

Dartmouth, N. S.

July 3/79.

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

Present - Deputy Mayor Greenough

Ald. Ibsen	Thompson
Williams	Cunningham
Crawford	Irvine
Ritchie	Fredericks
Hart	Backewich
Cote	Valardo
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk. G. Brady	

MINUTES

The minutes of meetings held on June 11th, 12th and 20th were adopted, on motion of Ald. Irvine and Ritchie. Ald. Ibsen questioned a statement contained on page 3 of the June 12th minutes, with reference to the Planning Dept. recommendation in favour of the Bullbird Club permit; he asked to have the statement clarified at Council when Mr. Bayer is present. The sentence reads: " However, it is the opinion of staff that the permit cannot be denied on this basis since the problems already exist and have been identified before the application came up for consideration."

Before proceeding with the next item, Deputy Mayor Greenough extended thanks on behalf of Council to Ald. Crawford and the Canada Week Committee for the program arrangements made by them and carried out during Canada Week.

RECONSIDERATION:  
Y-LAW C-392

A notice of reconsideration was given by Ald. Hart and Crawford at the June 12th meeting, in connection with Council's action in approving third reading of By-law C-392, with respect to zoning in Downtown Dartmouth. Ald. Hart explained why she felt reconsideration would be in order under the circumstances, so that representatives of the PANS Club would have an opportunity to present their position on the proposed rezoning of their property on Alderney Drive to R-4 from the existing G-C Zone. She said they are not pleased with the expropriation negotiations with the City for their property, and suggested that it

would be a loss to the downtown area if the facility is phased out and replaced with a residential development. She moved reconsideration of third reading of By-law C-392, seconded by Ald. Crawford. The motion to reconsider carried with Ald. Fredericks voting against.

Council agreed to hear Mr. Joe Ross on behalf of the PANS interests. Mr. Ross said that PANS would like to remain at their present location, having become established there over the last seven years since the club first opened. A two-storey addition to the existing building is being considered and he requested that Council allow the PANS property to be included in the G-C Zone proposed for lands adjacent to section D of the downtown zoning plan. He noted that most of the PANS membership is comprised of Dartmouth residents and the club serves many segments of the population with its facilities and services.

Ald. Fredericks said he would like to see the PANS club in the downtown area, but not necessarily on the property where it is presently situated, if this property can be used to better advantage for a high-density residential development. He felt there was ample opportunity for input from any concerned or interested group while the plans for downtown redevelopment were being put together and having gone this far with them, it would not be in the City's best interest to start making zoning changes to accommodate individual property owners.

Ald. Crawford's opinion was that the zoning question is tied in with the expropriation proceedings presently before the Nova Scotia Supreme Court, and a ruling should be received from the courts before a decision is undertaken on the zoning of the property. He objected to the expropriation negotiations in the case of the PANS property and others in the downtown

area, referring to specific instances where he said people were not contacted as they should have been before expropriation proceedings were started. Mr. Moir stated that verbal offers were made to every property owner in the area concerned, including a discussion with Mr. Milford Hubley, and all were informed of the opportunity they had for an appraisal of their properties, with the cost being borne by the Waterfront Development Corp. Ald. Crawford maintained that PANS were treated unfairly in the negotiations for their property and that Mr. Hubley was not contacted as he should have been in the case of the Marine Workers property, for which he is the union representative. Mr. Moir did not agree with Ald. Crawford's assessment of the negotiation procedures and explained in detail the steps followed by him and Mr. Young in making initial contacts with the property owners, followed up by further negotiation after appraisals were carried out.

In response to questions from Ald. Ibsen on the intent of the R-4 zoning proposed for the PANS property, Mr. Zwicker explained the importance of this particular site in terms of the residential development required to give impetus to the downtown revitalization program. He referred to it as the prime site available and the key to attracting people back to the downtown area to live, the first step in the redevelopment process. Mr. Lyden, the planning consultant heard later in the debate, also stressed the importance of encouraging residential growth as the major factor in the DPAL plan, and agreed that the PANS site represents the first stage in the revitalization process because of its attractive location overlooking the harbour and its close proximity to the ferry and other amenities. Mr. John Young, representing the W.D.C., expressed a similar viewpoint on the significance of the PANS property in relation to the success of the downtown plan, and as Mr. Lyden had

done, he also commented on the process followed in arriving at the point where implementation of the plan is about to be undertaken after a lengthy process and with the authorization and approval of Council.

Ald. Hart, Cote and Ritchie indicated their support for the PANS request that their property not be included in the R-4 zoning. They felt that a viable facility such as PANS should receive consideration as an existing commercial business that is already of benefit in the downtown community. Other members of Council who were not willing to deviate from the zoning plan prepared for downtown, wanted to see PANS remain somewhere in the area and felt that a mutually-acceptable location could be negotiated with the representatives. Ald. Williams, Valardo and Backewich were three of the Aldermen who felt that Council should now comply with the downtown plan as adopted and not make individual concessions that will detract from the overall development concept. Debate continued for some time until Ald. Crawford and Hart moved in amendment that the PANS land holdings within section D of the zoning map be deleted from the R-4 zoning .

Ald. Crawford, Cote and Ritchie spoke in favour of the amendment, then Mr. Ross was heard again by Council on the matter of negotiations for the PANS property and what he considered to be an unacceptable offer in the amount of \$405,000. He indicated that PANS would expect to receive double that amount, plus a relocation to the Bogg Street property, as a fair settlement offer. He did not agree that any meaningful attempt has been made to work out an alternate location for the PANS club so it can be part of the redevelopment process.

The Deputy Mayor advised that Aldermen not present for the public hearing on By-law C-392 would be unable to vote at this time; Ald. Williams and Cote were therefore not entitled to vote on the amendment or the motion. The amendment resulted in a tie vote and

was declared to be defeated with the Deputy Mayor voting against. There was also a tie vote on the motion and the deciding vote cast by the Deputy Mayor was in favour, so the motion carried. (Ald. Valardo, Cunningham, Fredericks, Backewich and Thompson voting in favour.)

PETITION: ALFRED ST.

With the concurrence of Council, Ald. Hart tabled a petition from residents of Alfred Street on the location of the sidewalk to be installed on this street; the petition will receive further consideration at a later time.

RESOLUTIONS: JOINT MEETING

On motion of Ald. Fredericks and Irvine, Council approved the four attached resolutions for presentation at the joint Council meeting to be held on July 5th, prior to submission of resolutions to be dealt with at the Nova Scotia Municipalities conference.

MAIN STREET PROGRAM

As requested at Committee, Mr. Moir has submitted a report, with copies of related correspondence, on the Main Street Program and the City's involvement through the Main Street Program Committee. The report has provided answers to the various questions raised when the item came up in Committee and recommendations are made as follows:

- a) if the program is successful in the year 1979, that Council endorse the program and request the Province to continue it and its funding into future years.
- b) on the recommendation of the Main Street Program Committee, it is recommended by Mr. Moir that Mettam Wright & Associates be appointed and that Council authorize a commitment not to exceed \$20,000. from the \$325,000. provided in the 1979 Capital Budget, subject to the Committee working out a detailed contract with Mr. Mettam of Mettam Wright & Associates, the amount to be expended not to exceed \$20,000.

Ald. Cunningham and Irvine moved the adoption of the report and recommendations. Ald. Crawford expressed the only reservations about the program and wanted to know why it was started at the Alderney Drive end of Portland Street and only extends part way up the street. Ald. Cunningham explained that this was the section chosen by the Downtown Merchants Assn., and it was pointed out that the program will extend further along Portland St.

if it is able to be continued next year as recommended. Ald. Backewich indicated that he did not have an opportunity to read Mr. Moir's report on the item and would therefore abstain from voting. The motion carried with Ald. Crawford voting against and Ald. Backewich abstaining from the vote.

Reports recommended from Committee were approved as follows:

- 1) Building Inspector (May): adopted on motion of Ald. Thompson and Williams.
- 2) Minimum Standards (May): adopted on motion of Ald. Thompson and Ritchie.
- 3) Fire Chief (May): adopted on motion of Ald. Irvine and Thompson.
- 4) Social Services (April): adopted on motion of Ald. Thompson and Valardo.
- 5) Transit (April): adopted on motion of Ald. Irvine and Thompson.
- 6) Development Officer (May): adopted on motion of Ald. Ritchie and Valardo.

On motion of Ald. Valardo and Irvine, Council approved an application for permit to build a fast food take-out at 590 Portland Street, submitted by Burger King, subject to compliance with all of the requirements set out in the staff report of June 19th; approval of the application was recommended by Committee. (Ald. Thompson voting against.)

PERMIT TO BUILD:  
590 PORTLAND ST.

% OR RECOMMENDATION

On motion of Ald. Hart and Valardo, Council adopted a recommendation from Committee that two items from the '20% or . . .' report (sales tax reduction and application to food & clothing and abolition of rent control) be referred to the Community Services Advisory Board, and one item (increased fees for recreation programs and facility rentals), to the Recreation Advisory Board, for report back to Council and consideration when the other items are discussed again. Ald. Thompson asked if it would be possible to have the Woodlawn Recreation Assn. notified when the Recreation Advisory Board plans to meet, so the Association could have an input in the discussions. Mr. Moir said it would be in order to make the Chairman of the Board aware of the request from the Association.

CURFEW BY-LAW

The Curfew By-law Committee has recommended to Council, the adoption and implementation of a curfew by-law, to be reviewed after a one-year period by the Police Commission. Recommendations to the Solicitor's Dept. for incorporation in the by-law are made with respect to: (1) age (follow the guidelines of Section 155 (b) of the City Charter) and (2) time limitation (10:30 p.m.). If the by-law is adopted by Council, the Committee further recommends that it be implemented with good public relations coverage. Ald. Ritchie and Cunningham moved the adoption of the Committee's recommendations.

Ald. Fredericks expressed his opposition to a curfew by-law and considered the enactment of such a by-law to be an infringement on the rights of young people. Ald. Irvine questioned the enforcement of curfew restrictions and noted the difficulties that other municipalities have had in trying to make them work. Ald. Hart and Ibsen were two other Aldermen who spoke against the motion, but the members in favour did not agree that all young people would be adversely affected by the regulations - only those who are causing problems in the community and represent a small minority of the population. Members of Council opposed to a curfew by-law did not consider this to be the right way to deal with problems among our young people; they wanted to have the efforts of Council directed toward something more positive. When the vote was taken, the motion carried with Ald. Irvine, Hart, Ibsen, Fredericks and Backewich voting against.

MEMORATIVE CELEBRATION On motion of Ald. Thompson and Irvine, Council adopted a recommendation from the 1980 Celebrations Committee on the form that a special commemorative celebration should take, recognizing that 1980 is the 230th anniversary of the founding of Dartmouth, while 1981 is the 20th anniversary of Dartmouth being incorporated

as a City. The recommendation is to hold a minor and a major celebration in the years 1980 and 1981 respectively. In 1980, the year of the minor celebration, the emphasis would be on the heritage and history of Dartmouth, while in 1981 the concentration would be on the development of Dartmouth as a City and on the future progress of the City.

DUMPING PROBLEM:  
RUSSELL LAKE

On motion of Ald. Hart and Thompson, Council adopted a recommendation from the Lakes Advisory Board on materials that are being dumped at the back of the Eisener property off Portland Street, in the Russell Lake area. The recommendation is that consideration be given to investigating these materials, because of the run-off danger to the lake from the dumping area. Mr. Brady reported on the follow-up action that has been taking place, with inspections by both the City Inspection Dept. and the public health Inspectors.

MAYNARD LAKE  
RECOMMENDATIONS

On motion of Ald. Ibsen and Valardo, Council referred to staff, a report from the Lakes Advisory Board, with recommendations for dealing with erosion and trash along the eastern shore of Maynard Lake. A report will come back to Council from staff on the costs involved to proceed with these recommendations.

ELECTION DEPOSITS

Council has been asked to indicate whether or not the members favour the \$200. nomination deposit requirement contained in the new Municipal Elections Act, or wish to set another fee through a by-law. Ald. Ibsen and Fredericks spoke in favour of the present \$100. requirement, as set out under the provision of the City Charter, but on motion of Ald. Williams and Valardo, Council indicated concurrence with the \$200. figure as required in the Elections Act (Ald. Ibsen and Fredericks voting against).

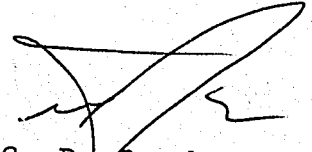
PUBLIC HEARING:  
REL. CLOSURE

On motion of Ald. Thompson and Irvine, Council set August 7th as the date for public hearing in connection with the closure of a portion of Athabaskan Street,



required so that the City can finalize the disposal of a parcel of land adjacent to 20 Margaree Parkway.

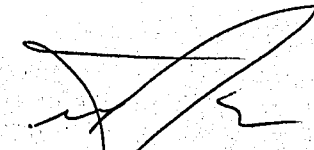
The meeting adjourned at the hour of 11:00 p.m.



G. D. Brady,  
Deputy City Clerk.

required so that the City can finalize the disposal of a parcel of land adjacent to 20 Margaree Parkway.

The meeting adjourned at the hour of 11:00 p.m.



G. D. Brady,  
Deputy City Clerk.

Dartmouth, N. S.

July 10/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Brennan	Crawford
Cote	Valardo
Hart	Backewich
Ritchie	Fredericks
Greenough	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

Council met to complete the July 3rd agenda  
and to deal with the Committee items for this date.

NOTICE: ALD. BRENNAN

Notice of motion was previously given and Ald.  
Brennan introduced the following motion, seconded by  
Ald. Crawford:

That City Council request staff to solicit  
the co-operation of the Federal & Provincial  
Governments and to undertake a study of the  
Dartmouth Cove sanitary sewer outfall, with  
regard to eliminating odour therefrom, and  
to advise Council on various sources of funding  
from other levels of government.

Speaking on his motion, Ald. Brennan said that  
when the tide is low in the harbour, the odour problem  
from the outfall is particularly bad in the area of  
Old Ferry Road, Pleasant Street and Hazlehurst Street.  
There was no opposition to the motion, but Ald. Fredericks  
wanted to have the Ochterloney Street outfall included  
in the study as well and moved this in amendment, seconded  
by Ald. Crawford. Ald. Thompson asked if any over-  
expenditure might be involved for the City, and Ald.  
Brennan said it would be his hope that staff would look  
at any monies available for a pollution control study.  
The amendment received the support of Council and  
carried; the amended motion carried.

CONCRETE MANHOLES:  
M. TEL & TEL

The Assistant City Engineer has recommended  
that Maritime Tel & Tel Co. Ltd. be granted permission  
to construct three concrete manholes on their existing  
underground conduit system at three locations:

Portland St. at Maitland St. (southeast corner)  
Newcastle St. at Parker St. (southwest corner)  
Pleasant St. at Atlantic St. (southwest side)

Permission to proceed with the installation would be with the provision that the streets concerned would be reinstated to a condition as good as or better than they were originally, and the contractor would have to comply with traffic control requirements of the Traffic Division of the Police Dept. Council approved the recommendation as presented, on motion of Ald. Fredericks and Ibsen.

AWARD TENDERS:  
POLICE & FIRE  
VEHICLES

Tenders have been received as follows for five intermediate-size vehicles for use in the City Police Dept. and one station wagon for the Fire Dept.:

<u>COMPANY</u>	<u>Fire Dept.</u> (1 station wagon trade 1)	<u>Police Dept.</u> (5 sedans compact, trade 4)
Twin Cities		
Chrysler Plymouth	\$5,999.00 (Volare)	\$22,979.(Volare)
Petersen Pontiac	6,242.22 (LeMans)	- - -
Dartmouth Dodge	- - -	23,730.(Aspen)
Forbes Chev-Olds	6,911.49 (Malibu)	31,000.(Citation)

(These are net prices after trade-in.)

Mr. Moir recommended to Council that the station wagon for the Fire Dept. be awarded to the low bidder, Twin Cities Chrysler-Plymouth, at a price of \$5,999., and that the tender for the Police Dept. compact vehicles be awarded to Twin Cities Chrysler Plymouth for a total price of \$22,979. The tenders were awarded as recommended, on motion of Ald. Hart and Crawford.

AWARD TENDER:  
CHAIN LINK FENCE  
MICMAC SPORTS COMPLEX

The following tenders were received for the erection of a chain link fence at the MicMac Sports Complex, along the Woodland Ave. side of the site, as detailed in Mr. Moir's report:

The Gillis Co. Ltd.	\$7,858.00
Eastern Fence Erectors Ltd.	7,922.93

Acceptance of the low bid, from the Gillis Co. Ltd., was recommended to Council and the tender was awarded accordingly, on motion of Ald. Valardo and Thompson.

AWARD TENDER:  
MOTORCYCLES

On motion of Ald. Valardo and Thompson, Council adopted a report from Mr. Moir, recommending that the tender for three motorcycles for the Police Dept. be

awarded to Outdoor Experience in the amount of \$18,736. for the purchase of three Harley-Davidson motorcycles, based on the information provided by the Purchasing Agent in his report of June 27th.

TENDERS: LAKE  
BANOOK P/A EQUIPMENT

Tenders have been received as follows for the supply and installation of equipment for the Lake Banook P/A system:

Metro Radio Centre Ltd.	\$11,730.00
RCA Limited	11,919.00
Amphion Electronics Ltd.	12,900.00
General Sound Ltd.	12,947.00
Maritime Communications Services	13,240.45

Since the Metro Radio Centre Ltd. tender does not meet the specifications, acceptance of the tender submitted by RCA Ltd. is recommended. In a second report to Council, Mr. Moir has outlined additional installation costs, to have cable installed by Maritime Tel & Tel, etc., and a \$3,000. over-expenditure would be required to cover these extra costs, which are over and above the RCA Ltd. quotation in the amount of \$11,919.00. On motion of Ald. Valardo and Crawford, Council awarded the main tender as recommended and authorized first approval for the \$3,000. over-expenditure recommended to complete the cable installation, etc. as required to put the P/A system in operation.

PHASE II: WATER-  
FRONT DEVELOPMENT

Plans for Phase II of the Waterfront Development were presented for Council's consideration, with the recommendation that:

- (a) Council give approval for the WDC to call and award the tender for harbor walk, Phase II, with the following revisions:
- 1) survey monument at existing exit ramp to remain.
  - 2) pedestrian railway crossing to be signalized.
  - 3) electrical outlet near amphitheatre is required.
  - 4) temporary vehicle exit ramp required from City Hall area to Alderney Drive.
  - 5) request WDC to locate electrical outlets near existing flag pole and at the end of the dock boardwalk.

and (b) Council give approval for WDC to call and award tender for Dartmouth's old ferry dock alterations, subject to co-ordinating construction phasing with City staff.

Ald. Crawford and Ritchie moved the adoption of the above recommendations, as set out in Mr. Moir's

report. The main area of concern about the plans had to do with parking provisions in the immediate area of City Hall, once the existing spaces are taken over for a park area, and the alternate arrangement for traffic access to and from the back of City Hall when the exit onto Alderney Drive is closed. Mr. Lukan and Mr. Moir explained the changes that will be made to accommodate parking and traffic (which will have access from the Ochterloney Street entrance), and it was agreed that some problems are likely to be experienced while the new parking area is being made ready for use and the change-over is in progress. The vote was taken on the motion and it carried.

CONTRACT 7908:  
FURNESS PARK

A report from Mr. Moir was considered on the tender received for Contract 7908, improvements to Furness Park (corner of Fairbanks St. & Hare Lane), as part of the Harbourview NIP program. After revisions in two of the bid items, it is recommended that the revised tender, in the amount of \$10,866., be awarded to the single bidder, W. Eric Wheby Ltd. The original bid, which came in at \$12,670. exceeded the funds available for this contract, necessitating the revisions that have been made to bring the tender within budget. Council awarded the tender as recommended at the revised figure of \$10,866., on motion of Ald. Williams and Brennan.

POSTING: CONTINENTAL  
CANOE CHAMPIONSHIPS

An item added to the agenda was dealt with at this time, consisting of a report from Mr. Moir and related correspondence in connection with the Continental Canoe Championships to be hosted in Dartmouth from August 30th to Sept. 2/79. The report outlines commitments that have already been made by the organizing Society, prior to the item coming before Council, involving improvements required to the floats and judges stand; the City is asked to bear the cost of these facility improvements, in the amount of \$9,000.

and this would constitute an over-expenditure to cover the cost. Mr. Moir's recommendation is that because of the commitments which have been made, Council authorize an over-expenditure in the amount of \$9,000. to carry out the necessary improvements; further, that it be recorded with all interested parties that if there is to be a financial commitment from the City in future, Council's permission be obtained prior to any invitations being extended to host these events.

Ald. Greenough and Ritchie moved the adoption of the recommendations, giving first approval for the \$9,000. over-expenditure required. Ald. Thompson questioned the over-expenditure and the fact that no staff representative from the City Recreation Dept. is involved in the Society preparing for the championships. Ald. Backewich and Hart also expressed their reservations about having to authorize an over-expenditure after-the-fact, instead of having an opportunity to consider the item in advance. Ald. Crawford and Greenough said they would be prepared to support the request because of the benefits that canoeing events bring to the City in terms of recreational outlets, publicity, etc.

Council heard Mr. Logan of the Canadian Canoe Assn. and Mr. Barry, who commented on the value of championship events in terms of upgrading facilities for canoeing and also, promoting Dartmouth through the hosting of national and international competitions. Council's general response in the debate on the motion was positive, but it was felt that in future, organizing groups should approach the City for assistance before any commitments are made. The motion on the floor carried.

PLEBISCITES

As requested, the Solicitor has prepared a redrafted amendment to the City Charter, with respect to the holding of plebiscites, and in an accompanying report she has indicated that Council can only authorize a plebiscite on a matter over which it has some control.

Ald. Greenough and Brennan moved that the report from the Solicitor be received and filed.

Ald. Hart and Crawford were not in favour of the motion and wanted to see the amendment to the Charter enacted so that the holding of plebiscites will be permitted under the condition proposed, that is, a two-thirds vote of Council. As the debate continued, questions were again raised as to the circumstances under which plebiscites can now be held, including issues involving major expenditures of public funds, the sale of public lands, etc. Ald. Crawford suggested that Sections 139 and 119 of the Charter should be looked at in this connection. In view of the questions still being raised about the areas of jurisdiction for plebiscites under our present legislation, Ald. Greenough and Crawford moved referral back to the Solicitor for further report and clarification, including the reference to Sections 139 and 119 of the City Charter. The motion to refer carried with Ald. Fredericks voting against.

COMPOSITION OF  
POLICE COMMISSION

The Police Commission has made a recommendation to Council that By-law C-309 be amended so that the number of Council members on the Commission will be eight instead of the entire Council (plus the one appointment from the A/G's office). Ald. Thompson and Williams did not agree with the recommendation and moved that the report from the Secretary of the Commission be received and filed. Members speaking against the motion were Ald. Crawford and Cote, who favoured a smaller Commission as a more workable body than as presently constituted with all members of Council. When the vote was taken, the motion to receive and file carried with Ald. Crawford, Hart, Greenough and Cote voting against.

INQUIRIES:  
ALD. THOMPSON

Ald. Thompson's inquiry concerned damage to trees in the area of watershed lands where cable is being installed by Maritime Tel & Tel; Mr. Moir said this has been discussed with Mr. Fougere and Mr. Lynch, and it will be taken up with the people in charge of the project.



ALD. CRAWFORD

Inquiries made by Ald. Crawford:

- 1) concerning the condition of Portland St. and streets leading off it; also, lands owned by the City in this area where the grass is in need of being cut. A clean-up was requested in this whole section of the downtown.
- 2) asked that members of Council receive copies of a petition from residents in the Newcastle Street area who are opposed to an upcoming rezoning request from R-2 to R-4 Zone; also, that the petition be brought forward for consideration when the rezoning application is heard.
- 3) what is being done with the soil and material piled under the bridge on Fairbanks Street, and why is this work not going forward; Mr. Bayer said the contract is proceeding even though they are not working in the Fairbanks St. section just at present.
- 4) Ald. Crawford stressed the importance of a clean-up program downtown during the summer months and commented on the concerns expressed by property owners in the area about this matter.

ALD. BACKEWICH

Inquiries made by Ald. Backewich:

- 1) requested that the smoke detector item on the Continuing Agenda be updated and brought forward.
- 2) asked about the status of the recreation complex; Mr. Moir said that Dartmouth Recreation Ltd. are anxious to make a recommendation to Council as soon as a presentation can be finalized.
- 3) concerning the traffic situation on Windmill Road and the study requested in this connection; he said that the recent bus stop changes along this route will add further to the congestion that already exists and traffic will be particularly disrupted during peak hours. Mr. Moir agreed to discuss the bus stop changes further with Mr. Russell.

ALD. FREDERICKS

Inquiries made by Ald. Fredericks:

- 1) asked for an update on the drainage project for which funds were allocated in the Carleton Street area.
- 2) has the need for traffic lights been looked at in the case of streets that intersect with Pleasant Street, as discussed when the plan of subdivision was approved for the Marvin property at the time of rezoning. Mr. Moir said the Engineering Dept. is working with the project engineer on this development and he would bring the inquiry to their attention.
- 3) what is the status of the improvements at Wright Ave. and Windmill Road; Mr. Moir reported on the negotiations which have been continuing with the Irving interests and noted that the 90-day expropriation period is up in August.

- 4) asked about bus stop signs on Route 10; Mr. Moir noted that the signs are being put up throughout the City as quickly as possible.
- 5) Ald. Fredericks said that residents coming in to work on the Burnside Highway are being held up by City Works Dept. vehicles; Mr. Moir said he did not think that there are Works Dept. vehicles causing problems and there would not be any more of them than private vehicles using the highway at that hour of the day.

LD. IBSEN

Ald. Ibsen expressed concern about the fact that children have been found climbing into the large Shore garbage containers in the area of commercial establishments; he asked that the Works Dept. look at the problem to see if there is some way of making the containers more difficult for children to get into. Mr. Moir said he would take the matter up with the Shore representatives.

LD. CUNNINGHAM

Inquiries made by Ald. Cunningham:

- 1) asked if it would be possible for the pound operator to be issued with some record of dog tag numbers to match up with the names of owners, in order that owners could be contacted in situations where dogs are found on weekends. Mr. Moir to look into this inquiry further.
- 2) asked about a stricter enforcement of the dog regulations pertaining to beaches and other recreational areas; Mr. Moir explained the ticketing procedures that will be going into operation, and advised that particular attention will be paid to recreational areas when they begin.
- 3) expressed concern about problems associated with the park in the MacCrea Ave. area, and Mr. Moir said this matter is being looked at by Mr. Lynch but there is no easy solution. Some people want the park fenced, but this will be an inconvenience to others and keep them from using the park.

LD. BRENNAN

Inquiries made by Ald. Brennan:

- 1) asked that priority be given to a Fire Inspection of the property on Slayter St. where a garage is being operated.
- 2) what is the status of the report requested by Ald. Brennan from Social Services Dept.; Mr. Moir said a letter has gone to the Director asking for this information.
- 3) when will the T.M.G. be looking at the traffic problem on Newcastle Street and the possibility of a stop sign to slow down the speeding problem with north/south traffic; Mr. Bayer said this item is on the next T.M.G. agenda.

- 4) asked about the appeal to the C.T.C. on signalization costs for several CNR crossings in the City, as discussed at a previous meeting; Mr. Moir said there is nothing new on this to date.
- 5) asked if Council will be reviewing our financial situation with regard to transit before the system is taken over. Mr. Moir said that negotiations are going on for the take-over of the assets and liabilities by M.T.C., and before any agreement can be reached, this will come back to Council.

ALD. HART

Inquiries made by Ald. Hart:

- 1) asked that attention be given by the dog pound operator to the dog problem in Ward 5, especially on Lahey Road, Albro Lake Road and Cedar Court; also, requested Police surveillance in the area of the green strip in this section.
- 2) street cleaning is required on Lahey Road and Brule Street.
- 3) No Parking signs on the south side of Springhill Road at Windmill (by the muffler shop) are not being observed and cars parking there should be ticketed.
- 4) what is happening with the staff report on the Housing Advisory Board report; Mr. Moir said he would try to have something on this for a July meeting or in time for the first August meeting.
- 5) asked the City Engineer for a comment on the Windmill Road study; Mr. Fougere said some work has been done on it but it is not ready as of this time. Some cost figures should be available in time for next year's capital budget.

ALD. GREENOUGH

Inquiries made by Ald. Greenough:

- 1) concerning the petition of concern from Spider Lake Road residents; the Mayor said he has received a letter from the Minister of Highways, advising that the road in question is only a logging road and will not be used for other purposes. Ald. Greenough asked to have copies of the letter circulated to all members of Council.
- 2) what is the status of information on improvements to the MicMac Rotary and Main Street, also the 107 by-pass highway; Mr. Bayer said there is no further information on these plans and Ald. Greenough suggested that the government should be urged to take some action and to let the City know what is planned to alleviate the congestion at the Rotary.
- 3) has application been made by the City to the Public Utilities Board to have Phases 5 & 6 of the Forest Hills development included within the City boundaries; Mr. Moir said we will be proceeding with this application now that the Bedford town hearing is finished.

- 4) asked that the Building Inspector look at the shopping centre on Caledonia Road and properties adjacent to it which are in an unsightly condition at present.

ALD. RITCHIE

Inquiries made by Ald. Ritchie:

- 1) asked about plans for improvements to Pleasant Street to deal with the traffic situation; the Mayor said this question can be taken up again with the Dept. of Highways .
- 2) asked for Police surveillance on Belmont Ave. where cars are speeding on two nights a week when a girls' ball league is using the diamond.
- 3) also asked to have the Police make rounds in the area of Bowles Rink to stop the bikes being driven up on the west bank.
- 4) requested that a letter be forwarded to the Minister of Municipal Affairs re the availability of funding for a demonstration bus route in the Gaston Road area.

ALD. WILLIAMS

Ald. Williams asked when the Financial Statement is to be reviewed by Council; Mr. Moir said the date scheduled is July 31st.

NOTICES OF MOTION:

ALD. GREENOUGH

Notices of motion were given by Ald. Greenough as follows for the next regular Council meeting:

- 1) WHEREAS a report from Engineering, dated Feb. 28/79, has confirmed the need for a guardrail to be installed along the lake side of Waverley Road, beginning at Civic #929 and proceeding southerly for an approx. distance of 350 feet;

AND WHEREAS I have grave concerns for the safety of the motoring public commuting from that area, especially the school children who are bussed to school daily;

BE IT RESOLVED that at the next meeting of Council, I will ask Council to authorize an over-expenditure of \$5,000. in order that the proposed guardrail may be installed prior to the beginning of the next school year.

- 2) WHEREAS the Minister of Education has indicated his intention to review the entrance-age requirement of school children entering the public school system in the Province;

AND WHEREAS the entrance age of school children entering the public school systems of most other Provinces in Canada is contingent on the child having his or her fifth birthday on or before December 31st of the year in which the child enters the public schools;

BE IT RESOLVED that the City Council of Dartmouth urge the Minister of Education to alter the entrance-age requirement for children entering the public schools of the Province and permit the enrollment of children who have or will have had their fifth birthday on or before December 31st in any school year.

- 3) WHEREAS the Municipal Elections Act of the Province has been amended to the effect that there is to be one election day throughout the Province every three years, for the election of Municipal Councils;

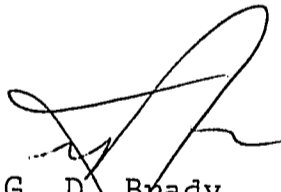
AND WHEREAS the system which currently exists in the City of Dartmouth of electing two Aldermen per ward would seem to be redundant;

BE IT RESOLVED that a committee of prominent citizens be formed to review the present ward boundary structure of the City, with a view to reducing the size of the existing wards and increasing the number. As well, to review the need for electing two representatives per ward with a view to reducing the representation to one Alderman per ward.

Council then adjourned to meet in Committee, on motion of Ald. Backewich and Crawford.

A brief in camera meeting was later held and Council reconvened in open meeting to ratify the action taken (salary adjustments, Divisional & Platoon Chiefs). The action taken in camera was approved on motion of Ald. Brennan and Greenough.

Meeting adjourned.

  
G. D. Brady,  
Deputy City Clerk.

Dartmouth, N. S.

July 24/79.

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

Present - Mayor Brownlow

Ald. Hart	Backewich
Ibsen	Thompson
Cote	Valardo
Brennan	Crawford
Irvine	Greenough
Ritchie	Williams
City Solicitor, Mr. Heustis	
City Administrator, C. A. Moir	
Deputy City Clerk, G. Brady	

APPROVAL OF OVER-  
EXPENDITURES

On motion of Ald. Williams and Thompson, Council gave second approval to a \$3,000. over-expenditure required for the cable installation in connection with the P/A equipment being installed at Lake Banook; first approval was given at the July 10th meeting.

Second approval was also given for a \$9,000. over-expenditure required in order to proceed with improvements that will accommodate the Continental Canoe Championships being hosted this year in Dartmouth; the motion for second approval was moved by Ald. Crawford, seconded by Ald. Williams. First approval was given at the July 10th meeting.

TEMPORARY BORROWING  
RESOLUTIONS

On motion of Ald. Thompson and Williams, the following Temporary Borrowing Resolutions were approved by Council, copies of which are attached:

Water	\$1,255,000.
Transportation: Ferry boats, docks & building	1,500,000.
Sewers: 1979 storm drainage	103,000.
Neighbourhood Improve. Program	635,000.
School transportation	120,000.
Bldgs: Equipping buildings for public schools	40,000.
Streets: traffic improvements	160,000.
Ind. Park: Lynch property	2,570,000.
Industrial Park	437,000.
Downtown Program	325,000.

RESOLUTION #79-42

On motion of Ald. Williams and Thompson, Council adopted the attached Resolution #79-42, designating Gerald D. Brady as Acting City Clerk and Eric D. Bonn as Acting Treasurer until such time as a new City Clerk-Treasurer has been appointed. Ald. Valardo asked what progress is being made with

Dartmouth, N. S.

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this appointment, and Mr. Moir said he would hope to have a recommendation for Council early in August.

REPORTS

Reports recommended from Committee were adopted as follows:

- 1) Building Inspector (June): approved on motion of Ald. Backewich and Ritchie.
- 2) Fire Chief (June): approved on motion of Ald. Backewich and Crawford.
- 3) Social Services (May): approved on motion of Ald. Ritchie and Thompson.
- 4) Development Officer (June): approved on motion of Ald. Valardo and Ritchie.
- 5) Transit operations (May): approved on motion of Ald. Ritchie and Valardo. Ald. Crawford inquired about an accident involving one of the busses and was advised that the accident concerned took place prior to the City's take-over of the bus system.

PLANNING ACT  
REVIEW COMMITTEE

A report from Mr. Moir was considered on the subject of the Planning Act review being undertaken by the Provincial Government, through the Planning Act Review Committee. Council will have an opportunity to make a formal or informal presentation before the Committee, and the recommendation is that a small committee comprised of the Mayor and two or three members of Council be formed to discuss Council's possible input, for report back to Council prior to the Dartmouth hearing which is scheduled for the fall. The recommendation was adopted, on motion of Ald. Williams and Thompson, and the Mayor was asked to appoint the committee; Ald. Brennan and Williams volunteered to serve as members.

APPOINTMENT:  
TOURIST DIRECTOR

A recommendation was before Council from the Tourist Commission on the appointment of a Tourist Director for the City. It is recommended that Mr. John Till be engaged to fill this position, on a six-month probationary basis, at an annual salary of \$12,000. per annum. Ald. Greenough and Thompson moved the adoption of the Commission's recommendation.

Ald. Valardo questioned some of the terms of



this appointment, and Mr. Moir said he would hope to have a recommendation for Council early in August.

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Ald. Valardo questioned some of the terms of

reference for this position, in relation to Mr. Till's background and experience, and Ald. Ibsen asked about the advertising of the position. Mr. Brady and Mr. Moir responded to the questions raised by the two members, and Ald. Greenough said he felt that Council should be able to rely on the judgement of the Tourist Commission in making their recommendation. When the vote was taken, the motion carried with Ald. Valardo voting against.

AWARD TENDER:  
HARBOURVIEW PARK

The following tenders were received for the construction of Harbourview Park in the Tuft's Cove NIP area:

Bic Enterprises Ltd.	\$70,880.00
Terra Nova Landscaping Ltd.	73,984.00
Woodlawn Construction Ltd.	74,183.00
W. Eric Whebby Ltd.	73,487.20
Blunden Construction Ltd.	103,000.00

All of the tenders were in excess of the amount budgeted for this project and negotiations have been carried on with the low bidder to bring the price within budget by making a number of changes and deletions in the plans, with the result that the low bid has been reduced to \$61,980.00 on a lump sum basis; this amount is within \$900. of the figure budgeted and the difference will be covered by unexpended funds from other projects in the program. Acceptance of the tender from Bic Enterprises Ltd. is therefore recommended, for the lump sum price of \$61,980.00. Ald. Hart and Greenough moved the awarding of the tender as recommended, but Ald. Crawford questioned the fact that negotiations were only carried on with the low bidder and not with the other companies as well. He discussed this point further with Mr. Moir and additional questions from Ald. Valardo were also answered before the vote was taken. The motion carried.

RESOLUTION #79-40

On motion of Ald. Greenough and Thompson, Council adopted the attached Resolution #79-40, appointing Gerald Brady as Returning Officer for the City, pursuant to Section 3 of the Municipal Elections Act.

LYNCH ESTATE:  
CONTRACT #76113

Tenders have been reviewed by Canadian British Consultants Ltd. for site grading, Phases I and II of

the Lynch Estate, and it is recommended to Council that the contract for this work be awarded to L. J. Casavechia Contracting, in the amount of \$2,335,670., subject to the approval of the Provincial Dept. of Development and the Dept. of Regional & Economic Expansion. Mr. Moir's report to Council on this item makes note of the fact that there will be some additional cost involved with the project because of the fact that a survey crew will have to be on the site at all times. Another point in the report deals with the cost factor involving the estimated cost based on common and rock excavation, and the affect which this difference could have on the quotation for the contract. Ald. Brennan raised several questions in this connection after Ald. Irvine and Ibsen had moved the awarding of the tender to L. J. Casavechia Contracting.

Ald. Crawford proposed that instead of the arrangement recommended by Canadian British for holding a reserve until the actual common and rock ratio has been established, Council approve a fixed price of plus or minus 10%, and he introduced an amendment to that effect; the amendment was not seconded. The motion to award the contract was put and carried.

TERMS OF REFERENCE:  
STIPEND COMMITTEE

Terms of reference have been proposed by the Mayor for the Stipend Committee to be established and Ald. Valardo and Greenough moved the adoption of the Mayor's report as submitted. Ald. Hart asked if the members of the former committee would be willing to serve again, and the Mayor said he thought they would.

Ald. Brennan wanted to see the committee conduct personal interviews with a representative number of Council members, but Ald. Valardo and Backewich did not agree with this suggestion. They did not agree either with Ald. Brennan's other idea that the committee should take into account the financial impact on individual members in relation to the cost involved in time taken

from regular occupations to fulfill Aldermanic duties, etc. The vote was taken on the motion and it carried.

AIR SERVICES:  
TORONTO/HALIFAX

At the suggestion of the Mayor and on motion of Ald. Hart and Greenough, Council agreed to defer an item on air services, Toronto/Halifax, until the July 31st meeting, to give members more time to read the information provided by the Mayor on the subject.

TRAFFIC STUDY:  
WINDMILL RD. &  
PRINCESS MARGARET  
BLVD.

On motion of Ald. Hart and Greenough, Council received and filed a report from the Chairman of the T.M.G., entitled 'Traffic Study & Signalization Warrants - Windmill Road/Princess Margaret Blvd.' An analysis of traffic counts carried out for this intersection indicates that the vehicular and pedestrian traffic volumes in the area do not warrant the installation of traffic signals at this time.

APPOINTMENTS:  
COMM. SERVICES  
ADVISORY BOARD

On motion of Ald. Irvine and Williams, Council approved a report proposing three appointments to the Community Services Advisory Board as follows:

- 1) Mr. Ron Stratford, representing the Social Services Dept.
- 2) Mr. Bill Stevens, representing the Recreation Dept.
- 3) Ms. Maris Davis, representing day care services in the City.

PLEBISCITES

A further report has been made to Council by the Solicitor on the subject of holding plebiscites and Council's existing authority in this connection. Ald. Brennan and Thompson moved that the report be received and filed. Ald. Hart spoke against the motion and said Council should instead be proceeding with the amendment suggested previously by the Solicitor which would give Council the right to hold plebiscites under certain circumstances as the situation required. The motion to receive and file carried with Ald. Hart, Greenough, Irvine, Crawford and Backewich voting against.

BUILDING PERMITS

Two building permits were approved by Council as follows:

- 1) For addition & renovations to the existing building at 52 Wright Ave., applicant: Scotia Equipment. Approved on motion of Ald. Thompson and Valardo, subject to compliance with the requirements set out in the staff report.
- 2) For 9,600 sq. ft., industrial warehousing; Lot 22A Mosher Drive. Applicant: Precision Steel Structures Ltd. Approved on motion of Ald. Thompson and Valardo, subject to compliance with the requirements set out in the staff report.

N.S. MUNS. CONFERENCE

Members were asked to indicate to Mrs. Shelly MacKenzie if they are interested in attending the Union of N. S. Municipalities conference to be held in Halifax in September.

On motion of Ald. Greenough and Backewich, Council adjourned to meet in camera for additional items of business.

After reconvening in open meeting, the action taken in camera (contract, N. S. Union of Public Employees) was ratified, on motion of Ald. Greenough and Williams.

MESSAGE PARLOURS

Council then proceeded to set Sept. 18th as the date for a public hearing of a proposed amendment to the Municipal Development Plan and the Zoning By-law, in accordance with a recommendation from the Planning Director that Council follow Option #3, as outlined in his report of July 19th with respect to the control of message parlours; Option #3 is that Council seek to control the intended use by the provisions of the Zoning By-law. By setting the date for a public hearing, Council endorsed Option #3 as recommended, on motion of Ald. Irvine and Backewich.

The meeting then adjourned.



G. D. Brady,  
Deputy City Clerk.

July 18, 1979

RESOLUTION No. 79-40

WHEREAS the Municipal Elections Act, Section 3, provides that Council shall appoint a Returning Officer to conduct all regular and special elections required under the Municipal Elections Act.

BE IT THEREFORE RESOLVED THAT Gerald D. Brady be appointed Returning Officer for the City of Dartmouth.

\_\_\_\_\_

\_\_\_\_\_

July 1979

RESOLUTION NO. 79-42

WHEREAS Dartmouth City Council has not yet appointed a new City Clerk-Treasurer.

AND WHEREAS it is the wish of Dartmouth City Council to have the duties of the City-Clerk Treasurer carried out until such appointment is made.

BE IT THEREFORE RESOLVED that effective July 1, 1979:

1. Gerald D. Brady be appointed Acting City Clerk until such time as a City Clerk is appointed and
2. Eric D. Bonn be appointed Acting Treasurer until such time as a Treasurer is appointed.

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City of Dartmouth  
Temporary Borrowing Resolution

\$120,000

School Transportation - 79-7

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of acquiring or purchasing motor vehicles for the purpose of transporting pupils to and from public schools;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Hundred Twenty Thousand Dollars (\$120,000) in total for the purpose set out above subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Hundred Twenty Thousand Dollars (\$120,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED AS TO AMOUNT  
APPROVED AS TO FORM  
*[Signature]*  
CITY CLERK

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 24th day of July, 1979.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July, 1979.

*[Signature]*  
MAYOR

*[Signature]*  
Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

*[Signature]*  
Deputy Minister

RECEIVED this 6th day of August 1979

*[Signature]*  
Minister of Municipal Affairs



City of Dartmouth  
Temporary Borrowing Resolution

*FURNITURE - SOUTH WOODSIDE ADDITION*  
Buildings - Public Schools - 79-8

\$40,000

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for public schools, garages and other buildings for school purposes;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Forty Thousand Dollars (\$40,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding Forty Thousand Dollars (\$40,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED  
AS TO FORM

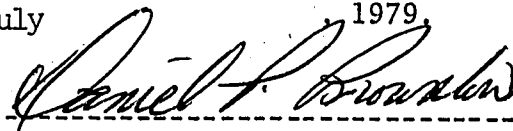


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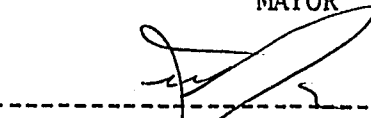


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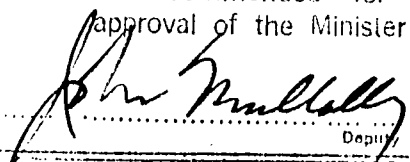

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MAYOR



Actint City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
 Deputy Minister
APPROVED this 6th day of August 1979
 Minister of Municipal Affairs

City of Dartmouth  
Temporary Borrowing Resolution

\$1,255,000

79-3

1979

- Water - Service lines and metres - \$100,000
- Water Equipment - 23,000
- Mount Edward Reservoir - \$1,000,000
- Lake Lamont Low Service Intake - \$50,000
- Water Main - Dahlia and Beech Streets - \$82,000

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the city, and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor or for maintaining such waterworks or water system;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Million Two Hundred Fifty-five Thousand Dollars (\$1,255,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Million Two Hundred Fifty-five Thousand Dollars (\$1,255,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

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DEPARTMENT OF MUNICIPAL AFFAIRS

APPROVED AS TO AMOUNT

Recommended for approval of the Minister

*John Mullally*  
Deputy Minister

APPROVED AS TO FORM

*[Signature]*  
SOLICITOR

APPROVED this 6th day of August, 1979

*[Signature]*  
Minister of Municipal Affairs

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July, 1979

*[Signature]*  
MAYOR

*[Signature]*  
Acting City CLERK

City of Dartmouth  
Temporary Borrowing Resolution

\$160,000

~~Streets:~~ <sup>LIGHTS</sup> Traffic Improvements - 79-9

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow 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 the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Hundred Sixty Thousand Dollars (\$160,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Hundred Sixty Thousand Dollars (\$160,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED  
AS TO FORM

*[Signature]*  
SOLICITOR

APPROVED  
AS TO AMOUNT

*[Signature]*

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*[Signature]*

MAYOR

*[Signature]*

Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>[Signature]</i> Deputy Minister	
APPROVED this 6 <sup>th</sup> day	of August 1979
<i>[Signature]</i> Minister of Municipal Affairs	

City of Dartmouth  
Temporary Borrowing Resolution

\$635,000

Neighbourhood Improvement Program - 79-6

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of carrying out any agreement entered into by the city and Central Mortgage and Housing Corporation, or with any other body corporate having similar objects, relating to projects under the National Housing Act;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Six Hundred Thirty-five Thousand Dollars (\$635,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding Six Hundred Thirty-five Thousand Dollars (\$635,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED  
AS TO FORM

*[Signature]*  
SOLICITOR

APPROVED  
AS TO AMOUNT

*[Signature]*

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 24th day of July, 1979.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July 1979.

*[Signature]*  
MAYOR

*[Signature]*  
Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

*[Signature]*  
Deputy Minister

APPROVED this 6th day of August 1979

*[Signature]*  
Minister of Municipal Affairs

City of Dartmouth  
Temporary Borrowing Resolution

\$325,000

Downtown Program - 79-11

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for generally any city purpose whatsoever;

AND WHEREAS pursuant to Section 143(d) of the Dartmouth City Charter, Chapter 43A of the Statutes of Nova Scotia, 1978, the City Council may by by-law do any act or thing that may be required to be done in order to obtain for the city any benefits or advantages that by the terms of any Act of the Parliament of Canada or any statute of the Province are rendered available to municipalities as a means of assistance in formulating, completing and operating housing schemes, redevelopment schemes and similar projects;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Three Hundred Twenty-five Thousand Dollars (\$325,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding Three Hundred Twenty-five Thousand Dollars (\$325,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for  
approval of the Minister

*John Mulhally*  
Deputy Minister

APPROVED this 6<sup>th</sup> day

August 19 79

*John Mulhally*  
Minister of Municipal Affairs

APPROVED  
AS TO AMOUNT.

*[Signature]*

APPROVED  
AS TO FORM

*[Signature]*  
SOLICITOR

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 24th day of July, 1979.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July, 1979

*[Signature]*

MAYOR

Acting City CLERK

City of Dartmouth  
Temporary Borrowing Resolution

\$103,000

Sewers - 1979 Storm Drainage - 79-5

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, 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;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Hundred Three Thousand Dollars (\$103,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Hundred Three Thousand Dollars (\$103,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED  
AS TO FORM

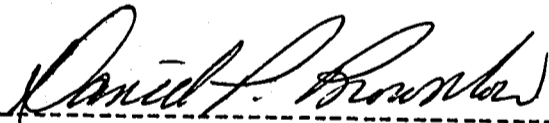
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AS TO AMOUNT

  
SOLICITOR

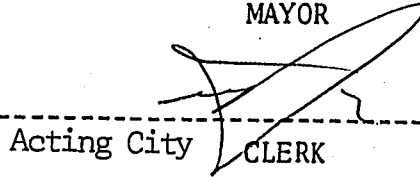


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GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July, 1979.

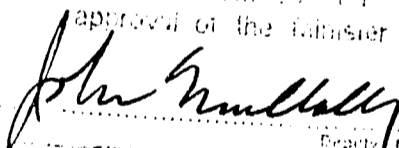


MAYOR

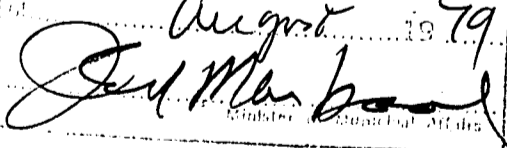
  
Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

  
John McMillan  
Deputy Minister

APPROVED this 6th day of August 1979

  
J. M. Macdonald  
Minister of Municipal Affairs

City of Dartmouth  
Temporary Borrowing Resolution

\$103,000

Sewers - 1979 Storm Drainage - 79-5

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, 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;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Hundred Three Thousand Dollars (\$103,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Hundred Three Thousand Dollars (\$103,000) in total from any chartered bank or trust company doing business in Nova Scotia;

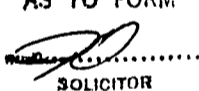
THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED  
AS TO FORM

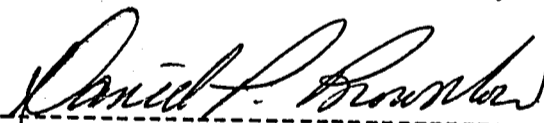
APPROVED  
AS TO AMOUNT

  
SOLICITOR

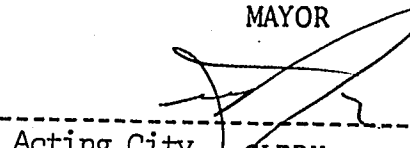


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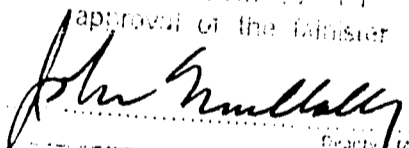


MAYOR

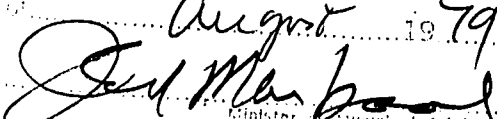
  
Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

  
John McNally  
Solicitor

APPROVED this 6th day of August 1979

  
Minister of Municipal Affairs

City of Dartmouth  
Temporary Borrowing Resolution

\$437,000

Burnside Industrial Park - 79-10

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs borrow for generally any city purpose whatsoever;

AND WHEREAS pursuant to Section 141 of the Dartmouth City Charter, Chapter 43A of the Statutes of Nova Scotia, 1978, the City Council may acquire real property for the purpose of providing sites for commercial, industrial or institutional development and may provide such services, including roads, water and sewers as may be deemed necessary and beneficial;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Four Hundred Thirty-seven Thousand Dollars (\$437,000) in total for the purpose set out above subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding Four Hundred Thirty-seven Thousand Dollars (\$437,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED

AS TO FORM

APPROVED  
AS TO AMOUNT

SOLICITOR

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 24th day of July, 1979.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 27th day of July, 1979.

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

*[Signature]*  
Deputy Minister

APPROVED this 6th day

of August 1979

*[Signature]*  
Minister of Municipal Affairs

*[Signature]*

MAYOR

Acting City

*[Signature]*  
CLERK



City of Dartmouth  
Temporary Borrowing Resolution

\$1,500,000

Public Transportation - Ferry Boats,  
Docks and Building - 79-4

WHEREAS the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings or other facilities for public transportation services, and acquiring or purchasing materials, machinery, motor vehicles and plant deemed requisite or advisable for public transportation services;

AND WHEREAS the Municipal Affairs Act provides that the Minister of Municipal Affairs may, in his discretion, require before giving approval to a proposed borrowing or the Council may, by resolution, determine that the approval of the voters to any proposed borrowing be obtained;

AND WHEREAS the Minister of Municipal Affairs has not required and the Council has not determined that the approval of the voters be obtained;

BE IT THEREFORE RESOLVED

THAT under the authority of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

THAT the sum be borrowed by the issue and sale of debentures of the City to such an amount as the Council deems necessary;

THAT the issue of the debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding twelve months from the date of the approval of the Minister of Municipal Affairs of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

APPROVED THIS IS TO CERTIFY that the foregoing is a true copy  
AS TO AMOUNT of a resolution duly passed at a duly called meeting  
of the Council of the City of Dartmouth held on the  
24th day of July, 1979.

APPROVED GIVEN under the hands of the Mayor and Clerk and  
AS TO FORM under the seal of the City this 27th day of  
July, 1979.

SOLICITOR

MAYOR

Acting City CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for  
approval of the Minister

*A. M. Gaudet*  
Deputy Minister

APPROVED this 6th day  
August 1979

*J. M. [Signature]*  
Minister of Municipal Affairs

Dartmouth, N. S.

July 31/79.

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

Present - Mayor Brownlow

Ald. Hart	Backewich
Brennan	Crawford
Ritchie	Fredericks
Irvine	Greenough
Ibsen	Thompson
Williams	Cunningham
Valardo	

City Comptroller, D. McBain  
City Solicitor, S. Hood  
City Administrator, C. A. Moir

1978 FINANCIAL  
STATEMENT

Mr. Gordon Thompson presented the 1978 Financial Statement, with Mr. B. Sears being available to answer questions as well. A total accumulated surplus amounting to over two million dollars is indicated in the Statement, and following Mr. Thompson's presentation, the Mayor made two recommendations to Council with respect to the disposition of the surplus: (1) the transfer of \$1,037,272. from the surplus to offset the Water Utility deficit completely; and (2) the remaining 1.8 million dollars of the surplus to be retained in the existing reserve fund until Council has made further decisions on the recommendations in the '20% or . . .' report, one of which proposes the establishment of a special reserve account to offset future financial requirements of the City.

On motion of Ald. Irvine and Fredericks, the first recommendation was adopted, thereby writing off the Water Utility deficit in the total amount of \$1,037,272.

Ald. Irvine and Crawford then moved that the remaining 1.8 million dollars of the surplus, including the School Board surplus, be invested in the reserve fund, with the intention at this time of offsetting future tax increases (ie. until a final disposition is decided in conjunction with the '20% or . . .' report). Ald. Valardo and Ibsen did not agree with the wording of the motion and moved in amendment the deletion of the section beyond the words 'reserve fund'. Ald. Irvine

considered the motion to be in keeping with the Mayor's recommendation, as intended, but Ald. Valardo and some of the other members did not feel that the temporary implication of the recommendation is expressed in the wording; they therefore supported the amendment. The amendment was put and carried with Ald. Ritchie, Williams, Irvine and Crawford voting against; the amended motion carried.

After the members had received answers to their questions on the Financial Statement, it was accepted as presented, on motion of Ald. Brennan and Valardo. Both Ald. Ibsen and Fredericks commended staff for their good financial management, and Ald. Fredericks asked that the thanks of Council be communicated to the City staff at all levels.

Reference was made during the discussion of the Financial Statement to the fact that the City should plan to go to the Public Utilities Board well in advance of the time when another water rate increase is required, and Ald. Fredericks therefore moved that by no later than July 30th of 1980, staff bring in a recommendation on the timing advisable to make application for a water rate increase on behalf of the City. The motion was seconded by Ald. Irvine and it carried.

The members of Council have previously received from the Mayor, a report with other related information on the applications made by E.P.A. and CP Air for permission to operate a Toronto/Halifax air run; this item was deferred from the July 24th meeting to provide more time for consideration of the information circulated. Ald. Backewich did not feel that Council should favour one of the applicants over another, and moved that Council endorse both E.P.A. and CP Air in the applications to the Canadian Transport Commission for a Toronto/Halifax route; Ald. Williams seconded the motion.

AIR SERVICES:  
TORONTO/HALIFAX

Ald. Valardo did not feel that Council should take any public position on the application at all, while Ald. Fredericks wanted to have Council indicate support for a second Canadian air line coming into the Halifax International Airport. He made an amendment to this effect, seconded by Ald. Thompson, but it was ruled to be contrary to the motion and therefore out of order. Other amendments moved by Ald. Valardo and by Ald. Irvine were also not in order and the vote was taken on the motion as presented; the motion was defeated.

Ald. Irvine and Fredericks then moved that Council support the E.P.A. application to the Canadian Transport Commission for a Toronto/Halifax run. This motion was also defeated. On motion of Ald. Valardo and Brennan, the information circulated on the Toronto/Halifax air service application was received and filed.

Tenders have been received as follows for traffic lights and signal equipment for the Gaston Road/Portland Street intersection:

Canadian General Electric	\$16,886.42
Portland Electrics Ltd.	20,023.00
Purves Industrial Sales Ltd.	5,632.00
(quoted on poles only)	

Acceptance of the Canadian General Electric tender is recommended in Mr. Moir's report on this item, and the tender was awarded by Council as recommended, on motion of Ald. Crawford and Thompson. While awaiting delivery of the equipment, tenders will be called for its installation.

The following tenders were received for traffic lights and signal equipment for the Victoria and Windmill Road intersection:

Canadian General Electric	\$13,798.62
Portland Electrics Ltd.	15,989.00
Davis Controls Ltd.	13,977.30
(did not include poles, etc.)	
Purves Industrial Sales (1976) Ltd.	3,588.00
(poles only)	

Mr. Moir's recommendation is to accept the tender submitted by Canadian General Electric, and Council awarded

AWARD TENDER:  
TRAFFIC LIGHTS  
GASTON ROAD

AWARD TENDER:  
TRAFFIC LIGHTS  
VICTORIA &  
WINDMILL RD.

the tender accordingly, on motion of Ald. Backewich and Ritchie.

WARD TENDER:  
CONTRACT #7909

An item added to the agenda was dealt with at this time. Tenders were received as follows for Contract #7909, the Guysborough Ave. storm water retention pond:

W. Eric Whebby Ltd.	\$176,396.00
Stewiacke Construction Ltd.	229,837.00
L. J. Casavechia Contracting Ltd.	231,809.00
Woodlawn Construction Ltd.	237,864.00
Seaport Landscaping & Construction	261,974.00
Bernard Fancy Trucking Ltd.	260,544.90
Harbour Construction Co. Ltd.	349,800.00

Acceptance of the low bid, received from W. Eric Whebby Ltd., was recommended in Mr. Moir's report to Council, and the recommendation was adopted, on motion of Ald. Thompson and Ibsen.

BUILDING PERMITS:

LOT 478 JOSEPH  
ZATZMAN DR.


Council approved two applications for permit to build:

- 1) For 18,281 sq. ft. warehousing & Printing, Lot 478 Joseph Zatzman Dr. & Akerley Blvd.; approved on motion of Ald. Irvine and Crawford, subject to compliance with City requirements as set out in the staff report.
- 2) For a 15-unit apartment building at 10 Crystal Drive; approved on motion of Ald. Valardo and Ritchie, subject to the conditions set out in the staff report.

CRYSTAL DRIVE

A building permit application for Lot 67B Simmonds Drive was deferred at this time, pending completion of the staff report, on motion of Ald. Hart and Thompson.

Meeting adjourned.

  
C. A. Moir,  
City Administrator.

Dartmouth, N. S.

August 7/79.

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

Present - Mayor Brownlow.

Ald. Ibsen	Thompson
Williams	Cunningham
Crawford	Brennan
Cote	Valardo
Hart	Backewich
Ritchie	Fredericks
Greenough	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady.	

RESOLUTION #79-47:  
CLOSURE OF  
ATHABASKAN ST.

This meeting of Council constituted a public hearing for the proposed closure of a portion of Athabaskan Street, and Resolution #79-47 was presented by the Solicitor in this connection. No objections were raised to the street closure and no representations were heard at this time.

Resolution #79-47 was therefore approved by Council on motion of Ald. Thompson and Crawford, as follows:

Resolution #79-47

WHEREAS Dartmouth City Council wishes to sell surplus lands no longer required by the City;

AND WHEREAS lands on Athabaskan Street are designated as a street, although not so used;

AND WHEREAS Dartmouth City Council held a public hearing duly advertised;

BE IT THEREFORE RESOLVED that that portion of Athabaskan Street lying between Civic #18 and Civic #20 Margaree Parkway be closed to public use.

MINUTES

On motion of Ald. Ibsen and Backewich, Council adopted the minutes of meetings held on July 3rd, July 10th, July 24th and July 31st. Ald. Thompson asked about the dumping problem referred to in the July 3rd minutes; Mr. Brady advised that all of the areas concerned around Russell Lake are being investigated.

MOBILE CANTEENS

On motion of Ald. Fredericks and Ritchie, Council referred to staff a letter from the owner of a mobile canteen called Sure Fryer Food, for consideration when the overall subject of canteen services on public lands is being looked at so that certain guidelines can be

established for these operations; a recommendation will then come back to Council from staff.

MOTIONS:

ALD. GREENOUGH

Ald. Greenough introduced the following motions for which notice was previously given at the July meeting:

1) Ald. Greenough moved, seconded by Ald. Brennan, that:

WHEREAS a report from Engineering, dated Feb. 28/79, has confirmed the need for a guardrail to be installed along the lake side of Waverley Road, beginning at Civic #929 and proceeding southerly for an approximate distance of 350 feet;

AND WHEREAS I have grave concerns for the safety of the motoring public commuting from that area, especially the school children who are bussed to school daily;

BE IT RESOLVED that the next meeting of Council, I will ask Council to authorize an over-expenditure of \$5,000. in order that the proposed guardrail may be installed prior to the beginning of the next school year.

The members were circulated with copies of the Engineering report referred to in the motion, and were advised that the Highways Department has indicated a willingness to consider cost-sharing in the project. Ald. Greenough said he would like to see the guardrail in place before the school busses start travelling again in the fall, and he expressed concern for the safety of these and other vehicles with this section of Waverley Road in its present condition.

Other members of Council were not opposed to the motion, but did not favour an over-expenditure for the project, preferring instead to see it funded through other sources that may be available, in conjunction with the cost-sharing from the Dept. of Highways. Ald. Fredericks and Crawford moved referral to staff to look at other possible funding sources, along with cost-sharing from the Highways Dept., for report back to Council within a month. Ald. Crawford suggested that staff should also look at the possible need for a higher guardrail than would normally be erected, taking into account the location and the kind of vehicles that use Waverley Road. The motion to refer to staff was put and carried.

2) Ald. Greenough's second motion, moved by him and seconded by Ald. Crawford, was as follows:

WHEREAS the Minister of Education has indicated his intention to review the entrance-age requirement of school children entering the public school system in the Province;

AND WHEREAS the entrance age of school children entering the public school systems of most other Provinces in Canada is contingent on the child having his or her fifth birthday on or before December 31st of the year in which the child enters the public schools;

BE IT RESOLVED that the City Council of Dartmouth request the Minister of Education to alter the entrance-age requirement for children entering the public schools of the Province and permit the enrollment of children who have or will have had their fifth birthday on or before Dec. 31st in any school year.

Ald. Greenough explained why he felt that City Council should have some input into the question of an earlier school entrance requirement for the Province and why he considered that many children today are ready for school at an earlier age. He said this change would permit children who were ready for school to attend, but would not be compulsory for children who are not ready at five by the December 31st deadline.

Speaking on the motion, Ald. Hart noted that the matter of an earlier entrance-age requirement is under study now by the Dept. of Education. She referred to the considerable cost that would be involved to implement the change proposed in the motion and said she did not agree there would be any advantage for children if the present age requirement were to be changed. She quoted from research already carried out on this subject, indicating some of the problems experienced where children have been permitted to start school without being old enough to cope with it. She moved in amendment, seconded by Ald. Crawford, that if a change is necessary, the Province consider two entry dates, one in September and the other in January, the September date to include children who would be five on or before the end of September, and the January date to include children who would be five on or before the end of February.



Ald. Cunningham, Fredericks, Greenough and Valardo were against the amendment. Ald. Cote and Ibsen felt the School Board should be consulted for an opinion, to assist Council in coming to a decision on the motion and the amendment. As the debate continued, other members tended to agree that input from the Board would be helpful, in view of the different viewpoints expressed at the Council level on the entire subject of the entrance-age requirement for school children. Ald. Ritchie said that if the Board is to be consulted, he would like to have some idea of the number of children that would be involved in Dartmouth if the age requirement were changed. On motion of Ald. Hart and Crawford, Council referred both the motion and the amendment to the School Board for a report after the Board has an opportunity to consider the item.

3) The third motion introduced by Ald. Greenough and seconded by Ald. Hart, was as follows:

WHEREAS the Municipal Elections Act of the Province has been amended to the effect that there is to be one election day throughout the Province every three years, for the election of Municipal Councils;

AND WHEREAS the system which currently exists in the City of Dartmouth of electing two Aldermen per ward would seem to be redundant;

BE IT RESOLVED that a committee of prominent citizens be formed to review the present ward boundary structure of the City, with a view to reducing the size of the existing wards and increasing the number. As well, to review the need for electing two representatives per ward with a view to reducing the representation to one Alderman per ward.

Ald. Greenough considered this to be an opportune time to look at the ward boundaries and Aldermanic representation, now that the new Elections Act provides for all members of Council to be elected at one time. He said he would see this as a long-term change that would not come into effect for some time, but it is a review that needs to be undertaken, especially if a further amalgamation of areas outside the present City boundaries is likely to occur.

Ald. Williams did not agree with the timing of the motion and moved referral to staff for a report; Ald. Thompson seconded the motion to refer. Ald. Backewich and Cunningham supported the idea of a staff report, but Ald. Hart, Valardo and Ritchie did not consider this to be an issue for staff to deal with. Ald. Ibsen said staff would have to be given some definite guidelines as to the kind of report Council wants from them. Mr. Moir explained why this would be a difficult staff function, but he agreed that background information could be provided on the present ward structure, representation, etc., without making any recommendations as to whether changes should be made or not. After further discussion, the motion to refer was put and defeated by a vote of 7 to 6.

Debate then resumed on the main motion, with Ald. Valardo moving in amendment that the word 'prominent' be deleted in reference to the citizen committee called for in the motion. He said it would be preferable to seek a workable committee of knowledgeable citizens who have the interest required. The amendment was seconded by Ald. Greenough and it carried with Ald. Crawford, Ritchie and Williams voting against.

A second amendment was also adopted, moved by Ald. Fredericks and Ibsen, deleting from the last paragraph of the motion the words 'with a view to reducing the size of the existing wards and increasing the number' and the words 'with a view to reducing the representation to one Alderman per ward'.

With these amendments, the amended motion was put and it carried (Ald. Thompson, Crawford, Backewich, Cunningham, Ritchie and Williams voting against).

Ald. Fredericks asked that members of Council be permitted to put names forward for consideration in making appointments to the committee; the Mayor agreed with the suggestion.

RESOLUTION #79-41

Resolution #79-41, granting an easement to the Nova Scotia Power Corp. over lands in the Burnside Park, as described in Schedule "A", was presented and received approval, on motion of Ald. Thompson and Williams; a copy of the resolution is attached. Ald. Ibsen questioned the terms of the easement agreement and the duration of the easement being granted; he discussed these concerns with Mr. Moir and the Mayor before the vote was taken on the motion.

RESOLUTION #79/43

On motion of Ald. Backewich and Valardo, Council also approved the attached Resolution #79-43, dealing with the terms of a lease between the City of Halifax and the City of Dartmouth for the Halifax terminal site, and authorizing the Mayor and Acting City Clerk to execute the lease on behalf of the City of Dartmouth. Mr. Moir's report, accompanying the resolution, explains details of the lease provisions as they have been negotiated and recommends approval of the resolution presented.

MAINSTREET PROGRAMME

Council considered a report from Mr. Moir on projects proposed under the Mainstreet Programme, with respect to the replacement of the watermain on Portland Street and the early establishment of a parking lot on Green Street for short-term parking. Recommendations contained in the report are as follows:

- 1) that Council authorize the preparation of the necessary plans and applications for the renewal of the watermain on Portland Street, by the installation of a ten-inch watermain from Alderney Drive to the Dartmouth Medical Centre; the actual installation of this watermain to be carried out by City forces.
- 2) that Council authorize staff to explore with other agencies the availability of funding for this project.
- 3) that in cooperation with the Dept. of Development, under the Mainstreet Programme, a consultant be hired to design a parking lot for the total area - King Street, Green Street, Wentworth Street, and along the rear boundaries of the properties fronting on Portland Street in this area. In addition, the consultant would be asked to look at the short-term parking and how the property presently available can be better utilized.

Ald. Greenough and Thompson moved the adoption of the recommendations as presented. Ald. Fredericks felt that thanks should be extended to the Minister of Development for his efforts with the Mainstreet Programme in Dartmouth and that a letter to this effect should be directed to him on behalf of Council. Ald. Crawford suggested that the consultant and/or the Development Department be asked to look at the possibility of a three-tier car park building for the Green Street area. The vote was taken and the motion carried.

SOLICITOR'S DEPT.

As directed by Council Mr. Moir has submitted a report on the feasibility of setting up a Solicitor's Department in the City and in this first phase of the study requested, he recommended:

- a) that the City continue its present arrangement with the firm of Drury, Huestis, Anderson, Dickie & Kydd until December 31, 1979.
- b) that we advertise for the services of a Solicitor and an Assistant, their services to be engaged not later than the month of October
- c) that the services of a Personnel Selection firm be engaged to recruit possible candidates. The advertisement would be carried out by the selected firm, they would do the original interviews and suggest the top five or six candidates to Mr. Moir for further interview and recommendation to City Council.

Ald. Backewich and Thompson moved the adoption of the recommendations and debate proceeded. Ald. Williams questioned the cost involved to establish a Legal Dept. and felt the City would be further ahead financially to engage the services of a firm as we have been doing. Ald. Ibsen and Thompson moved in amendment that recommendation (a) be changed by the addition of the words 'or until such time as facilities are available'. The amendment carried.

With the exception of Ald. Williams, other members of Council reacted favourably to the idea of a City Legal Department, provided the cost would not exceed what is being spent for the services of a legal firm.

When the vote was taken on the amended motion, it carried with Ald. Williams voting against.

LEASE: PINEO LANDS  
MAITLAND ST.

Mr. Moir has reported on the property being leased by the City on Maitland Street in conjunction with the transit operation, advising that the new owners of the property, Dartmouth Bottle & Surplus Ltd., are asking a rental of \$1,000. per month, retroactive to the first day of May, 1979. In view of the fact that we still require the property for transit use, Mr. Moir recommends that a new lease be entered into with Dartmouth Bottle & Surplus Ltd. at the rental fee of \$1,000., retroactive to May 1/79. Council adopted the recommendation, on motion of Ald. Fredericks and Hart, with Ald. Williams voting against.

CAPITAL REQUEST:  
NOTTING PARK  
SCHOOL

On motion of Ald. Ibsen and Backewich, Council referred to the 1979/80 Capital Budget, a School Board request for renovations and a gymnasium addition to the Notting Park School, estimated to cost \$700,000. in total. Ald. Fredericks said the Board would like to see this considered as a priority item in the capital program and would like to proceed with the appointment of an architect so plans could start to be prepared.

PERMIT TO BUILD:  
67B JOSEPH ZATZMAN/  
SIMMONDS DRIVE

On motion of Ald. Williams and Valardo, Council granted a permit to build for an office warehouse and manufacturing plant for paper products on Lot 67B Joseph Zatzman/Simmonds Drive, subject to compliance with all the necessary City requirements, as detailed in the staff report.

INQUIRIES:  
ALD. THOMPSON

Ald. Thompson referred to a problem with the walkway between Ellen Drive and Stewart Harris Drive, and the fact that cars are taking a short-cut through this route; Mr. Fougere said the problem is being looked into.

ALD. CRAWFORD

Inquiries made by Ald. Crawford:

- 1) what is the status of the Hammerling property? The Solicitor advised that the court decision on the property is being appealed by the Hammerlings.

- 2) he referred to a section of Jamieson St. where curb and gutter is being put in and grass is growing up on the sidewalk; asked to have something done about the grass.
- 3) he also asked that attention be given to grass growing out of the side of a building on the sidewalk, left-hand side of Portland street near Alderney Drive.
- 4) his last inquiry was about the broken pavement in front of the Rideau Fur Co. on Portland Street; discussed with Mr. Moir in relation to the work being done under the Mainstreet Programme.

ALD. BACKEWICH

Inquiries made by Ald. Backewich:

- 1) he requested an update on item #13 on the Continuing Agenda with respect to mandatory smoke detectors; Mr. Moir said he would have Mr. Rath follow up on this inquiry.
- 2) he discussed with Mr. Moir the bus stop located in the middle of the hill in Tufts Cove, and expressed concern that it will be particularly difficult having the stop located there in wintertime.
- 3) asked for an update on 350 Windmill Road; Mr. Moir said we now have the deed to the property, but no provision was made to go further with the Parkstone Road project in this year's budget.

ALD. FREDERICKS

Inquiries made by Ald. Fredericks:

- 1) would the City Engineer look at the possibility of putting in some catchpits on Hilltop Terrace where flooding is occurring.
- 2) another problem referred to on Hilltop Tce. at civic #8 was the damage caused to a retaining wall when street repairs were being carried out; asked that attention be given to this matter.
- 3) Civic #6 Hilltop Tce. has a drain from the back of the property down onto the Brock St. property behind it; Mr. Fougere said he felt this would be a civil matter and action would have to be taken through that means.
- 4) asked to have the old reservoir site in the Industrial Park looked at to see if garbage is being thrown in this area.
- 5) what is the possibility of getting a report on the Shubenacadie Canal study? The Mayor said he understood that a draft of the study is to be made available and he will be briefed on it.
- 6) the pothole reported on Rodney Tce. has not been looked after yet.

ALD. IBSEN

Ald. Ibsen asked if any report has been received on the appeal by the Bel Ayr residents; Mr. Moir said a report has not yet been received.

ALD. CUNNINGHAM

Ald. Cunningham asked about the new ticketing procedures in relation to Minimum Standards and Unsightly Premises violations; Mr. Moir said the system is in effect now.

He also asked about the starting date for the new ferries; Mr. Moir said it is hoped they will start to operate by Sept. 4th under some temporary arrangements.

Ald. Cunningham commended the Works Dept. for the fast action in cleaning up Prince Albert Street after Natal Day.

ALD. VALARDO

Inquiries made by Ald. Valardo:

- 1) re the bus stop that has been moved from the area of 37/39 Pinehill Road to the corner of Chappell Street and Pinehill; a resident has complained about this change and the fact that a view of traffic is now being obstructed at the corner.
- 2) what is the status of the sidewalk on Crichton Ave.? The Solicitor advised that the deed for the property required will be signed within a week. Ald. Valardo asked that an effort be made to have the sidewalk completed prior to school opening.
- 3) asked about the Windmill Road property where a car repair shop is being operated; Mr. Moir commented on the negotiations to date to have this property sold.
- 4) re a complaint received about the ticketing of cars on Crichton Ave. between the hours of 6:00 p.m. and midnight on Natal Day. Ald. Valardo suggested there should have been some leeway permitted in this instance, since the cars belonged to people who came to see the fireworks.
- 5) his next inquiry concerned the work on the sidewalk at the Dartmouth Academy; Mr. Fougere commented on the work done there to date, but pointed out that because of budget limitations, it will not be possible to do all the work required.
- 6) complaints are being received from residents of the Senobe and Siriquois buildings about the number of rock concerts at Graham's Grove and the noise coming from this area; asked if the volume could be reduced for these concerts and if they could be ended earlier in the evening.
- 7) re garbage and paper accumulating around the Howe St. ballfield; asked to have this taken up with the Recreation Dept.
- 8) asked to have a pothole repaired on Stairs Street in front of civic #22.
- 9) asked that the police make more frequent patrols in the area of the new park on Graham St. to check on young people who are causing disturbance with offensive language.

- 10) asked if an operation known as Freddy's Trucking (in the general area off Elmwood Ave.) conforms with the Zoning By-law; he said he would give Mr. Moir the exact location so his inquiry could be looked into further.

ALD. GREENOUGH

Ald. Greenough asked that thanks be extended to the Parks & Recreation Dept. for the flower beds throughout the City; also, that the Town Crier be recognized with some token of appreciation for his part in civic functions.

ALD. COTE

Ald. Cote asked about the status of the Curfew By-law; the Solicitor reported on this.

Ald. Cote asked that the Stop sign at the intersection of Lyngby Ave. and Hillside Ave. be replaced with a Yield sign.

His other inquiry had to do with the question of government offices in Queen Square; the Mayor said he has received assurances that something will be coming from the government in this regard.

ALD. WILLIAMS

Inquiries made by Ald. Williams:

- 1) re the walkway through from Helene Ave. to Raymoor Drive, which is not being properly maintained.
- 2) asked if the lifeguards on duty are cleaning up the beaches at the various swimming locations; he said he was not sure they are looking after the beaches at present.
- 3) suggested that consideration be given to having off-duty policemen sell dog licenses and receive a \$2.00 commission for doing so.
- 4) asked that water billings be used for promotional purposes such as the prevention of littering and/or a 'Where are your children?' campaign; Mr. Moir noted that a recommendation in keeping with this suggestion will be coming to Council.
- 5) re complaints about problems with young people congregating in the area of three stores and a pool hall on Prince Albert Road; Ald. Williams referred to an older resident who is being harassed in this area.
- 6) what is going to happen with the A.&W. property? Suggested that action be taken against the owners under the Unsightly Premises By-law.
- 7) asked about the area behind Hawthorne School grounds; Mr. Moir said this problem has been taken care of.

Ald. Thompson asked about the actuarial study



in connection with the City Pension Plan; Mr. Moir said this item will be coming before a meeting of the Pension Committee on August 16th.

PASS BILLS

Bills were passed by Council on motion of Ald. Thompson and Hart.

NOTICES OF MOTION:

Notices of motion were given as follows for the next regular Council meeting:

ALD. IBSEN

1) Ald. Ibsen:

- (a) That the Council of the City of Dartmouth request the Provincial Government to amend the Election Act as found in the City Charter, Chapter 43 A, section 23, sub-section 1 & 2, so that the City Clerk may post voters lists in such places that he or she may think to be convenient for viewing by the voters, and that no such list shall be posted on power poles in the City. Thus reducing the cost of placing and replacing such lists and eliminating the unsightly mess that is caused by rain and vandalism.
- (b) That the City Administrator investigate the feasibility of selecting and setting up an area in City Hall where material relating to municipal items and Council records be maintained for the use of Council members as a reference source in researching items, that the members of Council may wish to utilize, in order to make the office of Alderman and Mayor as efficient as possible.

ALD. WILLIAMS

2) Ald. Williams:

That beginning in the 1980 Capital Budget, parkland past and future, created by the City or NIP groups, automatically include the cost of fencing to keep the citizens bordering on such areas from problems brought about by the users of such parks.

ALD. FREDERICKS

3) Ald. Fredericks:

- (a) That the Aldermen and Mayor support one child under Foster Parents Plan, from their stipends.
- (b) That Council have staff prepare a report on one of our rinks being used in the summer for roller-skating.

Ald. BACKEWICH


4) Ald Backewich:

Whereas Dartmouth City Council recognized the hazardous condition that existed at the intersection of Parkstone and Windmill Road and authorized the purchase of 350 Windmill Road with the intention of eliminating the hazard by widening the entrance to Parkstone Road;

Be it resolved that at the first regular meeting in September, I will ask Council to

have the Engineering Department to do a cost study of said widening of the entrance to Parkstone Road and bring back to Council their findings at which time I will ask Council to authorize the widening of the road with the funds to cover the cost of the work to come from monies received from the sale of surplus city lands.

Meeting Adjourned.



G. D. Brady,  
Deputy City Clerk.



Province of Nova Scotia

**Department of Municipal Affairs**

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

*Mr book*

## ADMINISTRATION DIVISION

October 30, 1979

Mr. G. D. Brady,  
Acting City Clerk,  
City of Dartmouth,  
P. O. Box 817,  
Dartmouth, Nova Scotia,  
B2Y 3Z3.

Dear Mr. Brady:

RE: Closing a Portion of Athabaskan Street

This by-law closing a portion of Athabaskan Street was passed by Dartmouth City Council on August 7, 1979. The Minister of Highways and the Minister of Municipal Affairs have approved the by-law and I return two copies bearing their approvals. One copy of the by-law must be registered in the Registry of Deeds.

Yours very truly,

*F. Robertson*

F. Robertson (Mrs.)  
Departmental Solicitor.

FR/bma

Encls.

August 7, 1979

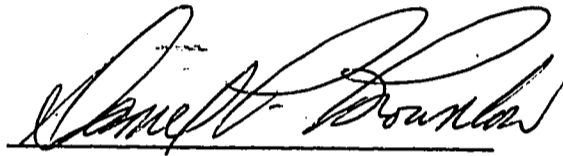
RESOLUTION #79-47

WHEREAS Dartmouth City Council wishes to sell surplus lands no longer required by the City;

AND WHEREAS lands on Athabaskan Street are designated as a street, although not so used;

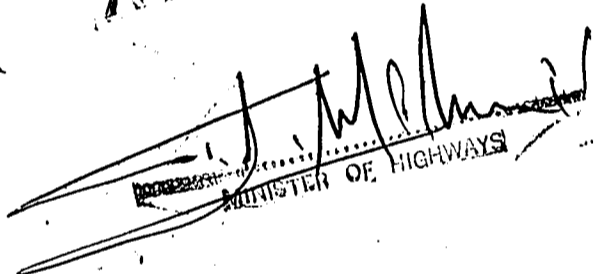
AND WHEREAS Dartmouth City Council held a public hearing duly advertised;

BE IT THEREFORE RESOLVED that that portion of Athabaskan Street lying between Civic #18 and Civic #20 Margaree Parkway be closed to public use.

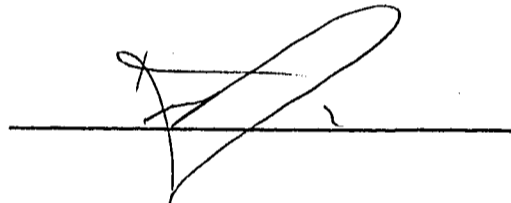


Robert P. Bourke

APPROVED



J. McLaughlin  
MINISTER OF HIGHWAYS



[Signature]

I, G.D. Brady, Acting City Clerk of the City of Dartmouth hereby certify that the above is a true copy of Resolution #79-47 passed by Dartmouth City Council on August 7, 1979.



[Signature]

G.D. Brady  
Acting City Clerk

July 18, 1979

RESOLUTION 79-41

WHEREAS the City of Dartmouth wishes to have power lines installed by the NOva Scotia Power Corporation in the Burnside Industrial Park between Akerley Boulevard and Simmonds Drive;

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

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>M. Roberts</i>	
APPROVED this <i>29<sup>th</sup></i> day of <i>October</i> 19 <i>79</i>	
<i>D. M. Board</i>	
Director of Municipal Affairs	



**SCHEDULE "A"**

ALL that certain parcel of land lying between Simmonds Drive and Akerley Boulevard in the City of Dartmouth, Province of Nova Scotia being shown as that 20' Wide Easement lying along the southwestern boundaries of Lots 55 and 58-B on a plan (Servant, Dunbrack, McKenzie and MacDonald Limited Number 7-560-0) of survey of Lot 55 and Lots 58-A and 58-B, Burnside Industrial Park, signed by Granville Leopold, N.S.L.S. dated May 17th, 1979 and described as follows:

BEGINNING on the northwestern boundary of Akerley Boulevard at the most eastern corner of Lot 54;

THENCE N 26° 02' 42" W, 700 feet along the northeastern boundaries of Lots 54 and 57 to its intersection with the southeastern boundary of Simmonds Drive;

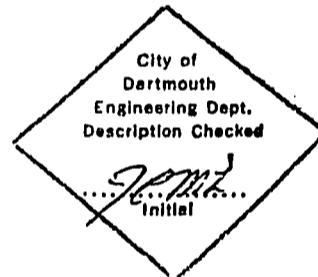
THENCE N 63° 57' 18" E, 20.0 feet along said southeastern boundary of Simmonds Drive to a point thereon;

THENCE S 26° 02' 42" E, 700 feet to its intersection with the aforesaid northwestern boundary of Akerley Boulevard;

THENCE S 63° 57' 18" W, 20.0 feet along said northwestern boundary of Akerley Boulevard to the place of beginning.

CONTAINING 14,000 square feet.

ALL bearings are Nova Scotia Co-ordinate Survey System Grid Bearings and are referred to Central Meridian 64° 30' West.



PROVINCE OF NOVA SCOTIA  
COUNTY OF HALIFAX

On this                      day of                      A.D. 19

before me, the subscriber, personally came and appeared  
Frances Melanson a subscribing witness to the foregoing Indenture  
who, having been by me duly sworn, made oath and said that the  
City of Dartmouth, one of the parties thereto, caused the same  
to be executed in its name and on its behalf and its corporate  
seal to be thereunto affixed by its duly authorized officers in  
that behalf in her presence.

A Commissioner of the Supreme  
Court of Nova Scotia



RESOLUTION 79-43

WHEREAS the City of Dartmouth wishes to lease from the City of Halifax lands to be used for a Ferry Terminal Site in Halifax;

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

Dated:

Between:

City of Dartmouth

- and -

Nova Scotia Power Corporation

E A S E M E N T

INDENTURE OF LEASE EFFECTIVE the

day of \_\_\_\_\_, A.D., 197 .

BETWEEN:

CITY OF HALIFAX, a body corporate,  
hereinafter called the "Lessor"

OF THE ONE PART

- and -

CITY OF DARTMOUTH, a body corporate,  
hereinafter called the "Lessee"

OF THE OTHER PART

WHEREAS by Resolution of City Council of the  
City of Halifax, passed on the \_\_\_\_\_ day of \_\_\_\_\_ A.D.,  
1979 the City of Halifax agreed to lease to the City of  
Dartmouth, a certain lot of land and land covered by water  
known as Parcel \_\_\_\_\_, as shown on attached Plan No.  
\_\_\_\_\_ in the City of Halifax for a period of \_\_\_\_\_ years at  
the annual rental hereinafter set forth.

AND WHEREAS by Resolution of the City Council  
of the City of Halifax passed on the \_\_\_\_\_ day of \_\_\_\_\_  
1979 the Mayor and Clerk were authorized to execute this  
agreement on behalf of the City of Halifax.

NOW THEREFORE THIS INDENTURE WITNESSETH that  
in consideration of the rents, covenants and agreements  
hereinafter reserved and contained on the part of the Lessee,  
its successors and assigns, to be paid, observed and performed,  
the said Lessor has demised and leased, and by these presents  
doth demise and lease unto the said Lessee, its successors  
and assigns, ALL that certain lot, piece or parcel of land  
situate, lying and being in the City of Halifax, County of  
Halifax and Province of Nova Scotia, and more particularly  
described in Schedule "A" hereto annexed, which premises and  
the building, structure and improvements from time to time  
thereon are hereinafter called "the demised premises".

TO HAVE AND TO HOLD the said demised premises,  
with their appurtenances, unto the said Lessee, its successors

and assigns, for a term of fifty (50) years, commencing on the            day of            and from thenceforth next ensuing and fully to be completed and ended on the            day of            .

..            YIELDING AND PAYING THEREFOR annually during the said term hereby created, unto the Lessor, its successors and assigns, without any deduction, defalcation or abatement whatsoever, the sum of Thirty-One Thousand Five Hundred Dollars (\$31,500) per year payable, in advance, on the            day of            of each year, commencing on the            day of            , provided however, and it is hereby expressly agreed by the parties hereto, that so long as the Halifax Harbour ferry system is operated on behalf of the Lessee by the Metropolitan Transit Commission or its successors, to the end that the operation of the said ferry system is integrated with the present or any future regional transit system, and provided further, that so long as the Lessee as the owner of any real property used or occupied for any regional activity charges no more than nominal rental therefor, than the rental for the demised premises shall be the sum of One Dollar (\$1.00) per year and not as set forth above.

And in addition thereto percentage rent at the rate of Fifteen percent (15 %) per annum of revenue received by the Lessee from all sub-lessees, licensees, concessionaires or other parties occupying or carrying on business on the premises and the Lessee shall annually provide on or before the thirty-first (31st) day of March in each and every year of the term hereby created, a statement of such revenue, duly certified by its Chartered Accountants together with the percentage rent payable for the preceding calendar year or portion thereof.

THE LESSEE HEREBY COVENANTS TO AND WITH THE LESSOR in the manner following:

(1)            (a) That the Lessee will pay the rent hereby reserved promptly when due.

(b) That in the event the Lessee ceases to honour either of the provisos in the clause establishing the rental, then on demand by the Lessor, the Lessee shall promptly pay annually to the Lessor the amount of rental first stipulated and the rental shall be pro-rated in respect of any part of the twelve months remaining prior to the next ensuing anniversary of this lease.

(2) That the Lessee will punctually pay all taxes, rates, local improvement rates, abutters charges, duties, charges and assessments whatsoever, whether municipal, legislative, parliamentary, or otherwise, that are now or may at any time hereafter be levied, assessed, or in any way charged on the demised premises, or upon the Lessor or Lessee in respect of the demised premises, or in respect of the Lessor's or Lessee's property thereon.

(3) (a) That the Lessee will at its sole expense construct, operate and maintain on the demised premises, a building and dock to be used for the purposes of a Ferry Terminal and offices.

(b) It is understood and agreed between the parties that all costs and expenses incidental to the Lessee's use of the land, incurred or to be incurred, shall be borne by the Lessee and that such costs and expenses paid by the Lessor for the purpose stated herein shall be deemed to have been made on the Lessee's behalf and the Lessor shall be reimbursed therefor.

(4) That the Lessee will not make any alteration, addition or replacement which will decrease the value of the demised premises in, upon or to the demised premises or any part thereof, nor demolish or remove any building or appurtenances on or upon the demised premises which will decrease the value of the demised premises, without the prior written consent of the Lessor, such consent not to be unreasonably withheld.

(5) That the Lessee will at its own expense insure and keep insured in the joint names of the Lessor and the Lessee, as their respective interests may appear, the building and structure from time to time on the demised premises, to their full insurable value in lawful money of Canada, against loss by fire, lightning, tempest, falling aircraft, impact of vehicles, riot, riot attending a strike, explosion and, at the Lessor's option exercisable from time to time, war risk; and will produce the policy or policies and receipts for premiums thereof to the Lessor as required, and will ensure that the policies provide for fifteen (15) days' notice to be given to all interested parties prior to cancellation.

(6) That the Lessee will at its own expense, maintain and keep in force during the term of this lease, public liability and property damage insurance in respect of the demised premises in the names of the Lessor and the Lessee, in such reasonable amounts as may be required by the Lessor, a certificate of coverage and receipts for premiums to be furnished to the Lessor. The Lessee shall indemnify and save harmless the Lessor from any and all liabilities, damages, costs, claims, suits or actions growing out of:

- (a) any damage to property occasioned by the use and occupation of the demised premises;
- (b) any injury to person or persons including death resulting at any time from the use and occupation of the demised premises occurring in or about the demised premises;

and the Lessee will ensure that the insurance policy provides for fifteen (15) days' notice to be given to all interested parties prior to cancellation of the policy.

(7) If the building or structure from time to time on the demised premises is damaged or destroyed by any cause, the Lessee shall have the option of repairing or replacing the structure or building so damaged or destroyed, and the insurance monies payable under paragraph 5 hereof shall be applied toward such repair or replacement if the Lessee elects to repair or replace; provided, if the Lessee

(5) That the Lessee will at its own expense insure and keep insured in the joint names of the Lessor and the Lessee, as their respective interests may appear, the building and structure from time to time on the demised premises, to their full insurable value in lawful money of Canada, against loss by fire, lightning, tempest, falling aircraft, impact of vehicles, riot, riot attending a strike, explosion and, at the Lessor's option exercisable from time to time, war risk; and will produce the policy or policies and receipts for premiums thereof to the Lessor as required, and will ensure that the policies provide for fifteen (15) days' notice to be given to all interested parties prior to cancellation.

(6) That the Lessee will at its own expense, maintain and keep in force during the term of this lease, public liability and property damage insurance in respect of the demised premises in the names of the Lessor and the Lessee, in such reasonable amounts as may be required by the Lessor, a certificate of coverage and receipts for premiums to be furnished to the Lessor. The Lessee shall indemnify and save harmless the Lessor from any and all liabilities, damages, costs, claims, suits or actions growing out of:

- (a) any damage to property occasioned by the use and occupation of the demised premises;
- (b) any injury to person or persons including death resulting at any time from the use and occupation of the demised premises occurring in or about the demised premises;

and the Lessee will ensure that the insurance policy provides for fifteen (15) days' notice to be given to all interested parties prior to cancellation of the policy.

(7) If the building or structure from time to time on the demised premises is damaged or destroyed by any cause, the Lessee shall have the option of repairing or replacing the structure or building so damaged or destroyed, and the insurance monies payable under paragraph 5 hereof shall be applied toward such repair or replacement if the Lessee elects to repair or replace; provided, if the Lessee

elects not to repair or replace the structure or building damaged or destroyed, the structure or building so damaged or destroyed shall be demolished and the premises levelled and landscaped; and the said insurance monies shall be applied to such demolition, levelling and landscaping.

(8) That the Lessee will during the said term or any renewal thereof use or permit to be used the demised premises only as a Ferry Terminal site and the said premises will not be used for any other purpose not approved in writing by the Lessor, provided, however, that the Lessor will permit commercial uses within the Terminal Building including office space and limited retail activity normally associated with a public transportation facility.

(9) That the Lessee will not permit or commit waste on the demised premises.

(10) That the Lessee shall, at its own cost, do all such acts and things as may from time to time during the said term be necessary resulting from acts or omissions of the Lessee for the purpose of complying with any statute for the time being in force, or any ordinance, by-law or order made or to be made by any local or other authority, or otherwise in respect of the demised premises, and whether affecting the owner or occupier thereof, and the Lessor may, in the event of the Lessee refusing or neglecting to do such acts and things after being called upon so to do, enter upon the demised premises and execute such acts and things and recover the cost thereof from the Lessee as rent.

(11) That the Lessee shall at all times during the said term, at its own expense, repair, maintain, and keep in good and tenantable repair, the building, structure and appurtenances from time to time on the demised premises.

(12) That the Lessee shall permit the Lessor or its agents to enter upon and inspect the demised premises during the course of construction, and to enter upon and inspect maintenance and repair on the demised premises during the term of the lease.

(13) That the Lessee shall not assign this lease

without the prior written consent of the Lessor, but such consent shall not be unreasonably withheld; PROVIDED HOWEVER, that this provision shall not apply to an assignment to an institutional lender for the purpose of mortgaging the leasehold interest.

(14) That the Lessee shall not discriminate against any individual or class of individuals in its employment practices, its use or occupancy of any portion of the demised premises, or otherwise by reason of the individual's or class of individuals' race, colour, religion, creed, sex, age, physical handicap or ethnic or national origin contrary to the provisions of the Human Rights Act, Stats. N.S. 1969, Chapter 11, as amended from time to time.

AND THE LESSOR HEREBY COVENANTS TO AND WITH THE LESSEE for quiet and peaceable enjoyment by the Lessee during the term hereby demised, subject to the provisions herein contained.

AND IT IS FURTHER AGREED BY AND BETWEEN THE LESSOR AND THE LESSEE:

1. If there be a breach by the Lessee of any of the covenants or agreements on its part herein contained, or if any default be made by the Lessee in the performance of any of the covenants or agreements herein contained, and such breach or default continues for a period of thirty (30) days from the giving of a notice by the Lessor to the Lessee specifying the breach or default complained of, this lease may be cancelled by the Lessor, and the Lessor may re-enter and take possession of the demised premises, and the term hereby created shall be forfeited; but, should the breach or default be in respect of any breach or default other than the non-payment of rent or other obligation to pay money, then in such event the said period from the giving of such notice shall be one hundred and twenty days (120).

2. Any notice may be given by the Lessor to the Lessee by mailing the same by prepaid ordinary mail, addressed to the Lessee at Dartmouth, Nova Scotia.

3. At the end or sooner determination of the term hereby created, the Lessee shall yield up to the Lessor, at the Lessor's option, the demised premises, together with the buildings and structure erected thereon during the said term and all additions and improvements thereto and all fixtures affixed thereto or forming part thereof, in a good repair and condition as shall be in accordance with the provisions herein contained. If the Lessor should



premises complete with building and structure but rather the land with the same removed, the Lessee shall at no cost to the Lessor remove the said building and structure and clear the site.

4. No acceptance of rent subsequent to any breach or default hereunder by the Lessee shall be taken to operate as a waiver or in any way defeat or affect the rights of the Lessor hereunder.

5. Any payment other than rent to be made hereunder by the Lessee, and which the Lessee fails to make when due, may be paid by the Lessor, and shall then be recoverable from the Lessee as rent; and anything to be done hereunder by the Lessee and which the Lessee fails to do within ninety (90) days next after the giving of notice in writing by the Lessor to the Lessee requiring the same to be done, may be done by the Lessor and the cost thereof shall then be recoverable from the Lessee as rent; provided, however, that nothing in this lease contained shall be construed as requiring the Lessor to pay any money or do any acts except as provided in its express covenants herein.

6. No waiver by the Lessor of any breach or default by the Lessee in payment of any rent or the performance or non-performance of any of the covenants or agreements on the part of the Lessee herein contained, shall be construed to be a waiver of any succeeding breach or default of the same or of any other matter.

7. Whenever and to the extent that the Lessee shall be unable to fulfill, or shall be delayed or restricted in the fulfillment of any obligation hereunder, in respect to the doing of any work or rebuilding or the making of repairs, erections or replacements, by reason of strikes, lockouts, fire, unusual delay by common carriers, or other cause beyond the control of the Lessee, or by reason of any prohibition in any statute for the time being in force, or any ordinance, by-law or order made, or to be made, by any local or other authority, then the time for the doing or making thereof shall be extended for a reasonable time.

8. If the Lessee complies with the terms and conditions of this lease, it shall have an option to renew

this lease, from time to time, for a further term or terms of ten (10) years upon terms and conditions to be negotiated. The Lessor shall give the Lessee twelve (12) months' written notice prior to the termination of the original term or any extension or renewal thereof as to its desire to negotiate any renewal or extension from time to time.

9. This Indenture, and everything herein contained, unless the context otherwise provides, shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns, respectively.

IN WITNESS WHEREOF the parties hereto have caused this Indenture to be executed and their Corporate Seals hereunto affixed by the hands of their duly authorized officers in that behalf, the day and year first above written.

SIGNED, SEALED AND DELIVERED )  
in the presence of )

CITY OF HALIFAX

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

CITY OF DARTMOUTH

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

August 7, 1979

RESOLUTION #79-47

WHEREAS Dartmouth City Council wishes to sell surplus lands no longer required by the City;

AND WHEREAS lands on Athabaskan Street are designated as a street, although not so used;

AND WHEREAS Dartmouth City Council held a public hearing duly advertised;

BE IT THEREFORE RESOLVED that that portion of Athabaskan Street lying between Civic #18 and Civic #20 Margaree Parkway be closed to public use.

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Dartmouth, N. S.

August 21/79.

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

Present - Mayor Brownlow

Ald. Irvine	Greenough
Williams	Cunningham
Hart	Backewich
Cote	Valardo
Brennan	Crawford
Ibsen	Thompson
Fredericks	
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. Brady.	

RESOLUTION:  
WOLFVILLE TOWN  
COUNCIL

The first item on the agenda was a Resolution from the Wolfville Town Council, opposing Nova Scotia's involvement with nuclear power and seeking support for the Resolution when it is presented for discussion at the Union of N. S. Municipalities convention in Sept. Ald. Backewich and Thompson moved that the letter be received and filed, but Ald. Hart felt that Council should indicate support for it, recognizing the seriousness of the subject. It was noted that there will be a further opportunity to speak on the issue at the N. S. Municipalities conference and basically, Council was in favour of the motion to receive and file at this time. When the vote was taken, the motion carried with Ald. Hart voting against.

RESOLUTION #79-46

On motion of Ald. Thompson and Backewich, Council adopted the attached Resolution #79-46, appointing Special Constables as listed.

REPORTS

Reports recommended from Committee were approved by Council as follows:

- 1) Building Inspector (July): adopted on motion of Ald. Valardo and Williams.
- 2) Minimum Standards (July): adopted on motion of Ald. Valardo and Hart
- 3) V.O.N. (June): adopted on motion of Ald. Hart and Valardo.
- 4) Fire Chief (July): adopted on motion of Ald. Hart and Valardo.  
Ald. Greenough said he was pleased to see the comparison total included in the report but would like to have the breakdown in further detail in future reports.

- 5) Social Services (June): adopted on motion of Ald. Hart and Greenough.
- 6) Transit (June): adopted on motion of Ald. Williams and Greenough.
- 7) Development Officer (July): adopted on motion of Ald. Crawford and Cunningham.

WATER PROBLEM:  
MANOR PARK

A recommendation has come to Council from Committee in connection with a water problem in Manor Park affecting seven homes along a 125-foot strip of property. It is recommended that the City Engineer be asked to investigate the complaint from the residents and come back with a cost estimate to correct the situation. Ald. Greenough and Cunningham moved the adoption of the recommendation and Mr. Taylor of 11 Coburn Walk was heard by Council on behalf of the home-owners affected. He said the water problem has existed for some time and became worse as additional homes were built in the area.

Ald. Brennan questioned the provisions that were made for storm drainage when the development was started, the responsibility of the developer in this connection, and whether this in in fact a municipal or a private problem. Ald. Valardo asked if it might be possible for action to be taken under the Nuisance By-law and Council agreed that the answers to the questions raised by Ald. Valardo and Brennan should be included in the Engineering report back to Council. The motion carried.

SERVICES:  
HART RUSSELL

In a report to Council, Mr. Moir has advised that Mr. Russell, Manager of Dartmouth Transit, has been appointed Director of Personnel for the Metropolitan Transit Commission, this appointment to become effective as of Jan. 1/80 (tentatively). In the meantime, the M.T.C. requests an arrangement with the City for staff time of Mr. Russell as it is available, over and above his duties as Manager of the Dartmouth Transit operations. The recommendation is that Mr. Russell's services be made available to M.T.C. as requested, and Council approved this recommendation, on motion of Ald. Valardo and Thompson.

RESOLUTION #79-45

Council was asked to approve Resolution #79-45, as attached, covering the rental of easements from National Harbours Board for sewer outfalls. The Resolution received approval on motion of Ald. Valardo and Greenough. Ald. Fredericks said he felt that NHB should be giving the City these easements for \$1. per annum rather than charging a rental for them.

LAND ACQUISITION:  
WOODSIDE AREA

On motion of Ald. Fredericks and Greenough, Council approved the following property acquisitions in the Woodside area, the purchase prices being made available through the north and south Woodside NIP programs:

- 1) 4 High Street: purchase price of \$14,000.
- 2) 18 Marvin Street: purchase price of \$5,500.
- 3) 26 Renfrew Street: purchase price of \$4,450.
- 4) 31 Renfrew Street: purchase price of \$5,000.

Ald. Ibsen questioned the price negotiated for 18 Marvin Street and considered it to be out of line with the others.

AWARD TENDER:  
VICTORIA & WINDMILL  
RD. MODIFICATIONS

Tenders have been received as follows for inter-section modifications at Windmill and Victoria Road:

Steed & Evans Ltd.	\$192,903.00
W. Eric Whebby Ltd.	242,624.97
Ocean Contractors Ltd.	263,530.00

The recommendation is to accept the low tender submitted by Steed & Evans Ltd., in the amount of \$192,903. and Council awarded the tender as recommended, on motion of Ald. Backewich and Hart. Ald. Crawford's comments had to do with the unsightly condition of the Maritime Steel property and the surrounding area generally, in what is a main entrance to the City. Ald. Backewich noted that there is a considerable amount of City property involved, besides the one owned by Maritime Steel. The motion carried.

REQUEST FOR FERRY  
TERMINAL ITEMS

Council dealt with a report from Mr. Moir on the request for items from the Halifax-Dartmouth ferry terminal and the Dartmouth ferries that are of historical significance. His recommendation is that Mr. Gosley, the

Director of the Dartmouth Heritage Museum, deal with all such requests. If he does not have any immediate use for the items (as detailed in the report) requested, he could claim them for the Heritage Museum and in return, lend the item back to the school or museum making the request. In this way, the City would retain ownership of any items and by signed agreement would be able to obtain them whenever necessary. Council concurred with this recommendation and it was adopted on motion of Ald. Ibsen and Cunningham.

AWARD TENDER:  
CLEMENT STREET  
RETENTION BERM

Tenders have been received as follows for the construction of the Clement Street storm water retention berm, a drainage project approved in the 1978 Capital Budget:

Bernard Fancy Trucking Ltd.	\$57,802.50
L. J. Casavechia Contracting Ltd.	65,245.75
Stewiacke Construction Ltd.	66,348.00
Woodlawn Construction Ltd.	69,817.25
Harbour Construction Ltd.	73,900.00
W. Eric Whebby Ltd.	76,753.32
Seaport Contractors Ltd.	81,500.00
Highland Paving & Construction Ltd.	85,417.00

Acceptance of the low bid, submitted by Bernard Fancy Trucking Ltd., is recommended by Mr. Moir in his report to Council, and the recommendation was adopted by Council on motion of Ald. Greenough and Fredericks.

REPAIRS:  
BACKHOE/SHOVEL

The following tenders were received for replacement of the power unit for the City-owned Koehring Model 466 one-yard backhoe-shovel:

Nova Scotia Tractor & Equipment Ltd.	\$14,187.
Cummins Diesel Ltd.	14,217.

Mr. Moir is recommending acceptance of the tender submitted by N. S. Tractor & Equipment Ltd. and Council awarded the tender as recommended, on motion of Ald. Backewich and Greenough. The cost of repairing the backhoe/shovel will be charged to the equipment maintenance account.

BUILDING PERMIT:  
SHORE DISPOSAL LTD.

On motion of Ald. Thompson and Fredericks, Council granted a permit to build to Shore Disposal Ltd. for Lot 58 Simmonds Drive for an office/shop building, subject

to compliance with City requirements, as set out in the staff report of August 17th submitted to Council.

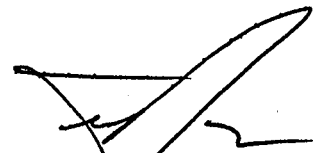
Ald. Cote expressed concern about the landscaping requirements imposed on Shore Disposal Ltd. and asked if they are as stringent as those required for a firm that was recently interested in locating a scrap metal operation in the Industrial Park. Ald. Valardo outlined the careful scrutiny given the plans submitted by Shore Disposal by the Park Management Committee of the Industrial Commission, and it was noted that the company will be asked to post a \$15,000. bond with the City. Ald. Cote asked to see a copy of the agreement with Shore, in which the landscaping stipulations would have been outlined.

On motion of Ald. Thompson and Hart, Council adjourned to meet in camera for additional items of business.

After reconvening in open meeting, the action taken in camera was ratified on motion of Ald. Irvine and Thompson. As directed by Council, the following motions from the in camera meeting are recorded:

- 1) to adopt the administrative salary recommendations contained in Mr. Moir's report of Aug. 20th.
- 2) to adopt items 4 and 5 of the Salary Committee report to Council, dated July 18/78, with a change in item 5 to read '. . . Council's reference prior to reviewing salaries'.

Meeting adjourned.



G. D. Brady,  
Deputy City Clerk.



August 9, 1979

RESOLUTION #79-46

RESOLVED that the following be and are hereby appointed  
SPECIAL CONSTABLES in and for the City of Dartmouth:

Michael Ryland Currie

Darrold Reid Gould

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C.A. MOIR  
CITY ADMINISTRATOR

# City of Dartmouth

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

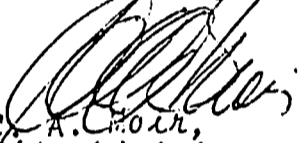
Date: August 16, 1979  
To: His Worship the Mayor and  
Members of City Council  
From: C. A. Moir, City Administrator  
Re: NHE Easement Agreements (Res. 79-45)

I attach copy of letter I received on recent date from R. V. Beck, General Manager, Port of Halifax, re easement agreements Nos. H 94, H 110, and H 129. I also attach copies of each of these agreements together with copy of Resolution No. 79-45.

The only change in the easement agreements is increasing the rental fee from \$200 per annum to \$250 per annum.

It is recommended that Resolution No. 79-45 be adopted.

Respectfully submitted,

  
C. A. Moir,  
City Administrator

CAM:mgm  
enc.



PORT OF HALIFAX  
PORT DE HALIFAX

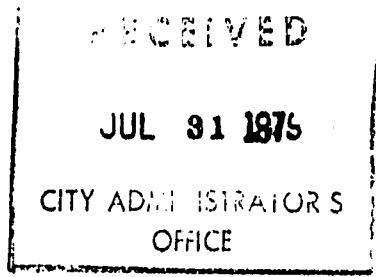
P.O. Box 336  
Ocean Terminals  
Halifax, N.S.  
B3J 2P6

C.P. 336  
Ocean Terminals  
Halifax (N.-E.)  
B3J 2P6

July 27, 1979

Tel. (902) 426-3641 Telex-019-21643

Mr. C. A. Moir,  
Administrator,  
City of Dartmouth,  
P. O. Box 817,  
Dartmouth, Nova Scotia  
B2Y 3Z2



Dear Sir:

Reference: Easement Agreement H-94, H-110 and H-129

In reference to the above noted Easement Agreements, as all the terms and conditions of these Agreements are to remain in effect save the rental rate, and since the standard form of lease then used is still in effect, it is considered that this change can be effected by means of a Memorandum of Agreement which will effect amendment to the current Easement Agreements to provide for the revised rental rates effective August 1, 1979.

We are enclosing nine copies of Memorandum of Agreements, three covering each lease. We ask that they be executed and returned to us for completion by the Board, following which a copy of each will be returned to you for your record. When returning same, would you please enclose three copies of your authorizing resolution of by-law respecting signatures, covering each Agreement.

If this form is not acceptable by you, please let us know and new Easement Agreements will be drafted and forwarded for execution.

Yours very truly,

R. V. Beck  
General Manager

RVB/ms

August 1979

RESOLUTION NO. 79-45

WHEREAS the City of Dartmouth entered into easement Agreements numbered H-94, H-110 and H-129 dated August 5, 1975 with National Harbours Board for rental of easements to provide sewer outfalls;

AND WHEREAS the City of Dartmouth and the National Harbours Board wish to amend said easement agreements by providing for rent in each of \$250.00 per annum instead of \$200.00 per annum;

BE IT THEREFORE RESOLVED that the Mayor and the Acting City Clerk are hereby authorized and instructed to execute on behalf of the City the memoranda of Agreement attached hereto as Schedules "A", "B" and "C"

MEMORANDUM OF AGREEMENT MADE as of this 1st day of August A. D., 1979;

B E T W E E N:

NATIONAL HARBOURS BOARD (hereinafter called the "Board"), a body corporate with Head Office at Ottawa, Ontario,

OF THE FIRST PART,

- a n d -

CITY OF DARTMOUTH (hereinafter called the "Lessee"), a body corporate,

OF THE SECOND PART.

WITNESSETH that, for value received, the Lessee hereby agrees to pay to the Board upon and after the 1st day of August A. D., 1979, the sum of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per annum as rental in Easement Agreement No. H-94 (3) dated as of the 1st day of August A. D., 1975, made between the parties hereto, instead of TWO HUNDRED DOLLARS (\$200.00) per annum rental provided in the said Easement Agreement and it is hereby agreed by and between the parties hereto that in all other respects the said Easement Agreement is hereby ratified and confirmed.

IN WITNESS WHEREOF the parties hereto have executed these Presents.

THE CORPORATE SEAL of the BOARD was hereunto affixed in the presence of:

Secretary

THE CORPORATE SEAL of the LESSEE was hereunto affixed in the presence of:

NATIONAL HARBOURS BOARD (hereinafter called the "Board"), a body corporate with Head Office at Ottawa, Ontario,

OF THE FIRST PART,

- a n. d -

CITY OF DARTMOUTH (hereinafter called the "Lessee"), a body corporate,

OF THE SECOND PART.

WITNESSETH that, for value received, the Lessee hereby agrees to pay to the Board upon and after the 1st day of August A. D., 19 79, the sum of TWO HUNDRED AND FIFTY DOLLARS - - - - - (\$250.00 ) per annum as rental in Easement Agreement No. H-110 (3) dated as of the 1st day of August A. D., 19 75, made between the parties hereto, instead of TWO HUNDRED DOLLARS - - - - - (\$200.00) per annum rental provided in the said Easement Agreement and it is hereby agreed by and between the parties hereto that in all other respects the said Easement Agreement is hereby ratified and confirmed.

IN WITNESS WHEREOF the parties hereto have executed these Presents.

THE CORPORATE SEAL of the BOARD was hereunto affixed in the presence of:

Secretary

THE CORPORATE SEAL of the LESSEE was hereunto affixed in the presence of:

NATIONAL HARBOURS BOARD (hereinafter called the "Board"), a body corporate with Head Office at Ottawa, Ontario,

OF THE FIRST PART,

- a n d -

CITY OF DARTMOUTH (hereinafter called the "Lessee"), a body corporate,

OF THE SECOND PART.

WITNESSETH that, for value received, the Lessee hereby agrees to pay to the Board upon and after the 1st day of August A. D., 1979, the sum of TWO HUNDRED AND FIFTY DOLLARS - - - - - (\$250.00 ) per annum as rental in Easement Agreement No. H-129(2) dated as of the 1st day of August A. D., 1975, made between the parties hereto, instead of TWO HUNDRED DOLLARS - - - - - (\$200.00 ) per annum rental provided in the said Easement Agreement and it is hereby agreed by and between the parties hereto that in all other respects the said Easement Agreement is hereby ratified and confirmed.

IN WITNESS WHEREOF the parties hereto have executed these Presents.

THE CORPORATE SEAL of the BOARD was hereunto affixed in the presence of:

Secretary

THE CORPORATE SEAL of the LESSEE was hereunto affixed in the presence of:

Dartmouth, N. S.

August 30/79.

Regularly called meeting of City Council held  
this date at 5:00 p.m.

Present - Mayor Brownlow

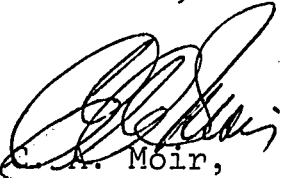
Ald. Ibsen	Thompson
Williams	Cunningham
Cote	Crawford
Hart	Backewich
Ritchie	Fredericks
Irvine	
City Comptroller, D. McBain	
City Administrator, C. A. Moir	

FISCAL JUSTICE  
REPORT

The members of Council have received copies of the Dept. of Municipal Affairs position paper, "Fiscal Justice" and a review of the relevant points for the City of Dartmouth was presented by Mr. McBain at this time. The reaction of Council will be communicated to the Minister of Municipal Affairs and a series of motions, expressing Council's viewpoint, were adopted as follows:

- (1) Moved by Ald. Fredericks, seconded by Ald. Irvine, that an amount equal to monies paid in special grants to municipalities in 1977 should be included in the basic grant structure and indexed at the 1977 level.
- (2) Moved by Ald. Fredericks, seconded by Ald. Hart, that the Road User Tax be included as part of these grants, as suggested in the Task Force Report.
- (3) Moved by Ald. Fredericks, seconded by Ald. Irvine, that the Provincial Government be asked to set up a system in their Assessment Division whereby the number of housing units in a municipality can be verified.
- (4) Moved by Ald. Fredericks, seconded by Ald. Thompson, that a total review at the end of three years be recommended (but this would not preclude any amendments required in the interim).
- (5) Moved by Ald. Crawford, seconded by Ald. Irvine, that sanitary sewers be included in the calculation of standard expenditure levels.
- (6) Moved by Ald. Irvine, seconded by Ald. Crawford, that in the Capital Grant proposal, the indexing increase at the same rate as in the operating proposal.

After presentation of the above motions, the meeting adjourned.

  
C. A. Moir,  
City Administrator.



Dartmouth, N. S.

Sept. 4/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Crawford	Brennan
Cote	Valardo
Hart	Backewich
Irvine	Greenough
Ritchie	Fredericks
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

MINUTES

The minutes of Council meetings held on August 7th and 21st were approved on motion of Ald. Backewich and Thompson.

PETITIONS:  
AUSTENVILLE  
RESIDENTS

Council has received copies of petitions and correspondence relating to the recreational development proposal for the open space located in the area behind St. Peter's School, this proposal being a project approved at the May 29th meeting of Council for inclusion in the Austenville NIP program. On motion of Ald. Hart and Williams, Council agreed to hear the petitions at this point in the agenda.

The first petition was presented on behalf of abutting residents who continue to be opposed to the multi-purpose court which will form part of the proposal for St. Peter's field. Mr. Byrne Williams made the presentation, noting that approx. 300 signatures appear on the petition in opposition to the inclusion of the multi-purpose court as it has been proposed. The concern of the residents is the potential for vandalism and disturbance problems the court will create in their residential neighborhood, and they wish to have the field left as an open recreational area as it is presently being used. The other concern expressed was that senior citizens from the abutting complex will be disturbed by the location of the multi-purpose court and will be denied the use of the field that they would otherwise have been able to enjoy. Mr. Williams said the new Chairman of the Dartmouth Housing Commission

has indicated his concern about the location of the court, in relation to the senior citizens complex. He referred to what he called a serious polarization of opinion in the local neighborhood over this issue of the court, and suggested that the best option at this point would be to divert the NIP funds from the recreational project to other areas, such as a beautification program and/or services such as sidewalk repairs, etc.

Mr. MacInnis, the Solicitor representing several of the abutting property owners, pointed out that they are not opposed to the park as such, but to the asphalt court being included in the proposal. He elaborated further on the main points brought out in Mr. Williams' presentation, suggesting that Council was not previously aware of the impact the court will have on the senior citizens complex or of the degree of opposition there was to the proposal at the time it was approved. He said the cost of providing fencing and a buffer zone will make the project prohibitive and has not been taken into account when the cost estimates were presented. He also questioned whether any expenditures have been formally and duly authorized in the case of both the Austenville and Woodside NIP programs.

Mr. MacInnis stated that his clients were concerned about the way this item was pushed through in the NIP organization, and he maintained that the conceptual plan presented to Council did not give a true picture of the lack of space that will be left for senior citizens to have access to the park around the asphalt court. This point was later questioned by Ald. Cote and the Mayor, and Mr. Bayer responded by presenting a plan of the proposal and indicating that there is access from the senior citizens complex; the location of the court will not prevent the residents of the complex from walking out into the park. He went on to explain that the plan is a refinement of the original concept presented when the item was previously before Council, but Mr. MacInnis did not

agree with this assessment. At the conclusion of his submission, Mr. MacInnis summed up the points made on behalf of his clients, noting their preference for retaining the park area in its present natural state and their wish to have the issue come before a public meeting, at which time all of the opinions of the residents could be voiced in an open forum.

The Mayor permitted questions from the members of Council following the first petition, and Ald. Irvine asked if there had been a meeting at which the two groups of residents were close to any agreement. Mr. Williams outlined the various attempts made to resolve the impasse between the residents opposed and those in favour. He stated that at one of the meetings, Mr. Atkinson, the Asst. Recreation Director for the City, expressed the opinion that the field should be left in its natural state. (Mr. Peter Lesbirel, in his later presentation, said he did not remember that Mr. Atkinson took this position at the meeting in question.) Mr. Williams felt that there should have been consultation with Provincial Recreation Dept. people, when the benefit of their expertise was available.

The second petition, signed by approx. 300 residents who support the NIP proposal for the lands behind St. Peter's School, was presented by Mr. Stephen Moir, Chairman of the Austenville NIP. His presentation included a series of photographs showing the location of the homes of abutting property owners in relation to the site selected for the multi-purpose court. He made the point that the proposal for the park would include a horseshoe pitch for the enjoyment of senior citizens living close by, and did not agree that the multi-purpose courts will result in vandalism problems for the abutting residents. His concern was about the effect which this continuing dispute is having on the NIP program itself, in terms of discouragement for the workers and the opposition they face in trying to carry out improvements to the neighborhood. His opinion was that all residents living in the area had ample opportunity to make their views known

at the various NIP meetings; notices of these meetings were distributed throughout the community in advance so that everyone was well aware of the dates and times when they were held.

Mr. Peter Lesbirel, Chairman of the NIP Recreation Committee, also spoke in support of what the citizens are trying to do through the NIP program, to provide recreation facilities that are presently lacking and have been identified as a priority item in the Austenville program.

Ald. Cote felt that the best course of action under the circumstances would be to hold a public meeting where all of the interested citizens involved could make their presentations, and he moved deferral of any further action on the proposal approved by Council until after a formal public hearing can be held; the motion was seconded by Ald. Ritchie. The Solicitor was consulted and advised that a two-thirds majority vote of Council in agreement with debating the issue again would be required, since a previous decision has already been taken on the issue at the May 29th meeting. The Mayor then took the vote, six members being in favour and eight against (Ald. Williams, Cote, Irvine, Ritchie Hart and Cunningham voting in favour).

Ald. Hart and Greenough moved that the petitions be received and filed. Ald. Cote did not agree that this would be an adequate response from Council to the concerns of the residents and spoke against the motion. Ald. Backewich asked if action by Council to rescind the decision previously taken would resolve the controversy; Mr. Williams indicated that it would, but Mr. Moir said it would not from the point of view of the residents in favour of the multi-purpose court. Ald. Williams was opposed to the motion and wanted to see the rights of the abutting property owners protected. The motion to receive and file carried with Ald. Cunningham, Cote, Irvine Williams and Ritchie voting against.

MOTIONS:  
ALD. IBSEN

The following motions were presented, for which notice was duly given at a previous meeting:

1) Ald. Ibsen moved, seconded by Ald. Thompson, that the Council of the City of Dartmouth request the Provincial Government to amend the Elections Act, so that the Returning Officer may post voters lists in such places that he or she may think to be convenient for viewing by the voters, and that no such lists shall be posted on power poles in the City, thus reducing the cost of placing and replacing such lists and eliminating the unsightly mess that is caused by rain and vandalism. Ald. Ibsen explained the intent of his motion and it was debated by Council. Ald. Hart said the Elections Act already permits voters lists to be posted in areas other than on power poles, and a number of alternate locations were suggested by members during the debate, including shopping centres, the library, etc. Ald. Greenough suggested deferring any decision on the motion until after the forthcoming election, when the Returning Officer can make a report to Council, based on the experience with the voters lists from this election. On his motion, seconded by Ald. Ibsen, the matter was referred to the Returning Officer for a report following the November election.

2) Ald. Ibsen moved, seconded by Ald. Hart, that the City Administrator investigate the feasibility of selecting and setting up an area in City Hall where material relating to municipal items and Council records be maintained for the use of Council members as a reference source in researching items, that the members of Council may wish to utilize, in order to make the office of Alderman and Mayor as efficient as possible. Ald. Valardo said he agreed with the motion but felt it should go further to include the provision of part-time secretarial services to assist the members of Council when research is required and files have to be checked for information. He moved in amendment, seconded by Ald. Crawford, that the services of a part-time secretary,

familiar with the files and other necessary material, be considered in conjunction with resource services called for in the motion.

Ald. Greenough said it would be a good idea to first determine what is available in the way of resource material through existing sources, such as the library; he suggested a report from the Chief Librarian would indicate this. The amendment was put and carried; the amended motion carried.

3) Ald. Williams moved, seconded by Ald. Thompson, that beginning in the 1980 Capital Budget, parkland past and future, created by the City and NIP groups, automatically include the cost of fencing to keep the citizens bordering on such areas from problems brought about by the users of such parks. Ald. Valardo said he could not support the motion as presented, but Ald. Thompson, Ritchie and Cunningham spoke in favour of it. Ald. Valardo and Crawford moved an amendment to delete the word 'automatically' from the motion. The amendment carried.

One of the questions raised in connection with the motion was the cost involved and also, the extent of the fencing that would take place. At Mr. Moir's suggestion and on motion of Ald. Brennan and Greenough, it was moved in amendment that the words 'past and future' be deleted from the wording of the motion and the following words added to it: '. . . and that a program be commenced in 1980 to provide funds for a five-year period to fence City parklands as required'. The revised motion would then read:

'That beginning in the 1980 Capital Budget, parkland created by the City and NIP groups include the cost of fencing to keep the citizens bordering on such areas from problems brought about by the users of such parks, and that a program be commenced in 1980 to provide funds for a five-year period to fence City parklands as required'.

The amendment on the floor carried and the amended motion carried.

4) Ald. Fredericks introduced the following motion, seconded by Ald. Backewich:

WHEREAS this year, 1979, is the International Year of the Child;

THEREFORE BE IT RESOLVED that the Aldermen and Mayor of the City of Dartmouth support the International Year of the Child by supporting one child in the Foster Parents plan, the funds to come from their stipends.

Members of Council who spoke on the motion were in support of its intention but not the mandatory aspect of it; the general opinion was that the choice of a charity should be a personal decision and not made in an open forum such as a Council meeting. The Mayor suggested that Ald. Fredericks might wish to consider taking his idea up privately with individual members and a decision could be reached on that basis. On motion of Ald. Hart and Ibsen, the motion was withdrawn by Council in favour of a privately-made decision among the individual members if Ald. Fredericks wishes to pursue the matter further.

5) Ald. Fredericks introduced the following motion, seconded by Ald. Brennan:

WHEREAS there is a need to provide recreational services in the City;

AND WHEREAS roller skating is gaining in popularity;

AND WHEREAS Bridgewater, Halifax City and Cole Harbour have roller skating in their rinks during the off-season;

THEREFORE BE IT RESOLVED that City Council urge the Recreation Dept. to bring in a report on the possibility of one of the City's rinks being used for roller skating in the off-season.

Ald. Irvine and Ritchie moved in amendment that the motion also be referred to the Recreation Advisory Board for a report in conjunction with the one from the Recreation Dept. The amendment carried and the amended motion carried.

Ald. Valardo indicated his interest in a study of the need for facilities for skate-boarding, and moved that the Recreation Dept. carry out an immediate study with regard to the need for skate-boarding facilities

within the City and whether these could be provided in our rinks or school yards, etc., and a report brought back to Council. This motion also carried.

6) Ald. Backewich moved, seconded by Ald. Brennan, that:

WHEREAS Dartmouth City Council recognized the hazardous condition that existed at the intersection of Parkstone and Windmill Road, and authorized the purchase of 350 Windmill Road with the intention of eliminating the hazard by widening the entrance to Parkstone Road;

BE IT RESOLVED that at the first regular meeting in September, I will ask Council to have the Engineering Dept. do a cost study of said widening of the entrance to Parkstone Road and bring back to Council their findings, at which time Council will be asked to authorize the widening of the road with the funds to cover the cost of the work to come from monies received from the sale of surplus City lands.

Several members objected to that portion of the motion which specifically designates where funds are to come from for the project, and Ald. Fredericks and Irvine moved in amendment that the wording be deleted from the words '. . . with the funds to cover, etc.' onward to the end of the sentence. The amendment was adopted and the amended motion carried.

RESOLUTION #79-48

On motion of Ald. Irvine and Thompson, Council approved the attached Resolution #79-48, setting the dates for the advance polls in the upcoming municipal election; the dates will be October 26th and 27th.

NORTH STREET  
RESERVE

A report from Mr. Moir was considered on a request from Mr. & Mrs. J. Darville of 94 King Street for permission to purchase a portion of City-owned land known as North St. reserve. City staff feel that the property should not be sold, but that the area which the Darvilles wish to landscape should be leased to them on a year-to-year basis, on the understanding that they would carry out the landscaping and keep it in a presentable condition. A year-to-year lease with a short termination period is therefore recommended in the report and Council adopted this recommendation on motion of Ald. Backewich and Fredericks.



WARD TENDERS:  
HOSE

The following tenders have been received for the supply of 30 lengths of 3" diameter and 50 lengths of 1½" diameter double jacket, rubber-lined, mildew-treated fire hose in 50 ft. lengths, complete with light-weight couplings, Nova Scotia standard thread:

<u>Name</u>	<u>1½" hose</u>	<u>3" hose</u>
Angus Fire Armour Ltd.	\$73.43 length	\$285.50 length
MicMac Agencies Ltd.	77.00	187.00
Wilson & Cousins	82.45	204.75
Sansom Ltd.	82.50	218.35
Coastal Industrial Sales Ltd.	82.80	227.50
Safety Supply Co.	82.89	211.64
Levitt Safety Ltd.	85.81	205.25
Wajax Industries Ltd.	90.35	225.00
John Leckie Inc.	92.45	218.00
A. B. MacLean & Co. Ltd.	96.45	232.90
Seaboard Industrial Supply Co.	113.70	304.70
Levitt Safety Ltd.	117.01	391.99

Acceptance of the low bids from Angus Fire Armour Ltd. and MicMac Agencies Ltd. respectively is recommended by Mr. Moir, and Council awarded the tenders as recommended, on motion of Ald. Thompson and Williams.

TRAFFIC SIGNALS:  
PORTLAND STREET  
& CALDWELL RD.

A report from Mr. Moir was before Council on the traffic signals proposed for the intersection of Portland Street and Caldwell Road; copies of correspondence with the Minister of Highways and from the Provincial Traffic Authority have been circulated with the report. The recommendation is that Council authorize the installation of traffic signals at this intersection under the provisions of Agreement 4T between the City and the Highways Dept., the City's cost to be provided from the 1979 Capital Budget item for traffic lights. The recommendation was adopted on motion of Ald. Thompson and Williams.

18 FERGUSON RD.

Mr. Moir has submitted a report recommending the acquisition of the property 18 Ferguson Road, in order to protect the right of access to properties at 3, 5, and 7 Tidewater Lane; access would be cut off if a building permit were to be granted for construction at 18 Ferguson Road. The recommendation is to have the City acquire this property for the negotiated price of \$5,000. and Council approved the acquisition on motion of Ald. Backewich and Greenough.

SIDEWALK: BOLAND  
GREEN ROAD

An application has been received from Maxwell Cummings & Sons Holdings Ltd. for sidewalk installation by the City, facing Boland and Green Roads. Total cost of this improvement would be borne by the company and repaid over a five-year period. Mr. Moir recommends that Council authorize the sidewalk installation, provided an agreement can be entered into with Maxwell Cummings & Sons Holdings Ltd., whereby the total cost would be paid by the firm over a five-year period with interest on the unpaid balance; the interest rate to be in accordance with City by-laws. The recommendation received the approval of Council, on motion of Ald. Valardo and Thompson.

SCHOOL BUS DRIVERS

Council was advised by Mr. Moir of notification received from the Labour Relations Board that Amalgamated Transit Union Local 508 has made application to include in its bargaining unit part-time school bus drivers. It is recommended that City staff be authorized to oppose this application generally and specifically in regard to the Mechanic Supervisor. Ald. Thompson and Crawford moved the adoption of the recommendation, but Ald. Brennan and Valardo felt that this item should have been dealt with in camera rather than in open meeting. The motion carried with Ald. Fredericks voting against.

PERMIT TO BUILD:  
HERITAGE CEDAR HOMES

On motion of Ald. Greenough and Backewich, Council approved a building permit for Heritage Cedar Homes for Lot 78 Topple Drive, subject to compliance with the stipulations set out in the Planning Dept. report of August 28/79.

TENDERS: FURN.  
& EQUIPMENT  
P.A. & D.H.S.

Tenders have been received, as per the attached report, for furniture and equipment for Prince Andrew and Dartmouth High Schools. The awarding of tenders has been recommended by the School Board as detailed in the report, and Ald. Backewich and Greenough moved that Council approve the tenders as recommended.

Ald. Cunningham questioned the inclusion of aluminum canoes as an equipment item for physical education use, and ski equipment items were also questioned by other

members. Ald. Fredericks, Chairman of the School Board, explained the changing emphasis in the physical education program to more outdoor activities and more widely varied forms of exercise; a letter from Supt. Harrison was also read by Mr. Moir by way of explanation. Ald. Valardo did not agree with the inclusion of ironstone dishes for Household Science use and suggested that Melmac dishes would have cost less and been more satisfactory.

Ald. Hart and Irvine moved that items #1 to 7 be deleted from the tender, as an amendment to the motion. Ald. Crawford, Brennan and Greenough were not in favour of deleting items and felt that new and different emphases in the physical education program should be supported. At the hour of 11:00 p.m., Ald. Crawford and Ibsen moved adjournment, but the motion was defeated. On motion of Ald. Thompson and Backewich, Council agreed to continue meeting beyond the hour of 11:00 to complete several other items, including the one on the floor. The vote was taken on the amendment and it was defeated with Ald. Hart and Irvine voting in favour. The main motion carried.

TENDER: LOCKERS  
P.A. & D.H.S.

Tenders have also been received, as per the attached report, for full-length lockers for the two high schools, 2800 in total. The School Board recommends the purchase of these lockers from the low bidder, Cabot Shipping Supplies, and Council awarded the tender as recommended, on motion of Ald. Williams and Greenough.

In keeping with a suggestion made by her during debate on the tenders for furniture and equipment, Ald. Hart moved that the School Board be asked to forward to Council copies of the lists of equipment they are proposing to purchase prior to their going to tender; Ald. Irvine seconded the motion which carried with Ald. Fredericks voting against.

NOTICES OF MOTION:  
ALD. THOMPSON

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

- 1) Ald. Thompson: That City staff be requested to survey City walkways that are unpaved and

unlandscaped, work up a cost to bring them all to a standard equal to that required under subdivision regulations, and to recommend a financing program to carry out this work over a period of years (three to five).

ALD. HART

- 2) Ald. Hart: That Council approve a sensitivity session and orientation for all Aldermen no later than two weeks following the next municipal election.


ALD. VALARDO

- 3) Ald. Valardo: To introduce a motion relative to a procedure to be followed for implementation of staff salaries.

PASS BILLS

Bills were passed by Council on motion of Ald. Greenough and Hart.

The meeting then adjourned.



G. D. Brady,  
Deputy City Clerk.

August 22, 1979

RESOLUTION #79-48

WHEREAS Section 104 of the Municipal Elections Act provides that the Advance Poll is to be held on the Saturday preceding ordinary Polling Day;

AND WHEREAS Section 104 further provides that Dartmouth City Council may resolve that there will also be an Advance Poll on the Friday preceding the Saturday Advance Poll;

BE IT THEREFORE RESOLVED that the Advance Polls in the City of Dartmouth be held on the Friday and Saturday of the week preceding ordinary Polling Day.

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Dartmouth, N. S.

Sept. 11/79.


Notice of meeting having been waived, Council met to ratify the action taken in camera on three items of business.

Present - Mayor Brownlow

Ald. Hart	Backewich
Ritchie	Fredericks
Williams	Cunningham
Crawford	Brennan
Ibsen	Thompson
Irvine	Greenough
Valardo	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

The action taken in camera as Committee-of-the-Whole was ratified by Council on motion of Ald. Thompson and Crawford. Three items were ratified: (1) Bill Lynch request; (2) Akerley Blvd. extension; and (3) watershed lands.

Meeting adjourned.



G. D. Brady,  
Deputy City Clerk.

Dartmouth, N. S.

Sept. 18/79.

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

Present - Mayor Brownlow

Ald. Ibsen	Thompson
Williams	Cunningham
Ritchie	Fredericks
Hart	Backewich
Irvine	Greenough
Brennan	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

AMENDMENTS TO M.D.P.  
ZONING BY-LAW

This meeting of Council constituted the public hearing for amendments to the Municipal Development Plan (By-law C-382) and the Zoning By-law (C-383) with respect to massage parlours. The members were also circulated with copies of amendments to the proposed by-laws, as provided by the Planning Dept., and to these was added a further amendment to By-law C-383, by deleting from the third line of Section 1. (za) the word 'parlour', a typographical error.

BY-LAW C-382

By-law C-382 was presented for Council's consideration, with the amendment noted above. It was moved by Ald. Williams and Backewich and carried that leave be given to introduce the said By-law C-382 and that it now be read a first time.

It was moved by Ald. Irvine and Greenough that By-law C-382 be read a second time.

Ald. Ibsen expressed concern over any possible loop-holes there may be in the by-law and discussed his concern with Mr. Bayer.

No opposition to the by-law was received in written form and there was no one wishing to be heard from the public at the hearing. The vote on second reading carried.

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

It was moved by Ald. Ritchie and Backewich and carried that By-law C-382 be read a third time and that the Mayor and the Acting City Clerk be authorized to sign and seal the said by-law on behalf of the City.

LAW C-383

The other proposed by-law presented was C-383, with amendments to the Zoning By-law. It was moved by Ald. Backewich and Fredericks and carried that leave be given to introduce the said By-law C-383 and that it now be read a first time.

Ald. Hart and Greenough moved that By-law C-383 be read a second time.

Ald. Fredericks felt there may not be sufficient protection under section 1 in the case of the specialists designated to perform medical or therapeutic treatment, but Ald. Ibsen pointed out that there are Provincial regulatory bodies that insure the proper conduct of the various categories permitted to give treatment. Ald. Ibsen proposed an amendment to section 3. (4) (c) that would reduce the size of a sign permitted to five square feet from twenty; Ald. Brennan seconded the amendment but it was defeated. The motion for second reading carried.

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

It was moved by Ald. Williams and Irvine and carried that By-law C-383 be read a third time and that the Mayor and the Acting City Clerk be authorized to sign and seal the said by-law on behalf of the City.

REPORTS

Reports recommended to Council from Committee were approved as follows:

- 1) Building Inspector (August): adopted on motion of Ald. Irvine and Greenough.
- 2) Minimum Standards (August): adopted on motion of Ald. Backewich and Thompson.
- 3) Fire Chief (August): adopted on motion of Ald. Ritchie and Williams.
- 4) Social Services (July): adopted on motion of Ald. Cunningham and Ritchie.
- 5) Transit (July): adopted on motion of Ald. Hart and Irvine.

During consideration of the Transit report, considerable discussion took place and a number of issues were raised. Ald. Ritchie questioned the validity of the Portland/Penhorn bus route, in relation to the



need that exists for bus service in the Gaston Road area, and this led to a review of the approach that has been made to have the Province fund a demonstration route to serve the Gaston Road people. Ald. Irvine, Ald. Hart and the Mayor all commented on the efforts that have been directed through the Transit Advisory Board and through the Mayor's office to get the Gaston Road demonstration run approved. At the conclusion of the discussion, Ald. Ritchie and Fredericks moved that Council endorse the application to have Gaston Road approved as a demonstration route. Ald. Greenough suggested that the Mount Edward Rd. areas beyond the existing bus service should be given consideration as well because of the subdivisions and large number of residents who are without transit in that section of the City. The motion on the floor carried.

Ald. Backewich brought up the matter of a reduced fare structure for students who use the bus service, and Ald. Irvine and Hart again explained how this recommendation was dealt with by the Transit Advisory Board and the consideration it received by the M.T.C. It was noted that the Dartmouth situation is different than with Halifax Transit because of the fact that we also have a school bus service. Ald. Hart noted that our budget has already been set and any reduction in fare structure would result in a deficit that would have to be covered by the City. If reduced fares are introduced, and the City wishes to have them continued after the M.T.C. take-over at the first of the new year, we would also have to subsidize the deficit, since M.T.C. has not approved lower fares for students in Dartmouth.

Ald. Backewich and Thompson proceeded to move that the fares for school children travelling to and from school on Dartmouth transit busses during the hours of 7:30 a.m. and 4:30 p.m., be charged a fare of twenty-five cents, regardless of age, this change to be implemented on Sept. 24th by Council and presented to M.T.C. to deal with when we become part of the Metro Transit Commission.

Ald. Hart said she could not support the immediacy of having Council initiate this fare change, which is likely to result in an over-expenditure for the City. Ald. Fredericks, Williams, and Thompson supported the motion. Ald. Greenough proposed a change in the wording and moved in amendment that the motion read: '. . . for all students attending Dartmouth City schools, including the Regional Vocational School, and who are in possession of a student card; the amendment was seconded by Ald. Thompson.

Ald. Ibsen thought that Council should have an expression of opinion from the Transit Manager before coming to a final decision on the motion and he moved referral to Mr. Russell for an immediate report back to Council. The motion to refer did not receive support from the members of Council and it was defeated. The Mayor then put the amendment and it carried with Ald. Hart voting against; the amended motion carried with Ald. Hart, Ritchie and Ibsen voting against.

AWARD TENDER:  
TRANSIT DEPT.  
UNIFORMS

Tenders have been received as follows for 43 uniforms for Transit Dept. bus drivers, as per the Union agreement:

Tony the Tailor, Halifax	\$8,944.00
Harry Gore Industries Ltd., Mtl.	9,117.10
Sainthill Levine Uniforms, Toronto	9,348.20
J.R. Gaunt & Son Canada Co. Ltd., Mtd.	10,965.00
Colwell Bros. Ltd., Halifax	11,070.35
Town Tailor Ltd., Halifax	11,391.85
Presentation Tailors Inc., Mtd.	12,857.00 plus shipping

Acceptance of the low bid, submitted by Tony the Tailor, is recommended by Mr. Moir in his report to Council, and the recommendation was adopted on motion of Ald. Williams and Backewich.

AWARD TENDERS:  
USED MOTORCYCLES  
& STATION WAGONS

Tenders were recently received for the sale of surplus used motorcycles and station wagons owned by the City. Acceptance of the following tenders, the highest received in each case, has been recommended:

#4 Motorcycle to Ralph Bowers, Bedford	\$1,521.75
5 " " Harold Vaughan, Dart.	1,705.27
6 " " Ralph Bowers, Bedford	1,725.00
#110 Station wagon to D.&B. Holding Ltd, Truro	725.00
111 " " to Donald McNeill, Enfield	725.00
112 " " to Hal Dobbelsteyn, Halifax	550.00
113 " " to Stan Spencer, Sackville	750.00

The tenders were awarded as recommended, on motion of Ald. Irvine and Thompson.

RADIO COMMUNICATIONS SYSTEM

A report from Mr. Moir was considered on the subject of the City's radio communications system and the need for a comprehensive survey of requirements in this connection, by an independent consultant, so that recommendations can be made as to what improvements are needed. The report was accompanied by a letter from Consultec Canada Ltd., outlining a proposal for carrying out a comprehensive overview of the system, and it is Mr. Moir's recommendation to Council that the proposal be accepted on the basis that the funds to pay for this study would be provided on a pro rata basis from the 1979 communications budgets of the four departments concerned, Police, Fire, Works, & Schools. The recommendation was adopted on motion of Ald. Brennan and Ibsen.

NUISANCE COMPLAINT:  
SKATEBOARD RAMP

An item added to the agenda, dealing with a petition from residents in the Clearview Crescent/Forest Road area, was before Council, and on motion of Ald. Ibsen and Williams, October 9th was set as the date for public hearing of the nuisance complaint (under By-law C-211) with regard to the skateboard ramp in use at 7 Clearview Crescent.

GUARDRAIL:  
929 WAVERLEY RD.

A further report has been submitted to Council on the subject of possible funding sources for the guardrail requested by Ald. Greenough in the area of 929 Waverley Road. The Provincial Dept. of Highways has indicated that fifty percent cost-sharing is available through the Dept. of Highways Maintenance Agreement, while a possible source of funding for the City's portion of the project would be the Municipal Incentive Grant (CMHC) Fund. Otherwise, the cost would have to be charged as an over-expenditure against the Walls, Fences & Guardrails account in the Operating Budget. Council agreed to proceed with the guardrail on the basis of the funding provisions outlined, on motion of Ald. Fredericks and Greenough.

LAW C-384

Proposed By-law C-384, which would establish a curfew in Dartmouth for young people under the age of 16 years, was presented for consideration.

It was moved by Ald. Williams and Thompson and carried that leave be given to introduce the said By-law C-384 and that it now be read a first time.

It was moved by Ald. Ibsen and Williams that By-law C-384 be read a second time.

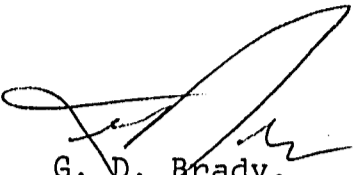
Ald. Ibsen was the first member of Council speaking in the debate on second reading and he expressed his opposition to the by-law. He and Ald. Fredericks did not consider this to be the right way to approach the vandalism problems we have in the City. Ald. Fredericks made reference to a Task Force report on vandalism recently undertaken in the City of Halifax; he suggested that all members of Council should have copies and make use of the information and recommendations contained in the report.

Ald. Cunningham did not feel that the by-law truly reflects the opinions of the special committee set up to study the curfew question. As chairman of that committee, Ald. Greenough quoted from several excerpts from the minutes taken, and suggested that Council has to ask the question as to whether or not this by-law is the best means of dealing with vandalism problems; he concluded that it is not. Basically, the main concerns expressed were for the curtailment of the individual persons's civil liberties and the fact that the large majority of young people who do not cause problems will suffer an infringement of their rights because of the action of the small percentage who are committing the acts of vandalism and disturbing the citizens.

At the end of the debate, it was moved by Ald. Fredericks and Ritchie that all members of Council be provided with copies of the Halifax Task Force study, and that Mr. Moir and the department heads carry out a review of our existing by-laws and their effectiveness in dealing with vandalism (including their enforceability),

and bring back recommendations to Council.

Meeting adjourned-.



G. D. Brady,  
Deputy City Clerk.

(Omitted from page 4 was the approval of the Development Officer's report for August, adopted on motion of Ald. Williams and Ibsen.)