

6. **DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**

6.1 **Consideration - Survey - Possible Sale of Basinview Lots**

By memorandum, dated March 4, 1994, Donna Davis-Lohnes, Acting Director of Planning and Development Control, reported on the results of a Basinview Park Survey and staff's recommendations.

Ms. Davis-Lohnes reviewed the report for Council and showed slides of the lot. She noted that staff's recommendation is to subdivide the lot such that two standard single family lots would be created, with the remaining parcel of 120 feet frontage remaining as open space. In addition, the proceeds from the sale of the two lots would be earmarked for parkland development in the Basinview neighbourhood.

Mayor Kelly reminded Council of their previous agreement not to proceed with the sale of the lots if there was opposition from the residents.

Councillor Cosgrove inquired how the Town came to acquire lot BP-2. Ms. Davis-Lohnes reported that the Town had purchased the lot from the developer for potential future expansion of the Lebrun Centre or it's parking lot.

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that all of Lot BP-2 remain as parkland.*

Councillor Hutt stated that he agreed with the staff recommendation, since two lots could be sold and the residents would still retain a view of the basin.

Mr. English pointed out that the lot, in staff's opinion, could not be developed as parkland, and that possible loss of the view from the lot seemed to be the main issue with residents. He noted that providing Council agreed, sale of the two lots could generate funds to develop parkland in the area and residents would still enjoy a 120 ft. wide unobstructed view of the basin.

Deputy Mayor MacLean noted that Mr. Hepworth was to have spoken to Council tonight on the subject, and that he would like to defer a decision until hearing from him.

*ON MOTION of Deputy Mayor MacLean and Councillor Cosgrove, it was moved to DEFER the Motion until the next Council Session. The Motion to defer was unanimously approved.*

At this time there was a Motion to suspend the Rules of Order, to permit Council to continue with the remainder of the agenda prior to discussion of Item #6.2.

*ON MOTION of Deputy Mayor MacLean and Councillor Hutt, it was moved to Suspend the Rules of Order. The Motion was unanimously approved.*

9. MOTIONS

9.1 **Consideration of Approval - Third Reading - False Alarm By-Law**

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that the False Alarm By-Law be given Third and final Reading. The Motion was unanimously approved.*

Mayor Kelly reported that the Town of Bedford is the first municipality in Nova Scotia to pass a False Alarm Bylaw.

10. NEW BUSINESS

10.1 **Consideration - Awarding of Tender - Banking Services**

By memorandum dated March 3, 1994, Mr. Ron Singer, Director of Finance, reported on the results of a Request for Proposals for Banking Services, and staff's recommendations.

Mayor Kelly inquired about the possibility of the Town utilizing its new computer system to carry out payroll in-house. Mr. Singer reported that the cost of having a banking institution handle payroll is quite low, and that it would not be cost effective for the Town to maintain its own payroll system.

*ON MOTION of Deputy Mayor MacLean and Councillor Davies, it was moved that the Royal Bank of Canada be appointed as the Town's primary banker commencing April 1, 1994 for a three-year term per all terms and conditions indicated within their proposal dated February 24, 1994, and further, that Town Council reserve the right to extend these services with the Royal Bank from year to year at the expiration of the three year term. The Motion was unanimously approved.*

11. REPORTS

11.1 COMMITTEES/COMMISSIONS/BOARDS

11.1.1

**Recreation Advisory Committee - Volunteer of the Year**

By memorandum dated March 4, 1994, Mr. Bob Nauss, Recreation Director, reported for Council's information, the nomination of Ken Lenihan as Provincial Volunteer of the Year for Bedford.

11.2 **DEPARTMENTAL - NIL**

12. **CORRESPONDENCE - NIL**

13. **MOTIONS OF RECONSIDERATION - NIL**

14. **MOTION OF RESCISSION - NIL**

16. **DEPARTMENTAL INFORMATION REPORTS - NIL**

17. **QUESTIONS - NIL**

18. **ADDED ITEMS - NIL**

6.2 **Continuation - Review of 1994 Capital Budget**

Mr. English displayed an overhead of the Source #5 (Borrowing) Projects which also indicated those projects already committed or approved for tendering. He reported that if all of the currently committed or tendered projects came in as estimated and were approved, they would total approximately \$922,000.00, which would put the maximum borrowing amount at its limit. He further suggested that staff bring all tender results back to Council at the same meeting, in order that Council can consider each of them at the same time for consideration in context of the full budget.

Councillor Goucher spoke about project #14 Oakmount Blvd. which had been previously approved for tendering. He suggested that this project be withdrawn from the list of projects approved for tendering.

Mayor Kelly pointed out to Council that three storm drainage projects on the list - #5 Olive Ave., #9 Rocky Lake Road, and #15 Kearney Lake Road have potential future litigation risks, and that Council should give these projects priority and approve them for tendering.

Councillor Cosgrove spoke in agreement with Councillor Goucher, and suggested that all previously approved projects should be withdrawn from tendering until Council has more

thoroughly reviewed the priority list.

Councillor Cosgrove then served Notice of Rescission on the following Motions from February 22, 1994:

**ON MOTION** of Councillor Oickle and Deputy Mayor MacLean, it was moved that \$5,500 be committed for two bus shelters from Source 1. **The Motion was unanimously approved.**

**ON MOTION** of Councillor Oickle and Councillor Goucher, it was moved that projects shown to be funded from Withdrawal from Equipment Reserve be tendered. **The Motion was unanimously approved.**

**ON MOTION** of Councillor Davies and Councillor Hutt, it was moved that the Oakmount Blvd. project be sent out for tender. **The Motion was unanimously approved.**

**ON MOTION** of Councillor Oickle and Councillor Cosgrove, it was moved that Council instruct the Director of Engineering to tender for the improvements to storm drainage on Meadowbrook Dr. **The Motion was unanimously approved.**

**ON MOTION** of Councillor Oickle and Councillor Davies, it was moved that the Mann Street Forcemain Repairs be tendered. **The Motion was unanimously approved.**

**ON MOTION** of Deputy Mayor MacLean and Councillor Oickle, it was moved that Council instruct the Director of Recreation to proceed with tendering the LeBrun Centre Renovations. **The Motion was unanimously approved.**

Council discussed whether to continue to discuss the Capital Budget at this time. Mayor Kelly indicated that for the Notice of Rescission to be dealt with now, the Rules of Order would have to be suspended, and that the vote would have to be unanimous.

**ON MOTION** of Deputy Mayor MacLean and Councillor Oickle, it was moved to Suspend the Rules of Order. **The Motion was LOST.** (Mayor Kelly, Deputy Mayor MacLean, Councillor Oickle and Councillor Goucher voted in favour; Councillor Cosgrove and Councillor Davies were opposed; Councillor Hutt abstained.)

19. **ADJOURNMENT**

*ON MOTION of Councillor Goucher and Councillor Davies, it was moved to adjourn the 90th Regular Session of the Town Council of the Town of Bedford at approximately 9:20 p.m.*

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

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**MEETING #91**

**TOWN OF BEDFORD**

**Regular Session**

**Tuesday, March 22, 1994**

A Regular Session of the Town Council of the Town of Bedford took place on Tuesday, March 22, 1994 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

Prior to commencement of the session, two proclamations were read by Mr. English on behalf of Mayor Kelly.

The week of March 28, 1994 was proclaimed Hunger Awareness Week in the Town of Bedford. March 21, 1994 was proclaimed as International Day for the Elimination of Racism in the Town of Bedford.

**1. LORD'S PRAYER**

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

**2. ATTENDANCE**

Deputy Mayor Bill MacLean and Councillors Harris Hutt, Anne Cosgrove, Stephen Oickle, and John Davies were in attendance at the commencement of the meeting.

Staff members in attendance included Dan English, Chief Administrative Officer; Rick Paynter, Director of Engineering and Works; Ron Singer, Director of Finance; and Donna Davis-Lohnes, Director of Planning.

Regrets: Councillor Len Goucher

There were approximately 20 residents present.

**3. APPROVAL OF MINUTES - Meeting #90 - Regular Session, March 8/94**

The minutes were not approved.

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

The following changes were made to the Order of Business:

Item #10.4 was moved up to be heard before Item #6.1  
Items #8.1, #8.2, and #8.3 were moved up to be heard prior to #6.1  
Item #10.3 was moved up to be heard after Item #6.1

5. **APPROVAL OF THE ORDER OF BUSINESS**

***ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved to approve the Order of Business, as amended. The Motion was unanimously approved.***

10.4 **Proposed Consultant's Study - Possible Metro Police Amalgamation**

Mayor Kelly provided a general overview of the matter of the proposed (by the Province) consultant's study of a possible Metro Police Amalgamation. Copies of the Terms of Reference for the Province's public tender for the assignment were included in the agenda package. Mayor Kelly reported that he had attended a meeting with Hon. Sandy Jolly and the Magistrates of the four municipalities and had participated in a round-table discussion of the topic. He noted that he indicated to the Minister that Bedford was willing to participate in the study for the purposes of analysis only at this time. The Minister had requested the support of the Mayors.

***ON MOTION of Councillor Cosgrove and Councillor Oickle, it was moved that Bedford Town Council support the Minister's proposed study for an analysis of a possible Metro Police Amalgamation. The Motion was unanimously approved.***

Police Chief MacKenzie was asked by Councillor Goucher how he felt about the study and its implications. Chief MacKenzie indicated that he did not wish to express an opinion at this time, but would await the reports findings. He suggested that "bigger is not necessarily better", and pointed out that other amalgamations of police forces, such as in Ontario, have not been entirely satisfactory.

Councillor Hutt inquired whether the County would be participating in the proposed amalgamation. Mayor Kelly indicated that since they were currently served by the R.C.M.P., it was not proposed that they participate.

In response to a question from Councillor Davies, Mayor Kelly indicated that it was not clear at this time who will make the final decision after the completion of the study, but it was hoped the Minister would respect the wishes of the participating municipalities.

**8. PETITIONS AND DELEGATIONS**

**8.1 Ridgevale Homeowners Association - Park and Recreational Facilities**

Mr. David Brown of the Ridgevale Homeowners Association made a verbal presentation to Council with respect to the development of a recreational park in the subdivision. Mr. Brown provided background information on the Association's proposal for a combination tot-lot and hard play surface, for which a conceptual plan had been approved by the residents, and has been estimated to cost \$60,000.00.

Mr. Brown outlined the resident's reasons, a development timing scenario, and other possible future developments the residents would like to see, such as completion of walking trails along Parkers Brook, linked to the Town trail system, a sidewalk on their side of Dartmouth Road, completion of a "green" boulevard on Ridgevale Dr., lights at Ridgevale Dr. and Dartmouth Road, and a Bedford by-pass ramp to Hwy 102 to cut down on Town traffic. Mr. Brown suggested that these kinds of measures would add to the small-town character of Bedford.

Mayor Kelly thanked Mr. Brown and indicated that Council would consider the Association's requests and concerns within the Capital Budget deliberations.

**8.2 Mr. Ron Leitch - Bedford Highway/Oakmount Drive Improvements**

Mr. Leitch, operator of the Arby's Restaurant on the Bedford Highway, spoke to Council with respect to the "urgency" for safety along the stretch of the Bedford Highway near Oakmount Drive. Mr. Leitch noted that he had, in the past, petitioned customers of Arbys regarding the speed of traffic in front of the restaurant, and that this petition had been submitted to Council. He suggested that a third "turning" lane, or a raised-curb island in the middle of the road would serve to alleviate the problem.

Mr. Leitch pointed out the concern about safety for the children using the ballpark, and noted that assessments on the buildings have gone up, although there continues to be a high vacancy rate in that particular area.

Mayor Kelly thanked Mr. Leitch, and noted that a new design for improvements has been submitted to the Province, but they have not yet responded. He further indicated that Council will be considering the matter during Capital Budget deliberations.

Mr. John Tolson asked for permission to address Council on this matter, and Council unanimously agreed to allow him to do so.



Mr. Tolson reported that he had been involved with the widening of the Bedford Highway near the Chickenburger in 1979, and that there had been much resistance to a turning lane at that time. Now, however, it is widely accepted. He suggested that the overhead 100 series highway sign at the entrance to Bedford should be removed because it gives the impression to traffic that they are on a fast highway. He, too, pointed out that raised curbs in the middle of the road serve to slow traffic down. Mr. Tolson urged Council to look after the business and safety interests of residents.

**8.3 Bedford Highway South, Millview, Crosby and Glenmount Residents Association - Proposed Sewer and Water Extension - Bedford Highway**

Ms. Donna Bowbridge addressed Council, reporting that she and other residents had conducted a survey of the Bedford Highway South property owners, and had received 80%-90% of support from them for the extension of sewer and water services. Clearwater and Esquire Motel, two of the largest property owners, had supported the petition. She inquired what the residents could now do to further their interest in the services extension.

Mayor Kelly suggested that the next step would be a Public Information Session to present all the available information and cost figures to the area residents. Mr. Rick Paynter, Director of Engineering and Works, indicated that rough cost figures for the extension of services into the Millview, Crosby and Glenmount neighbourhoods could be put together for the meeting in the next two weeks.

Mayor Kelly indicated that Town staff would handle the initiating of the meeting, and would notify residents of the time and date.

**6. DEFERRED BUSINESS/BUSINESS ARISING FROM THE MINUTES**

**6.1 Amalgamation - Dartmouth Ferry/Metro Transit**

A redraft of the Town of Bedford By-law giving authority to the Metropolitan Authority to operate a ferry service in Halifax Harbour was included in the agenda package, as well as a written review of the changes in the new draft by Town Solicitor, Mr. Peter McInroy. Mr. McInroy was present to verbally review and explain the changes with Council.

Concerns were raised by Mayor Kelly that the draft circulated for approval to Bedford Town Council was not a duplicate of those circulated to other municipalities. Mr. McInroy stated that this model bylaw was the same as others circulated, except for "very minor differences".

Mayor Kelly also expressed concern that no time frame for the leasing agreement with the City of Dartmouth had been incorporated. Mr. McInroy indicated that the term of the lease would be in the lease itself, which would be between the Metro Authority and the City of Dartmouth.

Mayor Kelly expressed his concern that the matter was being rushed, and that he wished there to be no misunderstandings.

Councillor Cosgrove served Notice of Rescission on the following Motion passed on February 8, 1994:

**ON MOTION** of Councillor Goucher and Deputy Mayor MacLean, it was moved that Council approve the By-Law Respecting Ferry Service, subject to Item#1 (d) being clarified. **The Motion was unanimously approved.**

Councillor Cosgrove suggested that, before the next Council Session, the four Mayors and Town Solicitors should meet and agree on a master draft of the By-Law.

### 10.3 Proposed By-Law Pollution Control Surcharge

Copies of the proposed by-law had been circulated to members of Council prior to the meeting, however, Councillor Oickle made a Motion to Defer discussion until the next meeting as there had not been sufficient time for review.

*ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved to Defer discussion of the proposed By-Law Pollution Control Surcharge until the next Council Session. The Motion was unanimously approved.*

Mr. Dan English, Chief Administrative Officer, noted to Council that staff require at least a Notice of Motion in order to include notices of the proposed surcharge in the upcoming tax bills, and that if it was not included, the surcharge could not be implemented for 1994/95.

*ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved to Suspend the Rules of Order. The Motion was unanimously approved.*

*ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved to Rescind the above Motion to Defer. The Motion was unanimously approved.*

**ON MOTION** of Councillor Oickle and Deputy Mayor MacLean, it was moved that Bedford Town Council give Notice of Intent to consider and possibly implement the By-Law Pollution Control Surcharge, and further, that the By-law be referred to the By-law/Policy Review Committee for review and recommendation back to Council. **The Motion was unanimously approved.**

## 6.2 Municipal Facilities

By memorandum dated March 18, 1994, Mr. Dan English, Chief Administrative Officer, outlined the history, future courses of action, interim courses of action, and staffs recommendations with respect to Municipal Facilities. It was indicated that Council must first consider ratifying an attached Resolution relative to terminating the Lease to Purchase Agreement with Boardwalk Developments Ltd.

**ON MOTION** of Councillor Cosgrove and Councillor Hutt, it was moved that Bedford Town Council Ratify the following Resolution:

**WHEREAS** pursuant to the provisions of certain "Heads of Agreement" and certain Leases (referred to collectively hereinafter as "the Agreements"), all of which were executed as between the Town of Bedford (hereinafter: "the Town") as Tenant and Boardwalk Developments Limited (hereinafter: "Boardwalk") as Landlord on the 4th day of July, 1993;

**AND WHEREAS** pursuant to the provisions of the Agreements, Boardwalk as Landlord was to develop and construct certain commercial office/institutional buildings (hereinafter; "the Complex") for use and occupation by the Town as Tenant for the purposes of the Town's Administrative Offices, Town Hall, Community Cultural Centre and Community Library with the Complex to have been constructed and ready and available for the Town's use and occupation thereof not later than the 1st day of July, 1994;

**AND WHEREAS** Boardwalk had failed to commence the construction of the Complex referred to herein by the 8th day of February, 1994 such that the Town developed concerns that Boardwalk was not capable of completing it within the time frames specified in the Agreements and that any such failure could result in financial losses to the Town and to its citizens;

**AND WHEREAS** the Town, by Resolution dated the 8th day of February, 1994 (hereinafter: "the Resolution") required of Boardwalk that it provide certain assurances with respect to its ability to complete the construction of the Complex within the time frames referred to herein together with proof of the consummation of such other Agreements which Boardwalk would have had to have concluded

*with Third Parties as conditions precedent to the commencement of the construction of the Complex;*

*AND WHEREAS the Town, by the provisions of the Resolution set the "close of business" of Monday, March 14th, 1994 as the date and time by which Boardwalk was to provide the certain assurances and proofs referred to herein with respect to its ability to complete the construction of the Complex within the time frames referred to herein;*

*AND WHEREAS Boardwalk did not provide all such assurances and proofs as required and has not yet provided them;*

*NOW UPON MOTION BE IT THEREFORE RESOLVED that the Town of Bedford immediately repudiate the Agreements on the anticipation of Boardwalk's breach of its obligation to complete the construction of the Complex within the time frames referred to the Agreements and hereafter treat those Agreements as being null and void and of no further legal force nor effect;*

*AND BE IT FURTHER RESOLVED that Boardwalk be so notified immediately and that any sums delivered to the Town by Boardwalk in consequence of the construction of the Complex be refunded forthwith.*

Councillor Cosgrove noted that she had been a supporter of the project since the beginning, but that, although it was regrettable, she did not have any problem in making the motion. She further indicated that because the Town was to have been the flagship for the development, she did not want this termination of the agreement to be seen negatively with respect to any future development of the waterfront.

Deputy Mayor MacLean also indicated that he would not want the waterfront area to be abandoned, nor would he want the Town to lose sight of support for it's development.

**The Motion was unanimously approved.**

*ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved that Council approve the creation of a new Municipal Facilities Steering Committee to be composed of representatives of: Town Council, Economic Development Commission, Bedford Board of Trade, Residents, and Staff; with the terms of reference and appointees to be brought back for Council approval.*

Councillor Davies stated that he would vote against the motion, since he had served on the last Steering Committee and was aware of how much time and money could be wasted given the fact that a new Council will be in place in the fall of 1994. He

suggested that a new Steering Committee would be "re-inventing the wheel".

Councillor Davies suggested that the matter of a new Municipal facility should be built into the Strategic Planning process.

**ON MOTION of Councillor Cosgrove and Councillor Oickle, it was moved to Amend the Motion such that Council request a report back to Council from the Steering Committee by September 12, 1994.**

Councillor Hutt indicated that he felt this time frame was too tight. Mr. English suggested that the Steering Committee would only bring forward some recommendations by September 12 to solidify the direction to take, not for Council to make a decision.

**The Amendment Motion was put to the Meeting and was LOST.** (Councillor Davies, Councillor Hutt, and Deputy Mayor MacLean were opposed; Councillor Oickle, Councillor Cosgrove and Mayor Kelly voted in favour.)

Councillor Davies again pointed out that the work of the Steering Committee has already been completed in 1989, and would only have to be "re-hashed" again by the new Council.

Councillor Hutt suggested that Council should deal with the short-term matters first, such as the Town's leasing arrangements for the next three years.

**ON MOTION of Councillor Oickle and Councillor Hutt, it was moved that Town Council authorize Staff to proceed to request proposals to lease space of approximately 10,000 square feet for a three-year period, with such future lease to include early termination and hold-over provisions.**

Mayor Kelly then stepped down from the Chair.

Mayor Kelly stated that an early termination clause would make the proposal call unfair because it would give an unfair advantage to the present landlord. He reported that other landlords have called him and have stated that because of the costs of the move and leasehold improvements etc., a three-year lease is a minimum required to re-coup these costs.

Councillor Oickle and Councillor Hutt agreed to amend the Motion to eliminate the early termination provisions.

**The Amended Motion was put to the Meeting and was unanimously approved.**

**6.3 Deferred Motion - Survey - Possible Sale of Basinview Lots**

Mr. George Hepworth, resident of the Basinview neighbourhood, was present to speak to Council with respect to the possible sale of the Town owned Basinview lots. Mr. Hepworth stated that he had purchased property on Basinview particularly because of the unobstructed view of the Basin. He stated that he did not want the land to be sold, and that the majority of residents in the area have also indicated that they do not want the lots sold for building purposes either. Mr. Hepworth did note that there may be some residents that would agree to the sale of a portion of the lot.

Mr. Johnson, owner of the lot immediately adjacent to the lots in question, spoke to Council, and indicated that he would like to see the portion of the lot immediately beside his filled in so that it was not so steep.

Mr. Hepworth stated that he would like a commitment from the Town that the lot would be developed as a play area.

Councillor Hutt clarified that Council had been considering the sale of a portion of the lot for building purposes because that section was treed and already blocks the view.

Councillor Oickle reminded Council that B.P.A.C. had voted at a past meeting on the matter and a motion was passed that the lot should not be sold in part nor in whole.

The deferred motion was brought forth for vote.

*ON MOTION of Councillor Goucher and Councillor Cosgrove, it was moved that Lot BP-2 remain as parkland. The Motion was unanimously approved.*

**6.4 Continuation of Discussion - 1994/95 Capital Budget - Deferred**

**7. PUBLIC HEARINGS AND MOTIONS ARISING THEREFROM - NIL**

**9. MOTIONS - NIL**

**10. NEW BUSINESS**

**10.1 Consideration of Appointment - Planning Advisory Committee**

Due to the resignation of Mr. Don Huntington from the Planning Advisory Committee, two individuals who had originally applied for appointment to BPAC in November 1993 agreed to let their names be considered for a replacement appointment to BPAC.

After the first ballot by Council, Mr. Patrick Simms was appointed to B.P.A.C.

**10.2 Consideration of Nomination - Appointments to the Bedford Waterfront Development Corporation**

Correspondence relative to a Department of Economic Development request that Bedford put forward the names of six people for consideration by the Province, to select three for the positions as Directors on the Board of Directors, was included in the agenda package.

*ON MOTION of Deputy Mayor MacLean and Councillor Hutt, it was moved that Council direct staff to advertise the positions as Directors to the Waterfront Development Corporation Board. The Motion was CARRIED. (Councillor Oickle was opposed; Councillor Davies abstained.)*

**10.5 Proposed Minor Amendment - Crestview Properties Ltd. Development Agreement**

By memorandum dated March 18, 1994, Ms. Donna Davis-Lohnes, Acting Director of Planning and Development Control, updated Council on proposed modifications to the Crestview development proposal to seek approval of a minor amendment to permit the reduction of recreational facilities associated with multiple unit buildings within Phase I of the project.

Ms. Davis-Lohnes indicated on a schematic drawing where the proponent proposes to provide semi-detached and single-family lots in an area where two multiple unit buildings were originally proposed. The result would be a reduction in total units for Phase I from 184 to 96 and would increase the amount of open space. The Developer was requesting the reduction of the construction of two tennis courts, associated with the multiple unit buildings to one tennis court since the number of multiple unit buildings would be reduced from five to two.

Ms. Davis-Lohnes pointed out that it is staff's recommendation that the minor amendment be approved.

Mayor Kelly suggested that the Developer be asked to use the funds saved by the reduction of one tennis court elsewhere in the development.

The Developer, Mr. Hartling, was asked to comment on this. He pointed out that there is a higher cost associated with the development of single family and semi-detached lots as opposed to multiple-unit buildings that the Developers will have to absorb, but that it was hoped they would recoup this by the increase in the overall appeal of the development to the market. He further pointed out that it was felt the recreational aspects of the development remain balanced by the increase in the amount of green space.

*ON MOTION of Councillor Davies and Councillor Cosgrove, it was moved that Town Council approve a minor amendment to the Crestview development agreement to permit the reduction in the number of recreational facilities associated with the multiple unit buildings within Phase I.*

Deputy Mayor MacLean expressed concern that the existing recreational facilities in Bedford are already over-taxed, and that a higher priority should be placed on recreational facilities.

**The Motion was put to the Meeting and was CARRIED.** (Mayor Kelly and Deputy Mayor MacLean were opposed.)

**11. REPORTS - NIL**

**11.1 COMMITTEES/COMMISSIONS/BOARDS - NIL**

**11.2 DEPARTMENTAL - NIL**

**12. CORRESPONDENCE - Deferred**

**12.1 Robert Grant, Solicitor - Appeal - Nelson's Landing Development Agreement - Deferred**

**13. MOTIONS OF RECONSIDERATION - NIL**

**14. MOTION OF RESCISSION - Deferred**

**14.1 Motions from February 22, 1994 Respecting Capital Budget - Councillor Anne Cosgrove - Deferred**

**15. NOTICES OF MOTION - NIL**

**16. DEPARTMENTAL INFORMATION REPORTS - Deferred**

**16.1 Fire Chief's Monthly Report - Month of February, 1994 - Deferred**

**16.2 Building Inspector's Monthly Report - February 1994 - Deferred**

**17. QUESTIONS - Deferred**

**18. ADDED ITEMS - Deferred**



19. **RECESS**

**ON MOTION** of Mayor Kelly, it was moved to Recess the 91st Regular Session of the Town Council of the Town of Bedford at approximately 10:30 p.m., to reconvene on March 29, 1994.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

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**MEETING #91**

**TOWN OF BEDFORD**

**RECONVENED SESSION**

**TUESDAY, MARCH 29, 1994**

A Reconvened Regular Session (March 22, 1994) of the Town Council of the Town of Bedford took place on Tuesday, March 29, 1994 at 7:00 p.m. in the Council Chambers, Suite 400, Bedford Tower, Bedford, Nova Scotia; Mayor Peter Kelly presiding.

**ATTENDANCE**

Deputy Mayor Bill MacLean and Councillors, Anne Cosgrove, John Davies, Harris Hutt, Len Goucher and Stephen Oickle were in attendance at the commencement of the meeting.

**14.1 NOTICE OF RESCISSION - MOTIONS FROM FEBRUARY 22, 1994 RESPECTING CAPITAL BUDGET**

Councillor Cosgrove, in seeking a Motion of Rescission, explained reasons why, in her opinion, she felt Council should rescind the previous Motions authorizing tendering on several Capital Projects. She stated that in her view, Council did not allow staff to complete their presentation on the overall Capital Budget nor did Council complete the prioritization exercise which would have facilitated budget discussions. Lastly, she noted that the maximum borrowing amount was only \$900,000, however, Councillors had authorized tenders for over \$1,000,000.

*ON MOTION of Councillor Cosgrove and Councillor Hutt, it was moved that all Motions approved during the February 22, 1994 meeting respecting tenders for Capital Projects be rescinded. MOTION CARRIED. (Deputy Mayor MacLean and Councillor Oickle voted against the Motion).*

**6.4 Continuation - Discussion 1994/95 Capital Program**

Mayor Kelly noted that with the successful Motion of Rescission, discussions relative to the 1994/95 Capital Budget were back to, "square one."

Mayor Kelly opened discussions on the Capital Budget noting that, in his opinion, those projects which, when completed, will reduce the Town's exposure to liability should be considered firstly. He identified those projects as numbers 4, 8, 9, and 14 from the February 23, 1994 listing with a total value of \$230,000.

Discussion ensued amongst Council and the Director of Engineering, Mr. Paynter, with respect to Project #9, i.e. Storm Drainage Improvements - Meadowbrook Drive - \$125,000.

***ON MOTION of Councillor Goucher it was moved that staff be authorized to tender Project numbers 4, 8, and 14 with a total estimated value of \$105,000. The Motion was LOST as there was no Secunder.***

Discussion ensued amongst Council with respect to a process for deciding upon those projects which should be authorized for the calling of tenders. The Chief Administrative Officer, Mr. English, explained that it is basically a decision for Council as to how they wish to proceed suggesting that the collective prioritization exercise as one way, however, some Councillors were not agreeable to proceeding in this manner. Therefore, he suggested that Council could discuss each project on the February 23 listing, as prioritized by staff, and consider each one individually, or alternatively, start from the bottom and work through a process of elimination. Mr. English further noted that the first decision should be to determine the maximum amount of funding.

***ON MOTION of Councillor Oickle and Deputy Mayor MacLean, it was moved that Council approach the Capital Budget process by voting on each identified project individually based on the February 23, 1994 listing while recognizing that the maximum borrowing should not exceed \$900,000. MOTION CARRIED UNANIMOUSLY.***

***ON MOTION of Councillor Hutt and Councillor Oickle, it was moved to proceed to tender on the Leisure Club i.e. expansion of the Lawn Bowling Facility. MOTION CARRIED UNANIMOUSLY.***

It was noted that this particular project will not impact on the Capital Budget as sufficient funding sources are available, including the possible sale of the existing Leisure Club on Rutledge Street.

In response to a question from Council, Mr. English explained that no public consultation has yet taken place on the possible sale of the Leisure Club, however, now that Council has authorized tenders to be called for a new facility, the public process can be put in place.

***ON MOTION of Councillor Cosgrove and Councillor Oickle, it was moved that the \$35,000 appropriation included in the 1993/94 Operating Budget as Capital from Revenue for expansion of the Leisure Club be reallocated to the 1994/95 Budget. MOTION CARRIED UNANIMOUSLY.***

It was noted that the above Motions apply only to the Leisure Club component of Project #3 as shown in the Capital Budget. Mayor Kelly advised that the Youth Centre component will be discussed by Council at a later date as part of a report from the Public Forum on Youth Issues held on March 23, 1994.

**Projects to be Funded by Borrowing Source #5**

*ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Staff be authorized to tender Project #4 i.e. Storm Drainage Improvements - Olive Avenue at an estimated cost of \$30,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Hutt and Councillor Davies, it was moved that Staff be authorized to proceed to Tender Call on Project #5 i.e. Arterial Road Resurfacing - Rocky Lake Drive estimated at a net cost of \$30,000 subject however, to approval of cost-sharing from the Department of Transportation. MOTION CARRIED. (Councillor Goucher and Deputy Mayor MacLean voted against the Motion).*

*ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Staff be authorized to call tenders on Project #6 i.e. Lebrun Centre Renovations estimated at a cost of \$50,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Cosgrove and Councillor Goucher, it was moved that Staff be authorized to proceed to Tender Call on Project #7 i.e., Arterial Crosswalk Upgrading - Bedford Highway at Fish Hatchery estimated at a cost of \$15,000. MOTION CARRIED. (Deputy Mayor MacLean voted against the Motion.)*

*ON MOTION of Councillor Cosgrove and Councillor Oickle, it was moved that Staff be authorized to call tenders on Project #8 i.e., Storm Drainage Improvements - Rocky Lake Drive at an estimated cost of \$50,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Goucher and Deputy Mayor MacLean, it was moved that Staff proceed to Tender Call on Project #9 i.e., Storm Drainage Improvements - Meadowbrook Drive Phase II at an estimated cost of \$125,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Staff be authorized to call tenders on Project #10 i.e., Sidewalk Construction - Wimbledon Road at an estimated cost of \$50,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Deputy Mayor MacLean and Councillor Cosgrove, it was moved that Staff be authorized to proceed to Tender Call on Project #11 i.e., Mann Street Force Main Repairs at an estimated cost of \$70,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Davies and Councillor Goucher, it was moved that Staff be authorized to proceed to Tender Call on Project #12 i.e., Sidewalk Construction - Eaglewood Road Extension Phase I - Base at an estimated cost of \$25,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Davies and Councillor Cosgrove, it was moved that Staff be authorized to call tenders on Project #13 - Oakmount Boulevard Project at an estimated cost of \$138,000 (net) however, subject to approval of cost-sharing from the Department of Transportation.*

A lengthy discussion ensued with respect to this particular project and the merits of other possible options. Deputy Mayor MacLean suggested that the option of having traffic signal lights installed in this area should be addressed more fully. The Motion was put to the floor and was CARRIED. (Councillor Goucher and Councillor Oickle voted against the Motion.)

*ON MOTION of Deputy Mayor MacLean and Councillor Goucher, it was moved that the Director of Engineering be instructed to conduct a review on the feasibility of traffic signal lights being installed in the immediate area of the Oakmount Boulevard area project and that other alternatives, flashing lights etc., be investigated. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Goucher and Councillor Hutt, it was moved that Staff be authorized to proceed to Tender Call on Project #14 i.e., Storm Drainage Improvements - Kearney Lake Road at an estimated cost of \$25,000. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Goucher it was moved that Staff be authorized to tender Project #16 i.e., Arterial Crosswalk Upgrading - Bedford Highway at Spring Street at an estimated cost of \$15,000. The Motion was LOST as there was no Secunder.*

*ON MOTION of Deputy Mayor MacLean, it was moved that Staff be authorized to call for tenders on Project #17, i.e., Local Street Upgrading - Shore Drive at an estimated amount of \$20,000. The Motion was LOST as there was no Seconder.*

*ON MOTION of Deputy Mayor MacLean, it was moved that Staff be authorized to proceed to Tender Call on Project #18 - Local Street Upgrading - Frederick Street at an estimated cost of \$20,000. The Motion was LOST as there was no Seconder.*

*ON MOTION of Councillor Goucher and Councillor Oickle, it was moved that if Department of Transportation approval is not forthcoming by May 13, 1994 on the Oakmount Boulevard Project (#13) the following projects exceeding the total estimates of \$987,000 can then proceed to tender if Council agrees..*

*ON MOTION of Councillor Oickle and Councillor Goucher, it was moved that Staff be authorized to proceed to Tender Call on Project #19 - Sidewalk Construction - Wardour Street at an estimated cost of \$85,000. MOTION CARRIED. (Deputy Mayor MacLean, Councillor Cosgrove and Councillor Hutt voted against the Motion).*

*ON MOTION of Deputy Mayor MacLean and Councillor Goucher, it was moved that Staff be authorized to call tenders on Project #20, i.e., Walkway Upgrading and Fencing at an estimated amount of \$25,000. The Motion was LOST. (Councillor Hutt, Councillor Cosgrove, Councillor Oickle and Councillor Davies voted against the Motion).*

Mayor Kelly turned the Chair over to Deputy Mayor MacLean in order that he could speak to the next Motion.

*ON MOTION of Councillor Oickle and Mayor Kelly, it was moved that Staff be authorized to tender Project #21 - Retaining Wall Construction - Dartmouth Road at North Street estimated at \$42,500 however that it be subject to D.O.T. approval for 50% cost-sharing. MOTION CARRIED. (Councillor Cosgrove voted against the Motion and Councillor Davies abstained.)*

A great deal of discussion ensued with respect to Project #22 Water/Sewer Bedford Highway South at an estimated Town cost of \$288,000. Councillor Goucher suggested that Council should seriously consider implementing this project given Council's precedent-setting approval of the water and sewer main to Bens Bakery at a Town cost

of \$200,000 last year. Mayor Kelly noted that during the last meeting of Town Council on March 22, 1994 a Petition was received from residents in the Bedford South area requesting water and sewer services. As a result, Town Staff is now preparing for a Public Information Meeting in order to review with the residents and business owners the details and cost estimates associated with this project.

**Projects to be Funded from Reserves Source #4**

*ON MOTION of Councillor Davies and Councillor Goucher, it was moved that Staff be authorized to proceed to Tender Call for Landscaping of the Granville Street Parkland at an estimated cost of \$25,000 with funding to be provided from the Special Reserve Fund. MOTION CARRIED UNANIMOUSLY.*

*ON MOTION of Councillor Oickle and Councillor Cosgrove, it was moved that Staff be authorized to call Tenders on the Transportation Equipment Replacement i.e., Engineering Trackless and Truck at an estimated amount of \$110,000 and on the Recreation Ride-On Turf Maintenance Tractor at an estimated cost of \$25,000. MOTION CARRIED UNANIMOUSLY.*

**Projects to be Funded from Revenue Source #1**

*ON MOTION of Councillor Goucher and Deputy Mayor MacLean it was moved that Staff be authorized to call tenders on two bus shelters at an estimated cost of \$8,000. MOTION CARRIED UNANIMOUSLY.*

6.2 **Office Space Tender**

Councillor Oickle requested clarification on the request for Proposals regarding Leased Office space as authorized by Town Council during the March 22, Council meeting. Mr. English noted the report indicated maximum space requirements of 10,000 sq. ft., however a range from 8,000 - 10,000 sq. ft. can be outlined in the Proposal documentation. Councillor Oickle suggested that providing the Council Chamber and Meeting Room area was relocated to some other Town owned facility, the Town's space requirements could be reduced.

**ADJOURNMENT**

There being no further business - the meeting adjourned at approximately 9:40 p.m.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER