

**TOWN OF BEDFORD**

**MINUTES**

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**TOWN COUNCIL**

**NOVEMBER 4, 1965 - OCTOBER 20, 1968**

**THIRD COUNCIL**

**FIRST YEAR**

MINUTES

SPECIAL SESSION - OCTOBER 30, 1985

A Special Session of the Town Council of the Town of Bedford took place in the Council Chambers, Bedford Tower, Bedford, Nova Scotia on Wednesday, October 30, 1985, 12:30 p.m. for the purpose of the taking and subscribing of the Oath of Allegiance and the Oath of Office by the Mayor and Councillors.

The meeting was attended by Mayor-Elect Keith Roberts and Councillors-Elect Peter Christie, Peter Kelly, David Lugar, Christopher Nolan, William Roy and Robert Short.

The Session was also attended by approximately fifty persons including The Honourable Lorne O. Clarke, Chief Justice of Nova Scotia, special guests, residents of Bedford, and friends and relatives of the members of the new Council.

Members of staff attending this Session included Dan R. English, Chief Administrative Officer, John Robertson, Chief Building Inspector and B. Joan Pryde, Deputy Clerk.

Keith Roberts opened the Session by the leading of the Lord's Prayer. Mr. Roberts then invited The Honourable Lorne O. Clarke, Chief Justice of Nova Scotia, to administer the Oath of Allegiance and the Oath of Office to the seven members of the Third Council of the Town of Bedford.

Keith Roberts took and subscribed the Oath of Allegiance and Oath of Office for the position of Mayor of the Town of Bedford.

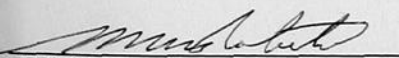
The following members were then introduced and took and subscribed the Oath of Allegiance and the Oath of Office for the positions of Councillors for the Town of Bedford:

- Peter Christie
- Peter Kelly
- David Lugar
- Christopher Nolan
- William Roy
- Robert Short

Following the Swearing-In Ceremony, The Honourable Lorne O. Clarke briefly addressed the meeting, congratulating the Town of Bedford on its achievements since Incorporation and wishing the new Council well in its future endeavours.

Mayor Roberts expressed the thanks of the Town of Bedford to His Honour, for his willingness to participate in the Swearing-In Ceremony and presented him with mementos of his visit to the Town of Bedford.

There being no further business the meeting was adjourned and was followed by a reception hosted by the Town staff assisted by two students from C.P. Allen High School.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORDMINUTESREGULAR SESSION - NOVEMBER 4, 1985

A Regular Session of the Town Council of the Town of Bedford took place on Monday, November 4, 1985, at 7:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

Mayor Roberts opened the session by the leading of the Lord's Prayer.

2. ATTENDANCE

Councillors Peter Christie, Peter Kelly, David Lugar, Chris Nolan, William Roy and Robert Short were in attendance at the commencement of the session.

Staff members attending this session included Dan R. English, Chief Administrative Officer; Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering & Works; Barry Zwicker, Director of Planning & Development; Robert Nauss, Director of Recreation; Kenneth MacInnis, Town Solicitor, and Eric Sheppard, Fire Captain. David Selig, Fire Chief was also in attendance.

3. APPROVAL OF MINUTES

SPECIAL SESSION - September 30, 1985

PUBLIC HEARING - Amendments to MDP - October 10, 1985

PUBLIC HEARING - Nelsons Landing - October 10, 1985

SPECIAL SESSION - October 10, 1985

SPECIAL SESSION - October 15, 1985

ON MOTION of Councillor Roy and Councillor Lugar it was moved that Item 12.2(b) (Bus Shelters and Overhead Crosswalk Signs) of the Minutes of the Special Session of September 30, 1985, be amended to indicate that the plaques placed on the bus shelters acknowledge the joint contribution of the Town and the Lions Club in the funding of the bus shelters. Motion carried unanimously.

3. APPROVAL OF MINUTES (Cont'd)

ON MOTION of Councillor Lugar and Councillor Roy it was moved that the Minutes of the Special Session of September 30, 1985, be approved as amended. Also, that the Minutes of the Public Hearing (Amendments to MDP) of October 10, 1985; the Minutes of the Public Hearing (Nelsons Landing) of October 10, 1985; and the Minutes of the Special Sessions of October 10, 1985 and October 15, 1985, be approved as presented. Motion carried unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

Nil

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Lugar and Councillor Christie it was moved that the Order of Business, as presented, be approved. Motion carried unanimously.

6. MOTIONS OF RECONSIDERATION

Nil

7. DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES7.1 BEDFORD VILLAGE NORTH - STORM DRAINAGE INTO PAPER MILL LAKE (DELEGATIONS - BEDFORD VILLAGE RESIDENTS ASSOCIATION)

By memorandum, Rick Paynter, Director of Engineering & Works, provided a report to Council which outlined possibilities for the method of providing storm drainage discharge from areas included in the watershed area of Paper Mill Lake (Bedford Village North, Bedford Village South, Tall Trees, and a portion of the Jack Lake area). Mr. Paynter outlined three options that he felt Council could consider respecting storm water discharge, in particular from Bedford Village North and Tall Trees Developments. Also circulated to members of Council were briefs from William A. Brimley, P.Eng., and Will Apold, P.Eng., expressing concern with regard to the proposal to discharge storm sewage directly into Paper Mill Lake, and proposing other alternatives.

In response to an invitation from Mayor Roberts and members of Council, Mr. David Pember, Chairperson, Bedford Village Residents Association, addressed Council outlining the concerns of the Residents Association with regard to the proposed storm water system for the Bedford Village North Development.

7.1 BEDFORD VILLAGE NORTH - STORM DRAINAGE INTO PAPER MILL LAKE (Cont'd)

On behalf of the Association, Mr. Pember urged Council to do everything in its power to preserve Paper Mill Lake as a recreational facility and to protect the lake from any pressure "which may have a detrimental effect on the quality of water, its recreational potential and its aesthetic value."

Mr. Pember also presented a petition to Town Council signed by approximately two hundred residents of Bedford Village, objecting to the proposal to direct the storm water drainage to Paper Mill Lake.

ON MOTION of Councillor Short and Councillor Nolan, it was moved that:

The Director of Engineering and Works immediately enter into discussions with the Developer of the lands known as Bedford Village North Subdivision, with a view to changing the previously approved storm drainage system, so that storm drainage flows which previously were to be discharged into Paper Mill Lake be redirected to a new outfall, to be located at a point which will be determined on Paper Mill Brook, generally as outlined as Option 2 in a report from the Director of Engineering and Works, dated October 29, 1985;

Further, that Town Staff initiate discussions with the Developer(s) of both Bedford Village North and Tall Trees Developments, respecting cost sharing on the costs associated with the installation of the above noted trunk storm drainage system, and that any proposed agreement be presented to Town Council for its subsequent consideration;

Further, that Town Staff immediately prepare a proposed Terms of Reference to engage the services of a consultant to determine potential environmental impacts on Paper Mill Lake and to make recommendations on future development patterns within its watershed.

THE MOTION was put to the meeting and carried unanimously.

8. MOTIONS OF RESCISSION

Nil

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

Nil

10. PETITIONS, DELEGATIONS, CORRESPONDENCE10.1 PETITIONS

Nil

10.2 DELEGATIONS (see 7.1)10.3 CORRESPONDENCE10.3.1 BEDFORD BOARD OF TRADE - AN ACT RESPECTING UNIFORM CLOSING DAY FOR RETAIL BUSINESSES

Copies of correspondence from Mr. Hugh MacPherson, President of the Bedford Board of Trade, were circulated to members of Council in which Mr. MacPherson advised that it is the desire of the Bedford Board of Trade that the Town place into effect a bylaw which would, by the use of a nominal fee, allow for unrestricted hours of operation by those businesses under the provisions of Bill 70.

Upon invitation from Mayor Roberts and members of Council Mr. MacPherson spoke briefly to Town Council advising that members of the Board of Trade have discussed this matter in depth and the request for a bylaw is the result of a motion passed by the Board. In response to an inquiry from Council, he indicated that the Board of Trade is not in favour of the concept whereby the Town, or a portion thereof, can be declared a "Tourist Area."

Mr. MacPherson further indicated that the Board of Trade is of the opinion that Bill 70 could be greatly improved and would be willing to appoint members to serve with a committee of Council in order to develop a submission to the Provincial Government requesting changes in the Bill.

ON MOTION of Councillor Nolan and Councillor Christie it was moved that Staff develop a draft bylaw addressing Bill 70 in the context as presented by the Board of Trade and that the draft Bylaw be presented to Town Council following consideration by the Board of Trade.

During discussion of the Motion, some concern was expressed by Council that, to date, only the Board of Trade has been given the opportunity by Council to address Bill 70, and that a Public Meeting should be sponsored by Council in order that other persons and organizations may present their opinions.

ON MOTION of Councillor Short and Councillor Roy it was moved that the Motion be amended by the addition of the following clause:

10.3.1 BEDFORD BOARD OF TRADE - AN ACT RESPECTING A UNIFORM CLOSING DAY FOR RETAIL BUSINESSES (Cont'd)

"Further that some time during consideration of the bylaw, Town Council hold a Public Meeting in order that the views of individuals and organizations may be presented."

The Amendment was put to the meeting and passed unánimously.

The Amended Motion was put to the meeting and passed unánimously.

10.3.2 LOCAL 2715 IAFF - APPOINTMENTS TO NEGOTIATING COMMITTEE

By memorandum, Lieutenant John Conway of the Bedford Fire Department requested the appointment by Council of the Town's representatives to the Negotiating Committee.

In response to a request for nominations, Councillor Nolan nominated the following individuals to serve on the Negotiating Committee on behalf of Town Council:

Councillor Christie  
Councillor Lugar  
Fire Chief David Selig  
Dan R. English

There being no further nominations, Mayor Roberts declared the aforementioned individuals as the Council appointments to the Negotiating Committee for the ensuing year.

10.3.3 TRANSIT ADVISORY COMMITTEE - TRANSIT BUS STOP - BEDFORD PLACE MALL PROPERTY

By memorandum Gary Dean, Chairman of the Bedford Transit Advisory Committee, advised Town Council that, at a meeting of the Transit Advisory Committee held on September 19, 1985, a motion was passed requesting that Town Council support the request of the Mall Manager of Bedford Place Mall that a bus stop be located on the Bedford Place Mall Property.

ON MOTION of Councillor Roy and Councillor Lugar it was moved that Town Council forward a request to the Metropolitan Transit Commission that a bus stop be located on the Bedford Place Mall property.

In speaking to the motion, it was noted by Council that a bus stop already exists at Sunnyside Place Mall and that, in all fairness, consideration should be given to the location of a bus stop on the Bedford Place Mall property.

The motion was put to the meeting and carried unánimously.

10.3.4 BEDFORD FIRE DEPARTMENT - MUTUAL AID

By memorandum, Fire Chief David Selig advised Council that the Municipality of the County of Halifax recently approved the following Resolution:

"THAT Council authorize Halifax County Fire Chiefs to respond to Mutual Aid calls to provide assistance to neighbouring districts and municipalities when requested by the Chief or his designate."

Chief Selig noted that his Department has been responding to Mutual Aid calls in the neighbouring districts and municipalities when called upon and suggested that a similar resolution be put forward and approved by the Town Council of the Town of Bedford.

ON MOTION of Councillor Lugar and Councillor Christie it was moved that the Council of the Town of Bedford authorize the Bedford Fire Department and the Chief to respond to Mutual Aid calls to provide assistance to neighbouring districts and municipalities when requested by a Chief of his designate."

In response to an inquiry from Council as to whether or not the Town liability insurance would cover losses incurred when the Department is operating outside of the Town of Bedford, staff responded that information received from the Town's Insurance Broker indicates that the Town would be covered under these circumstances.

The Motion was put to the meeting and carried unanimously.

10.3.5 NOVA SCOTIA SOCIETY FOR PREVENTION OF CRUELTY - CONTROL OF SMALL ANIMALS

Copies of correspondence from K.H. Anthony Robinson, President of the N.S. Society for the Prevention of Cruelty, were circulated to members of Council. In this correspondence, Mr. Robinson requested the support of the Town of Bedford with regard to the possibility of the construction and ongoing funding of a Metropolitan Animal Shelter to alleviate a perceived increasing problem with regard to unwanted and abandoned small animals.

ON MOTION of Councillor Roy and Councillor Nolan it was moved that this correspondence be received for information pending the receipt of further data concerning required funding, etc. that would be involved.

Motion carried unanimously.



10.3.6 DARTMOUTH TRANSIT ADVISORY COMMITTEE - BEDFORD/DARTMOUTH TRIAL RUN

Copies of correspondence from Norman Crawford, Chairman, Dartmouth Transit Advisory Board, were circulated to members of Council in which Mr. Crawford advised that the Transit Advisory Board of the City of Dartmouth rejects the proposed Bedford/Dartmouth Trial Run due to the deficit which would accrue to the City of Dartmouth.

ON MOTION of Councillor Nolan and Councillor Roy it was moved that Mayor Roberts write to Mayor Savage of the City of Dartmouth, requesting further consideration of the implementation of this Trial Run between Bedford and Dartmouth.

Motion carried unanimously.

11. STANDING COMMITTEE REPORTS

11.1 RECREATION COMMISSION - FIRE ARM REGULATIONS - TOWN OF BEDFORD

Copies of correspondence from David Ness, Chairman of the Bedford Recreation Commission, were circulated to members of Council in which Mr. Ness requested the consideration of Town Council to the implementation of some type of firearm regulation in the Town of Bedford to ensure safety for all concerned.

Mr. Ness noted that the concerns of the Commission are directly related to possible liability of the Town in the event of an accident occurring in the Jack Lake area, as addressed during the past few months by the Town Solicitor, Mr. Kenneth MacInnis.

In speaking to the matter, Robert Nauss, Recreation Director, advised Council that it was the opinion of the Commission that the time had come for Council to enact a Fire Arms Bylaw for the Town which would, in effect ban hunting within the Town limits. Mr. Nauss also suggested that, due to the fact of the time frame involved in passing a bylaw, it might be advisable for the Town to advertise that there is a danger at this time of year to those who are contemplating using the hiking and ski trails in the wooded areas around Jack Lake.

A general discussion ensued during which it was noted that currently, a Town can only pass a bylaw which would pertain to the whole of the Town -- a bylaw cannot be passed which would restrict firearms in specific portions of the Town.

11.1 RECREATION COMMISSION - FIRE ARM REGULATIONS (Cont'd)

Some discussion also took place as to whether or not the Town would be liable if an accident occurred on lands which are used and promoted but not actually owned by the Town.

ON MOTION of Councillor Kelly and Councillor Lugar it was moved that the Town Solicitor be requested to provide an opinion as to whether or not the Town of Bedford would be liable as a result of an accident occurring in the Jack Lake area in that this area is actively promoted for recreational use, but not owned by the Town.

Motion carried unanimously.

ON MOTION of Councillor Short and Councillor Nolan it was moved that the Town of Bedford request the Town Solicitor to recommend the necessary steps in order that the Town might request an amendment by the Nova Scotia Legislature to the Town's Act regarding the use of firearms within Town boundaries.

Motion carried unanimously.

Some discussion also ensued as to the advisability of the posting of signs and the advertising in newspapers with regard to the fact that the firearms regulations of the Province will be strictly enforced.

Further discussion also took place with regard to whether or not development activity has now reached the point where there is no longer a safe area of Town for hunting. No consensus was reached on these matters.

12. OTHER REPORTS12.1 ENGINEERING & WORKS UPDATE REPORT NO. 5

The Engineering & Works Update Report No. 5 was circulated to members of Council and received for information.

During discussion of this report, information was requested with regard to the maintenance of ditches in the Kearney Lake / Hammonds Plains Road area, suggesting that these areas were long overdue for improvement.

Mr. Paynter advised Council that his Department is doing its best within the funding available and it is hoped that additional work will be funded through the 1986 Operating Budget.

12.1 ENGINEERING & WORKS UPDATE REPORT NO. 5 (Cont'd)

Following a discussion regarding the possible purchase of a re-conditioned Bombardier for the plowing of sidewalks, it was unanimously agreed by Council that this item should not be purchased.

In response to a request from Council it was agreed that copies of the 1984 Engineering Departmental Review would be circulated to those members who wish to receive it.

12.2 PLANNING DEPARTMENT UPDATE REPORT

Copies of the Planning Department Update Report were circulated to members of Council, and the Director of Planning and Development, Mr. Barry Zwicker, responded to various inquiries with regard to the content of this report.

The report was received for information.

12.3 BUILDING INSPECTOR'S MONTHLY REPORT - SEPTEMBER, 1985

Copies of the Building Inspector's Monthly Report for September 1985, were circulated to members of Council, and the report was received for information.

12.4 ANIMAL CONTROL MONTHLY REPORT - SEPTEMBER 1985

Copies of the Animal Control Monthly Report for September 1985 were circulated to members of Council, and the report was received for information.

12.5 FIRE CHIEF'S MONTHLY REPORT - SEPTEMBER, 1985

Copies of the Fire Chief's Monthly Report for September 1985, were circulated to members of Council, and the report was received for information.

12.6 TRAFFIC MANAGEMENT GROUP(a) PARKING REPORT

By memorandum the Chief Administrative Officer provided the Mayor and members of Town Council with a report prepared by the Planning Department and the Chief of Police, regarding a study of pertinent legislation governing parking within the Town. The study was generated as a result of complaints received by Council concerning what was perceived as excessive parking of vehicles, particularly on Borden and Bedford Streets.

(a) PARKING REPORT (Cont'd)

The report from the Director of Planning & Development referenced those matters which fall under the Zoning Bylaw, and the report from the Chief of Police reviewed parking legislation as contained within the Provincial Motor Vehicle Act.

Some concern was expressed by Council that the reports circulated were simply a summary of all the legislation now in effect and did not answer the original question with regard to the perceived problem of excessive parking on several of the Town's streets; and what, if anything, could be done regarding this matter.

Following a general discussion between Council and staff with regard to this matter, it was noted that the Town cannot enforce laws respecting perceived problems; particularly those which are not within its powers or jurisdiction to enact.

The Director of Planning & Development reviewed some of the particular situations which generated the original request from Council, noting those areas in which the Town has been able to influence improvements, and those areas wherein the residents of the area are actually doing nothing which is against the law of the Province, or the Bylaws of the Town.

The Parking Report was received for information.

(b) METRO TRANSPORTATION SEMINAR

A report from Barry Zwicker, Director of Planning & Development, concerning his attendance at a Metro Transportation Seminar, was received for information.

13. MOTIONS13.1 PROPOSED POLICY RESPECTING THE RECORDING OF PUBLIC HEARINGS

The Council gave second reading to a Motion respecting a proposed Policy concerning the recording of Public Hearings.

14. NEW BUSINESS1985 MUNICIPAL ELECTION RESULTS - TOWN OF BEDFORD

By memorandum, and pursuant to Section 116 of the Nova Scotia Municipal Elections Act, the Chief Administrative Officer submitted a schedule outlining the official results of the Election held for Councillors on October 19th, 1985.

14.1 1985 MUNICIPAL ELECTION RESULTS - TOWN OF BEDFORD (Cont'd)

The Chief Administrative Officer further declared that, in accordance with the Municipal Elections Act, the following individuals were elected as Councillors to the Third Town Council of the Town of Bedford for a term of three years:

Peter Christie  
Peter Kelly  
David Lugar  
Chris Nolan  
William Roy  
Robert Short

The Chief Administrative officer further declared Keith Roberts elected as Mayor of the Town of Bedford by acclamation and Dr. Lorne Verabioff elected by acclamation to the Halifax County Bedford District School Board.

During the ensuing discussion on the report of the Municipal Election Results, some members of Council expressed the opinion that, in future elections, some consideration should be given to having more than one voting location within the Town. As well, it was suggested that Council should also consider reducing the number of meetings, and public hearings held during the two or three weeks prior to the election. It was agreed that staff and Council would consider these suggestions prior to the next election.

14.2 APPOINTMENT OF DEPUTY MAYOR AND COUNCIL REPRESENTATIVE TO DISTRICT SCHOOL BOARD

Mayor Roberts requested nominations for the position of Deputy Mayor.

COUNCILLOR CHRIS NOLAN was nominated by Councillor Kelly and Councillor Roy to serve as Deputy Mayor for the ensuing year. There being no further nominations in response to three calls from the Chair,, Mayor Roberts declared Councillor Nolan appointed to the position of Deputy Mayor.

Mayor Roberts expressed the thanks of the Council to Councillor Roy for his service as Deputy Mayor during the past year.

Mayor Roberts called for nominations for the appointment of a member of Council to the Halifax County - Bedford District School Board for the ensuing year.

14.2 APPOINTMENT OF DEPUTY MAYOR AND COUNCIL REPRESENTATIVE  
TO DISTRICT SCHOOL BOARD (Cont'd)

COUNCILLOR BILL ROY was nominated by Councillor Christie and Councillor Kelly to serve as the Council appointment to the Halifax County - Bedford District School Board.

There being no further nominations in response to three calls from the Chair, Mayor Roberts declared Councillor Roy as the Council appointee to the Halifax County - Bedford District School Board for the ensuing year.

14.3 RESOLUTION - SIGNING AUTHORITY

By memorandum the Chief Administrative Officer requested a Resolution from Council regarding the Town's signing authority for documentation and/or cheques written on Town of Bedford Bank Accounts.

ON MOTION of Councillor Roy and Councillor Lugar it was moved that the Mayor, Deputy Mayor, Chief Administrative Officer and the Deputy Clerk be authorized as the official signing authorities for the Town of Bedford, and that the practice be continued for signing cheques by a combination of one elected and one appointed individual; further that an appropriate resolution be forwarded to the Royal Bank.

Motion carried unanimously.

14.4 POLICY RE APPOINTMENT - MEMBERS OF THE COMMUNITY  
AT LARGE TO BOARDS/COMMITTEES/COMMISSIONS

By memorandum, the Council was asked to consider a policy whereby appointees from the Community at large to various Boards/Commissions/Committees would be appointed for limited period in order that other members of the community might have an opportunity to serve on these Boards/Commissions/Committees if so desired.

The general recommendation was that appointees from the community at large would be obliged to retire from such a position for at least one year following the expiration of the approved time frame.

Following a general discussion on the viability of this recommendation, Notice of Motion was served by Deputy Mayor Nolan of the intention of Council to pass a motion establishing a Policy with regard to the Appointments from the Community at Large to the various Boards/Commissions/Committees and the maximum time that an appointee might serve before being obligated to relinquish the position.

14.5 TENDERS FOR GARBAGE COLLECTION SERVICES

By memorandum Rick Paynter, Director of Engineering & Works advised Council of the results of Tender Call 85-12 Garbage Collection & Disposal - 1986 to 1988. It was noted that three tenders were received and that the lowest tender was submitted by Lantz Leasing & Rentals Limited in the following amounts:

1986 - \$61,106.76  
1987 - \$64,773.16  
1988 - \$68,659.55

During the ensuing discussion it was noted by some members of Council that the tender received from the low bidder was much less than the tenders submitted by the other two contractors. The question was raised as to whether or not the low tenderer could perform the required work to the satisfaction of the Town.

In response, the Director of Engineering & Works advised that Lantz Leasing and Rentals Limited is presently providing garbage and disposal services for the Municipality of the County of Halifax and the Municipality of East Hants. The Director of Engineering & Works noted that he has been advised that the company is performing in a satisfactory manner. Mr. Paynter further advised that Town staff has checked on the company and their equipment, and is satisfied that this company can provide acceptable and satisfactory services to the Town of Bedford.

ON MOTION of Councillor Kelly and Councillor Lugar it was moved that Tender 85-12 for Garbage Collection and Disposal be awarded to Lantz Leasing & Rentals Limited for a three year term in the following amounts, as tendered for each year:

1986 - \$61,106.76  
1987 - \$64,773.16  
1988 - \$68,659.55;

Further, that the contract contain a provision for Council's approval of a successful negotiated price increase for the years 1987 and 1988 should the number of housing units exceed 10 percent, and fuel costs exceed 5 percent in either of the previous years.

Motion carried unanimously.

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w/legere requested  
reversal of figures  
7/12/85

14.6 MEADOWBROOK DRIVE - BEDFORD HIGHWAY INTERSECTION ANALYSIS

By memorandum Rick Paynter, Director of Engineering & Works, submitted a preliminary information report with regard to the analysis now taking place by the consulting engineering firm of Porter Dillon with regard to the Meadowbrook Drive / Bedford Highway Intersection. He noted that the terms of reference focus on four areas of concern:

1. Does the intersection require signalization?
2. If so, what improvements are required to the Bedford Highway and Meadowbrook Drive in order to accommodate present traffic volumes through a signalized intersection?
3. What upgrading and works are recommended respecting the storm sewer system along Meadowbrook Drive?
4. What upgrading works are recommended respecting the sanitary sewer system at Meadowbrook Drive and at the intersection?

Mr. Paynter provided a brief commentary on the four areas of concern and advised Council that the final report from the consultants should be available within two to three weeks. He also expressed the opinion that following the completion of the report, courses of action and funding requirements for the 1986 Capital Budget should be explored.

The report was received for Information.

14.7 WATER UTILITY MATTERS

By memorandum the Chief Administrative Officer submitted a report developed by Rick Paynter, Director of Engineering & Works, concerning Water Utility matters.

In particular, it was noted by the Chief Administrative Officer that he agreed that Bedford should approach the County of Halifax in order to set in place Bedford's representation on the Monitoring and Decision Making Body (Urban Services) of the Water Utility.

ON MOTION of Councillor Short and Councillor Roy, it was moved that Bedford approach the County of Halifax in order to formally set in place Bedford's representation on the Monitoring and Decision Making body (Urban Services) of Halifax County, and that such committee meet at least twice annually to discuss water utility matters.

Motion carried unanimously.



14.8 EAGLEWOOD DRIVE RIGHT OF WAY

By memorandum Barry Zwicker, Director of Planning & Development requested that Town Council authorize the Mayor and Chief Administrative Officer to execute a deed conveying a parcel known as Lot 452A and containing 2280 square feet to Guernsey Development Group Limited.

It was noted by the Director of Planning & Development that the principal reason that this matter has not been dealt with until this time centers around the long delay in having the Eaglewood Drive extension completed and a number of deficiencies in the Eaglewood Subdivision rectified.

In response to an enquiry from Council as to the status of the deficiencies in the Eaglewood Subdivision, the Director of Planning & Development advised that almost all the deficiencies have been rectified.

ON MOTION of Councillor Roy and Councillor Kelly, it was moved that this matter be deferred until the next meeting of Council.

In speaking to the motion the opinion was expressed that there is no reason why all the deficiencies should not be rectified prior to the approval of the execution of this conveyance.

The Motion was put to the meeting and carried unanimously.

14.9 PROPOSED TIMETABLE - 1986 OPERATING AND CAPITAL BUDGETS

The Chief Administrative Officer addressed Council with regard to a proposed timetable for the tabling of the preliminary 1986 Operating and Capital Budgets.

He requested the concurrence of Council with the Administration Department's proposal to table the Capital Budget on November 25 and the Operating Budget on December 16, 1985.

It was agreed unanimously that these proposed dates were satisfactory.

A brief discussion ensued as to whether or not guidelines should be determined by Council prior to the developing of the Preliminary Budgets. The Chief Administrative Officer requested that staff be given the opportunity to develop what, in its opinion, were reasonable and realistic budgets following which Council would have every opportunity to effect changes if, in its wisdom, such were required.

14.9 PROPOSED TIMETABLE 1986 OPERATING AND CAPITAL BUDGETS (Cont'd)

Council concurred with this request, with the exception that staff be directed that the Non Union Salary Grid should not be increased by more than 4 percent.

14.10 COUNCIL ORIENTATION SESSION

By memorandum, the Chief Administrative Officer requested the consideration of Council to the scheduling of a full day for an Orientation Session, at which time individual Departments could be afforded the opportunity to provide information and answer questions on various aspects of the operations of the Town.

Following a brief discussion it was agreed that this Orientation Session would be scheduled to take place on December 2, 1985, and would be a day-long session.

EXTENSION OF TIME OF MEETING

ON MOTION of Councillor Lugar and Deputy Mayor Nolan it was moved that the time of the meeting be extended by fifteen minutes. Motion carried unanimously.

14.11 PROPOSED AMENDMENTS/DELETIONS/ADDITIONS TO TOWN POLICIES

By memorandum the Chief Administrative Officer circulated for Third Reading and approval, proposed amendments/additions/deletions to Town Policies as follows:

- ✓ Policy 80-1, Tax Sale Policy - Amendment;
- ✓ Policy 81-7, Parkland Acquisition Reserve Fund - Amendment;
- ✓ Policy 81-9, Engineering Dept. Vehicle Storage - Deletion;
- Policy 82-4, Bedford Coat of Arms - Amendment;
- ✓ Policy 84-2, Accumulative Operating Surplus Account - Amendment;
- Policy 81-1, Purchasing Policy - Amendment and Additions;
- Policy 81-8, Non Union Personnel Policy - Additions.

ON MOTION of Councillor Nolan and Councillor Lugar it was moved that Town Council approve the proposed amendments additions/deletions to Town Policies as circulated in the Chief Administrative Officer's memorandum of July 19, 1985, with the exception of Policy 81-1 Purchasing Policy -- amendment and additions.

14.11 PROPOSED AMENDMENTS/DELETIONS/ADDITIONS - TOWN POLICIES  
(Cont'd)

During discussion of the motion Council requested and received a review/explanation with regard to the proposed amendments to the Tax Sale Policy and the Parkland Acquisition Reserve Fund.

Some concern was expressed with regard to the intention to amend the policy re the Parkland Acquisition Reserve Fund in order that this Fund could be used for improvements as well as purchase of parklands. It was noted by the Chief Administrative Officer that if, in the future, this amendment is deemed to be in error, the policy may be changed again.

The motion was put to the meeting and carried unanimously.

It was agreed that the proposed amendments and additions to the Purchasing Policy would be addressed at a future date.

In response to an enquiry from Council the Chief Administrative Officer reviewed the situation with regard to the legality, desirability, and use of the Surplus and Evaluation Allowance Accounts.

15. QUESTIONS

15.1 ACTION SHEET

The Action Sheet was received for information.

16. NOTICES OF MOTION

16.1 BYLAW RESPECTING RULES OF ORDER - PROPOSED AMENDMENTS

Notice of Motion was served by Deputy Mayor Nolan of the intention to amend the Bylaw Respecting the Rules of Order of Council.

17. ADDED ITEMS

Nil

18. OTHER

Nil

19. ADJOURNMENT

ON MOTION of Councillor Lugar and Councillor Roy the meeting adjourned at approximately 10:45 p.m.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF BEDFORDMINUTESPUBLIC HEARING - NOVEMBER 20, 1985

A Public Hearing was held by the Town Council of the Town of Bedford on Wednesday, November 20, 1985, 7:30 p.m. in the Bedford Fire Hall, 1247 Bedford Highway, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. ATTENDANCE

Deputy Mayor Christopher Nolan and Councillors Peter Christie, Peter Kelly, David Lugar, William Roy and Robert Short were in attendance at the commencement of the session.

Staff members in attendance included John Malcolm, Town Planner, Joan Pryde, Deputy Clerk, Kenneth MacInnis, Town Solicitor and Rick Paynter, Director of Engineering and Works. Barry Zwicker, Director of Planning & Development took his place at the meeting at 8:00 p.m.

Approximately twenty members of the general public were in attendance at this Hearing.

2. PURPOSE OF PUBLIC HEARING

Mayor Roberts advised that the purpose of the Public Hearing was to consider and receive submissions pertaining to an application for a Contract Development Agreement for, "Nelsons Landing" a 28 acre site located between Civic No. 872 and 910 Bedford Highway. The proposed Development Agreement is to allow for the development of a three phase project consisting of:

Phase 1 - 156 Condominiums

Phase 2 - 188 Room Hotel

Phase 3 - 137 Townhouses and some commercial uses.

3. STAFF REPORT

John Malcolm, Town Planner, briefly reviewed general details of the proposal for the Contract Development Agreement noting the proposed timing of the three phases which are projected to take place over three to five years. Mr. Malcolm also advised some of the details of the proposed road network within the development. He advised Council that it was the opinion of staff that one favourable aspect of the development is the projected timing over several years thus lessening the initial impact to the Town of Bedford as a whole.

In response to an inquiry from Council, Mr. Aziz Mehdi advised that there have been no changes during the past few months with regard to the principals of the Board of Directors of 138419 Canada Inc.

In response to further questioning from Council, Mr. Mehdi advised that, in his opinion, the financial capabilities of 138419 Canada Inc. have improved during the past few months insofar as this proposed development is concerned.

Following a brief discussion between Council and Mr. Mehdi regarding the financial capabilities of the proponents of the Contract Development application, Mayor Roberts ruled that such questions/discussions were out of order at this Public Hearing.

In response to an inquiry from Council, Mr. Malcolm advised that staff has been unable to determine the location of "Coach Road," due to the lack of historical data available.

#### 4. DEVELOPER'S SUBMISSION

Mr. Aziz Mehdi spoke briefly to the meeting elaborating on some of the details of the proposed development. In particular he noted that the area involved adjacent to the Bedford Highway will be left for commercial uses. Exact plans have not been finalized but the uses will be confined to those which are currently permitted in C-1 and/or C-2 zones. He emphasized that requirements for traffic control, i.e. left hand turning lanes, sidewalks, bus bays, will be the responsibility of the developer and that the third phase will include a Recreation Centre to be built at no cost to the Town.

Mr. Aziz Mehdi also noted that while the proposed development is somewhat different than the usual single family development heretofore seen in Bedford, this development should not affect the existing single family areas and will create a balance of housing types within the Town.

In response to an inquiry from Council, Mr. Mehdi advised that the results of requested feasibility study have been submitted to the Town.

In response to an inquiry from Council, Mr. Mehdi advised that the projected price range for the Condominium Units is \$72,000 - \$100,000 and for Townhouses, \$100,000 - \$120,000.

Mr. Mehdi also advised that, currently, the Company is thinking in terms of a family-type hotel with the room rates ranging in the \$55 to \$56 per night. He cited the Howard Johnson Hotel chain as an example of the type of hotel being considered.

In response to a question from Council, Mr. Mehdi advised that it is his company's intention to be involved in the construction phases of the development, but that it is possible that other persons or companies may in the future be additional investors. He further expressed the opinion that his company is financially capable to commence and complete Phase 1 along with the required servicing at this time.

In response to a question from Council with regard to the future impact of this development on the school system in Bedford, Mr. Mehdi requested that staff be permitted to answer this question.

Mr. Malcolm advised Council that the Town staff has met with the staff of the School Board and that the conclusion is that there will be no significant impact on the school system until the completion of Phase 3. It was further noted that, by the time Phase 3 is completed, other projected developments will also be impacting on the school system thus necessitating the construction of additional school buildings or classrooms in the area of the Town involved.

5. SUBMISSIONS FROM THE GENERAL PUBLIC

5.1 BEDFORD VILLAGE RESIDENTS ASSOCIATION

Dr. David Ross, Director, Bedford Village Residents' Association, addressed Council reading into the record a submission from the Association. In the submission, the Association expressed some overall concern on the impact of the development and requested that Town Council ensure that the developer is financially sound and capable of completing the entire development to the satisfaction of the Town. The Association also requested that the Town protect itself financially by requiring the provision for adequate bonding to cover all costs of road development and servicing of the area, and that a full feasibility study of the entire project be submitted to and approved by Council before the final approval is considered.

TOWN OF BEDFORD

5.2 MR. ROBERT HOLLINGUM

Mr. Hollingum spoke to Council, advising that he was in favour of the proposed Contract Development and expressed the opinion that free enterprise will always involve some risk. He further noted that, if Bedford was going to successfully attract business and commercial ventures, it must also be prepared to ensure that a varied assortment of housing is available for the people involved.

5.3 DR. ZAHIVA MASOOD

Dr. Masood spoke to Council expressing the opinion that the proposed development would be good for the Town and that the Contract Development application should be approved.

5.4 MR. ALAN WILCOCKS

Mr. Wilcocks spoke to Council advising that he has been retained as a financial consultant by the proponents of the development and that, while he has only commenced his work, to date he is of the opinion that the funding available to the 138419 Canada Inc. for the first phase is sufficient and that the project should be viable. He further expressed the opinion that he agreed with Mr. Hollingum that if the project has the faith of major financial institutions to the extent of several millions of dollars, it would appear that the project has excellent potential to succeed. He advised Council that he supported the project.

In response to an invitation from Mayor Roberts, there were no further submissions to the Public Hearing.

6. ADJOURNMENT

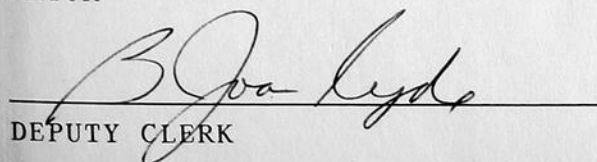
ON MOTION of Councillor Lugar and Councillor Christie it was moved that the meeting adjourn at approximately 8:20 p.m.

APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Kelly and Councillor Peter Walsh, it was moved that the Order of Business, as amended, be approved.



MAYOR

  
DEPUTY CLERK

TOWN OF BEDFORDMINUTESREGULAR SESSION - NOVEMBER 25, 1985

A Regular Session of the Town Council of the Town of Bedford took place on Monday, November 25, 1985, at 7:30 p.m. in the Town Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia, Mayor Keith Roberts presiding.

1. LORD'S PRAYER

Mayor Roberts opened the Session by the leading of the Lord's Prayer.

2. ATTENDANCE

Deputy Mayor Christopher Nolan and Councillors Peter Christie, Peter Kelly, David Lugar, William Roy, and Robert Short were in attendance at the commencement of the Session.

Staff members attending the Session included Barry Zwicker, Director of Planning & Development; Kenneth MacInnis, Town Solicitor; B. Joan Pryde, Deputy Clerk; Rick Paynter, Director of Engineering & Works, and Ron Singer, Accountant.

3. APPROVAL OF MINUTES3.1 SPECIAL SESSION - OCTOBER 30, 19853.2 REGULAR SESSION - NOVEMBER 4, 1985

ON MOTION of Councillor Roy and Councillor Christie, it was moved that the Minutes of the Special Session of October 30, 1985, and the Regular Session of November 4, 1985, be approved. Motion carried unanimously.

4. ADDITIONS/DELETIONS TO ORDER OF BUSINESS

On the request of Councillor Kelly, it was agreed that an item, "Petition from Residents re Ownership of Main Street," be placed on the Agenda as item 10.1.

5. APPROVAL OF ORDER OF BUSINESS

ON MOTION of Councillor Kelly and Deputy Mayor Nolan, it was moved that the Order of Business, as amended, be approved. Motion carried unanimously.



6. MOTIONS OF RECONSIDERATION

Nil

7. DEFERRED BUSINESS / BUSINESS ARISING FROM THE MINUTES7.1 BEDFORD VILLAGE NORTH - STORM DRAINAGE INTO PAPER MILL LAKE

In a verbal report, Mr. Rick Paynter, Director of Engineering and Works, advised Council that two meetings have been held between staff and the developers of Bedford Village North, with regard to the proposed system of storm drainage from this development. He further advised that required engineering drawings are now in process, and that another meeting will be held this week to review the plans and to discuss the cost sharing arrangements, following which a report will be tabled with Council for consideration.

7.2 PROPOSED AMENDMENTS TO PURCHASING POLICY

ON MOTION of Councillor Short and Councillor Kelly, it was moved that further discussion of proposed amendments to the Purchasing Policy be deferred to the next Regular Session of Council, pending an opportunity for members of the Board of Trade to review the proposal. Motion carried unanimously.

7.3 EAGLEWOOD DRIVE RIGHT-OF-WAY

In a verbal report, Mr. Barry Zwicker, Director of Planning and Development, advised Council that the matter of approving the execution of a deed conveying a parcel known as "Lot 452A" to Guernsey Development Group Limited had been deferred from the last meeting of Council, pending the completion of deficiencies involved in the Eaglewood Subdivision, by the Developer. He further advised that correspondence has now been received from the Armoyan Group that the correction of the deficiencies will be undertaken immediately.

ON MOTION of Councillor Kelly and Councillor Lugar it was moved that the Mayor and the Chief Administrative Officer be authorized to execute a Quit Claim Deed, conveying a parcel known as "Lot 452A" from the Town of Bedford to Guernsey Development Group Limited, following the completion of the deficiencies to the satisfaction of the Town Engineer; further, that the Town of Bedford correspond with the Developer, to the effect that the Town wishes the deficiencies to be completed as soon as possible. Motion carried unanimously.

Councillor Short will regard to whether or not the Council should be more concerned with the financial ability of the company involved to complete the proposed project.

8. MOTIONS OF RESCISSION

Nil

9. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM

9.1 CONTRACT DEVELOPMENT AGREEMENT PROPOSAL - NELSONS LANDING

ON MOTION of Councillor Kelly and Councillor Short, it was moved that consideration of the Nelsons Landing Contract Development Agreement be deferred pending the completion of an economic feasibility study on the impact of Nelsons Landing, Talltrees and Bedford Village North, on the Town of Bedford.

In speaking to the Motion, Councillor Kelly expressed the opinion that the impact of the three proposed developments, as a whole, may be very significant to the Town of Bedford, and that an economic feasibility study should be completed.

During discussion on the Motion, concern was expressed by some members of Council with regard to the possibility of holding up one project by linking that particular development with two other developments that have already received prior approval. The Motion was put to the meeting and was defeated. Deputy Mayor Nolan, Councillor Lugar, Councillor Christie and Councillor Roy voted against the Motion.

ON MOTION of Deputy Mayor Nolan and Councillor Roy, it was moved that the Town of Bedford authorize the Mayor and the Chief Administrative Officer to sign the Contract Development Agreement as presented between the Town of Bedford and 138419 Canada Incorporated for the development of lands known as Nelson's Landing in three planned phases as follows:

Phase 1 - 156 Condominium units

Phase 2 - Hotel

Phase 3 - Recreational facilities;, 137 Townhouse Units and Commercial Component;

subject to the said contract being amended as follows:

- (1) by substituting the words "approximately" in sections 5(a) and 5(c) with the words "a maximum of".
- (2) By adding the words "with the approval of Town Council" between the words "officer" and "construction" in Sections 13(a) and 13(c)

During discussion of the Motion, concern was expressed by Councillor Short with regard to whether or not the Town should be more concerned with the financial ability of the company involved to complete the proposed projects.

Councillor Short also expressed concern with regard to what he felt was a lack of information concerning the possible effect of the development on the school system in the Town of Bedford.

In response, several Councillors expressed the opinion that the major question to Council was whether or not the Development will be good for the community. The opinion was expressed that it was not up to Council to judge the financial viability of the company, but to ensure that the various services required, once commenced, are completed. Such assurance will be provided through bonding.

The amendments were put to the meeting and were approved unanimously.

The Motion was put to the meeting and was approved. Councillor Kelly and Councillor Short voted against the Motion.

10.1 PETITIONS

10.1.1 RESIDENTS OF MAIN STREET REQUESTING TOWN TAKE OVER AND MAINTENANCE OF MAIN STREET

Councillor Kelly presented a Petition to Council signed by residents of Main Street, in which the residents requested the Town acquire ownership of Main Street and commence maintenance of same.

In speaking to the Petition, Councillor Kelly noted that this matter has been addressed periodically by Council, but, to date, no action has been taken. He asked that Council take over this street as soon as possible.

In response to a request from Mayor Roberts, Mr. Rick Paynter, Director of Engineering and Works reviewed briefly the process which is required for the Town to take over what has been known as, "private streets." He advised that the process is in place and that, currently, the next step with regard to Main Street would be to complete some survey work and the cost of same would have to be included in the 1986 Operating Budget if the work is to commence in the near future.

Concern was expressed by Councillor Kelly that the Town is not working diligently enough on the problem of Private Streets and that more effort should be expended.

The Petition was received for information.

10.2 DELEGATIONS

Nil

10.3 CORRESPONDENCE

10.3.1 BEDFORD PLACE MALL - RE PROPOSED BYLAW RESPECTING UNIFORM CLOSING DAYS FOR RETAIL BUSINESSES

Copies of correspondence from Christine Lutley, Mall Manager, Bedford Place Mall, were circulated to members of Council in which Ms. Lutley requested that the Town of Bedford approve a Bylaw concerning Uniform Closing Days that would be no more restrictive than those of the neighboring communities. She enclosed a draft bylaw based on that already enacted in Dartmouth, which she recommended for the Town of Bedford.

In response to an invitation from Mayor Roberts, Ms. Lutley addressed Council briefly, requesting that a bylaw be enacted without any more delay than is necessary, due to the fact that some of the businesses in Bedford Place Mall were operating on uniform closing days, currently against the law.

SUSPENSION OF RULES OF ORDER

ON MOTION of Councillor Roy and Councillor Lugar it was moved that the Rules of Order be suspended in order that item 14.2 of the agenda might be considered. Motion carried unanimously.

14.2 PROPOSED BYLAW RESPECTING UNIFORM CLOSING DAYS FOR RETAIL BUSINESSES

By memorandum, the Chief Administrative Officer circulated copies of an initial draft Bylaw Respecting Uniform Closing Days prepared by the Town Solicitor, for consideration. He noted, also, that it was agreed by Council that members of the general public should be given an opportunity to speak to Council concerning the proposed bylaw and recommended that this item be added to the agenda of the meeting currently scheduled to take place on December 11, 1985 at the Bedford Fire Hall for the holding of two public hearings.

ON MOTION of Deputy Mayor Nolan and Councillor Short it was moved that Town Council accept the draft as presented for discussion purposes only and agree to receive submissions at a Public Meeting.

During discussion of the Motion and in response to an inquiry from Council, the Town Solicitor advised that the Bylaw could be worded in such a way that retail businesses could operate on some of the Uniform Closing Days, but remain closed on others.

ON MOTION of Councillor Kelly and Councillor Lugar it was moved that the Town Solicitor revise the City of Halifax Ordinance - Number 113, "Respecting the Control of Noise," with a view to providing an option on which would contained in this Ordinance could be used in a new bylaw respecting noise for the Town of Bedford. Motion carried unanimously.

Following further discussion on this matter, it was agreed that Council would refrain from further discussion pending the holding of a Public Meeting.

The Motion was put to the meeting and approved. Councillor Roy voted against the Motion.

ON MOTION of Councillor Roy and Councillor Kelly it was moved that the Public Meeting for the discussion of a Bylaw Respecting Uniform Closing Days for Retail Businesses be well advertised in the same manner as a Public Hearing and that it not be held on December 11, 1985 in conjunction with the previously scheduled Public Hearings, but be scheduled for some time in January 1986. Motion carried unanimously.

It was agreed by Council that copies of the proposed draft Bylaw should be available to the general public at the Town Office.

10.3.2 PORT OF HALIFAX - HALIFAX DARTMOUTH PORT DEVELOPMENT COMMISSION RE AMENDMENTS TO CANADA SHIPPING ACT

Copies of correspondence from Mr. Victor E. Bayne, Executive Director, Halifax Dartmouth Port Development Commission were circulated to members of Council. In this correspondence, Mr. Bayne requested the support of the Town of Bedford on the opinion of the Port Commission that the cost of marine services should be borne by the beneficiaries of those services. It was noted by Mr. Bayne that the provision in Legislation for cost recovery is an important first step to redress the unfair competitive balance between the Halifax - Overland Route and the All - Water Route to the St. Lawrence River ports.

ON MOTION of Councillor Christie and Deputy Mayor Nolan it was moved that the correspondence be received for information and that we reply to Mr. Bayne, expressing agreement with the position of the Halifax Dartmouth Port Commission in this matter. Motion carried unanimously.

10.3.3 KENNETH A. MACINNIS TOWN SOLICITOR RE MISCHIEFS AND NUISANCES BYLAW

Copies of correspondence from Kenneth A. MacInnis Associates were circulated in which advice was provided to Town Council with regard to the current Bylaw Respecting Mischiefs and Nuisances, and the possibilities of developing a new bylaw which would address the problem and, by memorandum, the Chief Administrative Officer requested direction from Council.

ON MOTION of Councillor Kelly and Councillor Lugar it was moved that the Town Solicitor review the City of Halifax Ordinance Number 113, "Respecting the Control of Noise," with a view to providing an opinion on which points contained in this Ordinance could be used in a new bylaw respecting noise for the Town of Bedford. Motion carried unanimously.