

Dartmouth, N. S.

May 6/80.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Crawford	Fredericks
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith	

The Mayor welcomed to the meeting, two Guide companies, one Scout company, and their leaders.

On motion of Ald. Valardo and Sarto, Council approved the minutes of meetings held on March 31, April 1, April 3, April 8, April 9, April 14, 15, and 22nd.

WARD TENDERS:  
CANTEEN CONCESSIONS

Tenders have been received as follows for the canteen concessions for the Gerald B. Gray and the C. W. Bowles arenas for the period from April 30th, 1980 to March 31st, 1983:

Gerald B. Gray Arena

Mr. Joe Conrod (East Coast Vending Services Ltd.)	\$14,950.00
Gayle Crooks, Dartmouth	9,600.00

C. W. Bowles Arena

Mr. Joe Conrod (East Coast Vending Services Ltd.)	\$13,150.00
Gayle Crooks, Dartmouth	7,800.00

The recommendation from the Purchasing Agent and from Mr. Moir is that the canteen concessions be awarded in each case to the high bidder, Mr. Joe Conrod (East Coast Vending Services Ltd.) Council awarded the tenders, as recommended, on motion of Ald. Valardo and Ibsen.

WARD TENDER: BIRCH  
CANTINE CONCESSION

The following tenders were received for the Birch Cove canteen concession, for the period from July 1st to Sept. 2nd, 1980:

Gary Schmidt, 41 Rose St.	\$500. plus 10% of profit
Gayle Crooks, 47 Amaranth Cres.	200.00

The recommendation from the Purchasing Agent and Mr. Moir is to award the tender for the Birch Cove canteen concession to Gary Schmidt for the tender price quoted by him. The tender was awarded by Council, as recommended, on motion of Ald. Valardo and Sarto.

TENDERS: POLICE & FIRE  
DEPT. UNIFORMS & CLOTHING

Tenders have been received, as per the attached report, for uniforms and clothing for the Police and Fire Departments for the year 1980. Recommendations from the Purchasing Agent and Mr. Moir on the awarding of tenders for the uniforms and clothing, were adopted by Council, on motion of Ald. Williams and Withers.

CONTRACT #8001:  
TAM O'SHANTER  
DRAINAGE PHASE II

The following tenders were received for Contract #8001, Tam O'Shanter storm drainage Phase II:

Scotiabuild Ltd., Dartmouth	\$153,200.00
Casavechia Const. Ltd.	197,044.00
B. & B. Excavators Ltd.	198,948.50
W. Eric Whebby Ltd.	208,170.00
Woodlawn Const. Ltd.	218,172.00
Stewiacke Const. Ltd.	221,908.00
G. A. Smith, Ltd., Hfx.	230,140.00
Dineen Const. Atlantic	237,525.00
Seaport Contractors Ltd.	239,625.00
Tidewater Const. Ltd.	240,908.00

Acceptance of the low bid, submitted by Scotiabuild Ltd., has been recommended in Mr. Moir's report to Council, and the tender was awarded as recommended, on motion of Ald. Fredericks and Ibsen.

SHUBIE CAMPGROUND  
RATES

As discussed in conjunction with the '20% or . . . ' report, a recommendation was before Council for fee increases for the Shubie Campground, as follows:

Unserviced sites - from \$5.00 to \$6.00 per night  
Serviced sites (electricity) - from \$6.00 to \$8.00 per night

Mr. Moir's recommendation was adopted by Council on motion of Ald. Cunningham and Ibsen.

LAW C-402

Proposed By-law C-402 has been prepared as an amendment to By-law C-106, with respect to requiring the use of public sewers; this amendment would establish an interest rate of 15% on any debts owing to the City for work ordered to be done to connect with the public sewer line.

It was moved by Ald. Fredericks and Ibsen and carried that leave be given to introduce the said By-law C-402 and that it now be read a first time.

It was moved by Ald. Hart and Sarto and carried that By-law C-402 be read a second time.

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

It was moved by Ald. Valardo and Ibsen and carried that By-law C-402 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the by-law on behalf of the City.

PARK-PLAYGROUND:  
CHURCHILL DR. AREA

A proposal has been received from the Dartmouth East Rotary Club for the development of a park-playground facility in the Churchill/Kennedy Drive area, to be named 'The Dartmouth East Rotary Park'. Details of the proposal are contained in a letter circulated from the President of the organization. Council approved the proposal as it has been outlined, on motion of Ald. Valardo and Ibsen.

ROBERTS MEMORIAL FUND

It has been recommended to Council by Mayor Brownlow that a donation of \$500. be made to the Roberts Memorial Trust Fund, established in memory of Judge Arthur and Mrs. Catherine Roberts, for purposes set out in the letter accompanying the Mayor's report. Ald. Fredericks and Sarto moved the adoption of the recommendation, but Ald. Hart considered that a lower amount would be more in keeping with the donations being made by other municipalities throughout the Province. She therefore moved in amendment that the City's donation be in the amount of \$250. rather than \$500.; Ald. Crawford seconded the amendment and it carried. The amended motion carried.

SPORTS COMPLEX

The members of Council have received copies of a letter from the Chairman of the Board of Dartmouth Recreation Ltd., with respect to concerns expressed at the April 1st meeting on the status of

operating cost estimates, off-site costs, etc., associated with the proposed recreation complex for which plans are now in progress. The letter indicates that the information requested by Council is in the process of being prepared, in accordance with the direction given by Council when the preliminary plans for the complex were first presented in October of 1979.

Ald. Valardo and Cunningham moved that the letter from the Chairman, Mr. John Guildford, be received and filed. Ald. Crawford felt that Council should have started to receive some of the operating and off-site cost figures from the Board of Dartmouth Recreation Ltd. and not just a letter advising that they are being prepared. He was therefore opposed to the motion to receive and file and considered the letter from Mr. Guildford to be an inadequate response to the request from Council to questions raised in conjunction with Ald. Withers' motion of April 1st. Ald. Valardo and Fredericks spoke in support of the motion, pointing out that Council will receive all of the facts and figures on the complex in due course. When the vote was taken, the motion to receive and file carried.

PROPERTY TAX  
RELIEF: BY-LAW C-404

A report from the City Clerk was before Council in connection with a motion introduced in January of this year, calling for a tax relief provision of 50% for senior citizens of 65 years and over residing in their own homes and living on a fixed income. The motion has been considered by a special staff committee, and the following recommendations are made to Council:

- 1) that Council endorse and promote By-law C-297 (permitting a deferral of the payment of taxes in certain cases), as the most advantageous program for senior citizen property tax relief, and further request staff to amend the by-law to increase allowable income limitations from \$7,500. to \$9,000. immediately. Proposed By-law C-404 has been prepared to cover this allowable increase.

- 2) that City staff be authorized to undertake an active publicity program to inform the residents of Dartmouth (ie. senior citizens, etc.) of the deferral program and how to take advantage of same. Such a program would include public notices, mailings and public meetings.
- 3) that consideration be given to a further amendment at a later date, after appropriate staff review, to include widows, widowers, spinsters and single-parent families for tax deferral under By-law C-297.

Council first dealt with recommendation #1 by proceeding with the proposed By-law C-404, which would increase the allowable income limitation to qualify for tax relief under By-law C-297.

It was moved by Ald. Hart and Sarto that leave be given to introduce the said By-law C-404 and that it now be read a first time. The motion carried.

It was moved by Ald. Valardo and Sarto that By-law C-404 be read a second time.

In general, the opinions expressed by the members during debate on second reading were in favour of the by-law and in support of the tax deferral concept as a means of assisting senior citizens and helping them to remain in their own homes for as long as possible. Ald. Ibsen questioned the adequacy of the qualification criteria under By-law C-297 which reads 'that the person applying for the deferral is the only person assessed for the real property upon which the taxes are owing' (ie. in relation to the remaining spouse being qualified to receive the same tax deferral right). The Solicitor agreed that this section needs to be further clarified and said she would look into the matter. Ald. Sarto asked for information on the requirements for receiving social assistance and a copy of the guidelines on which eligibility is based. The motion for second reading of By-law C-404 carried.

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

It was moved by Ald. Crawford and Valardo and carried that By-law C-404 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

After approving By-law C-404 (recommendation #1 in Mr. Smith's report), Council went on to adopt recommendations 2 and 3 as presented, on motion of Ald. Fredericks and Crawford, including Ald. Ibsen's concern about the section of By-law C-297 noted by the Solicitor.

LAW C-398

Council considered the proposed By-law C-398, which would amend By-law C-140 by increasing membership on the Industrial Commission to twelve members, thereby permitting representation on the Commission by the Burnside Industrial Park Committee.

It was moved by Ald. Hart and Fredericks and carried that leave be given to introduce the said By-law C-398 and that it now be read a first time.

It was moved by Ald. Valardo and Sarto and carried that By-law C-398 be read a second time.

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

It was moved by Ald. Hart and Hawley and carried that By-law C-398 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

MOTION: ALD. WILLIAMS

Notice of motion having been previously given, Ald. Williams now introduced the following motion, seconded by Ald. Valardo:

WHEREAS there are approximately 100 applications on file since the opening of Eastwood Manor, and  
WHEREAS a number of residents presently residing in the two Dartmouth senior citizen complexes have only resided in Dartmouth for a relatively short time, and

WHEREAS senior citizens who have lived in Dartmouth all their lives are unable to obtain senior citizen housing;

It is directed by Council that the Minister, the Hon. Jack MacIsaac, be approached through the Mayor, to initiate a review of the regulations pertaining to entrance requirements for senior citizen housing, with a view to increasing the residency period to five years.

While Council's general reaction to the intent of the motion was a positive one, Ald. Crawford questioned the implications for residents who may have lived here all of their lives and then move outside the City boundaries for a year or so prior to seeking accommodation in the senior citizen complex in the City. He asked whether people in these situations would then be considered as ineligible for accommodation as a result of living outside the City for that one or two-year period. Ald. Fredericks said he could not support the motion as it has been presented because of the ramifications that any such residency requirement would have in terms of our own people who are living in complexes in other municipalities (ie. Northwood Manor, Oceanview, etc.) He felt that what Council should be doing instead is pressing the Provincial Government for more senior citizen units for Dartmouth to meet our requirements, and encouraging the provision of supplementary assistance that will permit older people to stay in their homes without feeling the financial burden of doing so.

During the debate, it was noted by Mr. Moir that there are other criteria in the point system for accommodation, over and above the residency requirement under discussion. The members considered this point to be relevant to the motion, and Ald. Hart favoured referral of the motion to Committee for further discussion, based on the points raised at this time. Her motion to refer, seconded by Ald. Hawley, was put and carried. Ald. Greenough asked that when the item comes to Committee, it be accompanied by information from the Dartmouth Housing Authority on the criteria used in the allocation of senior citizen units for occupancy.

)) (C)RIES:  
LD. VALARDO

Ald. Valardo asked if the Police Dept. could not assume some responsibility for situations throughout the City where the Unsightly Premises By-law and other such regulations, involving the Building Inspection

Dept., are being violated. Mr. Moir said he would take this matter up with the Chief of Police to see what could be done to make use of police patrols in this connection.

His second inquiry had to do with possible restitution for damage to the ferry caused by recent acts of vandalism; Mr. Moir suggested discussing this item further in camera.

D. GREENOUGH

Ald. Greenough asked if anything further has been received from the Minister of Transportation on the 107 By-pass and improvements to the MicMac Rotary. The Mayor said it was his understanding that there will be something shortly on this issue.

D. CRAWFORD

Ald. Crawford made the following inquiries:

- a) what is the status of the restaurant facility for the ferry terminal building; Mr. Moir said that staff are still dealing with the two principals who submitted tenders.
- b) requested information on the rooming house legislation being sought by the City; the Solicitor said that the necessary authority is being sought in the legislation presently before the Provincial House.
- c) asked to have the T.M.G. look at the problem of cars parking on Queen Street in front of the Pat King office while people are in the post office, picking up mail.
- d) asked if the City's representatives on the Metropolitan Authority try to reach a concensus of opinion on issues coming before the Authority, prior to the meetings. The Mayor said that generally speaking, a uniform approach is taken by the Dartmouth representatives on issues affecting the City.
- e) requested information on the terms of reference that are applied when persons have to vacate their accommodations in a senior citizens complex.
- f) asked when the next meeting of the Police Commission will be; Mr. Moir said it will probably be on Thursday, May 15th.

Ald. Crawford then presented a series of questions, introduced as follows:

Mention is made, in the Highway 107 Environmental Assessment Study by City staff, of a private consultant whose opinions differed on more than one occasion with those of Provincial engineers.

- (1) What is the name of the consultant?
- (2) What are his professional qualifications for planning highways?



- (3) By what professional firm is he normally employed?
- (4) Was he hired by contract?
- (5) By what authorization was he employed?
- (6) What was his fee for all services rendered, including computer time, secretarial, etc. that were necessary for him to complete his assigned tasks?
- (7) Did he render an itemized account?
- (8) Has he been paid?
- (9) How many cheques were issued to pay his account in full?
- (10) What are the serial numbers of the cheques?
- (11) Who was the signing authority for each cheque?

He requested that these questions be answered by the Mayor in writing, on or before the next regular Council meeting, if at all possible.

D. FREDERICKS

Ald. Fredericks asked if there is anything further on the Atlantic Winter Fair site. Ald. Greenough responded to the inquiry by advising that the special committee appointed by Council is seeking a meeting with the Provincial site selection committee.

He asked if the bus fares for children are to be different in Halifax (fifteen years and under) and Dartmouth (thirteen years and under). Mr. Moir said the same age can apply in both cities and it will be uniform under M.T.C. Another question from Ald. Fredericks had to do with bus fares for senior citizens. Mr. Moir said they are as recently established by Council (ie. half-fare during non-peak hours).

Ald. Fredericks asked if the matter of cab fare discounts for senior citizens residing in their own homes, is being considered. Mr. Moir advised that the committee studying the Taxicab By-law is looking at this.

The last item raised by Ald. Fredericks concerned the status of the emergency phone number proposal brought forward some time ago by him. Mr. Moir explained that the use of one emergency number could only work if it were in effect throughout the whole metropolitan area; it was for that reason that the matter was referred to the Metropolitan Authority for consideration.

D. HAWLEY

Ald. Hawley said he has received a number of phone calls about garbage being put out for collection in the afternoon hours, rather than at night as it should be. He asked to have this situation looked at by the police on their patrols.

Other inquiries made by Ald. Hawley concerned:

- a) problems with bicycles being ridden on sidewalks and posing a danger to older people walking on the sidewalks.
- b) the presence of dogs, bicycles, and motor-bikes in around the jogging trails in the Shubie Park.
- c) asked the T.M.G. to consider a No Parking area designation at the intersection of Maple Street, Plymouth Road, and Raymond St.
- d) a problem that people have in finding Waverley Road because of the fact that the exit from the Rotary is marked as Braemar Drive.

D. WITHERS

Ald. Withers asked if staff were able to determine the source of oil contamination in Little Albro Lake. Mr. Fougere said it came from a container that was dropped into the water from a property on the lake.

D. IBSEN

Ald. Ibsen asked when the Continuing Agenda is to be reviewed so that items can be removed which no longer require attention. Mr. Moir said it will be reviewed at the staff meeting next week.

He also made other inquiries as follows:

- a) asked if a petition was presented on behalf of Wildwood residents re street improvements; Mr. Moir said it was.
- b) asked if there will be any sand-seal program this year; Mr. Fougere pointed out that money was not approved in the budget for it.
- c) requested information on the facilities proposed for the nursing home that could be located in the Mount Edward Road area (ie. what percentage would be comprised of heavy-bed care, etc.).
- d) Ald. Ibsen expressed his appreciation to Council for the tribute received following the death of his brother in Toronto.

NOTICES OF MOTION:  
D. FREDERICKS

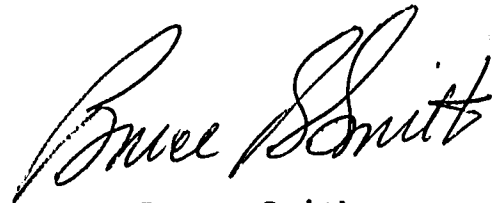
The following notices of motion were given by  
Ald. Fredericks for the next regular Council meeting:

1) That Ald. Fredericks prepare a report

- 1) That Planning staff prepare a report to Council for necessary changes to building by-laws, etc., in relation to housing and 'energy savings'; report to include site planning, solar access, partly underground dwellings, narrower streets, etc., and that staff, in connection with this study, research what other municipalities in Canada are doing on this matter.
- 2) That Planning staff look into the possibility and feasibility of providing space for underground industrial sites in the City's industrial park - 'energy saving sites' - particularly as to what depth into the ground the purchaser owns the lot. It would seem that the Lynch Estate, in particular, has possibilities in this regard.

Council adjourned to meet in camera, on motion of Ald. Greenough and Sarto. Having reconvened in open meeting, the action taken in camera was ratified with respect to property acquisition (Kuhn Rd. area and 43 Wentworth St.), on motion of Ald. Hart and Ibsen.

Meeting adjourned.



Bruce Smith,  
City Clerk-Treasurer.

Dartmouth, N. S.

May 20/80.

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

Present - Mayor Brownlow

Ald. Ibsen	Sarto
Williams	Cunningham
Brennan	Crawford
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
Withers	
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. Brady	

PETITION: GO-  
CART OPERATION

At the beginning of the meeting, Ald. Ibsen received permission to table a petition from residents of the Carver/Portland/Elizabeth Street area, opposed to the establishment and operation of a go-cart operation on lands next to Russell Lake.

PETITION: MINI-  
BIKES

Ald. Cunningham also received permission to table a petition from residents of Summit Heights Road, who are protesting a continuing nuisance with mini-bikes being operated in their area of the City.

Ald. Cunningham, Fredericks and Crawford asked for and were given permission to introduce notices of motion at a later point in the meeting.

BY-LAW C-400:  
DEVELOPMENT  
BOUNDARIES

This meeting of Council constituted a public hearing in connection with proposed By-law C-400, which would provide for development to occur outside the development boundaries established under the M.D.P., for certain uses that would be approved by Council and controlled through Contract Zoning. Any such proposals would be reviewed by Council through the procedures normally followed in the case of a regular rezoning application, with duly advertised public hearing, voluntary public meeting in the area involved, etc. Such developments would be of a nature that they would not require extensions to trunk services and they would be the types of operation that would lend themselves to locations removed from the built-up sections of the City.

Ald. Hart and Greenough moved that leave be given to introduce the said By-law C-400 and that it now be read a first time. The motion for first reading carried.

It was moved by Ald. Greenough and Ritchie that By-law C-400 be read a second time.

Ald. Brennan considered the proposed amendment to the Municipal Development Plan to be a weakening in the degree of control established by the development boundaries defined in the Plan. He felt that the existing mechanisms are already there to do what the by-law proposes, even though it was pointed out by Mr. Zwicker that a considerably longer process would be required to accomplish the same end purpose if a proposal were received that Council wished to have considered. Ald. Ibsen, Sarto, and Crawford were other members expressing their concerns about certain aspects of the by-law in relation to Council's ability to protect the areas designated outside the development boundaries, particularly that area around Russell Lake where permission has been requested for the establishment of a go-cart operation. Residents present for this public hearing indicated their opposition to a go-cart operation on the Russell Lake lands. The residents heard by Council included Mr. McKenzie and Mr. Harley Eisener, both of whom objected to any amendment to the M.D.P. that would permit uses such as the go-cart operation in their section of the City.

Mr. Zwicker responded to the concerns raised during the public hearing, explaining the control that Council would retain through the procedures that would be followed under Contract Zoning requirements. He pointed out several times that the proposed amendment is not rezoning the lands outside the development boundaries, but sets up a framework that makes it possible for proposals to receive consideration and be processed more expeditiously than they could be at present where each situation requires a separate amendment to the Municipal Development Plan. Ald. Hart and Greenough supported the Planning Dept. arguments in favour of the amendment to the M.D.P. and maintained that Council would not lose any degree of control, but would be better served with the enabling provisions of By-law C-400,

Throughout the debate on second reading, reference continued to be made to the detrimental effects of a go-cart operation being located in an area which is served with only one access road and the fact that it is a private roadway not even taken over by the City. Mr. Mike LeBlanc, one of the applicants for the operation, pointed out that Council would be given ample opportunity to deal with his application on its own merit at a duly constituted public hearing, where the residents could be heard and express their views as they normally have the opportunity to do with other zoning applications. Ald. Cunningham made the point that there is nothing to stop the go-cart applicants from going back to the Woodlawn Mall, if they do not have an opportunity to locate elsewhere. This would also be true for other proposals that would fall within the commercial zoning category, such as a drive-in theatre. Mr. Zwicker also made reference to the Atlantic Winter Fair site as one of the other land uses proposed for an area outside our existing development boundaries.

In view of the concerns expressed about the lands around Russell Lake in particular, Ald. Fredericks and Sarto moved in amendment that this area be deleted from the proposed By-law C-400. Members of Council who spoke on the amendment tended to feel that either all of the lands outside the development boundaries should be designated for purposes of the by-law or none at all. When the vote was taken on the amendment, it was defeated. The motion for second reading was also defeated with Ald. Hart, Greenough, Ritchie, and Greenwood voting in favour.

B-LAW C-382

This date was also set by Council for public hearing of an amendment to the Municipal Development Plan (By-law C-382) and an amendment to the Zoning By-law (C-383) with respect to the regulation of massage parlours in the City. While both these by-laws were previously approved, a procedural requirement involving their advertisement has been questioned and it was considered advisable from a legal point of view to readvertise both by-laws and hold another

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public hearing to protect the City's best interests.

By-law C-382 was therefore presented for Council's consideration at this time, being an amendment to the Municipal Development Plan as noted. It was moved by Ald. Ibsen and Crawford 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. Ibsen and Greenough that By-law C-400 be read a second time. There was no one wishing to be heard on second reading and no objections were received in writing to the proposed by-law. The motion carried.

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

It was moved by Ald. Hart and Sarto and carried that By-law C-400 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

BY-LAW C-383

By-law C-383 was then presented, being an amendment to the Zoning By-law with respect to the regulation of massage parlours.

It was moved by Ald. Hart and Greenough and carried that leave be given to introduce the said By-law C-383 and that it now be read a first time.

It was moved by Ald. Greenough and Williams that By-law C-383 be read a second time. No one wished to be heard during second reading and there was no written opposition before Council on the proposed by-law. The motion for second reading carried.

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

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

REPORTS

Reports recommended from Committee were adopted as follows:

- a) Building Inspector (April): approved on motion of Ald. Hart and Ibsen.



- b) V.O.N. (March): approved on motion of Ald. Greenough and Ritchie.
- c) Social Services (March): approved on motion of Ald. Cunningham and Sarto.
- d) Ferry Supt. (April): approved on motion of Ald. Fredericks and Hawley.
- e) Fire Chief (April): approved on motion of Ald. Williams and Greenwood.
- f) Transit Operations Manager (April): approved on motion of Ald. Greenough and Cunningham.
- g) Development Officer (April): approved on motion of Ald. Sarto and Ritchie.

Ald. Brennan requested additional information on the shopping centre development proposed for Forest Hills and the possible basis on which the City could make representation in opposition to the approval of the development.

MOTION: SENIOR  
CITIZENS HOUSING

An amended motion re senior citizens housing, introduced by Ald. Williams, has been recommended to Council as follows:

That Council, through the Mayor, approach the Minister, the Hon. Jack MacIsaac, to initiate a review of the regulations pertaining to:

- 1) the entrance requirements for senior citizen housing;
- 2) the number of available units in the City;
- 3) to assess the feasibility for subsidy for senior citizens who desire to remain within their own homes.

Ald. Williams and Ritchie moved the adoption of the amended motion, as recommended by Committee. Ald. Fredericks asked that in the discussions with the Minister, clarification also be sought with respect to the number of senior citizen housing units being planned for Dartmouth, and further, that the need for additional units, based on the present waiting list, be impressed upon the Minister. The motion was put and carried.

PERMIT TO BUILD:  
ADDITION TO  
RESEARCH FOUNDATION

On motion of Ald. Fredericks and Ibsen, Council approved an application for permit to build an addition to the Nova Scotia Research Foundation at 100 Fenwick Street, subject to compliance with the City requirements set out in the staff report to Council.

PERMIT TO BUILD:  
NURSING HOME

On motion of Ald. Fredericks and Greenwood, Council also approved an application for permit to build a 150-bed nursing home on Mount Edward Road, subject to compliance with City requirements, as detailed in the staff report to Council.

REMOVAL OF LEFT TURN:  
TACOMA DR. & MAIN ST.

On motion of Ald. Williams and Sarto, Council adopted a recommendation from the T.M.G. to remove the left turn presently permitted from Tacoma Drive onto Main Street, thereby improving traffic safety at this point.

TRAFFIC CONGESTION:  
WYSE ROAD/ALBRO LAKE  
ROAD

The T.M.G. has looked at the problem of traffic congestion at the intersection of Wyse Road and Albro Lake Road, and has made a recommendation to increase the 'no parking' areas in the vicinity of the intersection, to improve the visibility and maneuverability within the intersection area. A map showing the no parking areas recommended accompanied the report to Council. The recommendation was adopted, on motion of Ald. Hart and Ritchie. Ald. Withers did not feel that the report has gone far enough to correct the problems at this intersection and described the recommendation as 'band-aid' treatment only. Ald. Hart said that at least the no parking restriction is a start toward resolving the situation. The motion to adopt the report carried.

SALE OF 1961  
FIRE PUMPER

Prices have been received as follows for the purchase from the City of a surplus 1961 International pumper:

West Green Harbour Community Fire Hall Shelburne Co., N. S.	\$1,200.
Gore District Volunteer Fire Dept. Hants Co., N. S.	500.
Nova Scotia Fire Fighters School Waverley, N. S.	500.

Acceptance of the tender from the West Green Harbour Community Fire Hall, in the amount of \$1,200., is recommended, on a 'where is, as is' basis. Council adopted the recommendation, on motion of Ald. Ibsen and Fredericks.

HOME SAFETY  
PROGRAM

On motion of Ald. Ritchie and Brennan, Council indicated support for the proposed 'Home Safety Program' to be implemented in the City by the Fire Department, as outlined in a report from the Fire Chief and referred to in Mr. Moir's accompanying report to Council.

RESTRICTIVE COVENANTS:  
SALE OF CITY LANDS

On motion of Ald. Fredericks and Crawford, Council received and filed for information a report from the City Solicitor on the subject of restrictive covenants on the sale of City-owned lands; this report was requested at Council some time ago. The report states, in summary, that the City cannot put restrictive covenants on lots it sells which can be enforceable against subsequent owners, nor can the City control the style of building which goes on any vacant lot within the City, unless a plan is established well in advance before the first lot is sold and the first home is built, as was the case with the Nantucket Subdivision and the Colby Village subdivision.

RESOLUTION #80-22

On motion of Ald. Ibsen and Crawford, Council adopted the attached Resolution #80-22, setting an interest rate on overdue taxes at the rate of 17% per annum, effective as of June 1/80. This decrease in the rate is in keeping with the recent decline in interest rates during the past several weeks, as explained in the report to Council from the City Clerk-Treasurer.

ANNUAL REPORT:  
COMM. SERVICES  
ADVISORY BOARD

On motion of Ald. Sarto and Ritchie, Council received and filed for information, a year-end summary of activities for 1979 from the Dartmouth Community Services Advisory Board, copies of which were circulated with the agenda for this meeting.

NOTICES OF MOTION:

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

ALD. CUNNINGHAM

1) Ald. Cunningham: that the City Solicitor be instructed to draft a new by-law relating to the regulation and prohibition of noise or disturbance caused by means of the operation of motor vehicles not on public highways.

ALD. FREDERICKS

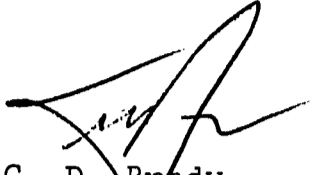
2) Ald. Fredericks: (a) that staff look at the possible location of a heliport in the Burnside Industrial Park.  
(b) that staff look at the possibility of having a farmer's market located on the waterfront this summer and fall.

ALD. CRAWFORD

3) Ald. Crawford: As per Section 339 (1) (b) of the Dartmouth City Charter (1978), Dartmouth City Council request a judicial inquiry into

the purchase of the Commodore lands at a cost of \$1.6 million dollars plus interest, to the taxpayers of the City of Dartmouth.

Meeting adjourned.



G. D. Brady,  
Deputy City Clerk.

May 1980

RESOLUTION No. 80-22

WHEREAS the Assessment Act, Revised Statutes of Nova Scotia 1967, Chapter 14, as amended, provides that Dartmouth City Council may impose an additional charge for interest at a rate determined by Council for non-payment of taxes by a date set by Council;

AND WHEREAS Dartmouth City Council deems it advisable to reduce the rate of interest charged on overdue taxes which was established by Resolution 80-17;

THEREFORE BE IT RESOLVED that all taxes which are due and payable on the 1st day of March in each year and all taxes which are due and payable on the 31st day of May in each year, shall be subject to the payment of interest at the rate of 17% percent per annum from the 1st day of March or the 31st day of May, respectively as the case may be, to and including the date of payment with respect to such amount of taxes as may from time to time remain unpaid, effective the 1st day of June 1980.

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Dartmouth, N. S.

May 27/80.

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

Present - Mayor Brownlow

Ald. Ibsen	Sarto
Williams	Cunningham
Crawford	Brennan
Withers	Valardo
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
City Solicitor, M. Moreash	
City Administrator, C. A. Moir	
City Clerk-Treasurer, B. Smith.	

The first part of the meeting was chaired by the Deputy Mayor and Mayor Brownlow returned to the meeting during the presentation of motions.

WARREN TENDERS:  
POLICE VEHICLES

Tenders have been received as follows for the supply of four compact model vehicles and two full-size model vehicles for use in the City Police Dept.:

<u>Company</u>	<u>3 compacts with trade</u>	<u>1 compact, no trade</u>	<u>2 full-size with trade</u>
Dart. AMC	\$18,984.00	\$7,565.00	\$ . . . .
Chebucto Ford	12,948.08	6,016.02	12,275.40
Forbes Chev.	18,195.00	7,565.00	14,200.00

(The City is trading five vehicles (three AMC Concords and two full-size Ford Customs) against the purchase of these six vehicles.)

It is Mr. Moir's recommendation that all six vehicles be awarded to the low bidder, Chebucto Ford, at a total price of \$31,239.50. The recommendation was adopted by Council, on motion of Ald. Williams and Greenough.

SETTLE BALLFIELD

As requested by Council, staff have studied the work required to complete the drainage work and improve the appearance of the Ira Settle Ballfield. The work remaining to be carried out has been detailed in a report from Mr. Moir to Council, including projected costs and a phasing program for the work. The recommendation is that Council authorize the preparation of plans and specs. and tender call for Phases 1 and 2 for

improvements to the Ballfield, the cost of this work to be funded from the unexpended balance of the 1980 Capital Estimate for Contract #8001 (Tam O'Shanter drainage Phase 2), which came in at a considerably lower figure (\$153,200.) that the estimated cost of \$360,000.

A second recommendation contained in Mr. Moir's report is to have Council authorize an additional \$5,000. from these same unexpended funds for the installation of sidewalks on Bell Street, at an estimated cost of \$5,000. When Council decided to delete this item from the 1980 Capital Budget, it was with the understanding that if the tenders for other street construction work came in under estimate, consideration would be given to allotting \$5,000. for the sidewalks. Ald. Greenough and Sarto moved the adoption of the report and recommendations.

While members of Council did not oppose the work on the Ira Settle Ballfield, they expressed concern about the expenditure of funds on what was not considered to be a priority item when the budget was under consideration. Ald. Greenough said the project has always been a priority with him and there is a considerable urgency about it in view of the concerns that residents in the area have about the present condition of the field. The motion was put and carried.

Tenders have been received as follows by the W.D.C. for Harbor Walk, Phase 2B, which includes alterations to City Hall to create a stairway and other alterations to the existing City Hall annex structure basically connecting the two buildings:

Dineen Construction (Atlantic) Ltd.	\$629,446.
Cambrian Construction Ltd.	683,134.
Boyd & Garland Construction Services	685,568.
Blunden Construction	750,000.
Harbour Construction Co. Ltd.	894,170.

In the breakdown of the low tender, submitted by Dineen Construction,, the amount indicated in the tender documentation for alterations to City Hall is

OPERATIONS:  
CITY HALL

\$79,300.; this figure is \$24,300. above the \$55,000. estimate provided in the 1980 Capital budget under the item Public Buildings, City Hall. The W.D.C. is unwilling to bear this cost difference and it is therefore recommended to Council accept responsibility for the cost by authorizing the signing of a letter from the W.D.C., dated May 21/80. The amount involved, plus supervision services fees, will be provided from interest fees earned from deposits held by the City on behalf of the W.D.C.

Council adopted Mr. Moir's recommendation as presented, on motion of Ald. Valardo and Sarto. Ald. Brennan asked about the completion date for this project, and suggested that Mr. Moir should contact Dineen Construction and press for the earliest possible completion date.

CONTRACT #80502:  
LIGHTING, MICMAC  
SPORTS COMPLEX

The following tenders have been received for the lighting of a softball field at the MicMac sports complex:

Provincial Electric (1969) Ltd.	\$38,685.00
Delta Electric Co. Ltd.	39,316.00
Western Electrics Ltd.	39,488.00
Magna Electric & Computers Ltd.	46,872.00
Portland Electrics Ltd.	47,844.60
Arrow Building Corp. Ltd.	49,290.00
Seaport Contractors Ltd.	49,895.00

Acceptance of the low tender, received from Provincial Electric (1969) Ltd. is recommended, and the total cost of the project should not exceed \$45,000. (ie. with N. S. Power and some incidental expenses). The project would be funded as outlined in a report submitted by Mr. Moir, dated Nov. 26/79 and adopted by Council on Dec. 11/79. The tender was awarded as recommended, on motion of Ald. Brennan and Williams.

Ald. Withers asked to be kept informed about the possible lighting of MicMac Blvd. in conjunction with this project, and Ald. Valardo requested a brief written report on the extent of the work on the complex this year and next year, where the buffer areas are, etc. His request was directed to Mr. Atkinson, the Assistant Recreation Director.



SOLUTION #80-23

On motion of Ald. Sarto and Cunningham, Council adopted the attached Resolution #80-23, setting an interest rate on overdue taxes at the rate of 16% per annum, effective June 1/80. The resolution is in line with Council's policy of maintaining a minimum spread of at least 2% over prime as the appropriate rate to be charged for overdue taxes.

CTIONS:

D. CUNNINGHAM

In accordance with duly presented notices of motion, the following were motions were introduced at this time:

1) Ald. Cunningham moved, seconded by Ald. Williams that the City Solicitor be instructed to draft a new by-law relating to the regulation and prohibition of noise or disturbance caused by means of the operation of motor vehicles not on public highways. Specific reference was made by Ald. Cunningham to problems experienced by residents of the Summit Heights area with the operation of mini-bikes on lands known as the Hammerling property, but the by-law was considered to be relevant for other areas of the City as well, where mini-bikes and go-carts are being operated and causing a disturbance. Ald. Cunningham felt that off-road vehicles such as these should come under control in the same way that the City established a by-law for the operation of snowmobiles. Council was not opposed to the motion and it carried.

D. FREDERICKS

2) Ald. Fredericks moved, seconded by Ald. Brennan, that staff look at the possible location of a heliport in the Burnside Industrial Park. Ald. Fredericks said that business people with interests in the Park and the City would be interested in having this kind of a facility and it would become more desirable as off-shore development possibilities are realized. Ald. Williams and Cunningham moved referral of the matter to the Industrial Commission for consideration. The motion to refer carried with Ald. Fredericks voting against.

3) Ald. Fredericks moved, seconded by Ald. Brennan, that staff look at the possibility of having a farmer's market located on the waterfront this summer and fall. Council's response to this motion was favourable and Ald. Brennan felt that the market would be very beneficial to the development of more interest in the downtown area of the City. He said the City should go ahead with the idea, whether the W.D.C. wishes to participate in it or not. Ald. Crawford suggested that the Dept. of Development be contacted for information they have compiled on the subject of a farmer's market in the metropolitan area.

Reference was made during the debate to the effect the market would have on people who sell fruits and vegetables from trucks at various locations throughout the City. Ald. Valardo said he would not want to see these people forced to sell their goods at a central market location, because they serve a useful purpose in their present locations for people without transportation. The motion was put and carried.

LD. CRAWFORD

4) Ald. Crawford indicated his wish to defer his motion calling for a judicial inquiry into the purchase of the Commodore lands until the Council meeting of June 3/80, to give him additional time to prepare the information he is wishing to present.

Several members of Council expressed their concern that this issue is being held over for a further period, and questioned the legality of the motion being deferred at this time. The Solicitor stated that there is nothing to require an Alderman to make a motion until he chooses to do so. He said it would be the Alderman's prerogative to introduce the motion or not as he chooses. No motion to defer was presented in connection with this item.

Council went in camera to deal with additional items of business, on motion of Ald. Greenough and Brennan.

Having reconvened in open meeting, the action taken in camera was ratified, on motion of Ald. Hart and Brennan.

CONTRACT AGREEMENT:  
AMALGAMATED TRANSIT  
UNION

With respect to the contract settlement discussed in camera, the following motion was moved by Ald. Valardo, seconded by Ald. Ibsen:

That the Mayor and the City Clerk be authorized to execute the Agreement with the Amalgamated Transit Union, Division 508, as set out in Mr. Moir's letter of May 23rd, 1980.

The motion was put and carried.

MAPC APPOINTMENT

On motion of Ald. Crawford and Hawley, Council appointed Ald. Hart as one of the City representatives to MAPC until October of this year.

JUNE COMMITTEE  
MEETING

On motion of Ald. Brennan and Williams, Council changed the date of the June Committee-of-the-Whole meeting from June 10th to June 17th.


LAB REPORT

On motion of Ald. Fredericks and Hawley, Council made a request to receive copies of the Lakes Advisory Board report on the 107 by-pass issue.

TAX BILL

Ald. Ibsen presented a tax bill from a resident in his ward, seeking clarification of the fact that interest has been charged on the bill before notification of the bill was even received by the resident. The Solicitor was asked to provide the members with an interpretation of this procedure under the conditions of the Assessment Act.

Meeting adjourned.



Bruce Smith,  
City Clerk-Treasurer.

May 1980

RESOLUTION NO. 80-23

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