



**HALIFAX REGIONAL COUNCIL
MINUTES
October 29, 2019**

PRESENT: Deputy Mayor Tony Mancini
Councillors: David Hendsbee
Bill Karsten
Lorelei Nicoll
Sam Austin
Waye Mason
Lindell Smith
Shawn Cleary
Russell Walker
Stephen Adams
Richard Zurawski
Matt Whitman
Lisa Blackburn
Paul Russell

REGRETS: Mayor Mike Savage
Councilors: Steve Streach
Tim Outhit

STAFF: Jacques Dubé, Chief Administrative Officer
John Traves, Municipal Solicitor
Kevin Arjoon, Municipal Clerk
Simon Ross-Siegel, Legislative Assistant
Liam MacSween, Legislative Assistant

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

The agenda, reports, supporting documents, information items circulated, and video (if available) are online at halifax.ca.

The meeting was called to order at 1:04 p.m. and moved into an In Camera (In Private) session at 4:26 p.m. Council adjourned at 4:51 p.m.

1. CALL TO ORDER

Mayor Savage called the meeting to order at 1:04 p.m. in Council Chamber, 3rd Floor City Hall, 1841 Argyle Street, Halifax. 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 – September 17 & 18 and 24, 2019

MOVED by Councillor Nicoll, seconded by Councillor Walker

THAT the minutes of September 17 & 18 and 24, 2019 be approved as circulated.

MOTION PUT AND PASSED.

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

Council agreed to defer item 15.1.6 Port Wallace Secondary Planning Process and Environmental Investigation Near Barry's Run to the next regular meeting of Regional Council on November 12, 2019.

MOVED by Councillor Whitman, seconded by Councillor Cleary

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

5. CONSENT AGENDA – NONE

6. BUSINESS ARISING OUT OF THE MINUTES – NONE

7. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

8. MOTIONS OF RECONSIDERATION – NONE

9. MOTIONS OF RESCISSION – NONE

10. CONSIDERATION OF DEFERRED BUSINESS – NONE

11. NOTICES OF TABLED MATTERS – NONE

12. PUBLIC HEARINGS – NONE

13. CORRESPONDENCE, PETITIONS & DELEGATIONS

13.1 Correspondence

Kevin Arjoon, Municipal Clerk, noted that correspondence was received for items: Budget Committee Item No. 3 and 15.1.2. This correspondence was circulated to Council.

13.2 Petitions – None

14. INFORMATION ITEMS BROUGHT FORWARD – October 22, 2019

14.1 Councillor Whitman – Award of Contracts – Quarterly Report July to September 2019

The following was before Council:

- A staff information report dated October 1, 2019

Stephen Terry, Senior Procurement Consultant, provided Council with an update on the award of contracts quarterly report from July to September of 2019.

15. REPORTS

15.1 CHIEF ADMINISTRATIVE OFFICER

15.1.1 Award – Request for Standing Offer No. 19H228 Fencing – Repairs, Replacements and Installations

The following was before Council:

- A staff recommendation report dated September 24, 2019

MOVED by Councillor Mason, seconded by Councillor Cleary

THAT Halifax Regional Council:

1. Award Request for Standing Offer No. 19H228 Fencing - Repairs, Replacements and Installations, to the lowest bidder meeting the specifications, Arkson Fence Ltd., at a total bid amount of \$7,279,106 (net HST included), and an initial term from date of award to June 30, 2022, with the ability to be renewed annually by HRM at its sole discretion for two additional years. The award amount is based on total bid on estimated quantities, however amounts will be shared with the awarded back up vendor and anticipated spend over the life cycle is estimated to be lower than this amount.

2. Award Request for Standing Offer No. 19H228 Fencing - Repairs, Replacements and Installations, to the backup bidder meeting the specifications, Eastern Fence Erectors Ltd., at a total bid amount of \$7,524,024 (net HST included) and an initial term from date of award to June 30, 2022, with the ability to be renewed annually by HRM at its sole discretion for two additional years. The award amount is based on total bid on estimated quantities, however amounts will be shared with the awarded primary vendor and anticipated spend over the life cycle is estimated to be lower than this amount.

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Stephen Terry, Senior Procurement Consultant, answered questions for Council regarding the scope and basis of the bid, fence repair procurement, standing offer procurement bids, and previous staff experience with the vendor and backup vendor.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Streach, Outhit

15.1.2 Menstrual Products in HRM Facilities

The following was before Council:

- A staff recommendation report dated July 1, 2019
- Correspondence from Tim Chesnutt, Jodi Brown, John McCracken, Leigh Grant, and Amber Drew,

MOVED by Councillor Nicoll, seconded by Councillor Mason

THAT Halifax Regional Council direct the Chief Administrative Officer to include in the preparation of the 2020/2021 operating budget the cost of the installation of menstrual dispensers and disposal containers in sixteen HRM owned and operated facilities for one year as part of a pilot project to provide free access to menstrual products in HRM operated facilities.

Following discussion, Council requested to defer the motion out of concern that information is currently lacking regarding the scope of selected facilities for the pilot and why they were selected. Several members spoke to the deferral and request for a supplemental report indicating their desire for alternate distribution models and metrics to measure the project success.

Diane Chisholm, Manager of Municipal Facilities & Operations, clarified that the daily costs identified in the staff report are limited to product costs, not labour costs. Jacques Dubé, Chief Administrative Officer, clarified that staff's interpretation of the recommendation in the report is limited to approval of a pilot project and would not provide for full implementation. In selecting the sixteen sites identified in the report for the pilot project, staff considered in part the existence of current dispensers and the ability to provide products discretely. Staff anticipates receiving feedback from maintenance staff and administrators.

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Halifax Regional Council:

- 1. Defer the recommendation and request a supplemental report addressing the following points:**
 - a) The challenges and solutions of not providing free menstrual products in all community centres, pools, and arenas as directed in the original motion of Regional Council;**
 - b) The goals and success criteria for this pilot project, what was learned what data was collected, and how.**
 - c) The need for dispensers, could the pilot be done without them; and**
- 2. That the supplemental report return to Regional Council prior to the prior to the preparation of the 2020/2021 operating budget.**

Following discussion, the motion to defer was withdrawn. The following alternative deferral motion was proposed:

MOVED by Councillor Nicoll, seconded by Councillor Hendsbee

THAT Halifax Regional Council defer item 15.1.2 Menstrual Products in HRM Facilities pending receipt of a supplemental staff report with respect to pursuing full implementation of the provision of free menstrual products in all HRM community centres, pools and arenas together with a recommendation on financing from the Audit and Finance Committee.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Councillors Streach, Outhit

15.1.3 Case 22050 - Municipal Planning Strategy and Land Use By-law Amendments for Parkmoor Avenue, Hayes Street and Charlton Avenue (PID 00277228), Halifax

The following was before Council:

- A staff recommendation report dated October 2, 2019

MOVED by Councillor Adams, seconded by Councillor Whitman

THAT Halifax Regional Council That Halifax Regional Council direct the Chief Administrative Officer to:

- 1. Initiate a process to consider amendments to the Municipal Planning Strategy for Halifax and the Land Use By-law for Halifax Mainland to permit a comprehensive residential development with modified lot requirements on a portion of the lands identified as PID 00277228, near Parkmoor Avenue, Hayes Street and Charlton Avenue, Halifax; and**
- 2. Request staff to follow the public participation program as adopted by Council in February, 1997.**

Councillor Mason took over as Chair in the absence of Mayor Savage and Deputy Mayor Mancini.

Jesse Morton, Planner II, answered questions regarding the amendments to the Municipal Planning Strategy. In response to questions regarding parking in the development, staff clarified that as the planning process proceeds, there will be further opportunities to review parking and transportation on a more granular level.

MOTION PUT AND PASSED. (12 in favour, 1 against)

In favour: Councillors Hendsbee, Karsten, Nicoll, Austin, Mason, Smith, Cleary, Walker, Adams, Whitman, Blackburn, Russell

Against: Councillor Zurawski

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

15.1.4 Halifax Wanderers Football Club – Request to Amend License Agreement

The following was before Council:

- A staff recommendation report dated October 17, 2019

MOVED by Councillor Smith, seconded by Councillor Russell

THAT Halifax Regional Council direct and authorize the Chief Administrative Officer to negotiate and execute an amending agreement to the License and Rental Agreement between Halifax Regional Municipality and the Halifax Wanderers Football Club (“HWFC”) dated March 8, 2019 to delete the second sentence of section 13(m) that requires HWFC to remove any stadium seating or infrastructure installed along the Sackville and Summer Street sides of the Wanderers Grounds at the end of each season during the term of the agreement.

Denise Schofield, Director of Parks and Recreation, responded to questions advising that there is currently a three-year agreement between HRM and the Wanderers' team. Schofield further noted that whether the Wanderers' stadium should be a permanent installation is a question staff will address during the annual review.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

15.1.5 Lake Echo District Park – Park Plan

The following was before Council:

- A staff recommendation report dated October 18, 2019

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT Halifax Regional Council approve the Lake Echo District Park Planning Report as a guiding document for future improvements to Lake Echo District Park.

Richard Harvey, Manager of Recreation and Planning, answered questions for Council regarding the design typography, location of the pickleball courts, and future implementation.

MOTION PUT AND PASSED UNANIMOUSLY.

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach and Outhit

15.1.6 Port Wallace Secondary Planning Process and Environmental Investigation Near Barry's Run

The following was before Council:

- A staff recommendation report dated October 15, 2019

This matter was deferred to the next regular meeting of Council on November 12, 2019 during the approval of the order of business.

15.1.7 Roadside Tree Debris Pickup Service

The following was before Council:

- A staff recommendation report dated October 12, 2019

MOVED by Councillor Hendsbee, seconded by Councillor Cleary

THAT Halifax Regional Council direct the Chief Administrative Officer not to initiate a roadside tree debris pickup program across the municipality in response to post-tropical storm Dorian.

Responding to a question regarding a large pile of remaining tree debris at the Beaver Bank Kinsac Sports Centre Ballfield, Brad Anguish, Director of Transportation and Public Works, noted that it will be cleared prior to October 31, 2019.

MOTION PUT AND PASSED. (11 in favour, 2 against)

In favour: Councillors Karsten, Nicoll, Austin, Mason, Smith, Cleary, Walker, Adams, Zurawski, Whitman, and Blackburn

Against: Councillors Hendsbee and Russell

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

15.1.8 Proposed Amendments to Administrative Order 15, Respecting License, Permit and Processing Fees - Administrative Order for Planning and Development Fees

The following was before Council:

- A staff recommendation report dated September 23, 2019

Notice of Motion was given on October 22, 2019.

MOVED by Councillor Nicoll, seconded by Councillor Whitman

THAT Halifax Regional Council:

- 1. Adopt the amendments to Administrative Order Number 15, the License, Permits and Processing Fees Administrative Order as set out in Attachment B of the staff report dated September 23, 2019, including approving that all Planning & Development fees contained within Administrative Order 15 be increased in the same percentage as the annual increase to the Consumer Price Index for the Province of Nova Scotia, rounded up to the nearest \$10, on an annual basis each April 1.**
- 2. Adopt the Guiding Principles outlined in the Discussion section of the staff report dated September 23, 2019 on a go forward basis as the policy for all planning and development fees, as defined under the HRM Charter.**

The following amendment was proposed:

MOVED by Councillor Hendsbee, seconded Councillor Cleary

THAT Halifax Regional Council amend recommendation one and attachment B, section 1(a) of the staff report dated September 23, 2019 so that all Planning & Development fees contained within Administrative Order 15 are increased in the same percentage as the annual increase to the Consumer Price Index for the Province of Nova Scotia, rounded up to the nearest \$5.00.

MOTION TO AMEND PUT AND DEFEATED (5 in favour; 8 against)

In favour: Councillors Hendsbee, Cleary, Walker, Adams, Zurawski

Against: Councillors Karsten, Nicoll, Austin, Mason, Smith, Whitman, Blackburn, Russell

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

In response to questions from Council, Kelly Denty, Director of Planning and Development advised that the cost of the second phase of the study was \$45,500 and that enhancements to the online transparency of the fee structure are planned through improvements to the website.

MOTION PUT AND PASSED. (12 in favour, 1 against)

In favour: Councillors Karsten, Nicoll, Austin, Mason, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn, Russell

Against: Councillor Hendsbee

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

15.2 AUDIT AND FINANCE STANDING COMMITTEE

15.2.1 Route 91 Routing Options - Supplemental Report

The following was before Council:

- An Audit and Finance Standing Committee report dated October 23, 2019 with attached staff supplementary recommendation report dated October 10, 2019

MOVED by Councillor Nicoll, seconded by Councillor Walker

THAT Halifax Regional Council direct the Chief Administrative Officer to fund the Route 91 – Hemlock Ravine detour along Southgate Drive using Halifax Transit’s existing operating budget.

In response to a question from Council, Dave Reage, Director of Halifax Transit advised that if approved, staff would have direction from Council to detour the Route 91 along Southgate Drive and continue monitoring the route.

In response to a follow up question, John Traves, Municipal Solicitor clarified that if Council does not accept the recommendation from the Audit and Finance Standing Committee, Council would need to defeat its recommendation and refer the matter back to the Audit and Finance Standing Committee to identify another funding source.

MOTION PUT AND PASSED. (7 in favour, 6 against)

In favour: Councillors Hendsbee, Nicoll, Walker, Adams, Whitman, Blackburn, Russell

Against: Councillors Karsten, Austin, Mason, Smith, Cleary, Zurawski

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

16. MOTIONS

16.1 Councillor Cleary

MOVED by Councillor Cleary, seconded by Councillor Whitman

THAT Halifax Regional Council request a staff report on initiating a program to enable optional payment of parking tickets by donation of equal or greater value of the ticket to Feed Nova Scotia (or similar organization) for parking tickets issued between December 2nd and 20th.

Council discussed the potential for donations in lieu of parking tickets to be directed to HRM’s Community Grants Program for Non-profit Organizations as opposed to an external organization.

In response to a question from Council, Dubé advised that a staff report would not be available ahead of the proposed implementation date of December 2, 2019. Dubé further noted that significant policy and administrative work would be required to make the program operable.

MOTION PUT AND DEFEATED. (6 in favour, 7 against)

In favour: Councillors Nicoll, Austin, Smith, Cleary, Zurawski, Blackburn

Against: Councillors Hendsbee, Karsten, Mason, Walker, Adams, Whitman, Russell

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

16.2 Councillor Mason

The following was before Council:

- A Councillor request for consideration form from Councillor Mason

MOVED by Councillor Smith, seconded by Councillor Blackburn

THAT Halifax Regional Council direct the Mayor to sign the United Nations High Commission for Refugees’ (UNHCR) statement of solidarity to stand with refugees and send a letter to UNHCR confirming this action.

MOTION PUT AND PASSED. (12 in favour; 1 against)

In favour: Councillors Hendsbee, Karsten, Nicoll, Austin, Mason, Smith, Cleary, Walker, Adams, Zurawski, Whitman, Blackburn

Against: Councillor Russell

Not present: Mayor Savage, Deputy Mayor Mancini, Councillors Streach, Outhit

17. IN CAMERA (IN PRIVATE)

17.1 In Camera (In Private) Minutes – September 17 and 24, 2019

The following motion was approved in public session:

MOVED by Councillor Hendsbee, seconded by Councillor Karsten

THAT the In Camera (In Private) minutes of September 17 and 24, 2019 be approved as circulated.

MOTION PUT AND PASSED.

MOVED by Councillor Whitman, seconded by Councillor Austin

THAT Halifax Regional Council convene to In Camera (In Private).

MOTION PUT AND PASSED.

17.2 PROPERTY MATTER – Private and Confidential Report

This matter was discussed In Camera (In Private). No further action was taken

18. ADDED ITEMS - NONE

19. NOTICES OF MOTION

19.1 Councillor Austin on behalf of Deputy Mayor Mancini

“TAKE NOTICE that, at the next regular Regional Council meeting, to be held on Tuesday, the 12th day of November, 2019, I propose to move that staff provide a recommendation report to Regional Council regarding legislative options for houseboats and docked structures to regulate both land use and building standards to ensure fair and safe use of these buildings.”

19.2 Councillor Nicoll

“TAKE NOTICE that, at a future meeting of Halifax Regional Council to be held on November 26, 2019 I propose to:

1. introduce Administrative Order 2019-004-GOV, Respecting the Women’s Advisory Committee in Halifax Regional Municipality, the purpose of which is to establish a Women’s Advisory Committee to support the creation of a gender inclusive municipality and provide advice to Regional Council on matters relevant to the municipal mandate; and
2. move amendments to Administrative Order 1, the Procedures of Council Administrative Order, the purpose of which is to allow the newly created Women’s Advisory Committee to report to the Executive Standing Committee of Council.”

19.3 Councillor Cleary

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on November 12, 2019, I propose to move amendments to Administrative Order 1, the Procedures of Council Administrative Order, the purpose of which is to enable recorded votes at Committee of the Whole and Budget Committee meetings.”

19.4 Councillor Blackburn

“TAKE NOTICE that, at the next meeting of Halifax Regional Council to be held on November 12, 2019, I propose to introduce policies pursuant to Section 325 of the Halifax Municipality Charter, as follows:

1. Administrative Order SC-91, the purpose of which is to close a portion of Majestic Avenue, Beaver Bank described as Parcel B; and
2. Administrative Order SC-92, the purpose of which is to close a portion of Monarch Drive, Beaver Bank described as Parcel A, and subject to the outcome of a public hearing consider adopting the proposed Administrative Order SC-91 and SC-92.”

20. ADJOURNMENT

The meeting adjourned at 4:51 p.m.

Kevin Arjoon
Municipal Clerk