

In discussion of the MOTION, Councillor Kelly inquired regarding the exact costs involved. Mr. Nauss verbally provided information with respect to monthly costs for rental, snacks and art supplies.

The MOTION was put to the meeting and was unanimously approved.

Councillor Draper commended Recreation staff for their initiative in private/public sector collaboration and noted that this is the type of project which fits well with the concept of Community Education.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved that Town Council request the Recreation Department to keep an ongoing inventory of space available in private sector daycares. The motion was unanimously approved.

11.2 Departmental

11.2.1

Planning and Development Control Department

a. Building Inspectors Report - September 1991 - Deferred

11.2.2 Engineering and Works Department

a. BWAC Minutes - September 25/91 - Deferred

11.2.3 Fire Department - Monthly Report - September 1991 - Deferred

12. CORRESPONDENCE

12.1 Placement of Billboard Sign on Highway 102 - Deferred

13. MOTIONS OF RECONSIDERATION - Nil

14. MOTIONS OF RESCISSION - Nil

15. NOTICES OF MOTION

15.1 **Councillor Kelly**

Councillor Kelly gave NOTICE OF MOTION to rescind the Town's current purchasing policy and that Town Council seek legal counsel to develop a purchasing by-law which must be enforced. Councillor Kelly suggested that a new purchasing by-law be more point specific. Although he recommended the Town seek a purchasing by-law, Mr. English indicated that there is no enabling legislation for such a by-law and that all other municipalities have purchasing policies.

16. QUESTIONS

16.1 **Status Sheet - Deferred**

17. ADDED ITEMS

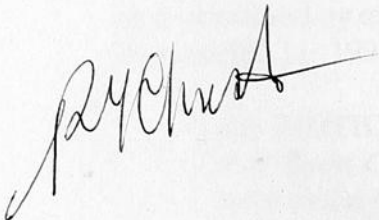
Mayor Christie informed Town Council of an upcoming meeting of the BEDC during which the results of their recent Public Opinion Survey would be released.

It was reported that a meeting with the Minister of Education, Mr. Streach, the Mayor, Councillor Draper and school trustees has been scheduled for October 16, 1991.

Deputy Mayor Huntington brought forward a request that the Fire Chief prepare a report for Town Council regarding a proposal not to use the fire siren at night.

18. ADJOURNMENT

ON MOTION of Councillor Goucher, it was moved at 11:00 p.m. to recess the 122nd meeting of Town Council.



JOINT COUNCIL SESSION

HALIFAX COUNTY MUNICIPALITY AND TOWN OF BEDFORD

October 28, 1991

PRESENT WERE:

Warden Lichter
Councillor Fralick
Councillor Ball
Councillor Deveaux
Councillor Bates
Councillor Randall
Councillor Bayers
Councillor Smiley
Councillor Reid
Councillor Morgan
Councillor Snow
Councillor Eisenhauer
Councillor MacDonald
Councillor Boutilier
Councillor Harvey
Councillor Sutherland
Councillor Richards
Councillor McInroy
Councillor Cooper

Mayor Christie
Councillor Draper
Councillor Goucher
Councillor Cosgrove
Councillor Kelly

ALSO PRESENT:

S. Shute, Recording Secretary

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The meeting was called to order by Warden Lichter at 6:05 p.m. in the Council Chambers at 2750 Dutch Village Road.

Warden Lichter said he wished to express his appreciation on behalf of Halifax County Council for the good working relationship which has existed between the Council of Bedford and the County Council. He said that at many times they have been called on to negotiate rather difficult tasks and he was sure that the two-way co-operation which has been enjoyed was a credit to both sets of Councillors. He wished Mayor Christie and the retiring Councillors from Bedford a happy retirement.

Warden Lichter also thanked Councillors for coming to this meeting at rather short notice. He said that it had been agreed between himself and Mayor Christie that he would introduce the topic.

Warden Lichter said that due to the passage of Bill 160, an Act Respecting Compensation Restraint in the Public Sector, it had come about that the 5% increase for teachers salaries budgeted was no

longer essential. The provincial government was not providing their calculated 5% and, consequently, the two Councils had the right to discuss and decide as to what reimbursement they were going to request to receive from the School Board, if any. Warden Lichter advised that a great deal of work had to be done by the School Board and the Municipalities before this meeting was called. The Finance Department had met to clarify from the Department of Education and their own records as to what kind of monies were involved. The bottom line was that the amount was a total of \$345,584 for the County and \$51,426 for Bedford, for a total of \$397,010.

Warden Lichter apologized for not having made available the information he had received for each Council member and explained that too much information was coming in at different times.

He said it had been agreed between himself and Mayor Christie to attempt to obtain the agreement of the two Councils at this time to treat the entire amount of \$397,010 as an excess amount and whatever amount which was decided to return to the School Board would have to be decided by 80% of the two Councils with both Councils having a quorum. These would be the ground rules to be decided upon. He asked for comments on the ground rules.

Councillor Harvey asked if this was Municipal money, not provincial money. Warden Lichter replied it was Municipal money, that the province never paid out that part to the School Board or, if they had, they were going to make offsetting arrangements with the School Board.

Councillor Harvey referred to the fact that the School Board was in a half million dollar deficit position at this time. Warden Lichter responded that the School Board had advised that additional demands on School Board resources amounted to \$633,143.

Warden Lichter stated that the group did not need to talk about the amount of money to be returned at this particular time during the meeting - that it was required at this time for the group assembled to agree that an 80% vote would be required to deal with the dispersal of the funds.

Councillor Goucher raised a question regarding procedure. He stated that he did not believe any motion was required. If there were no motions passed here this evening, then all the money that was due to the Municipalities would be returned. The only motion necessary, if there was one coming forth from either Council, would be the percentage of the mandatory and supplementary coming back to the Municipalities. Warden Lichter said he tended to agree with Councillor Goucher.

It was moved by Deputy Warden Ball, seconded by Councillor Reid:

"THAT 50% OF THE AMOUNT OWED WOULD BE RETURNED TO THE RESPECTIVE MUNICIPALITIES AND THE OTHER 50% WOULD BE MAINTAINED BY THE SCHOOL BOARD".

Deputy Warden Ball explained the reason for the motion was when the budget deliberations for the School Board were held, he was one person who voted against the School Board budget but he only voted against the School Board budget because at that time there were 275 students whose education was in jeopardy in Halifax County and those were the students at J. L. Illsley High School. At the time the budget was being voted on, the cost to the School Board had not been determined for these students and the final resolution for this particular issue was the fact that it would cost the School Board \$210,000 extra and this was not anticipated in the original budget. He said, considering the fact that they had a \$210,000 additional expenditure, he had proposed the above motion.

Warden Lichter stated, that before debate on the motion, should the motion succeed with an 80% vote of the two Councils present, would the two Councils accept that to be the decision. It was so agreed.

Councillor McInroy said he could appreciate the points put forward by Deputy Warden Ball with respect to the unknown dollar amount to be expended with regard to J. L. Illsley High School. He asked if Councillor Reid would be able to provide information regarding the additional teachers hired but not budgeted for.

Councillor Reid advised that this fall, as the result of an increase in enrollment of just over 400 students, the School Board had to hire an additional ten teachers. The increase was fairly evenly divided between Bedford and the rest mainly in Cole Harbour and Sackville. The teachers were hired to alleviate overcrowding in cases where the number of students in a class was well over the 30 mark. He advised there are still 5-7 primary classes still over the 30 mark and the School Board was presently receiving a fair amount of pressure from communities in the areas involved. At this point, the School Board has not approved any additional hiring for these classes mainly because of the budgetary situation.

Councillor Reid advised that the excess costs, projected over the 15-month budget period were for the provision of ten new teachers, three portable classrooms, Pay Equity legislation, tuition for J. L. Illsley High School students and for the construction of a school bus garage in Sheet Harbour.

Councillor Bates said that the \$397,010 was created because of the legislation by the province and the School Board had been overpaid. He suggested the whole amount be requested back and if any other negotiations would have to take place, then it could be dealt with as a separate item.

Warden Lichter stated there was no question that each Municipality and the School Board could use the money but in order to be fair to everybody, he felt the recommendation he could bring was 50%.

Councillor Goucher said he felt that the Halifax County/Bedford School Board was in an unusual situation in Nova Scotia because it had a rapidly expanding School Board as opposed to most municipal units which have a shrinking School Board. The funding formula laid down by the province has put the Board in a difficult position with regard to the formula itself in the way that it is funded as opposed to areas such as Halifax or Dartmouth which are shrinking. He said the School Board has experienced additional demands which were very valid and that he would support the motion.

Councillor Reid stated that in 1990 the student population had expanded by 1% and no provision for that expansion was made by the provincial government. When the request to the municipal units was made this year, the increase requested was approximately 4.4%. The overall percent increase approved was 4.2%. In 1991 a further 1% increase in the student population occurred and for nine months of this year the School Board must live with that 1% increase based on 1989 dollars. As well, Councillor Reid stated that during budget discussions in April, it was known that approximately \$200,000 would have to be spent for the students at J. L. Illsley High School but that they had been unable to provide a figure at that time. The amount of money that the Municipalities talked about cutting back was approximately \$190,000 and the 50% turnback would bring the School Board back to where they were when they made their original request. He said he realized the Municipalities needed the money but so did the School Board and he respectfully requested that all Councillors support the motion on the floor.

Mayor Christie said that what the motion on the floor said was that the County would pay \$172,792 less and Bedford would pay \$25,713 less to the School Board for a total of \$198,505 to be put back in their respective budgets and the School Board would get the same amount of \$198,505 of monies that the Municipalities would otherwise take back. He referred to the fact that cheques would not be forthcoming and advised that his understanding of the process was that the amount to be paid would be reduced over the next seven months. He stated that if this were not dealt with now, then it would have to be dealt with as a major School Board deficit for next year. For that reason, he said he would support the motion.

Councillor MacDonald asked if this had been discussed at a meeting of the School Board as he did not remember same. Councillor Reid advised it had been discussed about a month and a half ago.

Councillor Deveau stated he would support the motion, not only as a member of the School Board, but he hoped everyone would realize

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the money to be allocated would be going towards the education of our children.

Councillor Draper said that at least \$455,000 of the money was going directly to the students, for instance the hiring of new teachers, the students for J. L. Illsley High School and the three portables. She advised that the money in question was budgeted for education and, if the dollars were not provided now to reduce the deficit substantially, then a deficit budget would have to be faced at the start of the new budget year. She said she would be supporting the motion.

Councillor Richards asked what the amount of provincial recovery was with the introduction of Bill 160. Warden Lichter advised it was \$2,298,990. He said that even though education funding was primarily a provincial responsibility, this year the municipalities are being asked to pick up more than their share beyond what has been allocated by provincial law. He said this causes him great concern. He said he would like to support the motion but he has a difficult time supporting motions that were geared and formulated at the provincial level that end up costing the property owner in Halifax County extra funds. He felt the money could better serve his Municipality's deficit.

Deputy Warden Ball stated that when negotiations were underway last year for the School Board budget, he was not prepared to support any budget until the situation with the students at J. L. Illsley High School was resolved. He said he thought this was part of the price because the cost for J. L. Illsley High School had not been put on the table at that point in time. He thought that the motion should be supported.

Warden Lichter asked for the question. He stated that 24 were present, with both quorums present; therefore, the vote to succeed was 20. The vote was 15 in favour.

MOTION DEFEATED.

Warden Lichter stated that the mandatory portion would have to be considered by each Council on its own sometime in the future. No return on the excess portion has been approved.

ADJOURNMENT

Meeting adjourned at 7:05 p.m.

TOWN OF BEDFORD

Special Session

Tuesday, October 29, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 29, 1991 at 6:30 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **ATTENDANCE**

Councillors Peggy Draper, Anne Cosgrove, Len Goucher, Peter Kelly and Grant Walker were present at the commencement of the meeting. Mayor-elect Kelly left the meeting at approximately 6:50 p.m.

Staff members in attendance included Dan English, Chief Administrative Officer; and Barry Zwicker, Director of Planning and Development.

2. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

There were no additions or deletions to the Order of Business.

3. **APPROVAL OF THE ORDER OF BUSINESS**

By consensus, the Order of Business was circulated.

4. **COMMUNITY EDUCATION COMMITTEE - PRESENTATION**

At the request of the Mayor, Councillor Draper introduced the members of the Community Education Committee (Mr. John Dobson and Dr. Gordon Michael were present). Councillor Draper noted that the committee was formed as a subcommittee under Bedford Recreation Advisory Committee (BRAC). She further noted that BRAC had reviewed the report and by unanimous MOTION supported the principles of Community Education as outlined in the subcommittee's report for A Proposed New Elementary Community School for the Town of Bedford. Councillor Draper reported that Town staff as well as residents and members of the Halifax County - Bedford District School Board had input into the report which dealt with educational, recreational, social, cultural and seniors topics.

Dr. Michael highlighted the report for the benefit of Town Council and made comparisons between a Department of Education standard elementary school versus the proposed Community Education school for Bedford. It was noted that various components of the community education school have been built in new schools in the province including ones in Eastern Passage and Chester ??.

John Dobson commented on the concept of a "cafetorium" which is an attempt to address the needs of various cultural groups in Bedford through the use of a flexible performing area. Various floor arrangements of the cafetorium were discussed.

Dr. Michael reviewed other concepts incorporated into the proposed community education school including early childhood studies, media center, offices, air conditioning, improvements to playground, parking, etc.

In response to questions from Council, it was clarified that the Department of Education has been responsive to the community education concept, i.e. such as proposed for Eastern Passage. Should Bedford's proposal be acceptable, then the Department of Education funds up to the level of a standard elementary school; the provincial department of Recreation may input up to one-third of the additional recreational facilities; and other provincial departments may be identified as possible funding sources. In summary, approximately \$1.5m would have to be funded by the Town and provincial Recreation. There was some suggestion that corporate sponsors might also be solicited as well.

Also during discussion with Council, Dr. Michael clarified that the property which the Town currently owns is sufficiently large enough for the proposed school.

Further indications were given that the administration of the facility would require total collaboration and cooperation, in the form of a contract, between the education, recreation and community education components.

Mayor Christie thanked the members of the committee for their endeavors and for making their presentation.

ON MOTION of Councillor Draper and Councillor Walker, it was moved that Town Council endorses, in principle, the Proposed New Elementary Community School for the Town of Bedford as submitted by the Community Education School Committee in their report of October 1991 and as referenced in the Appendices of the report; and further that Town Council encourages the Community Education School Committee to pursue other sources of funding.

In discussion of the MOTION, clarification was provided that the intent of the motion was that the Committee pursue other sources of funding and that Town

Council supports the concept of the proposal but, at this time, has not committed funds to the building of a new elementary school as proposed in the report.


Councillor Goucher indicated that although he supports the concept of Community Education and the importance of education, he questioned whether Bedford could afford such a large capital investment, especially in light of other upcoming capital expenditures (i.e. sewage treatment plant expansion, Metropolitan Authority solid waste, etc.). Councillor Cosgrove supported Councillor Goucher's concerns regarding future capital expenditures.

In support of the MOTION, Councillor Draper expressed concern that although the motion does not commit future Town funds, it would permit additional research into alternate funding sources and that this research should be allowed to continue.

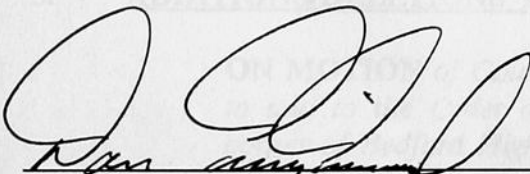
The MOTION was put to the meeting and CARRIED (Mayor Christie, Councillor Cosgrove, Draper and Walker voted in favour; Councillor Goucher voted in opposition).

6. **ADJOURNMENT**

ON MOTION of Councillor Draper, it was moved to adjourn the Town Council Special Session #123 at approximately 7:15 p.m.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Special Session

Tuesday, October 29, 1991

A Special Session of the Town Council of the Town of Bedford took place on Tuesday, October 29, 1991 following the Reconvened Regular Session at approximately 8:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

1. **LORD'S PRAYER**

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

2. **ATTENDANCE**

Councillor Peggy Draper, Councillor Anne Cosgrove, Councillor Len Goucher, Councillor Grant Walker and Mayor-elect Peter Kelly.

Staff members in attendance included Dan English, Chief Administrative Officer; Barry Zwicker, Director of Planning and Development; Rick Paynter, Director of Engineering and Works; and Chief of Police, Angus MacKenzie.

3. **ADDITIONS/DELETIONS TO ORDER OF BUSINESS**

ON MOTION of Councillor Draper and Councillor Goucher, it was moved to add to the Order of Business, Discussion regarding Town-owned Land corner of Bedford Highway and Hammonds Plains Road. **The motion was unanimously approved.**

4. **APPROVAL OF THE ORDER OF BUSINESS**

ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved to **AMEND** the Order of Business such that item #11, Deferred Motion, Retaining Wall, be discussed immediately after Approval of the Minutes of Public Hearing. **The motion was unanimously approved.**

5. **APPROVAL OF THE MINUTES - PUBLIC HEARING #91-06 (October 15, 1991)**

Minutes of Public Hearing #91-06, Application for Development Agreement, Bedford Waterfront Development Corporation, were circulated with the agenda.

At the request of Councillor Walker, there was discussion regarding the inclusion of a matrix indicating building height, number of buildings and density within the Development Agreement. Mr. Zwicker agreed that the matrix could be included in the development contract.

ON MOTION of Councillor Walker and Councillor Draper, it was moved to **AMEND** the minutes of Public Hearing #91-06 such that page 3, paragraph one, line five, now read "...Councillor Walker noted that he had hoped that some type of matrix indicating building height, number of buildings and density would have been included within the Contract Development Agreement." **The motion was unanimously approved.**

ON MOTION of Councillor Draper and Councillor Goucher, it was moved to approve the minutes of Public Hearing #91-06 as amended. **The motion was unanimously approved.**

11. **DEFERRED MOTION - RETAINING WALL - BASINVIEW DRIVE - RESULTS OF TENDERS**

By memorandum of October 25, 1991, Mr. Paynter outlined the results of bids relative to the construction of an ornamental stone retaining wall fronting Civic #101 Hammonds Plains Road as directed by Council on October 15, 1991. On that date, Council deferred a MOTION to approve construction at an estimated cost of \$17,000 and with no contribution from the Andersons, pending Town Council review of the design specifications, estimated costs and further information regarding cost-sharing experiences for retaining walls in the Town.

The MOTION on the floor was:

"**ON MOTION** of Councillor Cosgrove and Councillor Goucher, it was moved that Town Council approve the construction of the retaining wall for 101 Hammonds Plains Road at a cost of \$17,000; and that there be no contribution from the Andersons." (page 7, October 15, 1991)

ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved to **AMEND** the above MOTION such that Town Council approve the construction and award the tender to Floyd Simms Construction for a total cost of \$12,050.07, including G.S.T..

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved to **AMEND** the **AMENDMENT** such that the project be deferred to the 1992 budget year due to the current lack of capital funds. The **MOTION** to **AMEND** the **AMENDMENT** was put to the meeting and **CARRIED** unanimously.

The **MAIN MOTION AS AMENDED** was put to the meeting and **CARRIED** (Councillor Draper opposed).

6. **BLUE MOUNTAIN RESOURCES - ENVIRONMENTAL CONTROL COUNCIL SUBMISSION**

By memorandum of October 25, 1991, Planning Staff submitted a brief outline of comments which arose from a joint meeting with representatives from Bedford Waters Advisory (BWAC), planning and engineering staff. Staff was seeking permission from Town Council to proceed to elaborate on these comments and prepare a more detailed submission to the Environmental Review Council. The public hearings are scheduled for November to receive submissions from parties who wish to comment on the application by Blue Mountain Resources Ltd. to operate a quarry, asphalt plant and concrete plant. These operations are proposed for a site in Halifax County adjacent to Atlantic Acres Industrial Park and Kearney Lake Road would be used to provide direct access to these operations.

At the request of Councillor Walker, Mr. Zwicker provided a brief outline and explanation of the various points raised in the memorandum. Items raised included extent of area of investigation for possible environmental impacts, release of molybdenum, assessment of need for this development, size of sedimentation ponds, operations, monitoring, site rehabilitation, siting agreements, traffic, longer term implications and benefits to Town of Bedford.

With respect to traffic implications, Mr. Paynter addressed specific concerns of Councillor Walkers and noted that it was unlikely that restrictions regarding the use of roads, other than spring weight restrictions, would be considered by the Department of Transportation. However, it was noted that a truck route could be suggested in an attempt to divert truck traffic away from the Industrial Park.

ON MOTION of Councillor Goucher and Mayor-Elect Kelly, it was moved to **adopt** the October 25, 1991 staff report regarding Blue Mountain Resources Public Hearing as the Town's position; and further that the position of the Town be presented at the Environmental Control Council public hearings. The **motion** was unanimously approved.

Mayor-elect Kelly indicated that he would be available to make the presentation on behalf of Town Council.

7. **1991/92 SCHOOL BOARD BUDGET - ADJUSTMENT DUE TO PROVINCIAL WAGE FREEZE**

As a result of the provincial wage freeze, mandatory and supplementary funding provided by municipalities has been revised. However, both Halifax County and Town of Bedford have given consideration towards reducing the rebate by half rather than accepting the full rebate.

ON MOTION of Councillor Draper and Councillor Goucher, it was moved that the Town of Bedford reduces the mandatory School Board Funding Rebate by fifty percent, ie. 50% of \$48,938.

In discussion of the MOTION, Mayor-Elect Kelly sought clarification as to whether the Town might specify where the \$48,938 be used. Mayor Christie indicated that Town Council may only recommend to the School Board where the funding be directed.

ON MOTION of Mayor-Elect Kelly and Councillor Cosgrove, it was moved to DEFER the above motion regarding reduction in school board funding pending input from the Community Education meeting which was being held on this date. The MOTION was DEFEATED (Councillors Walker, Draper and Goucher opposed; Councillor Cosgrove and Mayor-elect Kelly voted in favour).

In speaking to the MOTION, Councillor Draper expressed her concern that the School Board must receive additional funds from the Town since the student population increases experienced in the Town are not supported through the existing funding formula for the school board.

There was also discussion that Town Council should once again point out to the province that school board funding formula should be amended such that it reflects actual student enrolments.

The MOTION was put to the meeting and CARRIED (Mayor Christie, Councillors Walker, Draper and Goucher voted in favour; Mayor-elect Kelly and Councillor Cosgrove voted against the motion).

8. **RATIFICATION - CONTRACT AWARD - REPLACEMENT OF ARENA CHILLER**

As a result of discussion at the Special Session on October 8, 1991, Mr. Nauss called tenders for the purchase and installation of a new chiller for the arena. Circulated with the agenda package was the quotation from Cimco-Lock Refrigeration in the amount of \$32,176.

ON MOTION of Councillor Goucher and Councillor Kelly, it was moved that Town Council ratify the expenditure of \$32,176 for a new chiller for the arena from Cimco-Lock Refrigeration Ltd.

In discussion of the MOTION, it was suggested that funding source as specified in the ORIGINAL MOTION (October 8, 1991) be amended in light of the savings identified under discussion of agenda item #7, School Board Funding. Mayor Christie indicated that the new Town Council should deal with this issue.

9. **CONSIDERATION OF AWARD - TENDER #91-16 - SYSTEM CONTROL AND DATA ACQUISITION (SCADA)**

By memorandum of October 25, 1991, Mr. Paynter outlined the proposals requested from companies for the supply and implementation of a SCADA system for the Town of Bedford's sewage pumping station network. He also noted that the project was to be phased, and the 1991 Capital Budget allocation was limited to \$35,000.

Mr. Paynter indicated that the tender call was issued on the supply and installation of the full program applicable for the entire 13 pumping stations.

Mr. Paynter asked that Town Council defer a decision regarding this item to the November 19, 1991 Regular Town Council Session pending further clarification requested from the three proponents.

ON MOTION of Councillor Goucher and Mayor-elect Kelly, it was moved to DEFER a decision regarding Tender #91-16 until the Town Council Regular Session scheduled for November 19, 1991. The motion was unanimously approved.

10. **CONSIDERATION OF AWARD - TENDER #91-03 - ROCKY LAKE DRIVE INTERSECTION**

By memorandum dated October 25, 1991, Mr. Paynter outlined the results of

tender #91-03 for Bedford Highway/Rocky Lake Drive Intersection Improvements. Two bids were received and were in excess of the cost estimates.

Mr. Paynter further noted that funding approval from DOTC was for \$126,500, leaving the Town a net cost of \$160,500 based on updated project estimates.

In discussion with Town Council regarding increased tender costs, Mr. Paynter indicated that normally DOTC cost-sharing permits an automatic 10% variance; and that past experience has been that there has been no problems receiving additional cost-sharing should the 10% variance be exceeded.

However, Councillors noted that there has been no guarantee from DOTC with regard to additional cost-sharing on this project.

ON MOTION of Mayor-elect Kelly and Councillor Goucher, it was moved to DEFER awarding tender #91-03 until November 19, 1991 pending further investigation by staff regarding DOTC cost-sharing with respect to the updated tender costs. The MOTION was CARRIED (Councillor Walker opposed).

12. **TOLSON MANOR HOUSE - PROPOSED REVISED AGREEMENT OF PURCHASE AND SALE**

Circulated with the agenda package was a revised draft agreement of purchase and sale for the Tolson Manor House (October 23 1991, letter from J. Innes). The draft reflected various clauses and amendments agreed to by Mrs. Tolson.

Clarification was provided regarding adequacy of maintenance funds "suitable to the purchaser". Mayor-elect Kelly suggested an amendment regarding a refundable deposit.

ON MOTION of Councillor Goucher and Councillor Draper, it was moved that Town Council accept the draft Agreement of Purchase and Sale for the Tolson Manor House as outlined and attached to Mr. Innes' letter of October 23, 1991.

In discussion of the MOTION, Mayor-elect Kelly reported on his conversations with Mrs. E. Pacey, Mrs. Snell and Mr. Gorham and indicated that the decision regarding the purchase of the Manor House should be left to the new Council as the impacts with respect to upkeep and maintenance have not been adequately addressed at this time.

Councillor Goucher urged Town Council to support the MOTION regarding the purchase of the Manor House as this decision has been passed from one Council to another without any action.

The MOTION was put to the meeting and CARRIED (Mayor Christie, Councillors Draper and Goucher voted in favour; Councillors Walker and Cosgrove opposed; and Mayor-elect Kelly abstained).

13. **MOTION ARISING FROM PUBLIC HEARING - PROPOSED B.W.D.C. CONTRACT DEVELOPMENT AGREEMENT**

On October 15, 1991, Town Council deferred a decision regarding the Contract Development Agreement application by the Bedford Waterfront Development Corporation (BWDC) pending further information and legal counsel on the issue of the inherent rights of landowners to the protection of private view planes when construction on a newly created waterlot threatens to obstruct their view.

Circulated with the agenda package was a memorandum from BWDC to Mr. English dated October 25, 1991 which addressed several of the concerns raised at the Public Hearing on the contract development application. Also circulated was a letter from Peter Klynstra, dated October 23, 1991, to Mr. M. Towner (BWDC) regarding the "mathematics" of lots 4.4 and 4.5 with respect to site coverage, outdoor parking, parking below units, unit coverage and unit size.

Town Council was advised that the legal research has concluded there is no inherent rights of landowners with respect to view planes.

ON MOTION of Councillor Goucher and Mayor-elect Kelly, it was moved that Town Council authorize the Chief Administrative Officer and the Mayor to enter into the contract development agreement, as circulated, with the Bedford Waterfront Development Corporation to permit development of a mix of commercial, residential, parking lot and public parkland uses on the parcel of land known as Phase I.

ON MOTION of Councillor Goucher, it was moved that the above motion be AMENDED such that the Contract Development Agreement be revised such that on Lot 4.4, the maximum height of residential buildings be reduced from five storeys to four storeys. (60 feet to 48 feet)

Mayor Christie indicated that during the process of application for Contract Development Agreements, Town Council must approve or reject the CDA as proposed by the applicant and does not have the authority to suggest/recommend amendments to the application.

However, upon consensus, it was agreed that the Director of Planning and Development would meet with representatives of the BWDC immediately to discuss Councillor Goucher's suggestion. Mr. Zwicker and several members of the BWDC including Mr. D. Irwin, Chairman; Mr. R. Short, President; and Mr. J.

Innes, legal counsel, left the room for approximately ten minutes during which time Town Council discussed other agenda items.

Upon returning to Council Chambers, Mr. Zwicker with the aid of overheads outlined a revision to the BWDC Contract Development Agreement whereby the BWDC agreed to reduce the maximum height limit of the residential buildings on lot 4.4 from the middle of the cul-de-sac, north to the extremity of the site, from five storeys to four storeys. At the request of Council, Mr. Zwicker indicated that in his opinion this amendment to the contract was not a substantial change.

Councillor Goucher WITHDREW his MOTION.

ON MOTION of Councillor Goucher and Councillor Draper, it was moved that Town Council AMEND the MOTION regarding approval of the Contract Development Agreement with the Bedford Waterfront Development Corporation such that the wording and intent of the contract be changed to reflect the revision suggested by the BWDC and indicated on the overhead such that on lot 4.4 the maximum height of residential buildings will be reduced from five to four storeys in the area from the middle of the cul-de-sac, north to the extremity of the site and to the waters edge.

In speaking to the MOTION, Councillor Walker sought clarification from Mr. Zwicker regarding underground parking and the measurement of buildings above grade. Mr. Zwicker noted that underground parking would not affect the calculation of grade height.

There was also discussion regarding the opportunity for public input into the final development plans. It was clarified that the final development plans will be reviewed by Bedford Planning Advisory Committee (BPAC) and Town Council; and that BPAC could hold a public information meeting as each plan came forward. Councillor Walker suggested that the CDA be further amended to require BPAC to hold public information meetings on each final development plan. Mayor Christie cautioned once again that the applicant must agree and propose any changes to the contract. Mr. Innes, on behalf of BWDC, addressed Town Council and indicated that the BWDC felt that sufficient safeguards for public input into the approval of final development plans had been provided by with BPAC and Town Council having the ability to review.

The MOTION TO AMEND was put to the meeting and CARRIED (Councillors Walker, Draper, Goucher and Cosgrove voted in favour; Mayor Christie and Mayor-elect Kelly voted against the amendment).

THE MAIN MOTION AS AMENDED was put to the meeting and CARRIED unanimously.

14. **DEVELOPMENT OPPORTUNITY - TOWN-OWNED LAND - BEDFORD HIGHWAY AND HAMMONDS PLAINS ROAD**

Mayor Christie reviewed the status of development proposal calls for the Town-owned land at the corner of the Bedford Highway and Hammonds Plains Road. Staff had previously reviewed the submissions with Town Council during a Committee of the Whole meeting.

ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that

Town Council authorize staff to negotiate with Kiel Developments an Agreement of Purchase and Sale for the development of Town-owned lands located on the corner of the Bedford Highway and Hammonds Plains Road based on the concept plans as submitted.

In discussion of the MOTION, it was agreed that a more detailed development proposal and appropriate agreement of purchase and sale be brought to the New Town Council for authorization following which a development agreement process would proceed.

ON MOTION of Mayor-elect Kelly and Councillor Cosgrove, it was moved that the above MOTION be AMENDED such that with respect to parkland, the negotiators discuss with the abutting property owners as to the location and layout of the parkland; and further that this is done in consultation with Bedford Recreation Advisory Committee.

The MOTION TO AMEND was put to the meeting and CARRIED unanimously.

The MAIN MOTION AS AMENDED was put to the meeting and CARRIED unanimously.

15. **ADJOURNMENT**


Prior to adjournment, Mayor Christie took the opportunity to thank members of Council and staff for their support over the last three years and offered best wishes to the new Town Council. On behalf of Councillors, Councillor Goucher expressed best wishes to Mayor Christie for his future endeavors and noted that it had been a privilege serving with him.

ON MOTION of Councillor Draper, it was moved that the Special Session of Bedford Town Council adjourn at approximately 9:55 p.m.

Following adjournment, Mr. Dick Irwin, Chairman of Bedford Waterfront Development Corporation, extended to staff, and Town Council appreciation for their support in negotiations with the BWDC. He presented members of the departing Town Council with photographs of the Project. To the members of the new Town Council, Mr. Irwin also presented recent photographs of the project as a remembrance of the current stage of the project upon commencement of their term.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

/dl

TOWN OF BEDFORD

Reconvened Regular Session

Tuesday, October 29, 1991

A Reconvened Regular Session of the Town Council of the Town of Bedford took place on Tuesday, October 29, 1991 following the Special Session at 7:40 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Christie presiding.

ATTENDANCE: Councillor Peggy Draper, Councillor Anne Cosgrove, Councillor Len Goucher, Councillor Grant Walker.

Staff members in attendance included Dan English, Chief Administrative Officer; and Barry Zwicker, Director of Planning and Development.

Prior to considering the balance of the agenda, Mayor Christie honoured three Town of Bedford Police Department members -- Police Chief Angus MacKenzie, Leonard Haughan and Joseph Collins -- by presenting them with a plaque for ten years service. Chief MacKenzie thanked the Mayor and previous Town Councils for supporting the work of the Police Department.

11. COMMITTEES/COMMISSIONS/BOARDS/DEPARTMENTAL REPORTS

11.2 Departmental

11.2.1 Planning and Development Control Department

a) Building Inspector's Report - September 1991

The Building Inspector's Report dated September 1991 was circulated with the agenda. In response to questions from Councillor Walker, Mr. Zwicker noted that although the September report indicates that the value of construction is lagging as compared to last year, during the last two weeks of October there seems to be renewed activity and interest.

ON MOTION of Councillor Walker and Councillor Goucher, it was moved to accept the Building Inspectors Report dated September 1991 as circulated. The motion was unanimously approved.

11.2.2 Engineering and Works Department

a) BWAC Minutes - September 25/91

The September 25, 1991 minutes of Bedford Waters Advisory Committee were circulated with the agenda.

ON MOTION of Councillor Cosgrove and Councillor Draper, it was moved to accept the September 25, 1991 minutes of Bedford Waters Advisory Committee as circulated. The motion was unanimously approved.

11.2.3 Fire Department - Monthly Report - September 1991

The Fire Department's September 1991 Monthly Report was circulated with the agenda.

ON MOTION of Councillor Draper and Councillor Goucher, it was moved to accept the Fire Department's September 1991 Monthly Report as circulated. The motion was unanimously approved.

12. CORRESPONDENCE

12.1 Placement of Billboard Sign on Highway 102

For information, a letter from Department of Transportation and Communications was circulated regarding placement of a billboard sign on Highway 102 advertising the Town of Bedford. The letter denied the Town's request for placement of a billboard sign on Highway 102 as there is already a large blue sign on the #102 advertising the Town.

Mayor Christie indicated that the Bedford Economic Development Commission was currently seeking other alternatives. Mr. English indicated that this topic was discussed by staff and a suggestion is being put forth to move the existing Department of Transportation blue sign and relocate it to a new location just prior to the turn off for the #118.

Councillor Walker requested that staff pursue the possibility of slightly altering the existing blue sign if it is moved, such that a small piece be added to the bottom of the sign indicating to visitors that in order to reach Bedford, they must turn at that location.

13. MOTIONS OF RECONSIDERATION - Nil.

14. MOTIONS OF RESCISSION - Nil.

15. NOTICES OF MOTION - Nil.

16. QUESTIONS

16.1 Status Sheet

At the request of Councillor Walker, Mr. English reported that staff has not yet received the C.N. safety inspection reports relative to the July 16, 1991 discussion regarding Train Whistling.

17. ADDED ITEMS

17.1 Meeting with Minister of Education

At the opening of the meeting, Mayor Christie reported that a meeting with the Minister of Education had been held. The results of the meeting were positive and that the Minister assured those present that if capital funds were to be released for the building of schools that Bedford's request to be removed from the moratorium list would be considered.

17.2 Miss Nova Scotia Congratulations

ON MOTION of Councillor Draper and Councillor Cosgrove, it was moved that Town Council request the Mayor to express their congratulations and best wishes to Miss Susan Ross (Miss Bedford, Miss Nova Scotia) in finishing as First Runner Up in the Miss Canada Pageant. The motion was unanimously approved.

18. ADJOURNMENT

ON MOTION of Councillor Goucher, it was moved to adjourn the Reconvened Regular Session #122 of Bedford Town Council at approximately 7:50 p.m.


MAYOR


CHIEF ADMINISTRATIVE OFFICER