matter with other municipalities.

The question was called on the amended motion as follows:

THAT Halifax Regional Council submit a request to the Province of Nova Scotia, in the form of a letter from the Mayor, to reduce the speed limit in residential districts identified in section 102 (2) of the Motor Vehicle Act to forty kilometres per hour (40 km/h).

AMENDED MOTION PUT AND PASSED. (16 in favour, 1 against)

In favour: Mayor Savage, Deputy Mayor Craig, Councillors: Streatch, Hendsbee, Karsten, Nicoll, Austin, Mancini, Mason, Smith, Cleary, Walker, Zurawski, Whitman, Blackburn and Outhit

Against: Councillor Adams

Mayor Savage advised that the matter will be brought forward to the Union of Nova Scotia Municipalities for their consideration.

14.4.2 First Reading Proposed By-Law U-101, an Amendment to By-Law U-100, Respecting User Charges – SmartTrip Membership Fee Structure and EPass Agreement Amendments

The following was before Council:

• A recommendation report dated March 31, 2017 submitted by the Chair of the Transportation Standing Committee, with attached staff report dated January 16, 2017

MOVED by Councillor Outhit, seconded by Councillor Karsten

THAT Halifax Regional Council give First Reading to Proposed By-law U-101, the purpose of which is to amend Schedule 2 of By-law U-100, Respecting User Charges, changing the annual SmartTrip membership fee structure, as set out in Attachment B of the staff report dated January 16, 2017.

MOTION PUT AND PASSED UNANIMOUSLY.

14.5 HERITAGE ADVISORY COMMITTEE

14.5.1 H00416 – Substantial Alteration to Tower Road School, 945 Tower Road, Halifax, a Municipally Registered Heritage Property

The following was before Council:

• A recommendation report dated February 6, 2017 submitted by the Chair of the Heritage Advisory Committee, with attached staff report dated December 16, 2016

MOVED by Councillor Mason, seconded by Councillor Walker

THAT Halifax Regional Council approve the substantial alteration to the Tower Road School (Halifax Grammar School) at 945 Tower Road, Halifax with the following conditions:

- 1. That the white detailing design of the north corner of the addition be more conforming to the heritage building in terms of material; and
- 2. That the front yard set-back of the northern corner of the new addition should align with the front yard set-back of the existing heritage building.

MOTION PUT AND PASSED UNANIMOUSLY.

15. MOTIONS – NONE

16. IN CAMERA (IN PRIVATE)

The following items were dealt with in public session.

16.1 Personnel Matter

16.1.1 Ratification of Citizen Appointments to Boards and Committees – *Private and Confidential Report*

The following was before Council:

• A private and confidential recommendation report dated March 27, 2017

MOVED by Councillor Mason, seconded by Councillor Nicoll

THAT Halifax Regional Council:

- 1. Adopt the recommendations of the Standing Committee regarding the Citizen Appointments as outlined in Attachment 1 of the private and confidential report dated March 27, 2017.
- 2. It is further recommended that the Citizen Appointments be released to the public following ratification and notification of the successful candidates.

MOTION PUT AND PASSED UNANIMOUSLY.

16.1.2 Amendment to Community Design Advisory Committee Composition and Appointment of Member – *Private and Confidential Report*

The following was before Council:

• A private and confidential recommendation report dated April 3, 2017

MOVED by Councillor Smith, seconded by Councillor Mason

THAT Halifax Regional Council:

- 1. Amend the composition of the Community Design Advisory Committee to include an additional member representing the Public Health Sector from one to two representatives as outlined in the proposed terms of reference, Attachment 1 to the private and confidential report dated April 3, 2017.
- 2. Appoint one applicant to represent the Public Health Sector as outlined in Attachment 2 to the private and confidential report dated April 3, 2017, and that the identity of the appointee be released to the public following ratification and notification of the successful candidate.

MOTION PUT AND PASSED UNANIMOUSLY.

16.1.3 Ratification of Citizen Appointments to Board of Police Commissioners – *Private and Confidential Report*

The following was before Council:

• A private and confidential recommendation report dated April 3, 2017 submitted by the Chair of the Executive Standing Committee

MOVED by Deputy Mayor Craig, seconded by Councillor Outhit

THAT Halifax Regional Council:

- 1. Approve the appointments to the Board of Police Commissioners as set out in the Discussion Section of the April 10, 2017 private and confidential report from the Executive Standing Committee.
- 2. It is further recommended that the Citizen Appointments be released to the public following ratification and notification of the successful candidates.

MOTION PUT AND PASSED UNANIMOUSLY.

- 16.2 Property Matter
- 16.2.1 Councillor Austin Staff Request on Possible Acquisition *Private and Confidential Report*

The following was before Council:

• A private and confidential Request for Consideration form submitted by Councillor Austin

MOVED by Councillor Austin, seconded by Councillor Karsten

THAT Regional Council request a staff report on possible acquisition of lands or, an easement, as outlined in the private and confidential Councillor request for consideration form.

MOTION PUT AND PASSED UNANIMOUSLY.

16.3 Personnel Matter

16.3.1 Chief Administrative Officer Performance Planning and Review Process - *Private and Confidential Report - Verbal Update*

This matter was dealt with at an In Camera (In Private) session convened later in the meeting. See page 12 for details.

17. ADDED ITEMS

17.1 Ratification from Committee of the Whole – Proposed Multi-Year Financial Strategy 2017-2021, and Business and Capital Plans for 2017/2018 - 2018/2019

This matter was dealt with earlier in the meeting. See pages 3-4 for details.

18. NOTICES OF MOTION

18.1 Councillor Streatch

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on April 25, 2017 I intend to move First Reading of proposed By-Law L-137 Amending By-Law L-100, Respecting Charges for Local Improvements, the purpose of which is to set the charges for the installation of water servicing in Fall River and adjoining lots along Fall River Road and Highway #2 to the Hwy 102 Overpass, Lockview Road to the Lockview School access, and McPherson Road and a portion of Ingram Drive."

18.2 Councillor Adams

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on April 25, 2017, I intend to introduce a motion to acquire a portion of PID 00385989 to allow for access to the Terence Bay Lighthouse, in Terence Bay (PID 00385880)."

18.3 Councillor Walker

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on April 25, 2017, I propose to introduce Administrative Order 2017-003-GOV, Respecting the Federation of Canadian Municipalities Advisory Committee, the purpose of which is to establish a Committee respecting the 2018 Annual Conference and Trade Show of the Federation of Canadian Municipalities."

18.4 Councillor Mason

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on April 25, 2017, I intend to move First Reading of Proposed By-law S-1002, further amending By-law S-1000, the Sidewalk Café By-law, as set out in Attachment 2 of the staff report dated March 21, 2017 and schedule a Public Hearing."

18.5 Councillor Cleary

"TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on April 25, 2017, I intend to move that Halifax Regional Council request a staff report with recommendations regarding a public

engagement process to review and advise Council regarding possible changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street."

16. IN CAMERA (IN PRIVATE)

16.3 Personnel Matter

MOVED by Councillor Mancini, seconded by Councillor Whitman

THAT Regional Council convene to In Camera (In Private) to discuss item 16.3.1.

MOTION PUT AND PASSED.

Council convened to In Camera (In Private) at 3:34 p.m.

16.3.1 Chief Administrative Officer Performance Planning and Review Process - *Private and Confidential Report - Verbal Update*

This matter was dealt with during an In Camera (In Private) session.

Council reconvened to public session at 6:19 p.m.

19. ADJOURNMENT

The meeting adjourned at 6:20 p.m.

Kevin Arjoon Municipal Clerk