

Dartmouth, N. S.

June 7/77.

Regularly called meeting of City Council held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Hart	Backewich
Irvine	Valardo
Crawford	Brennan
Smith	Williams
Thompson	Kavanaugh
Ritchie	Fredericks
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

The Mayor welcomed to the meeting a group of Grade 6 girls from South Woodside School.

Ald. Crawford asked to have an item added to the agenda in connection with the removal of parking from one side of Ochterloney Street. On his motion, seconded by Ald. Williams, Council agreed to add the item.

On motion of Ald. Valardo and Backewich, minutes were approved for the meetings of April 6th, 7th, 18th, 19th 20th, 25th and May 3rd. Ald. Smith asked to have the minutes circulated sooner than they are presently being received by the Council members; his request was noted by the Mayor.

Ald. Brennan requested a correction in page two of the April 25th minutes which should have read '... sidewalks from Victoria Road to School Street on Nantucket Ave.', as the amendment introduced by him in connection with the street construction program.

In keeping with a request from Council at the conclusion of the May 24th meeting, the Mayor indicated that inquiries and notices of motion would be permitted as the first order of business at this time.

Ald. Kavanaugh questioned the cost involved for separate departmental letterheads and envelopes; he asked that the City Administrator follow up on this inquiry further.

Inquiries made by Ald. Smith:

INQUIRIES:
ALD. KAVANAUGH

ALD. SMITH

MINUTES

- 1) re the problem of refrigeration trucks left running during the night in the area of homes situated near the Dartmouth Inn; asked to have this matter looked into by staff.
- 2) asked if a letter could be written to the Dept. of Highways regarding the condition of the ditch along the Circumferential Highway from the Rotary to 15 Harris Road; sewage is running into the ditch and there is debris in it which should be removed.
- 3) questioned the status of the anti-litter by-law and discussed his inquiry further with the Solicitor.
- 4) requested that work be completed in sections where curb and gutter were installed last year on Sinclair Street and Harris Road.
- 5) re the acquisition of recreational land in Manor Park; Mr. Moir noted that negotiations for land in the Park were unsuccessful and it is proposed that a portion of the Hammerling property would be made available when it has been expropriated.

ALD. BRENNAN

Ald. Brennan's first question concerned the status of efforts being undertaken to have a section of the waterfront cleaned up, and both the Mayor and Mr. Moir reported on the ownership problems which have resulted in this project being delayed. The necessary legal procedures are being followed so that the cleanup can proceed as desired by Council.

Ald. Brennan also discussed with the Mayor, a letter received from Mr. Thomas of the Waterfront Development Corp. in connection with the suggested sidewalk installation along Alderney Drive.

ALD. VALARDO

Inquiries made by Ald. Valardo:

- 1) that trees being planted by the City have a type of disease which is spreading to trees on privately-owned properties; Mr. Moir to look into this matter further.
- 2) unsightly premises at the corner of Howe and Bedford Street; Mr. Moir to check on the condition of the property again.
- 3) the unsanitary situation behind the A. & W. on Wyse Road where animals are getting into the garbage placed there.
- 4) the condition of the shoreline in the area of the old cable wharf, where there are railway ties and other debris which should be removed.

ALD. HART

Ald. Hart inquired concerning:

- 1) speeding problem on Windmill Road and Leaman Drive; asked to have the Police Chief check on this again.
- 2) the lack of observance of a crosswalk on Windmill Road (located in front of the grocery store); asked that an overhead crosswalk sign be considered for this location.
- 3) complaints received about rats in the area of Nivens Ave., Primrose Street and Jackson Road.
- 4) the hiring of Police staff; Mr. Moir advised that no Holland College graduates are available for the summer and a proposal in this connection will be coming to Council in the near future.
- 5) problems with trespassing, the lighting of fires, etc. on the DND lands in the area of Leaman Drive; Mr. Moir advised that an agreement signed with the Dept. of Public Works will permit access to this property and make better control possible.

ALD. RITCHIE

Ald. Ritchie inquired about the staff study requested by him into the possible means of assisting senior citizens and people on fixed income with bills for betterment charges. Mr. Cohoon advised that application can be made in such cases for exemption under the broadened legislation which permits tax relief to senior citizens.

ALD. THOMPSON

Ald. Thompson asked if we are permitted to continue the landfill operation in the Burnside Park; the Mayor answered that we are.

The Alderman's second question pertained to the calling of a Police Commission meeting; Mr. Moir said a meeting cannot be called until our by-law has been approved.

ALD. WILLIAMS

Ald. Williams asked why there has been no report on the subject of pensions being received by retired City employees; he requested a report for the June 21st Council meeting. Mr. Cohoon reported that he is trying to arrange a Pension Committee meeting for next week.

ALD. CRAWFORD

Inquiries from Ald. Crawford:

- 1) as to whether the aerial ladder on our Fire Dept. unit will reach the top five or six floors of the senior citizens residence; Mr. Moir said it will not reach these floors but the Fire Chief has a plan covering this eventuality.

- 2) concerning the purchase of a house on Albro Lake Road, which would permit a wider-turning radius for trucks; Mr. Moir advised that negotiations have not started for this property.
- 3) as to the cost involved to have a driveway cut made in the curb at 2 Dahlia Street; Mr. Moir said there will be a cost to the owner if a cut is required.
- 4) asked why the street has been torn up on Wyse Road, opposite the Memorial Rink property; Mr. Purdy explained why this street maintenance work is required.

ALD. BACKEWICH

Ald. Backewich asked why the completion of work on Clarence Street has taken so long, resulting in the street being in worse condition than before the project was started.

He noted that people are concerned about the level of Lake Banook, but Mr. Moir said it is felt that the level is rising at a satisfactory rate.

Ald. Backewich asked if it would be possible to determine the sidewalk line on Pinecrest Ave. where cars are parking alongside the fire hydrants and in the roadway where sidewalks should be.

ALD. IRVINE

Ald. Irvine inquired about the status of the snowmobile by-law and was told by Mr. Moir that it is hoped an overall by-law can be brought to Council covering all such vehicles, including mini-bikes.

Ald. Irvine's second question dealt with repairs to sections of curb which were damaged during the winter by snow plows. Mr. Moir said repairs are being made and he asked for a list of the locations referred to by Ald. Irvine.

ALD. FREDERICKS

Ald. Fredericks asked about the item on the Continuing Agenda dealing with his proposal for an emergency number; Mr. Moir agreed to take this matter up again.

Ald. Fredericks' inquiry re water service to Alpine Drive was discussed with Mr. Purdy.

He also asked to have the street opening on Pleasant Street filled (located at approx. #230).

NOTICES OF MOTION: The following notices of motion were given for the July Council meeting:

ALD. FREDERICKS

1) Ald. Fredericks: to introduce a motion re the increasing use of portable signs for advertising purposes and the nuisance they create for residents living in the area where they are located.

ALD. IRVINE

2) Ald. Irvine: that the salary increase for the thirteen Aldermen and Deputy Mayor be reduced by the percentage necessary to pay the salaries of seven crosswalk guards, as approved and later deleted from the 1977 budget.

ALD. BACKEWICH

3) Ald. Backewich: to introduce a motion with regard to the 19 streets or lanes which the City has not taken over in Ward 5 and calling for a study as to why we cannot take over these streets.

ALD. HART

4) Ald. Hart: will ask Council's approval for the Recreation Dept. to be requested to submit a plan with regard to green survival on Windmill Road, from the connection of the Circumferential Highway to Albro Lake Road.

ALD. BRENNAN

5) Ald. Brennan: that the City engage the services of the Dept. of Economics, Dalhousie University, to undertake an economic impact evaluation relative to relocation of the Steed & Evans quarry.

A second notice of motion was later given by Ald. Irvine, following debate on a motion pertaining to reduced street lighting costs. His notice of motion calls for a study by the Traffic Management Group as to methods of reducing street lighting costs in the City, including the feasibility of reducing the number of lighting standards.

PARK REZONING:
LAKES CHARLES
AND MICMAC

By-law C-323, which would rezone lands for park use along Lakes Charles and MicMac, was again before Council, having been deferred from the May 24th meeting, still in second reading. Letters from Mr. Eric Whebby and Mr. John Marshall, property owners with land included for rezoning, have been circulated, along with a supplementary submission from the Ecology Action Centre in support of the park concept.

Ald. Kavanaugh wished to see an amended rezoning which would take in only those lands owned by the City and the Province, but Ald. Hart said she would be in favour of proceeding with the approval of second reading of By-law C-323 and then the adoption of recommendations from the Community Planning Association in third reading. Ald. Fredericks agreed with this position, but was also in favour of an approach being made to any of the private property owners who may have an interest in discussing the sale of their land. He discussed with Mr. Bayer the preliminary report expected in connection with Federal/Provincial studies in the Shubenacadie Canal area and then proceeded to move deferral until the preliminary report has been received; Ald. Brennan seconded the motion to defer. Except for Ald. Crawford and Brennan, most members of Council did not support deferral and the motion was defeated. The vote followed considerable discussion with Mr. Bayer and the Solicitor as to the ramifications of the rezoning in relation to our Municipal Development Plan concurring with the Regional Development Plan and the land use regulations which will follow accordingly. The motion for second reading was also defeated.

Ald. Kavanaugh and Valardo then moved that staff be directed to redraft the by-law in order to proceed with the rezoning of City-owned lands and set a date for public hearing. Mr. Bayer said he would bring a plan of these City lands to the June 21st meeting and Council could proceed to set the public hearing at that time. The motion carried.

PARKING RESTRICTION: The item placed before Council by Ald. Crawford
OCHTERLONEY STREET

was dealt with next. He explained to Council the problems that have been created for business firms on Ochterloney Street as a result of the parking ban placed on one side of the street and he urged Council to seek reinstatement of parking by the Traffic Authority.

He subsequently moved that Council request the Traffic Authority to reinstate parking on Ochterloney Street; the motion was seconded by Ald. Ritchie. The Solicitor was asked to explain the jurisdiction which the Traffic Authority has from the Province to impose this parking restriction. Mr. Bayer advised that the T.M.G. endorsed the action of the Traffic Authority, based on the vehicular and pedestrian problems existing on Ochterloney Street when parking is permitted on both sides. Generally, the members of Council who spoke on the motion favoured a review of the situation on Ochterloney Street, rather than directing the reinstatement of parking as called for in the motion. In view of the position taken by Council, Ald. Crawford moved in amendment, seconded by Ald. Fredericks, that a complete review be undertaken by the Traffic Authority in connection with the parking situation on Ochterloney Street and a report brought back to Council.

Mr. Arnold Slaunwhite, owner of Ferguson Auto Supplies, questioned the authority under which action was taken to remove parking from one side of Ochterloney Street and informed Council of the difficulties experienced by his business as a result of customers not being able to park in front of his store. He asked that some fifteen-minute meters be permitted in fairness to his business and other firms which are feeling the effects of the parking ban. Ald. Backewich, Ritchie, Williams, Brennan and Valardo all spoke in support of the amendment, agreeing that undue hardship should not be placed on business establishments such as the one owned by Mr. Slaunwhite. Ald. Brennan said he felt that Council should have been informed before the parking restriction was instituted. The amendment carried and the amended motion carried.

LETTER: NORTH
WEST ARM BRIDGE

Ald. Fredericks and Ritchie moved that Council support a letter from the Municipality of the County of Halifax in favour of the proposed North West Arm Bridge going forward as recommended in positions taken by the Halifax Board of Trade and the Dartmouth Chamber of Commerce. Ald. Hart noted that Council has not seen any of the correspondence which led to the resolution passed by the County Council, and she therefore moved referral to the P.D.O. Committee, with a request for this related material and for study. Ald. Kavanaugh seconded the motion to refer and it carried.

PUBLIC TRANSIT

A report has been submitted by the Dartmouth Community Services Advisory Board on the subject of public transit and its relation to special needs groups. Ald. Hart noted that a student is being engaged by MAPC to look into the matter of transportation for the handicapped and she moved that the report be received with thanks to the Advisory Board and that the report be forwarded to MAPC staff for their study, and that they be encouraged to involve the Dartmouth Community Services Advisory Board in their upcoming investigations; further, that the Dartmouth Community Services Advisory Board be directed to explore recommendation 4 (c) and report further recommendations to Council within three months as suggested. The motion was seconded by Ald. Irvine and it carried.

MOTIONS:

ALD. FREDERICKS

Notice of motion having been given, the following motions were introduced for consideration:

1) Ald. Fredericks moved, seconded by Ald. Irvine, that City staff study the feasibility of implementing a system of paying taxes on a monthly basis. Such payments would be strictly voluntary and staff would report back to Council with the study. Ald. Fredericks explained the intent of his motion and while some members

commended the idea, questions were raised as to the financial implications of monthly tax payments. Mr. Cohoon was asked to comment and he explained that because the present tax due date puts us in a surplus cash position, it enables us to earn between \$300,000. and \$350,000. a year in interest. On a monthly basis, this advantage would be lost, representing a cost of approx. seven cents on the tax rate. Additional administration costs would also have to be taken into consideration. When the vote was taken on the motion, it was defeated.

STREET
LIGHTING COSTS

2) Ald. Fredericks next introduced the following resolution, which was seconded by Ald. Ritchie:

RESOLVED that City Council ask the Nova Scotia Power Corp. to re-set the timing on street lights, turning them on approx. ten to fifteen minutes later in the evening and off, ten to fifteen minutes earlier in the morning.

Ald. Hart and Brennan indicated their support for the intent of the motion, although it was noted during the debate that the type of per unit charge for street lighting would not permit us to make any saving through the change recommended. The Mayor noted that the Power Corp. is receptive to any suggested means of saving electricity and there was general agreement that Council's wish to save on energy and energy costs, where street lighting is concerned, should be communicated to the Corporation, in keeping with the intent of Ald. Fredericks' motion. The City Administrator said he would not want to see the number of lighting standards in any given areas of the City reduced without a study first to determine the effects of such action. Ald. Irvine favoured this kind of a study (ie. into the possible reduction in street lighting costs) and after the vote was taken on the motion, he gave notice of motion as presented on page five of the minutes. The motion on the floor carried.

SUBSIDIZED
HOUSING

3) The third motion introduced by Ald. Fredericks

was as follows:

RESOLVED that the Planning Dept. staff conduct a survey of senior citizens in need of subsidized housing, to ascertain the number of persons in need and qualifying for senior citizens housing, and further, to suggest a location for such a facility in Dartmouth.

FURTHER RESOLVED that the Planning staff survey determine how many senior citizens would prefer to remain in their present accommodation if their rent were supplemented by the Housing Authority as is the case now in Housing Authority accommodation.

AND FURTHER RESOLVED that an attempt be made to determine which would be the most economical, satisfactory and quickest solution to housing for senior citizens.

The motion was seconded by Ald. Valardo and it carried.

ALD. WILLIAMS

4) Ald. Williams moved, seconded by Ald. Ritchie, that Council authorize a committee consisting of the Mayor and two members of Council, selected by the Mayor, to approach the Chamber of Commerce to request a voluntary closure of businesses in Dartmouth until noon on Nov. 11th, Remembrance Day. Ald. Fredericks felt that the motion should be broadened to take in other holidays and to deal with problems relating to stores which remain open on a 24-hour basis. Col Flawn presented the position of the Canadian Legion on this issue and indicated that the Legion would appreciate having representatives attend any meeting called to discuss the proposed store closure until noon on Remembrance Day. Ald. Valardo said he has received a copy of a Toronto by-law dealing with store closing regulations and suggested a one-month deferral to give Council a chance to look at it. The Mayor proposed that the Committee to be formed could receive a copy of the by-law for their information. Ald. Williams spoke in support of his motion and it carried (Ald. Valardo voting against). The Mayor appointed Ald. Ritchie and Williams to serve on the Committee.

RESOLUTION #77-20

Resolution #77-20, appointing Special Constables as listed, was approved by Council, on motion of Ald. Fredericks and Backewich. A copy of the resolution is attached.

REPORTS

Reports from the Social Services Dept. and the VON were approved as recommended by the Finance & Social Services Committee, on motion of Ald. Fredericks and Hart.

BY-LAW C-321

The Finance & Social Services Committee has recommended the adoption of By-law C-321, which amends the Mobile Homes By-law C-245 by eliminating impractical requirements for existing parks, thereby permitting compliance with the by-law and the type of upgrading program intended.

It was moved by Ald. Valardo and Backewich and carried that leave be given to introduce the said By-law C-321 and that it now be read a first time.

It was moved by Ald. Backewich and Valardo that By-law C-321 be read a second time.

Mr. Bayer commented on the intent of the new by-law, explaining some of the difficulties experienced in attempting to enforce By-law C-245 where parks already in existence are concerned. He responded to a number of questions from Ald. Fredericks who expressed concern that there is no regulation in the new by-law requiring a tie-down for trailers. Ald. Valardo also felt there should be some provision for this kind of protection and he asked that staff look at the need further with the idea of bringing in another amendment if required.

Ald. Crawford questioned the intent of amended section 40, suggesting that trailers belonging to visitors could be subject to this regulation with the present wording. Mr. Drury said he would give the section some consideration in the light of Ald. Crawford's comments.

The motion for second reading carried and unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Valardo and Brennan and carried that By-law C-321 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

BY-LAW C-326

The adoption of By-law C-326 has been recommended by the Finance & Social Services Committee; this by-law has to do with the control of loitering in public places.

It was moved by Ald. Irvine and Hart and carried that leave be given to introduce the said By-law C-326 and that it now be read a first time.

It was moved by Ald. Irvine and Backewich that By-law C-326 be read a second time.

Ald. Thompson asked if rinks, playing fields and other recreational areas should be included in the by-law. Mr. Moir explained that these areas are under consideration for inclusion in another by-law. The question of loitering on and around private properties was raised by Ald. Valardo; he considered that some attempt should be made to protect citizens in these situations. It was noted by Mr. Drury that civil action can be taken by private citizens in cases involving trespassing on their properties. The motion for second reading carried.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Kavanaugh and Crawford and carried that By-law C-326 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

AWARD TENDER:
CAR FOR POLICE DEPT.

Tenders, as per the attached report from the City Administrator, have been received for an unmarked compact car for use by the Police Dept. Council awarded the tender to Bert Dickey Sales Ltd. for a Toyota Corolla, in the amount of \$3,499., this being the lowest bid

received and the one recommended.

WARD TENDER:
STATION WAGON
FIRE DEPT.

Council considered tenders received, as per the attached report, for a station wagon for use in the Fire Dept. Acceptance of the low tender, submitted by Twin Cities Plymouth Chrysler Ltd., in the amount of \$4,562., is recommended by Mr. Moir. Council approved the recommendation, on motion of Ald. Hart and Valardo.

NAME FOR
WATERFRONT PARK

Council considered a report from Mr. Moir on the choosing of a name for the waterfront park, recommending the promotion of a competition for this purpose. A selection committee would review the names submitted and it is proposed that Council authorize a prize of \$100. to be paid to the person or organization submitting the name chosen. The composition of the selection committee has been recommended to consist of one Council member, a representative of the Museum Society, and a citizen at large. The committee would recommend a name for consideration by City Council. Ald. Valardo and Smith moved the adoption of the report and recommendations. Ald. Hart was not in favour of the \$100. prize for the competition and she moved in amendment that this part of the recommendation be deleted. The amendment was seconded by Ald. Kavanaugh but it was defeated. The motion carried.

CONTRACT 7704:
STREET CONSTRUCTION

Tenders have been received, as listed in the attached report, for street construction work detailed by Mr. Moir. Acceptance of the low bid, received from Ocean Contractors Ltd., in the amount of \$530,745.25, is recommended, subject to approval by the Dept. of Municipal Affairs for grants on paving and drainage services. The tender was awarded as recommended, on motion of Ald. Irvine and Thompson. Ald. Valardo asked Mr. Moir to insure that the contractor is required to provide adequate barricades for the protection of motorists where work is in progress, and Ald. Ritchie noted that traffic direction should be provided also. The motion carried.

WATER UTILITY STUDY Tenders have been called as directed by Council for the engineering aspects of the water utility survey authorized and the recommendation is that Canadian-British Consultants Ltd. be selected to work with H. R. Doane & Co. in carrying out the leak detection survey and the operation review. The total cost, including that of City employees required, is estimated at \$78,550. Council approved Mr. Moir's report on this item, on motion of Ald. Fredericks and Backewich.

AWARD TENDER:
STREET PAINTING

Tenders, as attached, have been received for street painting. Acceptance of the low bid received from Maritime Pavement Marking, in the amount of \$15,000., is recommended by Mr. Moir and Council awarded the tender on motion of Ald. Valardo and Smith. Ald. Kavanaugh questioned the painting of a centre line on streets where it is not required and said he would take the matter up further with the City Administrator.

APPOINTMENTS:
DOWNTOWN PLANNING
ADVISORY BOARD

The attached list of names, submitted by the Mayor for appointment to the Downtown Planning Advisory Board, were approved by Council without change on motion of Ald. Valardo and Williams.

BETTERMENT CHARGES

Mr. Moir has prepared a report on the subject of betterment charges, in view of concern expressed by property owners with corner lots who are being assessed for street improvements on two sides of their properties. Ald. Irvine and Smith referred to several instances where this type of situation has developed in their wards following recent billing for the installation of curbing carried out by the City in 1976, and they felt that something must be done to correct the inequity and relieve the owners of corner lots from this double charge. On motion of Ald. Irvine and Hart, the matter was referred to the Finance & Social Services Committee and to the Solicitor and Mr. Cohoon for further consideration. Ald. Williams and Valardo said they have been informed

of similar problems by residents in their areas.

Council met beyond the hour of 11:00 p.m. to complete the debate on this item, on motion of Ald. Crawford and Williams. The motion on the floor carried.

Meeting adjourned.

N. C. Cohoon,
City Clerk.

RESOLUTION #77-20

RESOLVED that the following be and hereby appointed
SPECIAL CONSTABLES in and for the City of Dartmouth
to hold office until January 30, 1978.

Terrence W. J. White
Francis Earl McSweeney



C. A. MOIR
ADMINISTRATOR

City of Dartmouth

P.O. BOX 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

Date: May 25, 1977
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: Tenders for car, Police Dept.

Tenders were recently called for an unmarked compact car for use by the City of Dartmouth Police Department. There is no trade-in on this vehicle, it being an addition to the existing vehicles. Tenders were received as follows:

Bert Dickey Sales Ltd. (Toyota)	\$3,499.00
Colonial Motor Sales (Honda)	3,585.00
Thriftway Sales (Mazda)	3,686.00
Forbes Chev. Olds. Ltd. (Vega)	3,750.00
Chebucto Ford Sales Ltd. (Pinto)	3,883.50
Twin Cities Plymouth Chrysler Ltd. (Arrow)	4,077.00
Scotia Pontiac Buick GMC 1975 Ltd. (Acadian)	4,100.00
Dartmouth AMC Limited (Hornet)	4,124.25
Drescher Motors Limited (Rabbit)	5,126.00

The tenders have been checked with Inspector Cole of the Police Department. It is recommended that the tender submitted by Bert Dickey Sales Ltd. for a Toyota in the amount of \$3,499 be accepted. Bert Dickey Sales Ltd. is quoting on a 1977 Toyota Corolla 1600, two-door sedan with all standard equipment as specified.

Respectfully submitted,


C. A. Moir,
City Administrator

CAM:mgm



C.A. MOIR
ADMINISTRATOR

City of Dartmouth

P.O. BOX 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

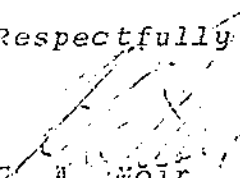
Date: May 25, 1977
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: Tenders, Station Wagon, Fire Dept.

Tenders were recently called for the supply of a station wagon for use in the City of Dartmouth Fire Department. This station wagon will replace the 1972 Coronet Station Wagon presently used by the Fire Department and which is being offered in trade. Tenders were received as follows:

Twin Cities Plymouth Chrysler (Fury)	\$4,562.00
Dartmouth AMC (Matador)	4,792.00
Chebucto Ford Sales Ltd. (LPDII)	4,866.80
Scotia Pontiac Buick GMC 1976 Ltd. (LeMans)	4,900.00

The tenders have been checked with the Deputy Fire Chief and it is recommended that the tender submitted by Twin Cities Plymouth Chrysler in the amount of \$4,562 be accepted. Twin Cities Plymouth Chrysler has quoted on an 8-cylinder 360 c.c. engine with automatic transmission, power brakes, power steering, heavy duty suspension, radial tires, heavy duty seats, long-life battery and heavy alternator. Delivery is approximately six to eight weeks.

Respectfully submitted,


C. A. Moir,
City Administrator

CAM:mjm



C.A. MOIR
CITY ADMINISTRATOR

City of Dartmouth

P.O. BOX 817
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

Date: June 2, 1977
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: Contract 7704, Street Construction

Tenders were received and opened for street construction work, including installation of curbs, drainage, and street paving on the following streets:

Alfred Street	Curb & paving
Bruce Street	Paving & drainage
David Street	Paving
Fader Street	Paving
Grennoch Drive	Paving, curbing & drainage
Langley Avenue	Paving
Louisbourg Lane	Paving & curbing
Middle Street	Paving
Scotsburn Avenue	Paving
Selma Drive	Paving
Stevens Road	Paving
Walker Street	Paving, curbing & drainage
Windward Avenue	Paving

Tenders were received from the following:

Ocean Contractors Ltd.	\$530,745.25
Steed & Evans Limited	549,472.15
Standard Paving Maritime Ltd.	604,770.65
Willow Contracting Ltd.	617,223.50

The budget estimate is \$535,000.

The above-mentioned streets were included in the first tender call because engineering plans were immediately available. The remaining streets require considerable surveying and design work and plans will not be completed for them for at least six weeks. It is proposed to call tenders



2.

Mayor & Members of Council
Dartmouth, N. S.

June 2, 1977

for sidewalk construction on June 28.

It is recommended that the tender submitted by Ocean Contractors Limited in the amount of \$530,745.25 be accepted, subject to receipt of approval of our application to the Department of Municipal Affairs for grants on paving and drainage services.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'C. A. Moir', written over a faint printed name.

C. A. Moir,
City Administrator

CH:mgm



C. A. MOIR
CITY ADMINISTRATOR

City of Dartmouth

P.O. BOX 217
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3

Date: June 2, 1977

To: His Worship the Mayor and
Members of City Council

From: C. A. Moir, City Administrator

Re: Tenders, Street Painting

Tenders were opened on June 1 for street painting required by the City of Dartmouth. The specifications provided a list of crosswalks, including stop bars, intersections requiring painting of traffic lanes, intersection blocks, centre line painting, and yellow curb painting, traffic islands, meter parking spaces, etc. The specifications further provided;

All paint to meet specifications laid down by the Province of Nova Scotia, Department of Highways. White paint to be traffic alkyd to meet CGS #1-GP-74D specifications and color to meet CGS #1-GP-12C, Color 513-301. Labels on containers to show manufacturer's name and address, batch number, code number, and date of manufacture.

Yellow paint to be traffic alkyd and to meet CGS 1-GP-74D specifications except add 0.75 lb. per gal. titanium dioxide color to approximate CGS 1-GP-12C, color 505-308. Containers to be labelled to show manufacturer's name and address, batch number, code number, and date of manufacture.

The following tenders were received:

Maritime Pavement Marking	\$15,000.00
Eastern Striping	19,473.00
City Pavement Markings	31,000.00
Sea Side Line Marking Limited	33,500.00

It is recommended that the tender submitted by Maritime Pavement Marking in the amount of \$15,000 be accepted.

The price paid for similar work in 1976 was \$22,000.

Respectfully submitted,

(Signature)
C. A. Moir,
City Administrator

CAM:mgm

Dartmouth, N. S.

June 21/77.

Regularly called meeting of City Council held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Hart	Backewich
Cote	Valardo
Smith	Williams
Irvine	Greenough
Ritchie	Fredericks
Brennan	Crawford
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Ald. Ritchie and Ald. Hart requested permission to add items to the agenda at a later point in the meeting.

REZONING:
597 PORTLAND ST.

This meeting of Council constituted a public hearing for a rezoning request from Mr. Stephen MacKenzie who wishes to operate a used car lot at 597 Portland Street, presently zoned R-1; the request is to rezone to C-3 (General Business) to permit the car lot. The rezoning is recommended by the Planning Dept., subject to the owner entering into an agreement with the City, stating that the development will be built as proposed and that suitable bonding will be arranged to insure this. A report from Mr. Zwicker of the Planning Dept. on the voluntary public meeting indicated to Council that citizens heard on the issue were opposed to the rezoning.

Mr. David Thompson, Solicitor representing the property owner, Mr. Calabretta, advised that the property is presently under an agreement of sale, subject to a zoning change being approved by Council. He considered the land use planned by Mr. MacKenzie to be compatible with other commercial businesses in the same area and in keeping with the kind of development that has taken place along this section of Portland Street. Mr. Colin McCrea, a resident of Power Street, expressed his opposition to a rezoning from R-1, suggesting that a used car lot at this location will add further traffic congestion to Portland Street at a point which is close to the connector intersection.

By-law C-327 has been prepared in connection with the proposed amendment to By-law C-289 and Council proceeded with first and second reading at this point in the public hearing.

It was moved by Ald. Hart and Valardo and carried that leave be given to introduce the said By-law C-327 and that it now be read a first time.

It was moved by Ald. Cote and Smith that By-law C-327 be read a second time.

Members of Council who spoke on second reading tended to feel that the property concerned has become an isolated residential lot which is not likely to be used again for residential purposes because of the heavy traffic on Portland Street and the general change to commercial and office uses in the area around it. The main area of concern had to do with the fact that commercial uses other than the used car lot proposed are permitted in a C-3 Zone and the City has no way of guaranteeing a continuation of the business being planned by Mr. MacKenzie once the zoning change has been approved. Ald. Backewich, who chaired the voluntary public meeting held on June 6th, said that residents are afraid of further commercial encroachment into the nearby single-family home areas if this rezoning is allowed to take place. If the property is to be rezoned commercial, however, they would consider the used car lot preferable to a food take-out operation, the type of land use proposed when a previous application was before Council. Ald. Cote questioned the location of the property in relation to the intersection on Portland Street and was advised by Mr. Zwicker that it is approx. 110' from the intersection.

Ald. Greenough asked if it would not be possible to prohibit left-turning traffic from Portland Street into the car lot. Mr. Bayer explained the difficulty in policing such a traffic restriction, even where signs

are posted. Ald. Irvine said it was his understanding that there was to be no left-turning traffic from Main Street into the new shopping mall at Main and Major Street; he discussed that situation further with Mr. Bayer in relation to the Portland St. issue.

Ald. Hart opposed the rezoning for several reasons, the main one being that Council cannot control future land uses at this location. She also expressed concern about any infilling of the adjacent swamp area, important for the protection of Russell and Morris Lakes. Ald. Kavanaugh was also against the rezoning and Ald. Brennan had reservations similar to those presented by Ald. Hart, particularly with regard to the lack of protection which the City has with the wide range of commercial uses permitted in a C-3 Zone. The motion for second reading was put and carried with Ald. Hart and Kavanaugh voting against.

Unanimous consent was not given by Council for third reading of the by-law.

REZONING:
11 GARSHAN RD.

A public hearing was also set for this date in connection with a request to rezone property at 11 Garshan Road from C-3 to R-3 Zone, to permit a 68-unit extension to the existing 48-unit apartment building at this location. The Planning Dept. has recommended in favour of the application and By-law C-329 was before Council, amending By-law C-289 in accordance with the change proposed from C-3 to R-3 zoning.

It was moved by Ald. Cote and Valardo and carried that leave be given to introduce the said By-law C-329 and that it now be read a first time.

It was moved by Ald. Valardo and Ritchie that By-law C-329 be read a second time.

The Planning Dept. report on the voluntary public meeting held on June 13th indicated to Council four main areas of concern expressed by residents, namely, the traffic situation in the Garshan Road/Locks Road area; possible over-crowding of existing school facilities;

the capability of existing sewer system to handle a project of the size proposed; and concern over pedestrian traffic. Mr. Rod Williams of 14 Garshan Road spoke on behalf of the resident group present for the public hearing and referred in his presentation to the points noted above. A petition signed by 128 homeowners opposed to the rezoning was passed to the Deputy City Clerk at this time. During the course of the hearing, in response to a question from Ald. Kavanaugh, the residents indicated to Council their preference for a warehouse building on the property involved rather than the apartment building proposed.

Mr. Doug Morash of Port Wallis asked for clarification as to whether this is a separate new project or an addition to the building already there. Mr. Bayer explained that the buildings will be jointed at a point indicated on the plan and therefore, in accordance with the provisions of the National Building Code, will become one building. Ald. Irvine later suggested that the frontage requirements of By-law C-310 have been circumvented by joining a separate building to the existing one.

Mr. Bob Colby of 9 Boutiliers Grove also felt that the connection of the two buildings has been used as a means of securing approval for the second apartment development. Several questions raised by Mr. Colby regarding the adequacy of school facilities, the sewer system, etc. in relation to additional demands created by the new development, were answered by members of the Planning Dept. staff and by Mr. Purdy.

Peter Mettam represented the developer and he pointed out that access for traffic from the apartments would be via a right-of-way to Waverley Road rather than placing an additional traffic load on Garshan Road. The main concern expressed by Ald. Irvine and Greenough centered around the traffic situation on Locks Road

and Garshan Road and in particular, the dangerous intersection where these roads meet. Ald. Irvine said it was the understanding of area residents that further development would not proceed at 11 Garshan Road until street improvements could be carried out to alleviate these serious traffic problems. Ald. Greenough asked what the status of the engineering plan is for intersection improvements on Garshan Road and Mr. Purdy provided information on the work which has been done to date by the Engineering Dept.

Ald. Cote questioned the Planning Dept. recommendation in favour of the rezoning. Mr. Bayer explained that under the present C-3 zoning, the land could be used for a warehouse building and commercial development would be undesirable in this residential area. He said that the six-storey apartment building originally proposed for location in the centre of the property represented the most satisfactory land use for the site. Ald. Kavanaugh asked if a subdivision of land would be required before the developer could proceed with a commercial use on the portion of his land under consideration; Mr. Drury advised that subdivision would not be required.

Ald. Crawford and Valardo supported the rezoning; they felt that development is needed and should not continue to be discouraged by Council's rejection of requests for rezoning. Ald. Brennan reviewed the objections raised by area residents and suggested that they are not as serious as it would appear before all of the facts were made known during the course of the public hearing. He and several other Council members felt the apartment development would be preferable to a warehouse building with heavy truck traffic to and from the site. Ald. Kavanaugh said he would not support a rezoning until street improvements have been carried out in the Garshan Road area. When the vote was taken on second reading,

the motion carried with Ald. Ritchie, Crawford, Valardo, Brennan, Thompson, Hart and Backewich voting in favour. The Deputy Mayor was chairing the meeting when the vote was taken.

Unanimous consent was not given by Council for third reading of the by-law.

REZONING:
170/176 MAIN S^m.

Council set this date for public hearing of a rezoning application from W. L. Stevens Ltd. to have civic numbers 170, 172, 174 and 176 Main Street rezoned from R-2 to C-3 Zone, to permit construction of a two-storey building which will contain retail and office space. Driveway access will be restricted to Tacoma Drive and approval of the request is recommended by the Planning Dept., applicable to the land actually being used for development and not to include that portion of land required for improvements to Main Street. The rezoning would also be subject to the owner entering into an agreement with the City, stating that development will comply with the proposal submitted and that suitable bonding be arranged to insure this. The report on the voluntary public meeting indicated to Council that there were no citizens in attendance and no written objections have been received. By-law C-328 was before Council for approval, amending the Zoning By-law in accordance with the rezoning from R-3 to C-3 Zone.

It was moved by Ald. Valardo and Hart and carried that leave be given to introduce the said By-law C-328 and that it now be read a first time.

It was moved by Ald. Valardo and Irvine that By-law C-328 be read a second time.

Mr. Chuck Knowles, representing W. L. Stevens Ltd., was available to answer any questions from Council concerning the proposed development, and as Chairman of the voluntary public meeting, Ald. Valardo reported that no one was present except for the developers. He stated that ample notification of the public meeting was

given by the developers throughout the area. Ald. Brennan expressed concern that the same broad land use provisions are being conveyed in this rezoning to C-3 as in the case of the Portland Street rezoning. He therefore opposed and voted against second reading. The motion for second reading carried.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Valardo and Irvine and carried that By-law C-328 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

FOREST HILLS
AMALGAMATION

The Finance & Social Services Committee has considered the Forest Hills amalgamation question and has made a recommendation to Council that this matter be fully debated at a special meeting when N. S. Housing Commission representatives would attend to participate in the discussion. The P.D.O. Committee recommends against application to the P.U.B. for annexation.

Mr. Bayer proceeded to give a review of the Forest Hills development proposal for Phases 5 and 6, involving the requested amalgamation of a section of the County so that all of the land in question would be encompassed within Dartmouth City boundaries. Phases 5 and 6 take in 180 acres of land, 120 of which are now located in the City. The residential development would consist of single-family homes, semi-detached dwellings and an apartment building. Of the 505 single-family units, 329 would be in the City, 176 in the County; 96 semi-detached units would be in the City and 84 in the County. The total projected population would range between 2700 and 3000 people, 1,000 of whom would be in the County area proposed for annexation. After details of the development plan were presented by Mr. Bayer, Ald. Fredericks and Crawford proceeded to move the adoption of Resolution #76-4, authorizing the City to make

application to the Public Utilities Board to alter the boundaries of the City to include Phases 5 and 6 of the Forest Hills development, as requested by the N. S. Housing Commission; a copy of Resolution #76-4 is attached. The Chairman of the Housing Commission and other representatives were present to answer any questions from the members of Council.

Mr. Moir explained the financial implications of amalgamating the portion of County lands under consideration, as set out in the 1976 staff estimates prepared at the request of Council. A submission, based on updated cost projections, would be made in conjunction with our application to the Public Utilities Board, seeking transitional grants over a period of years to compensate for additional costs to the City involved in amalgamating portions of the Forest Hills development. Such transitional grants, if recommended by the P.U.B., would have to be approved by the Province and it was indicated by Mr. Moir and the Mayor that the Minister of Housing and the MLA for Dartmouth North would favour assistance to the City in the form of annexation grants.

Ald. Smith felt that City taxpayers should have an opportunity to express their opinion on annexation through a plebiscite, and Ald. Irvine spoke against amalgamation, based on the additional cost to the City. Ald. Cote suggested that it might be more logical for the County to proceed with annexation of the City lands included in Phases 5 and 6, in view of the fact that the Forest Hills development is mainly under the jurisdiction of the County already. (On motion of Ald. Valardo and Cote, Council agreed to meet beyond the hour of 11:00 p.m. to complete debate on this item.)

Ald. Fredericks, Valardo and Crawford were in favour of the motion, but other members, such as Ald.

Greenough and Kavanaugh felt that the City should seek assurance of financial assistance from the Province before agreeing to proceed with the application to the P.U.B. for amalgamation. An amendment was therefore introduced by Ald. Greenough, seconded by Ald. Cote, authorizing application to be made after receiving assurance from the Province of their willingness to abide by the recommendation of the P.U.B. (ie. in favour of the City receiving transitional grants).

Besides the Council members who spoke on the issue, two City residents and two County residents were also heard. Mrs. Mildred Richardson of 10 Wildwood Blvd. expressed her opposition to an amalgamation because of the cost to the City and Mr. A. Whitworth also indicated that he would be opposed. Mr. McMenemy, Commission Chairman of District #7 in the County, said it is premature for the City to consider taking over a section of the County which has been contemplating incorporation as a separate municipal unit of its own. Mr. Wes Topple, Councillor for the Westphal area of the County, did not favour annexation until County staff has been given further opportunity to assess the financial affects from the County's point of view. When the vote was taken, the amendment carried with Ald. Valardo, Irvine, Backewich and Thompson voting against. The amended motion carried. Ald. Irvine gave notice of reconsideration, but it was not seconded.

Meeting adjourned.

G. D. Brady,
Deputy City Clerk.

Dartmouth, N. S.

July 5/77.

Regularly called meeting of City Council held this date at 7:30 p.m.

Present - Deputy Mayor Kavanaugh

Ald. Hart	Backewich
Ritchie	Fredericks
Irvine	Greenough
Brennan	Crawford
Smith	Williams
Cote	Valardo
Thompson	
City Solicitor, S. Drury	
City Clerk-Treasurer, N. C. Cohoon	

PUBLIC HEARING:
SWANTON DR. OPENING

Council set this date for public hearing in connection with the resubdivision required under the Planning Act to implement the reopening of Swanton Drive through to Lucien Drive, in accordance with the decision taken by Council to provide access via this route through to the Bel Ayr School. Resolution #77-27, effecting the resubdivision, was before Council, along with a Planning Dept. report setting out a statement of Section 50 (3) of the Planning Act, under which the resubdivision is covered. Mr. Bayer presented a map showing the lots affected by the resubdivision and explaining the City's position in initiating action to resubdivide under the provisions of the Planning Act. Besides providing for the roadway width required to accomplish the opening of the Swanton Drive cul-de-sac, the plan for street construction takes into account the option of closing the street again if necessary, following a one-year trial period, as directed by Council when the removal of the barrier was approved.

Council proceeded to hear from citizens concerned with this issue and present for the public hearing. Mr. Maurice Jones of 93 Tacoma Drive said he felt that Council acted wisely and in the best interests of the City as a whole, by deciding to remove the barrier and thereby providing access for Mount Edward residents to the Bel Ayr School; he considered this action preferable to the

cost of constructing a new parallel road to connect up with the school property.

Mr. Phil Elliott made the main presentation on behalf of Bel Ayr residents opposed to the opening of Swanton Drive. He submitted two petitions, one signed by people living on Lucien, Dorothea and Skyvue Drive, who object to the street connection with Lucien Drive, and the other, signed by Bel Ayr residents opposed to the connection as well. He then presented a plan prepared for an alternate means of access to the Bel Ayr School site at a cost of approx. \$26,000. for a 12" gravel roadway. He asked Council to give consideration to the plan as an alternative to the opening of Swanton Drive, and suggested that if the necessary funds could be approved by the August meeting, the new route could be completed in time for the fall opening of school. He and other subsequent speakers opposed to the Swanton Drive opening, agreed that there is a need for access to Bel Ayr School from the Mount Edward area, but they maintained that a solution to the problem should not be at the expense of the Bel Ayr residents. Questions were raised by several Aldermen as to whether the lands shown in the alternate access plan are all City-owned. Mr. Bayer said he would require more time to study the plan before he could advise on this. Throughout the hearing, Mr. Elliott responded to further questions from citizens and members of Council, relating to the plan he presented and the cost factors likely to be involved. Particular concern was expressed over the termination of the roadway in the school parking lot where cars belonging to teachers at the school would be a problem for drivers.

Other Bel Ayr homeowners who spoke against the street opening were: Mrs. Pat Berrigan, making a presentation on behalf of Murray Banks of Swanton Drive;

Ronald Twohig, residing on Swanton Drive; Art Denton of 71 Swanton Drive; Dick Blair and a resident living at 30 Bel Ayr Ave. Generally, their main concern was for the anticipated traffic increase if Swanton Drive becomes a through connector street. The present thirty-foot width was considered to be inadequate to accommodate a heavier traffic volume and it was suggested that future street widening represents one of the cost factors not included when projections were prepared on the Swanton Drive access route.

Residents from the Lucien/Dorothea Drive side of the barrier said they did not wish to destroy the quality of the Bel Ayr neighbourhood by putting additional traffic through it, but they continued to press for some means of getting their children to and from Bel Ayr School by car without the necessity of going around by Portland Street, which is a heavily-travelled major traffic artery. Among the people heard from this area were Mr. Arnold Brown, Mrs. Natalie Zinc, Mrs. Valerie Tobin and Mrs. Lynn MacKay.

Mr. Brown referred to the division which this issue has created between the Mount Edward and Bel Ayr neighbourhoods, and several other speakers expressed a similar concern during the course of the public hearing. Mrs. Zinc questioned how the type of alternate plan proposed by Mr. Elliott could have been overlooked by the Planning Dept. staff when they made their recommendations to Council back in April. She asked for assurance that something immediate and effective will be done to provide a route to the school by September. She and Mrs. Tobin questioned some aspects of the alternate plan itself; Mrs. Tobin pointed out that the School Board has already gone on record as being opposed to the use of any portion of the school site for roadway purposes, from a safety point of view and because the land is all needed for recreational use.

After members of the public had made their submissions, Ald. Irvine and Cote moved referral of the proposal introduced by Mr. Elliott to staff for a full report and cost estimate - including the cost of paving - and any possible recommendations they would wish to bring to Council. Mr. Bayer agreed to have the report ready for the second July Council meeting in two weeks time. Ald. Fredericks said he agreed that the alternate plan submitted should be evaluated and most members of Council who spoke on the motion shared this opinion. Ald. Valardo, Backewich and Greenough stated, however, that they would not be prepared to see a decision on the access route question go beyond the second July meeting. Ald. Backewich again asked for information on the subdivision approval which created the Swanton Drive cul-de-sac in the first place, and the Planning Dept. staff were asked by the Deputy Mayor to provide a resume of the subdivision proceedings involved when their report is being prepared. Ald. Hart referred to what she called hidden costs likely to be faced by the City if Swanton Drive were opened to through traffic, such as sidewalks, traffic lights, etc. Ald. Greenough made a similar reference, asking that cost projections, based on these hidden costs, be included for Council's information in the staff report. He suggested that the possibility of a cost-sharing arrangement with the developer should be investigated as one avenue that could be followed in completing the construction of Dorothea Drive, and said he would like information on this feasibility as well. In general, the motion received the support of Council and it carried with Ald. Williams and Thompson voting against.

The Deputy Mayor asked Council's permission to deal first with items of urgency on the agenda and on motion of Ald. Hart, seconded by Ald. Smith, it was agreed to proceed with the items on this basis.

SET DATE FOR
HEARING: FOREST
HILLS REZONING

In accordance with a request from the N. S. Housing Commission, Council set August 16th as the date for public hearing of the rezoning request involving Phases 5 and 6 of the Forest Hills development, this application having been previously submitted by the Commission.

EMPLOYEES' MEDICAL
HEALTH PLAN

A report from the City Clerk was considered on the subject of the Medical Health Plan for City employees, for which the carrier during the past year has been Great West Life. Having been advised that Great West would double their rates, effective as of August 1/77, negotiations have been carried on with Blue Cross, the previous carrier of the City's plan and they are prepared to provide similar coverage at the following rates:

Married - \$12.40
Single - 4.68

It is therefore recommended that Council authorize City employees to be insured with Blue Cross commencing August 1/77. Ald. Thompson and Smith moved the adoption of this recommendation, but Ald. Valardo expressed his dissatisfaction with the procedure followed in bringing this item to Council. He and several other members felt that Council should not be expected to make a decision on this change to another carrier without further information and without having more time for consideration of the rates available. Ald. Cote suggested that employee benefits such as the medical health plan should be utilized to better advantage on the part of the City when union contracts are being negotiated; he discussed this point further with Mr. Cohoon and asked to have it taken into account for future purposes of negotiation. Ald. Greenough felt that tenders should have been called before a new carrier was chosen and proposed a two-week deferral for a report from Mr. Wilson, the consultant, who contacted the various companies and obtained rates. Mr. Cohoon pointed out that there is some urgency involved because employees will be

without a plan if a carrier is not selected at this time. Based on this information, Ald. Greenough moved in amendment that Mr. Wilson's report be circulated to the members at the next Council meeting. Ald. Cote seconded the amendment and it carried with Ald. Valardo voting against. The amended motion carried with Ald. Valardo voting against.

AWARD TENDER:
CONTRACT #7703

Tenders, as per the attached report, have been received for Contract #7703, construction of water transmission mains on Tacoma Drive, Gordon Ave., and Major St., and master metering at the Mount Edward reservoir. Acceptance of the low bid received from W. Eric Whebby Ltd., in the amount of \$316,207., is recommended by the City Clerk and Council authorized the awarding of the tender to the low bidder on motion of Ald. Greenough and Backewich.

AWARD TENDER:
CONTRACT #7705

Tenders, as attached, have been received for Contract #7705, Park School Multi-Purpose Courts, this project being carried out under the Neighbourhood Improvement Program. Acceptance of the low bid, in the total amount of \$28,037.20 (which includes fill material if required), is recommended, subject to approval of the N.I.P. group for allocation of their funds. Council awarded the tender to the low bidder, Edmonds Bros. Ent. Ltd., as recommended, on motion of Ald. Fredericks and Greenough.

AWARD TENDER:
CONTRACT #7706

Tenders for sidewalk construction (Contract #7706) have been received as follows:

Steed & Evans Ltd.	\$91,328.20
Ocean Contractors Ltd.	121,976.50

Acceptance of the low tender, submitted by Steed & Evans Ltd., is recommended and Council approved the recommendation on motion of Ald. Irvine and Greenough, with an amendment introduced by Ald. Cote and Valardo which deletes from the tender two sidewalk installations in Ward 4 (Crichton Ave. and Lawnsdale Dr.), these funds to be reallocated for other Ward 4 projects. The amended motion carried.

WARD TENDER:
BLESK RINK
NOVA JNS

The City Engineer has submitted a report on the tender call for renovations to the Bowles Rink, for which the sum of \$20,000. was included in the Recreation Dept. budget for 1977. Bids were invited on plans which had to be revised, as detailed in Mr. Fougere's report, and tenders were subsequently received as per the attached list. Approval of the Harbour Construction Co. Ltd. bid of \$16,670. on Project #2 (Zamboni room outside the rink building) is recommended and a recall of tenders on the interior work to include only the renovations to the existing dressing rooms (designated in the report as Item 1 (a)), is also recommended. Portable bleachers would then be provided for the extra spectator seating required at the rink. Council approved Mr. Fougere's recommendations on motion of Ald. Irvine and Greenough.

WARD TENDER:
LIGHTING OF
TENNIS COURTS

Tenders were opened, as per the attached list, for lighting of tennis courts in the Notting Park N.I.P. area. Acceptance of the low bid, submitted by Portland Electric Ltd., in the amount of \$7,448., is recommended by the City Clerk and Council awarded the tender as recommended, on motion of Ald. Fredericks and Valardo.

JOSEPH HOWE
TRADE DOLLARS

On motion of Ald. Irvine and Valardo, Council passed Resolution #77-25, granting permission for the Joseph Howe Society to mint and sell trade dollars, and authorizing the Mayor to proclaim the trade dollars for the period July 15/77 to October 15/77. A copy of the resolution is attached.

BUILDING PERMITS:
254 VICTORIA RD.
51 BRULE STREET

On motion of Ald. Greenough and Valardo, Council approved building permits for 254 Victoria Road and 51 Brule Street, as recommended by the P.D.O. Committee, subject to compliance with all necessary departmental requirements.

PROPERTY:
29 CHADWICK ST.

As requested by Council, the City Administrator has undertaken negotiations for the purchase of 29 Chadwick

Street and a report was before Council in this connection. Mr. Moir suggests that the asking price of \$40,000. for this property is excessive, but negotiations could be continued further if it is the wish of Council. On motion of Ald. Fredericks and Ritchie, the City Administrator was authorized to continue negotiations with the owner of 29 Chadwick Street.

AWARD TENDER:
POLICE DEPT.
MOTORCYCLES

Tenders have been received and opened for the sale of three used Police Dept. Harley-Davidson motorcycles and acceptance of the highest bids received in each case has been recommended by Mr. Moir, as per the attached report. Council approved the awarding of tenders as recommended, on motion of Ald. Irvine and Greenough.

AWARD TENDERS:
VEHICLES FOR
WORKS & WATER
DEPARTMENTS

The attached tenders were received for vehicles for the Works and Water Departments and acceptance of the low bid has been recommended by Mr. Moir in each case; the total tender amounts to \$146,433.17. Council awarded the tenders as recommended, on motion of Ald. Hart and Greenough.

AWARD TENDER:
DISPOSAL SITE

Tenders, as attached, have been opened for the operation of the City sanitary landfill disposal site for a period covering one year, ending June 30/78. Mr. Moir recommended acceptance of the tender submitted by Crichton Enterprises Ltd., for the amount of \$7,600. per month, or a total of \$91,200. for a 12-month period; this represents the low bid received. The recommendation was adopted on motion of Ald. Fredericks and Irvine.

HIGH SCHOOL SITE

The School Board has considered alternatives to the use of the Hammerling property for the new high school site and following negotiations with the Provincial Dept. of Public Works, a 12.3 acre site, located at the extension of Lynn Drive, has been offered for sale by the Department at a cost to the City of \$35,254.50. The Board therefore recommends to Council that the land offered by the Province be purchased and that the City Administrator be authorized

to negotiate for acquisition of a property on Gaston Road which would permit vehicular access to the school site. Abandonment of the Hammerling expropriation is recommended in conjunction with the purchase of an alternate site and Resolution #77-26 was before Council in this connection. Ald. Fredericks and Backewich moved the adoption of the Board's recommendations. Ald. Fredericks spoke in support of the motion, but Ald. Crawford said he could not support the choice of the new site because of the traffic situation on Gaston Road and at the Gaston Road/Portland St. intersection. When the vote was taken, the motion carried with Ald. Crawford voting against.

Resolution #77-26, authorizing abandonment of expropriation proceedings for the Hammerling property, was adopted on motion of Ald. Irvine and Backewich. A copy of the resolution is attached.

MINUTES

The minutes of meetings held on May 24th, June 7th and 21st were approved on motion of Ald. Irvine and Thompson.

LAKE CHARLES/MICMAC
REZONING

On motion of Ald. Fredericks and Smith, Council set August 16th as the date for public hearing of a revised rezoning of lands proposed for inclusion in the Lake Charles/MicMac Regional Park. Ald. Fredericks and Brennan put forward a second motion, which would have authorized Mr. Moir to commence negotiations with any private property owners wishing to sell their land in this area, but the Deputy Mayor said that such a resolution would not be in order at the present time.

THIRD READING:
BY-LAW C-327

By-law C-327, rezoning the property 597 Portland Street from R-1 to C-3 Zone, was before Council for third reading, having received first and second reading at the June 21st meeting. It was moved by Ald. Cote and Valardo that By-law C-327 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City. Ald. Backewich was in favour

of deferring third reading until it can be determined that the used car operation proposed for the property is viable. He said that if it is not, the property could be resold and a different land use take place; once the rezoning has been approved, the City could not control such a land use change. Ald. Ritchie expressed a similar concern about the provisions of our C-3 zoning and asked if it could not be made more restrictive for the City's protection. He discussed this further with Mr. Bayer. The motion for third reading carried with Ald. Fredericks, Irvine and Hart voting against.

THIRD READING:
BY-LAW C-329

By-law C-329 was also presented for third reading, being an amendment to the Zoning By-law with respect to the property 11 Garshan Road. Ald. Valardo and Fredericks moved that By-law C-329 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

Ald. Greenough, Irvine, Williams and Smith all spoke against the proposed zoning change from C-3 to R-3 Zone; Ald. Crawford and Valardo were in favour. Ald. Irvine and Greenough expressed the views of area residents who have continued to oppose the apartment development planned by the property owner for 11 Garshan Road. When the vote was taken on third reading, the motion was defeated with Ald. Crawford, Thompson and Valardo voting in favour.

Council adjourned to meet in camera to deal with one additional item, on motion of Ald. Cote and Hart (Ald. Crawford voting against). Having reconvened in open meeting, the action taken in camera was ratified on motion of Ald. Hart and Williams.

On motion of Ald. Fredericks and Irvine, Council agreed to meet again on Monday, July 11th to continue with the agenda (Ald. Crawford voting against).

Meeting adjourned.

G. D. Brady,
Deputy City Clerk.

Resolution No. 77-26

WHEREAS the Council of the City of Dartmouth on January 18, 1977 passed Resolution 77-3, attached hereto as Schedule "A", authorizing the expropriation of the lands described therein.

AND WHEREAS the City now finds the land expropriated to be unnecessary for the purpose for which it was expropriated, that is, school, park and recreational purposes.

BE IT THEREFORE RESOLVED that the City now abandons the land expropriated by Resolution 77-3.

.....

.....

WHEREAS the Council of the City of Dartmouth desires to acquire the land described and outlined in red in the plan and description attached hereto.

AND WHEREAS the City has negotiated with the owner for the acquisition of the land and is unable to obtain a clear title to the land at a fair price by agreement.

AND WHEREAS the City Clerk has caused a plan and a description of the land and a list of the owners thereof according to the last revised assessment roll to be prepared.

BE IT THEREFORE RESOLVED that the City now expropriates the land described in Schedule "A" hereto and shown on the plan attached hereto as Schedule "B"

The owner of the land according to the last revised assessment roll is Anne Linder Hammerling of Halifax in the Province of Nova Scotia.

The interest intended to be expropriated is the fee simple and such interest is not to be subject to any existing interest in the land.

The land is being expropriated for school, park and recreational purposes.

SCHEDULE "A" to Resolution #77-3 of
Dartmouth City Council

ALL that certain lot, piece or parcel of land situate, lying and being on the southern side of Portland Street in Dartmouth, Nova Scotia, said lot being designated as Block "H" and shown as lands of Anne Linder Hammerling on a plan entitled "Plan of Lands of Anne Linder Hammerling" prepared by John A. McElmon & Associates Limited and certified by John A. McElmon, M.S.L.S., and dated November 2, 1975, revised to November 18, 1976, said lot being more particularly described as follows:

BEGINNING on the northeastern boundary of Chestnut Realty Subdivision at a point distant one hundred twenty-nine and twenty-nine hundredths feet (129.29') from the southeastern boundary of Portland Street on a bearing of $S 40^{\circ} 23' 10'' E$ from an iron bar found marking the northeastern corner of Lot 97 of the Chestnut Realty Subdivision;

THENCE $S 40^{\circ} 23' 10'' E$ along the northeastern boundary of Chestnut Realty Subdivision six hundred eighty-four and seventy-two hundredths feet (684.72') to an angle in said boundary;

THENCE $S 40^{\circ} 12' 56'' E$ and continuing along the northeastern boundary of Chestnut Realty Subdivision three hundred thirty-eight and six hundredths feet (338.06') to the southeastern angle thereof;

THENCE $S 64^{\circ} 04' 58'' W$ along the southeastern boundary of Chestnut Realty Subdivision one foot (1.0') as shown on the insert of the aforementioned plan, to the northeastern angle of Marilyn Park Subdivision;

THENCE $S 39^{\circ} 59' 21.6'' E$ along the northeastern boundary of Marilyn Park Subdivision one thousand one hundred eighteen and eighty-six hundredths feet (1,118.86') to the northwestern boundary of land of Terra Nova Enterprises Limited;

THENCE $N 56^{\circ} 15' 31.2'' E$ along the northwestern boundary of said lands of Terra Nova Enterprises Limited and John S. Rankin, four hundred forty-one and seventy-five hundredths feet (441.75') to the southwestern boundary of lands being appropriated by the Department of Highways for construction of the Portland Street-Circumferential Highway interchange;

THENCE in a general northwesterly direction along the various courses of land being appropriated by or owned by the Department of Highways, to the northeastern boundary of land of or formerly of D.L. Love, said courses being as follows:

1. $N 21^{\circ} 11' 28.9'' E$ one hundred three and thirty-nine hundredths feet (103.39');

2. $S 67^{\circ} 35' 50.5'' W$ twenty-four and sixty-four hundredths feet (24.64');

3. $S 21^{\circ} 44' 50.9'' E$ six hundred and six and six-eighths hundredths feet (606.68');

4. $S 35^{\circ} 40' 11.2'' E$ two hundred twenty-one and forty-six hundredths feet (221.46');

5. $S 55^{\circ} 21' 42'' E$ one hundred and eighty-three hundredths feet (140.83');

SCHEDULE "A"

N 68° 25' 42.5" W two hundred forty-nine and forty-seven hundredths feet (249.47');

N 60° 24' 22" W one hundred thirty-two and twenty-five hundredths feet (132.25');

N 37° 07' 55.8" W one hundred fifty-seven and eighty-seven hundredths feet (157.87');

N 14° 17' 43.4" W two hundred forty-three and sixty-nine hundredths feet (243.69');

S 89° 40' 26" W one hundred fifty-nine feet (159.0');

S 48° 38' 07" W one hundred thirty-six and ninety-eight hundredths feet (136.98');

N 46° 25' 22" W one hundred fifty-nine and seventy-two hundredths feet (159.72') and;

S 89° 40' 26" W one hundred eighty-three and fifty-five hundredths feet (183.55');

THENCE S 35° 11' 48" E along the northeastern boundary of said land of C.E. Lowe, ten and four tenths feet (10.4') to the southeastern angle thereof;

THENCE S 43° 35' 17" W along the southeastern boundary of said land of C.E. Lowe, one hundred fifty and twenty-five hundredths feet (150.25'), more or less, to the point of beginning, all bearings being astronomic (grid) referenced to Meridian 64° 30' W being the central meridian for Zone 5 of the 3° transverse mercator projection, the herein described Block "H" containing an area of 1,127,928 square feet (25.8936 Acres) more or less.



CITY OF DARTMOUTH

P. O. BOX 817
DARTMOUTH, NOVA SCOTIA

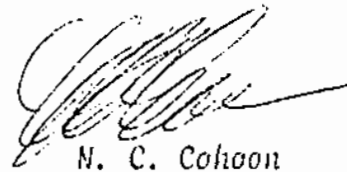
N. C. COHOON
CLERK-TREASURER

MEMORANDUM

DATE: June 30, 1977
TO: His Worship the Mayor and Members of City Council
FROM: N. C. Cohoon, City Clerk-Treasurer
RE: Contract #7703 - Water Transmission Main - Tacoma Drive

Attached is a copy of a memorandum outlining the results of tenders called for the above contract for water transmission mains.

It is recommended that the tender from W. Eric Whebby Limited in the amount of \$316,207 be accepted.


N. C. Cohoon

NCC:sam

Attachment



MEMO

DATE: June 30, 1977
TO: Mr. N. C. Cohoon, City Clerk Treasurer
FROM: A. E. Purdy, Assistant City Engineer
SUBJECT: Contract No. 7703

Tenders were received on June 28 for Contract 7703 for construction of Water Transmission Mains on Tacoma Drive, Gordon Avenue and Major Street and master metering at Mount Edward Reservoir.

Nine bids were received, namely:

	<u>BID</u>	<u>COMPLETION</u>
W. Eric Whebby Limited	316,207.00	Oct. 15/77
Woodlawn Construction Limited	321,579.20	4 months
Highland Paving & Construction Limited	322,700.00	Dec. 30/77
Harbor Construction Co. Limited	329,680.00	Nov. 30/77
Cameron Contracting Co. Limited	331,161.00	4 months
L. J. Casavechia Contracting Limited	349,900.00	Sept. 30/77
Carl B. Potter Limited	358,117.39	Oct. 31/77
Stewiacke Construction Limited	607,475.10	Oct. 31/77
Seaport Contractors Limited	465,310.00	100 days

The engineering estimate was \$390,000.

It is recommended that the low bid of W. Eric Whebby Limited be accepted for this project.

A. E. Purdy
AEP/mm

R. J. Fougere, P. Eng.
CITY ENGINEER



OFFICE OF

THE CITY ENGINEER

P. O. BOX 817,
DARTMOUTH, NOVA SCOTIA
B2Y 3Z3
466-7401

July 4, 1977

His Worship the Mayor and
Members of City Council
Dartmouth, Nova Scotia

Tenders were received on June 30 for Contract No. 7705,
Park School Multi Purposes Courts. This project is to be
carried out under the Neighborhood Improvement Program.
The Contract Documents were prepared by H. J. Porter and
Associates Limited.

Five bids were received and the bids have been checked
for mathematical errors.

Bids are as follows:

	<u>Bid</u>	<u>Completion</u>
Edmonds Bros Ent. Ltd.	26,637.20	8 weeks
Steed and Evans Ltd.	28,452.60	4 weeks
Star Excavating Contractors Ltd.	28,574.18	5 weeks
Standard Paving Maritimes Ltd.	33,024.00	6 weeks
W. Eric Whebby Ltd.	33,850.92	8 weeks

In addition to the bid prices there is a requirement for
approximately 350 cubic yards of fill material. If suitable
material is not available from city street construction work,
there will be an additional cost associated with this item.
On the tender of Edmonds Bros Ent. Ltd., the lowest tender,
the price for fill material is \$1400 bringing the total bid to
\$28,037.20 which is still the lowest of the bids received.

The Neighborhood group had budgeted \$20,500 for the project.
In consultation with Judith Cooney, N.I.P. Co-ordinator, it is
recommended that the tender be awarded to the low bidder,
Edmonds Bros. Ent. Ltd., subject to approval of the Neighborhood
group for allocation of N.I.P. funds.

Respectfully submitted,

A. E. Purdy, P. Eng.
Assistant City Engineer

AEP/mm

CITY OF DARTMOUTH

P. O. BOX 817
DARTMOUTH, NOVA SCOTIA

N. C. COHOON
CLERK-TREASURER

MEMORANDUM

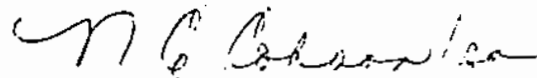
DATE: June 29, 1977
TO: His Worship the Mayor and Members of City Council
FROM: N. C. Cohoon, City Clerk-Treasurer
RE: Tenders - Notting Park Tennis Courts - Lighting

Tenders have been opened for the supply of tennis court lighting in the Notting Park NIP area.

Tenders received are as follows:

Portland Electric Limited - \$7,448
C. R. Kaulbach Electrics Limited - \$8,000
Western Electric - \$8,311
C. R. Kaulbach - \$8,750
A. H. Electric - \$8,944
O'Malley Electric - \$9,875

It is recommended that Council award this tender to Portland Electrics Limited in the amount of \$7,448.



N. C. Cohoon

NCC:sam



CITY OF DARTMOUTH

P. O. BOX 817,
DARTMOUTH, NOVA SCOTIA

N. C. COHOON
CLERK-TREASURER

MEMORANDUM

DATE: June 30, 1977
TO: His Worship the Mayor and Members of City Council
FROM: N. C. Cohoon, City Clerk-Treasurer
RE: Joseph Howe Trade Dollars

The Joseph Howe Society intends to mint and sell trade dollars as has been their practise in recent times.

We have been requested to adopt a resolution recognizing this practise. It is recommended that City Council adopt the attached resolution.

N C Cohoon/sam

N. C. Cohoon

NCC:sam

Attachment



June 30, 1977

RESOLUTION #77-25

RESOLVED that City Council grant permission to the Joseph
Howe Society to mint and sell trade dollars;

AND FURTHER that the Mayor be authorized to proclaim
the Joseph Howe Trade Dollar for the period July 15, 1977 to
October 15, 1977.

WHEREAS Dartmouth City Council has given notice of its intention to resubdivide a portion of Swanton Drive in the City of Dartmouth, as required by Section 50, subsection 3, of the Planning Act, and has given notice in writing of this intention to the owners of the properties to be resubdivided and has inserted notice of this intention in the Dartmouth Free Press, once a week for two consecutive weeks;

AND WHEREAS at the time and place set out in the notice, Council has met and heard all persons desiring to be heard in respect of the proposed resubdivision.

BE IT THEREFORE RESOLVED that Lots F-1, 191-DX and 207-AX be resubdivided as shown on the plan attached hereto and marked as Schedule "A" to this resolution.

Dartmouth, N. S.

July 11/77.

Regularly called meeting of City Council held
this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Cote	Valardo
Hart	Backewich
Irvine	Greenough
Smith	Williams
Brennan	Crawford
Ritchie	Fredericks
Thompson	
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council met to continue the July 5th agenda.

Ald. Hart asked permission to add an item pertaining to the MAPC transportation study and on her motion, seconded by Ald. Ritchie, staff were asked for a preliminary report, based on the study, either before the next Council meeting or before the end of the month. This would be an expression as to how they feel about what is in the study, particularly in relation to the financial committment which the City would have to make.

PRESENTATIVE:
MINATING COMMITTEE

Council has been asked to name a representative to the Nominating Committee which will be formed to select a replacement or to reappoint Mr. R. J. Hanley, a member of the Dartmouth Housing Authority whose term expires as of July 31/77. The Mayor was appointed to serve on the Committee, on motion of Ald. Hart and Williams.

ODLAWN REC. ASSN:
LIGHTING
BEAZLEY FIELD

A letter has been received from the Woodlawn Recreation Association, supporting the installation of lighting at Beazley Memorial Field and it was moved by Ald. Brennan and Smith that the letter be received and filed. Ald. Hart and Thompson moved referral of the letter to the Recreation Master Plan Committee for consideration in conjunction with other recreational needs. It was agreed that the cost estimate figures prepared when the lighting proposal was previously before Council, should be forwarded to the Committee with the letter from the Association. Ald. Irvine suggested that the possibility

of receiving financial assistance through funds from the Sport Nova Scotia lottery should be investigated as well. The motion to refer carried.

RESOLUTION:
MUNICIPALITY
KINGS

On motion of Ald. Hart and Ritchie, Council endorsed a resolution forwarded by the Municipality of Kings County, in connection with the capital grant program administered by the Provincial Recreation Dept.; a copy of the resolution is attached.

RENAMING:
HUBIE PARK

Council considered a letter from the Dartmouth Museum Society, proposing a renaming of Shubie Park to either the 'Shubenacadie Canal Park' or the 'Dartmouth Municipal Park'. Ald. Williams said he would be in favour of either of the suggested names. Ald. Fredericks and Ritchie moved that the name 'Shubenacadie Canal Park' be adopted as the official name for the Park. It was moved in amendment by Ald. Valardo and Williams that the name 'Shubenacadie Park' be adopted. Ald. Crawford and Irvine were in favour of retaining the present name, pointing out that promotional material and maps already printed for the use of tourists designate the park by this name. Ald. Crawford and Smith moved deferral of the matter for one year, but this was subsequently amended to a six-month deferral, on motion of Ald. Hart and Greenough. The amended motion to defer carried with Ald. Backewich and Cote voting against.

REQUEST: ECOLOGY
ACTION CENTRE

Representation on the Downtown Planning Advisory Board is requested by the Ecology Action Centre and Ald. Brennan moved referral of the request to the Board itself for consideration; Ald. Greenough seconded the motion. Some concern was expressed that the Board may become too large if members continue to be added from the various interested organizations, and Ald. Valardo said he would not be in favour of complying with the Ecology Action Centre request. The motion to refer carried.

MOTIONS:
Ald. FREDERICKS

In keeping with notices of motion previously given, the following motions were introduced for Council's consideration:

1) Ald. Fredericks and Irvine moved that staff be asked to prepare a report on portable signs used for advertising purposes, based on the following points:

- a) detraction from the appearance of local residential neighbourhoods.
- b) the distraction of motorists from their attention to driving, thereby creating a potential safety hazard.
- c) the location of these signs on main arteries which are Dept. of Highways streets may already be in violation of Dept. regulations.
- d) what return does the City receive from these signs, if any?
- e) are the signs in compliance with our by-law controlling billboards, advertising with signs, etc.

Ald. Valardo did not agree that the portable signs constitute a nuisance to citizens; he felt they are an inexpensive and useful form of advertising for businesses to use. His suggestion was that they be considered for control purposes under our licensing by-law regulations. Ald. Kitchie said he would support the motion because of problems caused for residents in his area by the signs. The motion carried with Ald. Valardo voting against.

ALD. BACKEWICH

2) Ald. Backewich moved, seconded by Ald. Crawford, that the City Administrator be authorized to have staff carry out a study of the streets, lanes and right-of-ways which are not presently City-owned and the feasibility of taking these over. The motion carried.

ALD. HART

3) Ald. Hart moved, seconded by Ald. Fredericks, that Council direct the Parks & Recreation Dept. to submit a plan with regard to a green survival program for both sides of Windmill Road, from the connection of the Circumferential Highway to Albro Lake Road. Speaking

on the intent of her motion, Ald. Hart outlined reasons for needing such a program in the area suggested, namely, to minimize noise and air pollution and to improve the aesthetic appearance of the streets concerned. Ald. Brennan and Crawford said they favoured the motion, but felt it should be broadened to take in all entrances to the City; they introduced an amendment to this effect. Ald. Valardo was opposed to asking for this type of report and suggested that businesses in the area covered by the motion should be asked to participate in a program, as some industries have already done by landscaping their properties. The amendment received the support of Council and it carried; the amended motion carried.

LD. BRENNAN

4) Ald. Brennan moved, seconded by Ald. Irvine, that the City engage the services of a consultant to undertake an economic impact evaluation relative to relocation of the Steed & Evans quarry. Ald. Fredericks questioned the cost of hiring a consultant to do the kind of evaluation called for in the motion. The Mayor suggested that Council might first wish to determine this cost before proceeding with a study. Ald. Irvine pointed out that the terms of reference for the motion should include not only the Steed & Evans quarry, but the other quarry operation located in Halifax County near the Port Wallis area.

Ald. Valardo, Crawford, Williams, and Ritchie were not willing to support the motion, feeling that Steed & Evans should be permitted to continue their operation and allowed to work on a three to five-year contract at their present location. Ald. Greenough commented on the recurring damage experienced by home-owners in the Port Wallis area, resulting from blasting at the Steed & Evans quarry site. He moved, seconded by Ald. Ritchie, that the matter be referred to staff for a cost estimate to carry out the type of evaluation called for in the motion, so

that Council can determine the feasibility of proceeding. Ald. Hart said she was in favour of both the motion to refer and the main motion, but Ald. Smith spoke against both. Ald. Cote asked if it would not first be in order to identify what problems there are, through a study by an independent source, and based on this information, Council could then decide whether to go ahead with a relocation study. After further debate, the motion to refer was put and defeated with Ald. Hart, Greenough, Cote and Fredericks voting in favour.

Ald. Irvine then moved in amendment that the evaluation be expanded to include the aspects of physical and environmental damage in the Port Wallis community and the surrounding areas; the amendment was not seconded. The motion on the floor was defeated by the same vote as the motion to refer.

LD. IRVINE

5) Ald. Irvine moved, seconded by Ald. Brennan, that the Traffic Management Group do a study as to the methods of reducing street lighting costs in the City, including the feasibility of reducing the number of lighting standards. Members of Council who spoke on the motion were not opposed to a study in terms of any possible power savings which might be recommended as a result, but concern was expressed that street lighting should not be reduced in the areas of crosswalks and in residential neighbourhoods where it is an important safety factor and a deterrent to crime. The motion carried.

RESOLUTION:
ALPS TAX ON
MOBILE HOMES

A resolution, signed by Ald. Fredericks, Ritchie, and Thompson, recommending the elimination of Provincial Hospital Sales Tax on mobile homes, was before Council. The resolution has been endorsed by a large number of mobile home owners whose signatures appear in an attached submission. Council adopted the resolution as presented, on motion of Ald. Cote and Greenough. A copy of the resolution is attached.

RENEWAL OF
BORROWING
RESOLUTION

A Renewal of Borrowing Resolution in the amount of \$858,700. (CNR Overpass, Woodside), as attached, was approved by Council on motion of Ald. Valardo and Crawford.

ISSUING
RESOLUTION

On motion of Ald. Valardo and Cote, Council approved the attached Issuing Resolution in the amount of \$526,870.79 for Sewers.

RESOLUTION #77-23

Attached Resolution #77-23 (exchange of lands, City of Dartmouth and W. Eric Wheby Ltd., Lake Charles) was approved as presented to Council, on motion of Ald. Irvine and Fredericks.

RESOLUTION #77-24

Attached Resolution #77-24 (exchange of lands, City of Dartmouth and MacCulloch & Co. Ltd., MicMac Subdivision) was approved by Council, on motion of Ald. Irvine and Backewich. Ald. Valardo stated his opposition to this land exchange transaction which was negotiated and authorized some time ago.

FIRE PROTECTION RATES

In a report to Council, the City Clerk has advised Council of the \$250,505. difference between the budget allowance of \$970,600. for the current year's Fire Protection Rate and the \$720,095. amount ordered by the Public Utilities Board. The recommendation is that the difference be reallocated for application to the Water Utility deficit which stood at \$1,709,523. as of Dec. 31/76. Council approved the recommendation, on motion of Ald. Fredericks and Backewich. A motion put forward by Ald. Irvine, to allocate \$50,000. to the Fire Dept. for the hiring of four additional firemen, was not accepted by the Mayor and he suggested that notice of motion could be given by the Alderman if he so wished.

WATER SUPPLY:
WINDMILL RD.
GLOVE ST.

On motion of Ald. Backewich and Greenough, Council adopted a report from the City Clerk, recommending an expenditure of \$17,000. for the installation of a new water main and pressure reducing valve to improve the water supply for fire protection services on Windmill

Road in the area of Grove Street. This expenditure would be undertaken from the Water Utility depreciation account and application will be made to the Province to cost-share the item at 47.73%.

STREET SIGN PROGRAM

On motion of Ald. Backewich and Valardo, Council gave first approval for a \$5,000. over-expenditure required to cover additional costs associated with the installing of street signs at all City intersections, as outlined in an accompanying report from the City Engineer. The item will come up for second approval at the next Council meeting.

TAX ACCOUNT: ABBOTT LABORATORIES

On motion of Ald. Greenough and Fredericks, Council referred to the Finance & Social Services Committee, a report from the City Clerk on a tax adjustment request from Abbott Laboratories Ltd. re their Fielding Ave. property. It was agreed that legible copies of the related correspondence should be provided before any decision can be made on the request.

RECOMMENDATIONS: P.D.O. COMMITTEE

Action was taken by Council on the following recommendations from the P.D.O. Committee meeting of June 14th:

OLYMPIC-SIZE SWIMMING POOL

1) Olympic-size swimming pool: Based on a report from Mayor Brownlow on the subject of an olympic-size swimming pool proposed in a resolution introduced some time ago at Council, the Committee recommends further investigation as to the financial implications of the cost of operation of the pool and further, that this item be referred to the Recreational Master Plan Advisory Board, as well as to the Downtown Planning Advisory Board. The recommendation was adopted on motion of Ald. Hart and Greenough.

INTERSECTION IMPROVEMENTS: WINDMILL RD.

2) Intersection improvements, Windmill Rd.: On motion of Ald. Fredericks and Backewich, Council adopted

a recommendation from Committee to the effect that improvements to the intersections of Windmill Road/Akerley Blvd. and Windmill Road/Wright Ave. proceed and that funds be made available for these improvements through the Industrial Commission. Details of the improvements, recommended by the T.M.G., have been set out in a report submitted by the Chairman, Mr. Bayer.

NORTH WEST
ARM BRIDGE

3) North West Arm Bridge: Ald. Irvine and Fredericks moved the adoption of a recommendation from Committee that no action be taken at this time on the North West Arm Bridge item, brought before Council through a letter from the County of Halifax, and further, that copies of letters from the Halifax Board of Trade and the Dartmouth Chamber of Commerce be made available to Council before discussing the matter further. An amendment was introduced by Ald. Hart and Fredericks to the effect that we acknowledge the letter received from the County on the subject of the North West Arm Bridge and indicate that the City of Dartmouth wishes to take no further action on the item. The amendment and the amended motion carried.

MONTHLY REPORTS

4) Monthly reports for May: The following monthly reports for May were adopted, as recommended by Committee, on motion of Ald. Cote and Valardo:

Building Inspector
Minimum Standards of Use & Maintenance
Police Chief
Fire Chief
Planning Director

MEETING: DEPT.
HEADS & COUNCIL

The Finance & Social Services Committee has proposed to Council that a meeting of all department heads with the members of Council be arranged for information purposes, and Council adopted this proposal on motion of Ald. Hart and Williams. The Mayor said he would arrange a schedule of meetings rather than attempting to have all department heads present at one time.

REPORT: SOCIAL SERVICES

The Social Services Dept. report for April was adopted, as recommended by the Finance & Social Services Committee, on motion of Ald. Backewich and Cote.

FIN. & EQUIPMENT: ASSESSMENT DEPT.

On motion of Ald. Irvine and Valardo, Council approved a report from Mr. Moir, recommending authorization for the sale of Assessment Dept. office furniture and equipment to the Province of Nova Scotia for the sum of \$4,204.

APPOINTEE: DART. COMM. SERVICES ADVISORY BOARD

Council has been advised by Mr. Moir of the resignation of Mr. Mike Brownlow as the C.A.M.K. representative on the Dartmouth Community Services Advisory Board. The organization has put forward the name of Mrs. Sally Lloyd as their appointee to replace Mr. Brownlow on the Board for the present term of office and Council approved the appointment, as recommended in the City Administrator's report.

RESOLUTION #77-21: SENIOR CITIZENS HOUSING UNITS

On motion of Ald. Fredericks and Backewich, resolution #77-21 was adopted, as recommended by Mr. Moir, pertaining to 30 senior citizen housing units proposed for construction in one of the N.I.P. areas of the City. A copy of the resolution is attached.

STORAGE OF FERRY RECORDS

The Dartmouth Museum Society has expressed an interest in preserving historically-valuable records of the Dartmouth Ferry operation in the Dartmouth Heritage Museum and in a report to Council on this request, Mr. Moir recommends that Council approve the removal of these documents from the vault at the Dartmouth Ferry Terminal building to the Museum. All of the documents will be tabulated and a receipt given to the City by the Museum Board for receipt of same. The recommendation was adopted on motion of Ald. Backewich and Valardo.

REQUEST FOR INCREASE IN PENSION BENEFITS

As requested, the Pension Committee has dealt with a petition from City of Dartmouth pensioners, requesting

an increase in pension benefits to assist them in meeting the cost of living. The Committee recommends against any general indexing because of the excessive costs involved and recommends that pensioners requiring assistance be directed to the Social Services Dept. where home interviews could be arranged if desired. Ald. Irvine and Crawford moved that the issue be referred back to the Committee to meet with representatives from the pensioners and resolve the situation for recommendation back to Council. Ald. Irvine suggested that Council has a moral obligation to assist these former City employees and while other members agreed on the need for assistance, they supported the Pension Committee's position on the excessive cost of indexing as a means of providing financial help to the pensioners.

Ald. Greenough, Valardo and Smith favoured the Committee's recommendation, but Ald. Brennan questioned what other alternatives were looked at by the Committee and said he felt that Council has not been provided with enough information on which to base any decision at this time. Ald. Thompson explained why the cost of an indexing plan would be prohibitive for the City and as the debate progressed, there was a general consensus of opinion that in terms of the motion on the floor, the purpose of a meeting with the pensioners would mainly serve an information function, with someone present from the Social Services Dept. to answer questions and explain social assistance benefits. With this in mind, Ald. Hart and Greenough moved in amendment that the Committee's recommendation be adopted, but that the Committee meet with a committee of the pensioners, along with a representative from the Social Services Dept., to explain what is involved in the social assistance program. The amendment and the amended motion carried (Ald. Irvine voting against).

HOLIDAY:
NATAL DAY

Mr. Moir has advised Council of the decision taken by the City of Halifax to close their civic offices on Dartmouth Natal Day, August 3rd, for half a day. This means that all employees of the City of Dartmouth covered by union contracts are entitled to a half-day holiday accordingly, leaving only City Hall employees to work a full day on July 18th, involving overtime if all other employees work the full day. Having considered Mr. Moir's report, Council decided to authorize the closing of Dartmouth City Hall offices for half a day on July 18th, Halifax Natal Day, on motion of Ald. Thompson and Backewich (Ald. Valardo, Cote and Crawford voting against).

DEMOLITION:
DUNDEE LANE

On motion of Ald. Irvine and Valardo, Council adopted a recommendation from the Properties Committee that the house located on City-owned property at 6 Dundee Lane be demolished for the reasons outlined in a report dated June 14th from the Deputy City Clerk.

PERMIT TO BUILD:
LYLE STREET

Ald. Irvine and Fredericks moved the approval of an application for permit to build a steel building to be used for office and salvage (Dartmouth Salvage Ltd.) on Lyle Street, subject to compliance with departmental requirements. Ald. Brennan said he would like to see a further review of the application at Committee and he seconded a motion to refer to P.D.O., moved by Ald. Hart. Ald. Valardo asked if the item could be dealt with at the July meeting of P.D.O., called for July 12th. The motion to refer carried.

NOMINEES: HOUSING
AUTHORITY BOARD

The Mayor has submitted a list of names, as attached, for membership on the Housing Advisory Board. Council approved the nominees on motion of Ald. Irvine and Crawford.

PARKING RESTRICTIONS:
OCHTERLONEY STREET

A report from the Police Chief on the parking restrictions imposed on Ochterloney Street has been circulated for information and there was discussion as to when this matter is to be dealt with by the T.M.G. for further recommendation to Council. Ald. Crawford

and Williams referred to the problems created for business owners along Ochterloney Street by the parking ban. On motion of Ald. Greenough and Valardo, the T.M.G. were asked to have a report back in time for the July 19th meeting.

BY-LAW C-334

By-law C-334 was presented, repealing By-law C-279, under which the Recreation Advisory Board was established. It was moved by Ald. Irvine and Greenough and carried that leave be given to introduce the said By-law C-334 and that it now be read a first time.

It was moved by Ald. Greenough and Irvine and carried that By-law C-334 be read a second time.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Hart and Valardo and carried that By-law C-334 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

RESOLUTION #77-22

Resolution #77-22, establishing the Recreation Advisory Board and setting out terms of reference for it, was then adopted by Council, on motion of Ald. Irvine and Valardo. A copy of the resolution is attached.

Council adjourned to meet in camera, on motion of Ald. Fredericks and Brennan. After reconvening in open meeting, the action taken in camera was ratified on motion of Ald. Hart and Greenough.

Meeting adjourned.

G. D. Brady,
Deputy City Clerk.

MUNICIPALITY OF KINGS COUNTY

TELEPHONE: AREA CODE 202
278-6141
278-6142

"CANADA'S BEST APPLE DISTRICT"
OFFICE OF MUNICIPAL CLERK AND TREASURER
KENTVILLE NOVA SCOTIA

Council

June 15, 1977

To: All City, Town and Municipal Clerks

Dear Sir or Madam:

We are attaching a resolution that has been endorsed by the Council in connection with the capital grant program administered by the Department of Recreation.

This resolution came to the Council as a recommendation from the Recreation Committee as a result of experiences gained in the processing of applications.

It is our intent, as indicated, to forward the resolution to the Union of Nova Scotia Municipalities and the Recreation Association of Nova Scotia asking for their support for submission to the Minister of Recreation.

We ask that this resolution be presented to your Council with the hope that endorsement of our position can be given.

Yours Truly,

The Municipality of the County of Kings

K. R. Neech
Municipal Clerk and Treasurer

KRM:AL
Encl.

RESOLUTION

WHEREAS the Nova Scotia Department of Recreation provides financial support to municipalities, recreational agencies and other community organizations for the construction and upgrading of recreation facilities;

WHEREAS this program has assisted substantially in facilities development;

WHEREAS the program has been well received and the number of applications is exceeding the available financial resources;

WHEREAS the sponsoring organization in submitting an application for assistance must devote a good deal of time and effort to the financial and physical planning of the facility;

WHEREAS the existing procedure for submission of applications places no restrictions on the date of submission each fiscal year;

WHEREAS this practice does not support the concept of the Department reviewing all applications each year by a specified date taking into consideration the available funds for the particular fiscal period;

WHEREAS the present procedure makes no provision for the Department to advise on individual applications by a specified date;

WHEREAS the existing review procedure of applications provides no differentiation on the basis of the amount of the project involved;

THEREFORE BE IT RESOLVED;

THAT the Union of Nova Scotia Municipalities and the Recreation Association of Nova Scotia be requested to:

- (1) Make representation to the Minister of Recreation asking that the Departmental review process be amended to provide:
 - (a) A specified date each fiscal year for the submission of applications to the Department under the Capital Grant Program.
 - (b) A specified date each fiscal year at which time the Department shall provide a decision to the individual applications submitted.

AND FURTHER that this resolution be directed to all municipal units in the Province asking for their endorsement.

RESOLUTION

BE IT HEREBY RESOLVED that the Council of the City of Dartmouth strongly recommend that the Government of Nova Scotia immediately eliminate the discriminatory practice of charging hospital sales tax on mobile homes.

AND FURTHER that the Government develop a policy which would result in mobile home owners being treated in the same manner as other home owners.

Alderman L. M. Fredericks
Alderman Douglas Ritchie
Alderman Bert Thompson

Norman Lapierre
John Mc Linnon
George Octoluy
Violet Mailman
Colleen Lapierre
E. J. Hall
A. Mac Farlane
Eg. Wark
Stanley Mac Shatto
Brenda McFarlane
Ronno Larkin
Viola Regus
Elaine Regus
David Regus
Philip Johnson
Aerna Johnson
M. Paul Lillis
R. Don McCallie
Alyson Day
Lee Weber
Wayne Hatcher
Maurice Hatcher
Frank Cox
Jean Cox
Marjorie Gauthier
Ed. Gauthier
Maggie Desrosiers
Jack Desrosiers

Marc Courer
Kim Carver
Mary Seaton
Wayne Hutchins
James Rogers

R. H. Lyball
L. Lyball
James Lyball
John Lyball
Don Mac Mill
R. Murray
J. Stewart
Ruby Daymond
Cecil Daymond
Archie Daymond
Mr. N. A. Osborne
Pat Hoodie
Ed Hoodie
Ruth Osborne
Bertha Titus
Jim Titus
Pat Phillips
Fred Phillips

Sennet P. Pauer.
Gleason Raffin
John F. Raffin
Jagie Barkhouse
Bruce S. Barkhouse
Christine Sangster
Jerry Sangster
Lloyd Laffer
Eva Mason
Wendell Baker.
Grose Jukonko
Dawn Wink
Jon Jon
E. Elliott
Ada Currie
Charmaine Tenass
Reg. Elliott
L. Gallison
D. Wright
N. Wright
L. Tenass
M. League
Amy Lekeul
Ron Lekeul
J. A. Larson
Melba DeBaie
Earl DeBoie.



Province of Nova Scotia

Department of Municipal Affairs

P.O. Box 216, Halifax, Nova Scotia B3J 2M4

ADMINISTRATION DIVISION

October 25, 1977

Mr. Neil C. Cohoon,
City Clerk-Treasurer,
City of Dartmouth,
P.O. Box 817,
Dartmouth, Nova Scotia,
B2Y 3Z3.

Dear Mr. Cohoon:

Re: Exchange of Lands Resolution #77-23
Lake Charles Area

This Resolution of Council, concerning the purchase of certain lands for parks in exchange for a right-of-way together with a cash payment and a mortgage, was passed at a meeting of City Council held on July 11, 1977. The Minister of Municipal Affairs has approved this exchange of land resolution and I return a copy bearing his approval dated October 20, 1977.

Yours very truly,

F. Robertson (Mrs.)
Departmental Solicitor.

Encl.

FR/gml

WHEREAS the City of Dartmouth has agreed to purchase from W. Eric Whebby Limited and Hugh F. Greene approximately 43 acres of land on Lake Charles, more particularly described in Schedule "A" hereto.

AND WHEREAS the City has agreed to pay \$35,000. for the land by conveying the land and right of way described in Schedule "B" hereto at a valuation of \$2,500.00, by \$6,500.00 in cash and by a mortgage for \$26,000.00 payable in five equal annual instalments of principal and with interest calculated and payable yearly at 8% per annum.

AND WHEREAS the City is authorized to exchange land by Section 143(2)(c) of the City Charter.

RESOLVED that the City purchase and exchange land in the manner recited herein and that the Mayor and City Clerk are hereby authorized to execute a deed on behalf of the City in the form of Schedule "B" hereto, and to affix the seal of the City of Dartmouth.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>Robertson</i> Departmental Secretary	
APPROVED this <i>20th</i> day of <i>October</i> 19 <i>77</i>	
<i>[Signature]</i> Minister of Municipal Affairs	

[Signature]
Mayor

[Signature]
City Clerk

I, N. C. Cohoon, City Clerk-Treasurer of the City of Dartmouth do hereby certify that the foregoing is a true and correct copy of Resolution #77-23 of the City of Dartmouth, duly passed by City Council on July 11, 1977.

[Signature]
N. C. Cohoon
City Clerk-Treasurer

and truly paid by the Grantee, at or before the encasing and delivery of THESE PRESENTS, the receipt whereof is hereby acknowledged, the Grantors hereby convey and grant to the Grantee

ALL that certain Block of Land situate, lying and being Block "WG-1" on the eastern side of Lakeview Drive, Trunk 118, as shown on a plan of lands of W. Eric Whebby Ltd. and Hugh F. Greene, dated November 13, 1976, certified by John C. MacInnis, N.S.L.S., being near Portobello, County of Halifax, Province of Nova Scotia, the said Block being more particularly described as follows:

BEGINNING on the eastern boundary of Lakeview Drive, Trunk 118, at the intersection of the northwestern boundary of lands of the City of Dartmouth, the said point being $S30^{\circ}30'34"W$, 997.75 feet of Nova Scotia Control Monument Number 6124;

THENCE $N72^{\circ}52'26"E$, 1343 feet more or less along the northwestern boundary of lands of the City of Dartmouth to the shore of Lake Charles;

THENCE northerly and northwesterly following the various courses of the shores of Lake Charles and the Old Shubenacadie Canal 3800 feet more or less to the southeastern boundary of lands now or formerly of the Estate of Samuel Chittick;

THENCE $S61^{\circ}50'00"W$, 36 feet more or less along the southeastern boundary of lands now or formerly of the Estate of Samuel Chittick to the southeastern boundary of Lakeview Drive, Trunk 118, being the northeastern corner of Parcel "WG-2", the said point being $S22^{\circ}05'57"W$, 417.45 feet of Nova Scotia Control Monument Number 218;

THENCE $S25^{\circ}57'03"W$, 432.38 feet along a portion of the southeastern boundary of Parcel "WG-2" to an angle therein;

THENCE $S17^{\circ}31'03"W$, 241.32 feet along a portion of the eastern boundary of Parcel "WG-2" to the beginning of a curve;

THENCE southerly, following the arc of a curve to the left of radius 2764.86 feet, 690.86 feet along a portion of the eastern boundary of Parcel "WG-2" to the end of said curve;

THENCE $S03^{\circ}12'03"W$, 687.93 feet along a portion of the eastern boundary of Parcel "WG-2" to the northwestern boundary of lands of the City of Dartmouth, the point of beginning.

CONTAINING an area of 40.61 acres more or less.

ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian $64^{\circ}30'$ West Longitude.

SUBJECT to a Nova Scotia Power Corporation Right-of-Way 132 feet in width, as shown on aforementioned plan.

AND ALSO:

ALL that certain lot situate, lying and being Lot "WG-4" on the southwestern side of Waverley Road, Trunk 18, near Portobello, as shown on a Plan of Lands of W. Eric Whebby Ltd. and Hugh F. Greene dated November 13, 1976, certified by John C. MacInnis, N.S.L.S., being in the City of Dartmouth, County of Halifax, Province of Nova Scotia, the said lot being more particularly described as follows:

BEGINNING on the southwestern boundary of Waverley Road at the northeasterly prolongation of the northwestern boundary of lands of Robert J. and Shirley Conover, the said point being $N39^{\circ}49'13"W$, 423.47 feet of Nova Scotia Control Monument Number 6076;

THENCE $S50^{\circ}17'54"W$, 242 feet more or less along the prolongation of the northwestern boundary of lands of Robert J. and Shirley Conover and the northwestern boundary of lands of Robert J. and Shirley Conover to the shore of the Old Shubenacadie Canal;

THENCE northwesterly, 470 feet more or less, following the various courses of the Old Shubenacadie Canal to the southeastern boundary of Lot "E2", lands of the Nova Scotia Power Corporation;

THENCE N50°33'20"E, 152 feet more or less along the southeastern boundary of Lot "E2" to the southwestern boundary of the Waverley Road, the said point being S03°34'36"E, 140.92 feet of Nova Scotia Control Monument Number 6123;

THENCE S39°11'40"E, 443.36 feet along the southwestern boundary of the Waverley Road to the point of beginning.

CONTAINING an area of 81,000 square feet (1.86 acres) more or less.

ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian 64°30' West Longitude.

This Indenture made this

day of

A. D., 19

BETWEEN

CITY OF DARTMOUTH, a
body corporate

hereinafter called the "GRANTOR"

OF THE ONE PART

and

W. ERIC WHEBBY, of Dartmouth,
in the County of Halifax,
Province of Nova Scotia, and
MARGUERITE WHEBBY, his wife,
of the same place

hereinafter called the "GRANTEE"

OF THE OTHER PART

WITNESSETH that in consideration of one Dollars

The Grantor hereby conveys to the Grantee the lands described in the Schedule marked "A" hereto annexed.

SCHEDULE "A"

ALL that certain lot, piece or parcel of land being at Lake Charles, in the City of Dartmouth, Province of Nova Scotia, and being shown as Parcel "D" on a plan showing lands of W. Eric Whebby and Margeurite Whebby and the City of Dartmouth, Waverley Road, Dartmouth, Nova Scotia, dated February 1, 1977, and certified by John C. MacInnis, N.S.L.S., and approved by the Development Officer for the City of Dartmouth on February 3, 1977, and the said Parcel being more particularly described as follows:

BEGINNING at a point on the shore of Lake Charles at the intersection of the southwestern boundary of Lot "3" as shown on said plan;

THENCE southwesterly, westerly and northerly, following the various courses of the shore of Lake Charles to the intersection of the southwestern boundary of Lot "4" as shown on said plan;

THENCE S 62° 14' 48" E, 141 feet more or less along the southwestern boundary line of Lot "4" and Lot "3" to the point of beginning.

AND TOGETHER WITH the right to the said Grantees, their successors and assigns by themselves, their servants, agents and workmen, on foot or with horses, carriages, teams and vehicles to pass and repass over and upon that certain strip of land situate at the northern end of Lake Charles and described as follows:

ALL that certain Right-of-Way, 15 feet in width, over the southeastern portion of Lot "4" as shown on a plan showing lands of W. Eric Whebby and Margeurite Whebby and the City of Dartmouth, Waverley Road, Dartmouth, Nova Scotia, dated February 1, 1977, and certified by John C. MacInnis, N.S.L.S., and approved by the Development Officer for the City of Dartmouth on February 3, 1977; and the said Right-of-Way being more particularly described as follows:

BEGINNING on the southwestern boundary of the Waverley Road at the intersection of the northwestern boundary of Lot "3";

THENCE S 33° 16' 58" W, 300.00 feet along a portion of the northwestern boundary of Lot "3" to an angle therein;

THENCE S 41° 51' 58" W, 169.94 feet along a portion of the northwestern boundary of Lot "3" to the northeastern boundary of Parcel "D";

THENCE N 62° 14' 48" W along the northeastern boundary of Parcel "D" to the intersection of a line parallel to and 15 feet northwesterly of the last described course to the northwestern boundary of Lot "3";

THENCE northeasterly parallel to and 15 feet northwesterly from the northwestern boundary of Lot "3" to the southwestern boundary of the Waverley Road;

THENCE S 41° 58' 43" E along the southwestern boundary of the Waverley Road to the point of beginning.

ALL bearings being 3° Modified Transverse Mercator Grid Bearings, Central Meridian 64° 30' west longitude.

SCHEDULE "A"

THE ABOVE described lot and Right-of-Way being and intended to be a portion of the same lands conveyed to the Grantor by Industrial Park Limited by deed, dated the 24th of June, 1966, and recorded at the Registry of Deeds in Halifax, in Book 2126 at Page 593, and being the same land conveyed to John H. Kelley by deed from John Greene dated August 17, 1921, and registered in the Registry of Deeds at Halifax on the 17th day of September 1921, in Book 542, at Page 312.



THE GRANTOR

covenant s with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the said Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the said Grantor will procure such further assurances as may be reasonably required.

IN WITNESS WHEREOF the said Grantor hath hereunto set its corporate seal and subscribed these presents by the hands of its proper officers, its Mayor and its City Clerk, in that behalf duly authorized the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

CITY OF DARTMOUTH

Mayor

City Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, SS

ON THIS _____ day of _____, A.D., 19 _____,
before me, the subscriber personally came
_____ subscribing witness to the foregoing instrument who being by me sworn, made oath, and said
that _____ Mayor, and _____ clerk of
the City of Dartmouth signed the same and affixed the seal of the said
City thereto in her presence.

A Commissioner of the Supreme
Court of Nova Scotia



CITY OF DARTMOUTH
NOVA SCOTIA

DATE: June 28, 1977

TO: His Worship the Mayor and Members of City Council

FROM: J. S. Drury, City Solicitor

SUBJECT: Resolution No. 77-24, Exchange of Lands, MacCulloch
and Company Limited and City of Dartmouth

Enclosed herewith is Resolution No. 77-24. The exchange of lands with MacCulloch and Company Limited in the MicMac Subdivision has been approved and the resolution requests authorization for the Mayor and City Clerk to execute the deed on behalf of the City.

Respectfully submitted,

J. S. Drury
J. S. Drury
City Solicitor

RESOLUTION NO. 77-24

WHEREAS the City of Dartmouth is authorized by S.143(2) of the Dartmouth City Charter to exchange lands.

AND WHEREAS City Council has authorized an exchange of lands with MacCulloch and Company Limited in the MicMac Subdivision.

BE IT RESOLVED that the Mayor and City Clerk are hereby authorized and instructed to execute on behalf of the City the deed attached as Schedule "A" to this resolution.

This Indenture made this

day of

A. D., 19 76

BETWEEN

CITY OF DARTMOUTH, a body corporate

hereinafter called the "GRANTOR"

OF THE ONE PART

and

MACCULLOCH & COMPANY LIMITED, a body
corporate having its Head Office at
Halifax, in the County of Halifax,
Province of Nova Scotia.

hereinafter called the "GRANTEE"

OF THE OTHER PART

WITNESSETH that in consideration of one Dollars

The Grantor hereby conveys to the Grantee the lands described in the Schedule marked "A" hereto annexed.

SCHEDULE "A"

PARCEL X

(PORTION OF CRICHTON AVENUE)

ALL that certain parcel of land lying to the southeast of Woodland Avenue in the City of Dartmouth, County of Halifax, Province of Nova Scotia, being Parcel X as shown outlined red on a plan showing Parcels X, Y and Z, lands owned by City of Dartmouth, and Parcels Y-1 and Y-2, land conveyed to MacCulloch & Company Limited signed by Granville Leopold, N.S.L.S. dated June 22, 1977 and described as follows:

BEGINNING on the southeastern boundary of Woodland Avenue at a point distant 275.95 feet on a bearing of S 41° 05' 56" W, from Nova Scotia Control Monument No. 6079;

THENCE S 41° 24' 24" W, 85.68 feet along said boundary of Woodland Avenue to a point thereon;

THENCE S 08° 58' 30" E, 498.67 feet;

THENCE S 15° 29' 25" E, 369.11 feet to the northeastern corner of Parcel Y-1;

THENCE easterly on a curve to the right which has a radius of 580.0 feet for a distance of 66.47 feet along the curved northern boundary of Parcel Y to the northwestern corner of Parcel Y-2;

THENCE N 15° 29' 25" W, 372.92 feet;

THENCE N 08° 58' 30" W, 549.55 feet to the place of beginning.

CONTAINING 59,035 square feet.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

Douglas K MacDonald

Douglas K. MacDonald, N.S.L.S.
Halifax, Nova Scotia
June 28, 1977.



SCHEDULE "A"

PARCEL Z

(PORTION OF CRICHTON AVENUE)

ALL that certain parcel of land lying to the southeast of Woodland Avenue, City of Dartmouth, County of Halifax, Province of Nova Scotia, and being Parcel Z as shown outlined red on a plan showing Parcels X, Y and Z, lands owned by City of Dartmouth and Parcels Y-1 and Y-2, lands conveyed to MacCulloch & Company Limited signed by Granville Leopold, N.S.L.S. dated June 22, 1977 and described as follows:

BEGINNING on the northeastern boundary of lands owned by the City of Dartmouth at a point distant 1,087.12 feet on a bearing of N 32° 28' 10" W, from Nova Scotia Control Monument No. 5501;

THENCE N 19° 08' W, 224.77 feet;

THENCE N 15° 29' 25" W, 217.23 feet to the southwestern corner of Parcel Y-2;

THENCE westerly on a curve to the left which has a radius of 520.0 feet for a distance of 66.58 feet along the curved southern boundary of Parcel Y to the southeastern corner of Parcel Y-1;

THENCE S 15° 29' 25" E, 227.78 feet;

THENCE S 19° 08' E, 119.35 feet to the northeastern boundary of lands owned by the City of Dartmouth;

THENCE S 50° 40' 30" E, 126.16 feet along said boundary of lands owned by the City of Dartmouth to the place of beginning.

CONTAINING 26,089 square feet.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

Douglas K. MacDonald

Douglas K. MacDonald, N.S.L.S.
Halifax, Nova Scotia
June 28, 1977.



THE GRANTOR

covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the said Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the said Grantor will procure such further assurances as may be reasonably required.

IN WITNESS WHEREOF the said Grantor hath hereunto set its corporate seal and subscribed these presents by the hands of its proper officers, its Mayor and its City Clerk, in that behalf duly authorized the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CITY OF DARTMOUTH

Mayor

City Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, SS

ON THIS _____ day of _____, A.D., 19 _____,
before me, the subscriber personally came _____
subscribing witness to the foregoing instrument who being by me sworn, made oath, and said
that _____ Mayor, and _____ clerk of
the City of Dartmouth signed the same and affixed the seal of the said
City thereto in her presence.

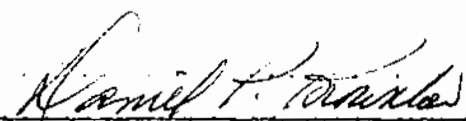
A Commissioner of the Supreme
Court of Nova Scotia

RESOLUTION NO. 77-24

WHEREAS the City of Dartmouth is authorized by S.143(2) of the Dartmouth City Charter to exchange lands.

AND WHEREAS City Council has authorized an exchange of lands with MacCulloch and Company Limited in the MicMac Subdivision.

BE IT RESOLVED that the Mayor and City Clerk are hereby authorized and instructed to execute on behalf of the City the deed attached as Schedule "A" to this resolution.

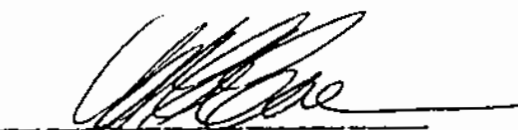


Mayor



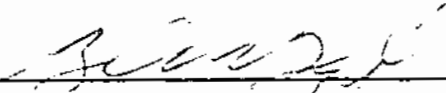
City Clerk

I, N. C. Cohoon, City Clerk for the City of Dartmouth, do hereby certify that this is a true copy of Resolution 77-24 duly passed by Dartmouth City Council at their meeting held on July 11, 1977.



N. C. Cohoon
City Clerk

Approved this 8th day of November, 1977.



Minister of Municipal Affairs.

This Indenture made this

SCHEDULE "A" TO RESOLUTION
NO. 77-24

day of

A. D., 19 76

BETWEEN

CITY OF DARTMOUTH, a body corporate

hereinafter called the "GRANTOR"

OF THE ONE PART

and

MACCULLOCH & COMPANY LIMITED, a body
corporate having its Head Office at
Halifax, in the County of Halifax,
Province of Nova Scotia.

hereinafter called the "GRANTEE"

OF THE OTHER PART

WITNESSETH that in consideration of

one

Dollars

The Grantor hereby conveys to the Grantee the lands described in the Schedule marked "A" hereto annexed.

PARCEL X
(PORTION OF CRICHTON AVENUE)

ALL that certain parcel of land lying to the southeast of Woodland Avenue in the City of Dartmouth, County of Halifax, Province of Nova Scotia, being Parcel X as shown outlined red on a plan showing Parcels X, Y and Z, lands owned by City of Dartmouth, and Parcels Y-1 and Y-2, land conveyed to MacCulloch & Company Limited signed by Granville Leopold, N.S.L.S. dated July 4, 1977 and described as follows:

BEGINNING on the southeastern boundary of Woodland Avenue at a point distant 275.95 feet on a bearing of S 41° 05' 56" W, from Nova Scotia Control Monument No. 6079;

THENCE S 41° 24' 24" W, 85.68 feet along said boundary of Woodland Avenue to a point thereon;

THENCE S 08° 58' 30" E, 498.67 feet;

THENCE S 15° 29' 25" E, 369.11 feet to the northeastern corner of Parcel Y-1;

THENCE easterly on a curve to the right which has a radius of 580.0 feet for a distance of 66.47 feet along the curved northern boundary of Parcel Y to the northwestern corner of Parcel Y-2;

THENCE N 15° 29' 25" W, 372.92 feet;

THENCE N 08° 58' 30" W, 549.55 feet to the place of beginning.

CONTAINING 59,035 square feet.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

Granville Leopold
Granville Leopold, N.S.L.S.
Halifax, Nova Scotia
July 5, 1977.



PARCEL Z
(PORTION OF CRICHTON AVENUE)

ALL that certain parcel of land lying to the southeast of Woodland Avenue, City of Dartmouth, County of Halifax, Province of Nova Scotia, and being Parcel Z as shown outlined red on a plan showing Parcels X, Y and Z, lands owned by City of Dartmouth and Parcels Y-1 and Y-2, lands conveyed to MacCulloch & Company Limited signed by Granville Leopold, N.S.L.S. dated July 4, 1977 and described as follows:

BEGINNING on the northeastern boundary of lands owned by the City of Dartmouth at a point distant 1,087.12 feet on a bearing of N 32° 28' 10" W, from Nova Scotia Control Monument No. 5501;

THENCE N 19° 08' W, 224.77 feet;

THENCE N 15° 29' 25" W, 217.23 feet to the southwestern corner of Parcel Y-2;

THENCE westerly on a curve to the left which has a radius of 520.0 feet for a distance of 66.58 feet along the curved southern boundary of Parcel Y to the southeastern corner of Parcel Y-1;

THENCE S 15° 29' 25" E, 227.78 feet;

THENCE S 19° 08' E, 119.35 feet to the northeastern boundary of lands owned by the City of Dartmouth;

THENCE S 50° 40' 30" E, 126.16 feet along said boundary of lands owned by the City of Dartmouth to the place of beginning.

CONTAINING 26,089 square feet.

ALL bearings are referred to a transverse mercator grid, 3° Zone.

Granville Leopold
Granville Leopold, N.S.L.S.
Halifax, Nova Scotia
July 5, 1977.



THE GRANTOR

covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the said Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the said Grantor will procure such further assurances as may be reasonably required.

IN WITNESS WHEREOF the said Grantor hath hereunto set its corporate seal and subscribed these presents by the hands of its proper officers, its Mayor and its City Clerk, in that behalf duly authorized the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CITY OF DARTMOUTH

Mayor

City Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, SS

ON THIS _____ day of _____, A.D., 19 _____,
before me, the subscriber personally came _____
subscribing witness to the foregoing instrument who being by me sworn, made oath, and said
that _____ Mayor, and _____ clerk of
the City of Dartmouth signed the same and affixed the seal of the said
City thereto in her presence.

A Commissioner of the Supreme
Court of Nova Scotia



Province of Nova Scotia

Department of Municipal Affairs

P.O. Box 216, Halifax, Nova Scotia B3J 2M4

ADVISORY SERVICES DIVISION

July 29, 1977

Mr. N. C. Cohoon
City Clerk
City of Dartmouth
P. O. Box 817
Dartmouth, Nova Scotia
B2Y 3Z3

Dear Mr. Cohoon:

RE: Issuing Resolution - \$526,870.79 - Sewers - 74-31 *Kind 2*
CBC Renewal of Borrowing - \$858,700 - CNR Overpass - Woodside - 75-10 *Kind 1*

Enclosed please find one copy of the above mentioned issuing resolution, and two copies of the above mentioned renewal of borrowing resolution. These resolutions were passed by your Council on July 11, 1977, and approved by the Minister of Municipal dated July 27, 1977.

One copy of the renewal of borrowing resolution is for your files, and it is presumed the other copy will be presented to your Bank.

Sincerely,

A. A. Cameron
DIRECTOR

/dab
encl. (3)

Eric - Kindly look after these. We will need a copy of each in minute book.

City of Dartmouth
Renewal of Borrowing

\$858,700

for CNR Overpass - Woodside
Additional - 75-10

WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding Eight Hundred Fifty-eight Thousand Seven Hundred Dollars (\$858,700) for the purpose of laying out, opening, constructing, widening, making and draining streets, roads, bridges, culverts or retaining walls in the City and acquiring or purchasing, materials, machinery, implements and plant deemed requisite or advisable therefor, or for maintaining, clearing or improving such streets, roads, bridges, culverts or retaining walls;

AND WHEREAS pursuant to a resolution passed by the Council on the 16th day of March, 1976, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs on the 30th day of March, 1976, borrowed from the Canadian Imperial Bank of Commerce at Dartmouth a sum not exceeding Eight Hundred Fifty-eight Thousand Seven Hundred Dollars (\$858,700) for the purpose set out above, for a period not exceeding twelve months;

AND WHEREAS it is deemed expedient that the period of borrowing from the Bank be further extended;

BE IT THEREFORE RESOLVED

THAT subject to the approval of the Minister of Municipal Affairs, the authorized period of borrowing from the Bank in the amount of Eight Hundred Fifty-eight Thousand Seven Hundred Dollars (\$858,700) be extended for a further period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 11th day of July 1977.

APPROVED
AS TO AMOUNT

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 13th day of July 1977.

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

[Signature]
Deputy Minister

APPROVED this *13* day of *July* 1977

[Signature]
Minister of Municipal Affairs

[Signature]

MAYOR

[Signature]

Deputy CLERK

City of Dartmouth
Issuing Resolution

\$526,870.79

for Sewers - 74-31

1. WHEREAS the City of Dartmouth is authorized by law to borrow by the issue and sale of debentures of the City a sum not exceeding One Million Nine Hundred Forty Thousand Dollars (\$1,940,000) for the purpose of constructing, altering, extending and improving public sewers or drains for the City and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor, or for maintaining such public sewers or drains;
2. AND WHEREAS pursuant to a resolution passed by the Council on the 13th day of August, 1974, the Council postponed the issue of debentures and, with the approval of the Minister of Municipal Affairs dated the 23rd day of October, 1974, borrowed from the Royal Bank of Canada at Dartmouth a sum not exceeding One Million Nine Hundred Forty Thousand Dollars (\$1,940,000) for the purpose set out above;
3. AND WHEREAS the said City by a resolution passed by Council on the 6th day of January, 1976, and approved by the Minister of Municipal Affairs on the 11th day of February, 1976, was authorized to further postpone the issue and sale of debentures for a period not exceeding an additional twelve months;
4. AND WHEREAS it is now deemed necessary to issue and sell debentures and to repay the Bank a portion of the sum so borrowed;

BE IT THEREFORE RESOLVED

5. THAT one (1) debenture of the City for Five Hundred Twenty-six Thousand Eight Hundred Seventy Dollars and Seventy-nine Cents (\$526,870.79) be accordingly issued and sold;
6. THAT the debenture be numbered 77-B-1;
7. THAT the debenture be dated the 1st day of January, 1976;
8. THAT the debenture be payable as follows:

<u>PAYMENT NUMBER</u>	<u>DATE DUE</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL</u>
1	January 1, 1977	\$ 8,547.90	\$ 53,713.78	\$ 62,261.68
2	January 1, 1978	9,457.75	54,717.07	64,174.82
3	January 1, 1979	10,464.44	54,164.12	64,628.56
4	January 1, 1980	11,578.28	53,050.28	64,628.56
5	January 1, 1981	12,810.69	51,817.87	64,628.56
6	January 1, 1982	14,174.27	50,454.29	64,628.56
7	January 1, 1983	15,682.99	48,945.57	64,628.56
8	January 1, 1984	17,352.31	47,276.25	64,628.56
9	January 1, 1985	19,199.30	45,429.26	64,628.56
10	January 1, 1986	21,242.90	43,385.66	64,628.56
11	January 1, 1987	23,504.01	41,124.55	64,628.56
12	January 1, 1988	26,005.80	38,622.76	64,628.56
13	January 1, 1989	28,773.89	35,854.67	64,628.56
14	January 1, 1990	31,836.61	32,791.95	64,628.56
15	January 1, 1991	35,225.33	29,403.23	64,628.56
16	January 1, 1992	38,974.75	25,653.81	64,628.56
17	January 1, 1993	43,123.26	21,505.30	64,628.56
18	January 1, 1994	47,713.35	16,915.21	64,628.56
19	January 1, 1995	52,792.00	11,836.56	64,628.56
20	January 1, 1996	58,410.96	6,217.32	64,628.28
		<u>\$526,870.79</u>	<u>\$762,879.51</u>	<u>\$1,289,750.30</u>

9. THAT the principal and interest be payable at any office of the Royal Bank of Canada at Dartmouth, or the principal office of the Bank in either of the Cities of Toronto or Ottawa at the option of the holder, the interest be at the rate of ten and three-eighths per centum (10 3/8%) per annum, calculated semi-annually not in advance and payable annually, the first instalment of principal and interest to be in the sum of Sixty-two Thousand Two Hundred Sixty-one Dollars and Sixty-eight Cents (\$62,261.68), due and payable on the 1st day of January, 1977, the second instalment of principal and interest to be in the sum of Sixty-four Thousand One Hundred Seventy-four Dollars and Eighty-two Cents (\$64,174.82), due and payable on the 1st day of January, 1978, the third to nineteenth inclusive instalment of blended principal and interest to be in the sum of Sixty-four Thousand Six Hundred Twenty-eight Dollars and Fifty-six Cents (\$64,628.56), due and payable on the 1st day of January, 1979, to and including the 1st day of January, 1995, and the twentieth or final instalment of blended principal and interest to be in the sum of Sixty-four Thousand Six Hundred Twenty-eight Dollars and Twenty-eight Cents (\$64,628.28), due and payable on the 1st day of January, 1996;

10. THAT the Mayor of the City do sign the debenture or have it impressed with a printed facsimile of his signature and the Clerk of the City do countersign the said debentures, that they do seal the same with the corporate seal of the City and that the Clerk do sign the interest coupons or if the same are lithographed either sign the same or have them impressed with a facsimile of his signature;

11. THAT the amount borrowed as aforesaid from the Bank be repaid the said Bank out of the proceeds of the said debenture when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 11th day of July , 1977.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 13th day of July , 1977.

APPROVED
AS TO AMOUNT
[Signature]

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

[Signature]
Deputy Minister

RCV'D this *27th* day of *July* 19 *77*

[Signature]
Municipal Affairs

[Signature]
MAYOR

[Signature]
Deputy CLERK

Dartmouth, N. S.

July 19/77.

Regularly called meeting of City Council held
this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Thompson	Kavanaugh
Hart	Backewich
Brennan	Crawford
Cote	Valardo
Ritchie	Fredericks
Irvine	Greenough
Smith	Williams
City Solicitor, S. Drury	
City Administrator, C. A. Moir	

Council met to complete the July 5th agenda and to deal with additional items of business.

INQUIRIES:

ALD. SMITH

Ald. Smith asked that dust control measures be taken on the unpaved section of Penhorn Drive where there is a considerable amount of traffic, causing a dust nuisance for residents.

ALD. BRENNAN

Ald. Brennan asked if Council could meet in the near future to be informed about details of the new sanitary landfill proposal; the Mayor said a meeting will be arranged for this purpose.

A second inquiry made by Ald. Brennan concerned the possibility of allowing people to ride free-of-charge on the ferries during Natal Day. The Mayor suggested that the Alderman add this item to the agenda with the consent of Council.

ALD. HART

Ald. Hart's first question pertained to the exchange of correspondence with the Dept. of the Environment re Cranberry and Kussell Lakes, and she requested permission to introduce a motion in this connection. The Mayor suggested that the item be added to the end of the agenda.

She also asked if members of Council are receiving minutes of the MAPC and Regional Authority meetings and if not, that arrangements be made for them to do so.

ALD. GREENOUGH

Ald. Greenough asked if tenders have been let for the second group of streets in the street construction program; Mr. Fougere advised that it will be within the next week or two.

Ald. Greenough questioned the status of the City's application for amalgamation of lands in Phases 5 and 6 of the Forest Hills development. The Mayor advised that a letter from the Province has just been received in response to Council's request for assurance that transitional grants will be received; the letter will be on the next agenda.

LD. THOMPSON

Ald. Thompson asked if the consultant's report on the reservoir in the Lucien Drive area has been received. Mr. Fougere said the report has not been received yet but he hopes to have it in the near future.

LD. WILLIAMS

Ald. Williams asked to have more police patrols on Lorne Ave. where young adults are causing a disturbance and problems for the residents.

He also questioned the status of the announcement to be made on Remembrance Day by the Mayor.

LD. CRAWFORD

Ald. Crawford said he would like to know how far along the N.I.P. recreation project at Park School has progressed; Mr. Moir said he would check on this inquiry.

LD. COTE

Ald. Cote's question dealt with a noise problem in the area of the former Elmwood Tavern and with noise from motorcycles being operated in this same neighbourhood. He expressed concern that residents continue to be disturbed by these situations and discussed the overall noise problem further with Mr. Moir.

LD. BACKWICH

Ald. Backwich asked about the location of a 22-foot travel trailer in an area where people would walk on Windmill Road; the trailer is being used by a contractor and is located adjacent to City-owned property.

LD. IRVINE

Ald. Irvine requested that the banks be cleaned up along the street in the area of 5 Breeze Drive, required after paving work.

He asked that repairs be made to the concrete curbing between 8 and 14 Raymoor Drive, also at the end of Orkney Drive.

He said he would like the T.M.G. to look at a temporary solution for left-turning traffic on Main Street at Helene Ave. and Raymoor Drive, going east.

Ald. Irvine's final inquiry had to do with the MicMac Rotary and the section of Waverley Road just off the Rotary; he asked that the Dept. of Highways be requested to clean up the banks and ditches in this area.

D. FREDERICKS

Inquiries made by Ald. Fredericks:

- 1) asked to have an item added to the agenda in connection with the acoustics in the Hawthorne School gym; Council agreed.
- 2) requested sidewalk repairs in the area of 227/228 Pleasant Street.
- 3) re boards and lumber which should be picked up at the corner of Hawthorne St. and Prince Albert Road.
- 4) re a closer liaison required between the City Recreation Dept. and the Atlantic Health Unit so that when Maynards Lake is closed for swimming, arrangements could be made by the Recreation Dept. to conduct swimming classes at another location.
- 5) asked if amendments to the Dog By-law are to be added to the agenda; the Mayor advised that they are.
- 6) re two items on the Continuing Agenda introduced by Ald. Fredericks, namely, the proposal for an emergency telephone number and the matter of energy-saving in City buildings; the status of both items was discussed with Mr. Moir

NOTICES OF MOTION:

The following notices of motion were given for the next regular Council meeting:

D. FREDERICKS

1) Ald. Fredericks: that City Council approve of setting up a committee of City Council to meet with the Chamber of Commerce to draft a mutually-agreeable store closing by-law to be submitted to the fall sitting of the N. S. Legislature.

D. COTE

2) Ald. Cote: that Council consider enacting a by-law banning all motorized vehicles from school grounds and other City-owned property.

D. KAVANAUGH

3) Ald. Kavanaugh: (a) that Council endorse a study into the cost of installing air conditioning in the A/V Room at Prince Andrew. (The Chairman of the School Board noted that this subject is now under consideration by the Board.)

(b) that Council adopt a policy of using zero-based budgeting procedures in preparing the 1978 budget.

D. GREENOUGH

4) Ald. Greenough: that Council be asked to review

the legislation which pertains to the cost-sharing in curb, gutter and sidewalk installations, whereby the abuttor pays 50% of the cost. (Ald. Greenough said that if there is a related staff report on the subject, he would like to have it brought forward when the motion is being discussed.)

D. BACKEWICH

- 5) Ald. Backewich: that Council set an evening, other than regular Council meeting nights, on which to hold public hearings so that City business is not being delayed.

LAW C-324

By-law C-324 has been prepared as an amendment to the nuisance abatement By-law, C-211, and under it, the time limitation for noise nuisances would be eliminated.

It was moved by Ald. Greenough and Irvine and carried that leave be given to introduce the said By-law C-324 and that it now be read a first time.

It was moved by Ald. Irvine and Ritchie that By-law C-324 be read a second time.

Mr. Drury explained the intent of the by-law and commented on some of the difficulties involved in the enforcement of a nuisance by-law, from a legal point of view; one problem relates to the defining of what constitutes a nuisance. Ald. Greenough said he had some reservations about the by-law and other members expressed concern about the fact that Council is placed in the position of making judgments which could be politically influenced, when dealing with nuisance complaints. Ald. Cote spoke in support of the motion and said he would be in favour of trying the legislation proposed, particularly in view of the problems experienced with the Halifax anti-noise ordinance. The motion for second reading carried with Ald. Crawford and Irvine voting against.

Unanimous consent was not given by Council for third reading of the by-law.

LAW C-325

By-law C-325, exempting two properties owned by the C.A.M.R. from property taxes, was before Council for consideration. It was moved by Ald. Greenough and Williams and carried that leave be given to introduce the said By-law C-325 and that it now be read a first time.

It was moved by Ald. Cote and Backewich and carried that By-law C-325 be read a second time.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Greenough and Hart and carried that By-law C-325 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

LAW C-332

Council also considered By-law C-332, which amends By-law C-281 with respect to enclosures for domestic swimming pools and obtaining permits for in-ground pools.

It was moved by Ald. Williams and Cote and carried that leave be given to introduce the said By-law C-332 and that it now be read a first time.

It was moved by Ald. Thompson and Kitchie that By-law C-332 be read a second time. Several questions raised during second reading were discussed with the Solicitor, after which the motion carried.

Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Greenough and Hart and carried that By-law C-332 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

SS BILLS

All bills were passed by Council on motion of Ald. Fredericks and Greenough.

ENDING OF
ANTON DRIVE

As requested by Council at the July 5th meeting, City staff has carried out an analysis of the proposal submitted by Bel Ayr Park residents for an alternate access route to the Bel Ayr school, without necessitating the opening of Swanton Drive to through traffic as approved some time ago by Council. Resolution #77-27 has been prepared in this connection, complying with Section 50, subsection 3 of the Planning Act, which permits a resub-

division required to make the street opening possible. Mr. Bayer presented a review of information contained in written reports submitted by him and by the City Engineer, along with a submission from Alderney Consultants Ltd., based on their field surveys and cost analyses of the residents' proposal. A total cost of \$109,400. has been projected for developing the driveway system proposed, with an extra \$7,170. being required to pave the 20' gravelled roadway. This cost could be reduced by \$23,175. if Gabion walls were used instead of the concrete retaining walls suggested. It was noted that the retaining wall represents the major expenditure involved in the project and without it, the cost would be reduced substantially. The alternative to a retaining wall would be to relocate the roadway across the end of the existing sportsfield with slopes away from the road. This alternative is not being recommended because it would result in a reduced playing field, a point discussed at some length during the debate.

A plan designated by Mr. Bayer as Proposal 'B' was outlined during his presentation as meeting most closely the criteria considered necessary for a safe and well-constructed access route, based on the alignment recommended in the plan put forward by the Bel Ayr residents. Mr. Fougere's report sets out figures requested by Council in connection with the cost of widening Swanton Drive and installing sidewalks along those streets which would be affected by traffic with the opening of Swanton Drive. The report makes the suggestion that the sidewalks referred to should be installed whether the barrier is removed or not.

Ald. Ritchie and Backewich again questioned the resubdivision which created the cul-de-sac at the end

of Swanton Drive, and Mr. Drury advised that it was approved by the Development Officer when the plan was submitted by Bel Ayr Enterprises Ltd. The barricade is located on land owned by that company and would have been placed there with the permission of the owners. Ald. Hart asked why the Gabion wall, which appears to be required now, was not built previously. Mr. Bayer agreed that the wall should be there now and in response to a later question from Ald. Kavanaugh, he also commented on the need for improved parking and alignment in the area in front of the Bel Ayr School at present.

Ald. Irvine and Smith felt that consideration should be given to the possibility of realigning the proposed roadway through the lower portion of the playing field, thereby eliminating the need for a retaining wall. Ald. Fredericks noted that the School Board has recommended against any reduction in the size of the field which is already too small to accommodate sports such as football. Most other members of Council who spoke on the issue felt that the cost of the alternate proposal is prohibitive for the City, as compared with the availability of an access route via Swanton Drive. They generally considered that all feasible alternatives have been investigated and exhausted during a lengthy period of hearings on the issue, and it was noted several times that the street opening is being approved for a one-year trial period only at this time. Ald. Greenough suggested that additional through traffic placed on Swanton Drive will be limited once Dorothea Drive is completed.

Ald. Crawford asked if the City has complied with all necessary legal requirements associated with the street opening. Mr. Drury advised that the legal requirements are met with the approval of Resolution #77-27. Council proceeded to adopt Resolution #77-27, as attached, on motion of Ald. Backewich and Fredericks (Ald. Irvine, Smith and Hart voting against).

CONT: MEDICAL
HEALTH PLAN

As requested by Council, copies of the consultant's report in connection with the Medical Health Plan for City employees, have been circulated for the information of the members. It was moved by Ald. Irvine and Cote that the report be received and filed. Ald. Greenough asked about possible savings to the City through the type of deterrent charge referred to in the report and suggested that attempts should be continued to establish this type of charge. Ald. Kavanaugh said Council should have had the report before being asked to make a decision on the plan; he asked if it would still be possible to change to proposal #3 (page 4 of the report) and suggested that if it is, we should do so. Ald. Valardo also expressed dissatisfaction with the procedure followed in dealing with the Medical Health Plan item and said he was not convinced that the best interests of the citizens have been served in terms of costs associated with the plan. The motion to receive and file carried.

SECOND READING:
STREET SIGNS

On motion of Ald. Valardo and Backewich, Council gave second reading to an over-expenditure of \$5,000. required for the street sign program approved at the July 11th meeting.

OVERHANGING SIGNS

On motion of Ald. Brennan and Kavanaugh, Council approved a report prepared by the Building Inspector on the subject of overhanging signs and signs affixed to buildings, recommending against any revisions to the existing sign by-law, C-84.

DETAILS:
DUNCRAGGAN DR.

A petition was before Council from residents living on the south side of Duncraggan Drive, requesting that sidewalks not be installed in front of their properties. These sidewalks were included in the street construction tender awarded by Council at the July 5th meeting and the Mayor explained the situation which arose when the residents petitioned against them, construction having already been

started at that time. Several members of Council questioned what course of action can now be followed, in view of the fact that the sidewalks have already been installed. Ald. Smith said he objected to having sidewalks provided in areas of the City where people do not want them when other street construction work is required on heavily-travelled streets. Ald. Kavanaugh thought that the entire cost of sidewalk installations should be borne by the City rather than having residents assume half the cost as they are presently doing. Ald. Greenough noted that he has given notice of motion on the subject of the cost to abutters.

Ald. Hart and Fredericks moved that the petition from the Duncraggan Dr. residents be received and filed. Mr. Ralph Collins of 35 Duncraggan Drive presented the position of the residents on this issue, explaining why they did not wish to have the sidewalks on the south side of the street. Ald. Greenough and Irvine, representing the area, were also heard by Council and they offered further explanations as to why the residents on Duncraggan did not want sidewalk in front of their properties but would have preferred to see them installed on the north side of the street. Ald. Irvine asked for assurance that there will be a complete reinstatement of the sodded areas adjacent to the new sidewalk; Mr. Fougere advised that this is called for in the contract. (On motion of Ald. Valardo and Fredericks, Council continued to meet beyond the hour of 11:00 p.m. to complete this item.) Ald. Crawford expressed concern for the citizens, pointing out that they will have to bear the cost of sidewalks which they did not want in the first place. When the vote was taken on the motion, it carried with Ald. Crawford voting against.

Meeting adjourned.

G. D. Brady,
Deputy City Clerk.

Regularly called meeting of City Council held
this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Hart	Backewich
Valardo	Fredericks
Smith	Williams
Irvine	Greenough
Thompson	Kavanaugh
Brennan	Crawford
Solicitor, Greg Baker	
City Administrator, C.A. Moir	

Council met to complete the July 19th agenda.

Ald. Crawford first gave a report on the situation in Bedford Basin and along the Dartmouth shoreline, as a result of a boom breaking loose on the Halifax side of the harbour, allowing garbage contained by the boom to float into the Basin and along the Dartmouth shores. City staff are working out a clean-up agreement with Halifax staff.

AUGUST MEETING

On motion of Ald. Kavanaugh and Hart, Council set August 16th as the date for the next regular meeting, due to the fact that the first Tuesday in August falls on the evening just prior to Natal Day.

LETTER:
MRS. I. HILCHIE

On motion of Ald. Irvine and Fredericks, Council received and filed a letter from Mrs. Irene Hilchie of 27 Dakin Drive, Halifax, on the subject of a motion approved by Halifax County Council opposing bilingualism in the Province of Nova Scotia.

PERMIT TO BUILD:
DARTMOUTH SALVAGE
LEYLE STREET

The P.D.O. Committee has dealt with an application for permit to build, as submitted by J.W. Lindsay Enterprises Ltd., on behalf of Dartmouth Salvage Ltd. for the former Porter property on Lyle Street and recommends approval of the permit, subject to City departmental requirements, fencing on Lyle Street, and compliance with Dept. of the Environment emission standards. Ald. Irvine and Fredericks moved that the permit be granted as recommended by Committee. Ald. Brennan and Crawford opposed the motion, wishing to find out exactly what type of operation is planned by Dartmouth Salvage and whether there is likely to be any air pollution resulting from the operation. They felt that the Dept. of the Environment should be provided with all of the necessary

information required to assess the full affect of emission into the atmosphere from the Dartmouth Salvage plant and moved deferral until the August 16th meeting for this purpose.

Ald. Fredericks, Irvine and Greenough made inquiries as to the kind of equipment that will be used in the building and Council heard Mr. Giverson, representing Dartmouth Salvage, explain their intent to use a lead melter, approx. two feet in diameter, for the the same type of process already being used in the shop they now operate. Ald. Crawford asked about the melting of battery lead and Mr. Giverson stated that the tops are cut off batteries and the lead is dumped out by this means. He noted that a DREE grant was involved in securing funding for relocation of the Dartmouth Salvage business and suggested that compliance with Dept. of Environment standards had to be met before the grant would have been approved. Ald. Crawford said it is not clear in this instance whether that would involve the Federal or Provincial Environment Dept. Ald. Hart expressed concern that we are on one hand attempting to improve the appearance of our waterfront and on the other, considering a salvage operation that will be visible from the harbour and unsightly on our shoreline. Ald. Valardo did not feel there is justification for deferral of the application, in view of Mr. Giverson's statement that a smelting operation is not planned but rather a lead melter such as Dartmouth Salvage are presently using. Mr. Lowell Phillips spoke in support of the building permit application, asking that Council not defer the item because of the cost to the owners of businesses when such decisions are delayed. Following further debate, the motion to defer was put and defeated with Ald. Williams, Crawford, Brennan and Hart voting in favour.

Ald. Kavanaugh then proposed and moved in amendment that the permit be granted not only subject to the conditions already indicated, but also subject to final approval of the operation by the Provincial Dept. of the Environment. Ald. Greenough seconded the amendment which carried; the amended motion carried.

REPORTS

Reports for the month of June, recommended by the P.D.O. Committee, were approved by Council on motion of Ald. Fredericks and Backewich as follows: Building Inspector, Fire Chief, Police Chief, Minimum Standards, Development Officer.

LICENSING CONTRACTORS

On motion of Ald. Kavanaugh and Williams, Council approved a recommendation from the Finance Committee that Ald. Kavanaugh meet with City staff and/or the P.D.O. Committee to outline his views and the intent of his motion on the proposed licensing of contractors. Ald. Hart did not agree with the procedure recommended and voted against the motion. Ald. Thompson suggested that it would be advisable to have participation by someone representing the New Homes Certification program, and Ald. Greenough asked that the N.S. Builders Assn. be invited to take part in the discussions as well.

FARE INCREASE:
D.T.S. BUSSES LTD.

On motion of Ald. Fredericks and Backewich, Council received and filed a report from the City Clerk on the subject of application made by D.T.S. Busses Ltd. to the P.U.B. for fare increases applicable to the transit service in Dartmouth.

JUDGES' STAND:
LAKE BANOOK

A report from Mr. Moir was before Council in connection with a proposal, since withdrawn, for improvements to the judges' stand at Lake Banook in return for advertising space on the building for the name of the firm bearing the cost involved. The report recommends in summary, that Council reconfirm the policy of not permitting advertising along the shores of Lake Banook and this recommendation was adopted, on motion of Ald. Fredericks and Greenough.

WATER UTILITY STUDY

In compliance with the terms of the P.U.B. order issued when the City received approval for an increase in water rates, it is necessary for the water utility study to be expanded as outlined by H.R. Doane & Co. in a letter which accompanied a report from Mr. Moir, recommending approval for an expanded study, estimated to cost an additional six to eight thousand dollars. The recommendation was adopted on motion of Ald. Greenough and Hart.

BUILDING PERMIT:
PARKSTONE RD.

Copies of reports and correspondence relating to a building permit application from Viva Construction

for 43 Parkstone Road, accompanied a report prepared by Mr. Moir recommending that if Council grants this building permit, a policy drafted for the development of lands in the Tufts Cove area (as outlined in Mr. Bayer's memo of June 16th) be adopted also. This would mean that Council must initiate steps through this policy to establish Yorkshire Ave. Extension as a collector street and make a commitment to the construction of Phase 1. Ald. Irvine and Fredericks moved that the building permit be granted Viva Construction, subject to the recommendations of the Planning Dept. and based on the recommendation of the City Administrator with respect to the development proposal for lands in the Tufts Cove area. Ald. Hart opposed the motion, pointing out that provision for the major expenditures involved has not been included in this year's budget. She moved deferral of the entire item to capital budget time in 1978, at which time Mr. Bayer's recommendations would be brought forward for consideration; the motion to defer was seconded by Ald. Williams.

Ald. Irvine and Valardo were against deferring this application further, but other members of Council, such as Ald. Kavanaugh and Brennan, felt that an overall development plan, based on the P.U.D. concept, is required before any building permits are approved for land in the total area under discussion. Ald. Fredericks noted that the Housing Advisory Board intends to take a further look at these lands in their review of available sites within the City for residential development. Ald. Irvine questioned the legal right which Council has to deny the application from Viva Construction; it was pointed out that a legal opinion has already been given, advising that the permit can be denied on the basis of the services required to permit development to proceed. Ald. Valardo said that owners of land have a right to expect to be able to develop it, but Ald. Hart referred to problems created in the north end of the City by development which was allowed to take place without adequate control and planning. Before the vote was taken

on the motion, the Mayor pointed out that property owners in the area under consideration would still have the right to come back to Council with a P.U.D. concept plan for total development if they so wish (ie. prior to capital budget time). The motion to defer carried with Ald. Crawford, Irvine and Valardo voting against.

At a later point in the meeting, Ald. Valardo informed Council of the indication given by Viva Construction that they would be prepared to assume the \$39,000. cost referred to as being the difference which the City would have to pay between the \$137,893. figure projected for servicing costs and the suggested \$98,000. amount that could be received in municipal incentive grants, based on the \$1,000. per unit return for the 98 units planned for construction. Ald. Valardo and Crawford proceeded to move that in view of this additional cost-sharing proposal on the part of Viva Construction, Council rescind the action taken in deferring their building permit application. The Solicitor advised that the motion to rescind would not be procedurally in order at the same Council meeting.

RAIL LINE
RELOCATION

Council considered a report from the City Administrator on the subject of relocating the CNR line near City Hall and the request to the City from the CNR for expansion of its marshalling yard. The rail line relocation ties in with construction of the new ferry system, the approx. total cost to the City being in the area of \$200,000., and in order to facilitate construction of the ferry terminal facility, it is recommended that Council approve the relocation of this portion of the CNR main line and that the capital funds provided in the 1977 estimates for Ferry Terminals be used for payment of the cost. Discussions will be held with the W.D.C. and with the Provincial Dept. of Development and DREE to see if some cost-sharing can be arranged. The related recommendation, having to do with a modification of the marshalling yard in the north to make up for trackage lost in the south end of the yard because of the track relocation, is that Council reluctantly give permission for the expansion of the

marshalling yard while at the same time, indicating to the CNR that this approval in no way relinquishes its interest in having the total marshalling yard relocated at the earliest possible date. Ald. Fredericks and Greenough moved the adoption of Mr. Moir's recommendations.

Ald. Kavanaugh and Smith moved in amendment that acceptance of the recommendations be subject to cost-sharing, but Ald. Fredericks did not agree with this stipulation. Mr. Moir commented on the urgency of a decision by Council at this time while CNR funds are available for the relocation. Ald. Thompson said he would not be in favour of any delay in view of Mr. Moir's advice to Council. Ald. Crawford moved referral of the matter to the Downtown Planning Advisory Board for input but the motion did not receive a seconder. Ald. Kavanaugh maintained that the City should receive cost-sharing from the W.D.C. or the CNR; he said Council should not have to make decisions such as time under a time constraint. The amendment was defeated with Ald. Kavanaugh, Smith, Williams, and Crawford voting in favour. The motion carried with Ald. Smith and Kavanaugh voting against.

CHT. STREET
PARKING RESTRICTIONS

As requested by Council, the Traffic Management Group and the Traffic Authority have given additional consideration to the restrictive parking ban placed on the north side of Ochterloney Street from Maple Street to Alderney Drive. Recognizing the concerns of local firms affected by this restriction in an attempt to achieve dual objectives of increasing the level of safety and movement along Ochterloney St. and not affect local businesses detrimentally, the T.M.G. and the Traffic Authority have proposed certain modifications, as outlined in a report to Council dated July 14/77. The report was adopted by Council on motion of Ald. Thompson and Williams.

ACOUSTICS:
HAWTHORNE SCHOOL GYM

The School Board has recommended improvements to the acoustics in the Hawthorne School gym, estimated to cost

\$16,500., of which \$8,000. has already been included in the current budget. Council is asked to approve an over-expenditure of \$8,500. to cover the additional amount and it was moved by Ald. Fredericks, seconded by Ald. Irvine, that first approval be given for the over-expenditure. Ald. Williams and Thompson spoke against the motion which resulted in a tie vote. The Mayor cast the deciding vote in favour and declared the motion carried. Second approval for the over-expenditure will be required at the next Council meeting.

PHASES 5 & 6:
FOREST HILLS

A letter has been received from the Minister of Municipal Affairs in response to Council's request for assurance from the Province of their willingness to abide by the recommendations of the Public Utilities Board, provided they are in favour of transitional grants for the City in connection with the amalgamation of Phases 5 and 6 of Forest Hills development. Based on the letter received from the Minister, the Mayor recommends to Council that staff be authorized to proceed with the application to the P.U.B. for amalgamation. Ald. Valardo and Greenough moved the adoption of the recommendation. Ald. Irvine did not support the motion, nor did Ald. Kavanaugh or Smith, but Ald. Greenough, Fredericks, Crawford and Brennan wished to see the application proceed, with an appropriate submission on the City's behalf in support of receiving transitional grants to cover the anticipated short-fall relating to the cost of annexing the 60 acres concerned. Ald. Smith said he would not support spending money on new areas when older sections of the City require services and street improvements. When the vote was taken, the motion carried by a vote of 7 to 5 with Ald. Kavanaugh, Smith, Thompson, Williams, and Irvine voting against.

BY-LAW C-336

By-law C-336, which exempts from taxation, the personal property of the Dartmouth Branch, C.A.M.R. at 63 Hawthorne Street, was before Council for approval.

It was moved by Ald. Hart and Thompson and carried that leave be given to introduce the said BY-Law C-336 and that it now be read a first time.

It was moved by Ald. Williams and Thompson and carried that By-Law C-336 be read a second time.

Unanimous consent was given by Council for a third reading of the By-Law.

It was moved by Ald. Greenough and Valardo and carried that By-law C-336 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-337
MINIMUM PENALTIES

By-law C-337, amending By-law C-13 by providing a minimum penalty fee for breach of any by-law in which specific provision is not made for a penalty, was presented for Council's consideration.

It was moved by Ald. Hart and Fredericks and carried that leave be given to introduce the said By-law and that it now be read a first time.

It was moved by Ald. Irvine and Backewich and carried that By-Law C-337 be read a second time. Unanimous consent was given by Council for third reading of the by-law.

It was moved by Ald. Backewich and Irvine and carried that By-law C-337 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said By-law on behalf of the City.

BY-LAW C-300

By-law C-300, to amend By-law C-71 for the purpose of controlling barking and howling dogs, was also before Council for approval. It was moved by Ald. Williams and Irvine and carried that leave be given to introduce the said By-law and that it now be read a first time.

It was moved by Ald. Kavanaugh and Thompson that By-law C-300 be read a second time. Motion carried with Ald. Crawford voting against. Unanimous consent was not given by Council for third reading of the By-law.

MOTION: ALD. HART
MORRIS/RUSSELL LAKES

In connection with the June 17th letter received from the Dept. of the Environment re the protection of Morris and Russell Lakes during construction of the Portland Street extension, Ald. Hart commented on the generally unsatisfactory provisions for protection and moved referral of the letter to the Lakes Advisory Board for input and recommendation, after which it

would be forwarded to the P.D.O. Committee for further study, accompanied by the L.A.B. report. The motion was seconded by Ald. Williams and it carried.

MOTION: ALD. BRENNAN
FREE FERRY SERVICE

The motion which Ald. Brennan wished to add to the agenda had to do with providing free ferry service on Natal Day and a recommendation against this idea was before Council from the Natal Day Committee. Ald. Brennan proceeded to move that Council approve free ferry service for Dartmouth Natal Day, the motion being seconded by Ald. Crawford. Ald. Brennan explained the intent of his motion and Ald. Crawford spoke in favour. The motion carried.

Council adjourned to meet in camera on motion of Ald. Williams and Thompson and after reconvening later, the action taken in camera was ratified on motion of Ald. Hart and Thompson.

Meeting adjourned.

N.C. Cohoon
City Clerk.

Dartmouth, N. S.

July 27/77.

Regularly called meeting of City Council held this date at 7:30 p.m.

Present - Mayor Brownlow

Ald. Brennan	Crawford
Hart	Fredericks
Williams	Backewich
Thompson	Kavanaugh
Greenough	
Solicitor, Mr. Heustis	
City Administrator, C. A. Moir	

Council met to hear the MAPC presentation on regional transit and to be informed on the proposed regional sanitary landfill site approved by the Regional Authority.

A motion introduced by Ald. Crawford and Brennan, which would have added the permit to build on Lyle Street, approved conditionally by Council at the July 25th meeting, was defeated. The Mayor advised that this item could now be on the August 16th agenda at the request of the Ward 3 Aldermen and he explained, for the benefit of the citizens present, what action was taken by Council in granting the building permit.

Mr. Mort Jackson and Miss Angela Boyd represented MAPC to make the presentation on the proposed regional transportation system, which was described as a follow-up on the regional transit study before Council in 1976. Copies of the report setting out this proposal have been circulated to the members of Council. MAPC has approved the recommendations contained in the report, the primary recommendation being that the three metropolitan municipalities authorize the Regional Authority to proceed with the establishment and operation of a regional transportation system. The remaining recommendations relate to this main general approach to transportation in the metropolitan area. The three municipalities would cost-share in the system on the basis of a formula worked out, whereby the operating deficit would be calculated for each individual route in the system and charged to the appropriate municipality;

REGIONAL
TRANSPORTATION
REPORT

capital costs would be prorated on a per mile basis. Using this formula and taking into account the \$3. per capita grant which the Province proposes to make available, Dartmouth's share in the total cost for the year 1978 would be \$662,030.

Some members of Council expressed doubts that the improved level of transit service received in Dartmouth would be worth this major expenditure and Ald. Fredericks felt that the \$3. per capita contribution from the Province is insufficient in comparison with the saving projected in highway construction costs, estimated at \$218 million dollars in total for the Province and the municipalities combined. He said he would like to know what the actual saving would be to the City of Dartmouth, based on the highways that will have to be built over the next six or seven years, regardless of whether the transportation proposal is accepted or not. He also requested information on the ridership percentage in Dartmouth and the percentage increase projected with the regional system. In response to questions from Ald. Thompson and Ald. Kavanaugh, it was pointed out by Mr. Jackson that neither the Bridge Commission nor the Dartmouth Ferry operations are included at this time for take-over as part of the regional system, although the services of both will be integrated as part of the overall approach to an improved transportation service.

Ald. Brennan asked for a comparison in the level of service anticipated under the proposed regional system as compared with the existing and proposed level in the D. T. S. He also raised a number of questions as to how the viability of a particular route would dictate its continuation or termination after a certain period of time. In other words, what level of deficit would the municipality be willing to participate in to keep a bus route in service. He suggested that such decisions would

be affected by the political arena in which they would be made. Like Ald. Fredericks, he was also concerned about the per capita contribution to be made by the Province in comparison with the savings in highway construction and taking into account the revenues which the Province receives in terms of fees for car licenses in the metropolitan area and in terms of the taxation on gasoline used by metro drivers. He asked what percentage of operating costs the Provincial contribution represents. Mr. Jackson said it would be 9% of the operating costs or about 50% of the deficit. Ald. Kavanaugh suggested that the cost of providing bus lanes should be taken into consideration when City costs are being projected in their entirety.

Mr. Don Mielke, Past President of the Amalgamated Transit Workers Union Local, expressed the interest of the local bus drivers in the transportation proposal and volunteered any assistance which his group could give City staff in preparing their analysis and report.

LANDFILL SITE

Mr. Jackson next provided Council with information on the new regional sanitary landfill site selected in the Mount Uniacke area, explaining the funding arrangements with the senior levels of government. The complete operation of the system was outlined, including provisions for environmental protection. The cost to Dartmouth, based on the location of the new site, will be between \$9. and \$10. per ton, as compared with our present cost of \$13. to \$14. per ton for garbage disposal. Ald. Brennan felt that the cost implications of the new site should have been analyzed before a firm decision was made on it, especially with regard to the energy costs which will continue to rise and be reflected in the overall cost of transportation to and from the site. Mr. Jackson agreed that the distance involved is a concern of the Authority

but it was not possible to secure sites closer to
Halifax and Dartmouth.

Before adjourning, the Mayor thanked Mr. Jackson
and Miss Boyd for their assistance in providing information
on the two items before Council.

N. C. Cohoon,
City Clerk.