

Dartmouth, N. S.

July 8/80.

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

Present - Mayor Brownlow

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

Items added to the agenda were a report from Ald. Greenough in connection with the Atlantic Winter Fair site and a report from Mr. Moir re sanitary facilities for the Abenaki Aquatic Club.

MINUTES

On motion of Ald. Valardo and Ibsen, Council approved the minutes of meetings on May 27th, June 3, June 18 and June 24.

Ald. Brennan made reference to page four of the June 3rd minutes, noting that it was not intended for the Mayor to have recommendations ready for this present meeting on the appointment of a steering committee to work on the library project. The Mayor agreed and said he would be bringing in those recommendations at a later meeting.

Ald. Crawford had an inquiry with respect to the May 27th meeting and the recently-passed legislation re mini-bikes. Mr. Moir advised that the legislation will go a long way toward resolving some of these problems, but it still does not completely cover the situations brought to Council's attention by Ald. Williams and Ald. Cunningham.

Ald. Crawford's second inquiry concerned the June 3rd minutes and his question on the interest on the payments for the Commodore lands purchased by the City. He said he has not yet received an answer to this question from the City Administrator. Mr. Moir said he would get this information out to Council as requested.

PETITIONS

Under the next item, Petitions, the following presentations were made on behalf of residents:

- 1) Ald. Cunningham tabled a petition from residents of Latchburn Place, setting forth a number of concerns they have in relation to the Penhorn Mall extension, including the protection of an existing buffer area on the western side of the Mall and other protective measures to maintain the residential character of their neighborhood.
Ald. Crawford requested that copies of this petition be circulated to all members of Council.
- 2) Ald. Greenough brought to Council's attention, a petition that has already been submitted by the residents of White Street, requesting street improvements. The Mayor said he has acknowledged receipt of the petition from these residents.
- 3) Ald. Fredericks advised that he has received a petition from the Green Gables store in Woodside, seeking permission to remain open on a twenty-four-hour basis, instead of having to close at 1:00 a.m. Mr. Moir pointed out that the decision to have the store close at 1:00 was taken some time ago in response to requests from the residents.
- 4) Ald. Valardo presented requests from the Northbrook NIP area residents for (a) an overhead crosswalk sign at Chappell Street and Victoria Road, and (b) an additional light outside the Northbrook Community Centre. He agreed to take these requests up further with Mr. Moir.

RESOLUTIONS: CAHRO

Council has been provided with copies of resolutions passed in June at the annual conference of the Canadian Association of Housing & Renewal Officials, with a request that the resolutions be reviewed and endorsed; the endorsement is to go to the Federal Minister responsible for CMHC, the Hon. Paul Cosgrove, Minister of Public Works. On motion of Ald. Fredericks and Hart, Council endorsed the resolutions to the Minister, and Ald. Hart asked that a copy of the endorsement also be forwarded to the CAHRO representatives.

WARD TENDER:
FOAM PUMPER-TANKER

Reports were before Council on the tenders received for the supply of an 840 GPM foam pumper-tanker for use in the City Fire Dept. The Fire Chief, in concurrence with Mr. Moir, has recommended acceptance of the tender submitted by Pierreville Fire Truck Ltd., in the amount of \$74,795. Since this amount is less than the \$70,000 figure provided in the 1980 Capital Estimates for this vehicle, Council has also been asked to authorize an over-expenditure in the amount of \$4,795. to cover the

cost difference. Ald. Valardo and Greenough moved the adoption of Mr. Moir's report, awarding the tender to Pierreville Fire Truck Ltd., as recommended, and giving first approval for the over-expenditure required, in the amount of \$4,795.

Ald. Ibsen did not support the awarding of the tender to the company recommended and questioned whether Thibault Fire Fighting Equipment and the Pierreville company are in fact not one and the same company, using different names. He wanted to have his inquiry checked out further before the tender was awarded, but other members indicated that they were satisfied with the specifications and quotations as presented, and they spoke in support of the motion to award the tender on the basis that it has been recommended. Ald. Brennan suggested that it would be worthwhile to check out Crown Asset disposal lists when we are in the market for fire equipment; Mr. Moir said this is being done now. The vote was taken on the motion and it carried with Ald. Ibsen voting against. A second approval for the over-expenditure in the amount of \$4,795. will be required.

HARBOUR WALK:
PAGE 2C

A WDC presentation was made of the plans for Phase IIC of the Dartmouth Harbour Walk, involving the landscaping of the area to the south entrance of City Hall and the other lands proposed for Alderney Plaza, etc. Mr. George Rogers made the presentation on behalf of WDC, and in connection with the plans, Mr. Moir has submitted a report expressing several staff concerns about the proposal to landscape right up to the south entrance to City Hall, without leaving any driveway for City survey vehicles or access at this point for oil deliveries; the report also refers to the present location of the boiler and transformers in this area and problems that would be associated with replacement of the boiler at some future time if provision for such an eventuality is excluded now. City staff would like to see provision made for a 10' driveway with a 5' sidewalk, next to the

south end of City Hall, but the WDC plan does not include such a provision and it is not favoured by their representatives.

Following Mr. Rogers' presentation, Ald. Fredericks spoke in support of the concerns put forward by staff and moved the adoption of Mr. Moir's report which recommends inclusion of the 10' driveway and a 5' walkway. The motion was seconded by Ald. Hawley and debate proceeded.

Ald. Brennan, Hart and Ibsen felt that the survey vehicles should be relocated and that they would detract from the appearance of City Hall if they are left in their present location. Their opinion was that landscaping should be permitted up to the south entrance to complete the original park proposal. The Mayor suggested a compromise solution that could resolve the difference of opinion between the position of City staff and the WDC representatives. Ald. Greenough said it should be possible for an agreement to be worked out, based on the suggestion made by the Mayor, and he moved referral back to staff and the WDC, to come back with a mutually-acceptable plan for the south entrance. Ald. Valardo seconded the motion to refer, but it did not receive Council's support and was defeated.

Debate on the main motion resumed, with no change in the two main positions for and against the retention of driveway access at the south end of the City Hall building. Ald. Fredericks said the staff concerns should be taken into consideration since they are the ones who have to function in the building. He subsequently moved deferral for two weeks for a resolution of the issue between staff and the WDC, that would eliminate the survey vehicles but retain space for the boiler and the transformers in order to alleviate these particular staff concerns. The motion to defer was seconded by Ald. Greenough and it carried with Ald. Ibsen and Crawford voting against.

PIPING: ALBRO
LAKE BROOK

A report from Mr. Moir was before Council on the proposed piping of the Albro Lake brook from Pinehill Road to Victoria Road, estimated to cost in the vicinity of \$35,000. This would be a continuation of the piping project that has already been completed from Little Albro Lake to Pinehill Road. The recommendation to Council is that the Engineering Dept. be authorized to do a detailed survey, plan, and cost estimate, and to call for tenders for this project, the funding to be provided from the 1980 Capital Budget small drainage projects. The recommendation was adopted, on motion of Ald. Hart and Ibsen.

ST. PAUL'S
SCHOOL PROPERTY

Council next dealt with a report from Mr. Moir on the St. Paul's school property on Jamieson Street, which the N. S. Housing Commission wish to acquire for the sum of \$66,000. as the site for the development of thirty units of senior citizen housing. The building is presently occupied by the Victoria Road Day Care Centre and the sale of the property to the Housing Commission would not be finalized until such time as an alternate location can be found for this facility. The recommendation to Council is that August 19th be set as the date for public hearing in connection with the disposal of this land (as required under the City Charter) and also, to hear the application for rezoning from P Zone to R-4 Zone, to permit the senior citizen housing development. Ald. Valardo and Greenough moved the adoption of the recommendation.

Ald. Brennan questioned the adequacy of the 20% parking provision indicated by the Housing Commission; Mr. Moir said this point can be taken up with the Commission prior to the date of the public hearing. Both Ald. Brennan and Crawford expressed their concerns about the status of the Victoria Road Day Care Centre, and they were assured by Mr. Moir that the Day Care Centre will be accommodated elsewhere before the sale of the property to the Commission is finalized. An alternate

location is already being looked at in conjunction with representatives of the Centre.

Ald. Fredericks said there is a need for many more senior housing units than thirty in Dartmouth, and it should be impressed upon the Minister responsible for housing that we expect more than this number. The motion on the floor carried.

RESOLUTION #80-31

A resolution of Council is required in order to comply with legislation recently passed to permit remuneration to be paid to any member of Council who serves on the Metropolitan Authority (or the Metropolitan Transit Commission). Resolution #80-31 has been prepared in this connection and was before Council for approval at this time. Ald. Ibsen and Valardo moved the adoption of the resolution, but there was considerable confusion as to its application with the present wording and the reference to Boards and Committees of the Authority. It was felt that a redrafted resolution is required to clarify the areas of misunderstanding about the application of the resolution. Council appeared to be willing to have a remuneration paid to those members who serve on the Metropolitan Authority and the Metropolitan Transit Commission as such, but not to have the remuneration paid for service on any other Boards or Committees emanating from the main bodies of the Authority and the Commission. An amendment was put forward during the debate, in an attempt to clarify the situation. Ald. Greenough and Valardo moved in amendment that the word 'thereof' be deleted and replaced with the wording 'of the Metropolitan Authority'.

Ald. Fredericks did not feel that the points at issue have been sufficiently resolved with an amendment and he moved referral to the Solicitor for a clarification of Council's position in the text of the resolution - that is, remuneration only for serving on the Metropolitan Authority and the Metropolitan Transit Commission and not any of their ancilliary Boards or Committees. The

motion to refer was seconded by Ald. Crawford and it carried.

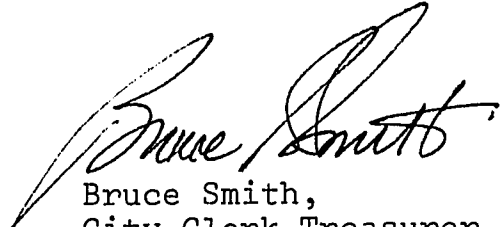
BENAKI AQUATIC
CLUB

On motion of Ald. Valardo and Hawley, Council granted permission for the Abenaki Aquatic Club to install a sewage lift station required to provide sanitary facilities at the Club, subject to the Engineering Dept. receiving complete engineering plans and approving them, also subject to approval by the Dept. of Public Health. The Club is located on a portion of City-owned lands and the permission of Council is therefore required in order to construct any new facilities in conjunction with the operation of the Club.

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

After reconvening in open Council, the action taken in camera was ratified (liability insurance and Lynch Estate lands), on motion of Ald. Hart and Williams.

Council will meet again on July 10th at 5:00 p.m. to resume the agenda which is still not completed.


Bruce Smith,
City Clerk-Treasurer.



P. O. Box 817
Dartmouth, Nova Scotia
B2Y 3Z3

CITY OF DARTMOUTH

OFFICE OF
CITY CLERK AND TREASURER

MEMORANDUM

DATE: July 24, 1980

TO: His Worship the Mayor and Members of Dartmouth City Council

FROM: Bruce S. Smith, City Clerk-Treasurer

SUBJECT: Resolution #80-33 - Remuneration

Dartmouth City Council at its July 8, 1980 meeting moved referral of Resolution #80-31 regarding remuneration for any member of Council who serves on the Metropolitan Authority or any of its Boards, Commissions, etc., to the Solicitor for a clarification of Council's position in the text of the resolution.

Attached please find a new Resolution (#80-33) providing for payment only for service on the Metropolitan Authority or the Metropolitan Transit Commission.

Bruce S. Smith
Bruce S. Smith /svm

BSS/svm
Attachment

July 1980

RESOLUTION 80-33

Be it resolved that pursuant to Section 14(5A) of the Dartmouth City Charter any member of Dartmouth City Council who serves as a member of the Metropolitan Authority of Halifax-Dartmouth and the Municipality of the County of Halifax or the Metropolitan Transit Commission may receive any remuneration paid for so serving.

Dartmouth, N. S.

July 10/80.

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

Present - Mayor Brownlow

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

SECOND APPROVAL:
OVER-EXPENDITURE
FOR PUMPER

Council met to continue with the July 8th agenda and as the first item of business, proceeded to give second approval for an over-expenditure in the amount of \$4,795. to permit the purchase of a pumper required for use in the Fire Dept. (report considered and approved at the July 8th meeting of Council). The motion for second approval was moved by Ald. Williams, seconded by Ald. Greenough, and it carried.

FINANCIAL STATEMENT

On motion of Ald. Valardo and Greenough, Council tabled the 1979 Financial Statement and agreed to have a date set for a meeting with the Auditors as soon as one can be arranged, this procedure having been followed in previous years.

RESOLUTION #80-29

On motion of Ald. Williams and Greenough, Council adopted the attached Resolution #80-29, authorizing the City to sign a pipeline license with C.N.R. along their right-of-way at Burnside

RESOLUTION #80-30

On motion of Ald. Sarto and Williams, Council also gave approval to Resolution #80-30, as attached, authorizing the City to enter into an agreement with the Minister of Transportation for intersectional improvements at the junction of Windmill Road and Victoria Road, and for replacement of the culvert on Waverley Road, near Lake Charles.

FREE FERRY RIDES:
NATAL DAY

Free ferry rides for Natal Day, August 4th, were authorized by Council, as recommended by the Natal Day Committee, on motion of Ald. Sarto and Withers.

REPORT: A.W.F. SITE

A report prepared by Ald. Greenough has been circulated on the decision of the Provincial Committee established to select a site for the Atlantic Winter Fair facility, and for the various reasons outlined in the report, it is recommended by Ald. Greenough that a meeting with the Premier and a committee of Council be requested to solicit the Premier's intervention in the matter, at least to the extent that the recommendations contained in a report submitted by consultants are carried out. Those recommendations are that the Provincial Committee would have taken the following action prior to final decision-making on a site:

- a) determine the type & size of facilities proposed initially, with consideration for future expansions.
- b) based on (a) above, analyze the two sites for others which may be considered in terms of site servicing and development costs and environmental impact.

Ald. Greenough reviewed his report further for Council's information and expressed his dissatisfaction with the procedures followed in coming to a site selection decision, without taking the advice of the consultants and having before them the facts required for an adequate assessment of the two sites involved. He moved that Council adopt the recommendation from his report and the motion was seconded by Ald. Valardo.

Several members commended Ald. Greenough for his report and for his position taken on behalf of the City. It was generally felt that no decision should have been taken on the site without first following the advice of the consultants and obtaining the kind of information that should have been available to make a fair assessment of the merits of both the Halifax and Dartmouth sites. The point was made that it is impossible to compare and evaluate the sites without knowing what kind of facility is being planned for them (ie. is it to be strictly an Atlantic Winter Fair building or a trade & exhibition centre as suggested). Ald.

Greenough said this is the type of information that would have been provided with the study recommended by the consultants. Council supported the motion and it carried. In addition to Mayor Brownlow, the committee of Council to meet with the Premier will consist of Ald. Greenough, Withers, Ritchie and Fredericks.

MOTIONS:

ALD. FREDERICKS

The following motions were introduced by Ald. Fredericks, notice of motion having been previously given:

1) Ald. Fredericks moved, seconded by Ald. Crawford, that Planning staff prepare a report for Council on necessary changes to our Building By-laws, etc., in relation to housing and 'energy savings'; the 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.

Questions were raised by Ald. Valardo and Brennan as to the amount of time and the resources that the Planning Dept. has to proceed with the kind of study called for in the motion, but Mr. Bayer indicated to Council that the process called for has already begun; his department has been compiling information from various sources and preparing for the kind of innovative techniques that are already happening in the building trade elsewhere. He commented on some of these new approaches by developers and agreed with Ald. Fredericks' assessment of the need to be ready as they become more widely accepted and put into use in our own community. He pointed out that this is an on-going study and information-gathering process which will take some time to complete, but progress reports can be made to Council in the interim to let the members know what the department is doing. Having heard Mr. Bayer's report on the department's work and attitude toward the intent of the motion, Council was willing to have the study proceed as outlined and the motion carried.

2) Ald. Fredericks then moved, seconded by Ald. Williams, that Planning staff and the Solicitor's department, 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. The potential of the Lynch Estate in particular, was noted in this regard. Ald. Fredericks explained the intent of his motion and it carried.

RESOLUTIONS: UNION
OF N.S. MUNICIPALITIES

Ald. Fredericks proceeded with the introduction of four resolutions he has proposed for submission to the conference of the Union of Nova Scotia Municipalities. These are as follows:

1) Resolution #1:

WHEREAS it has been traditional that some municipalities, such as Dartmouth, wish to have continuity on their Councils and therefore do not wish all councillors to be obliged to offer for election at onw time;

AND WHEREAS municipalities are corporations and should operate as corporations;

AND whereas corporations do not change their whole Board of Directors at one time;

THERE BE IT RESOLVED that the Union of Nova Scotia Municipalities petition the Government of Nova Scotia, Dept. of Municipal Affairs, to change the Elections Act, allowing those municipalities which wish to do so, to have off-year elections for half of their councils.

The above resolution was put forward by Ald. Fredericks for the consideration of Council, seconded by Ald. Crawford. Ald. Hart pointed out that this issue has already been decided when the Provincial House approved the Elections Act, calling for one common municipal election date throughout the Province, a decision that most of the municipalities concurred with. She suggested that the resolution cannot be considered complete without proposing the election years when Council will come up for re-election, and felt that the Solicitor should draft this provision for incorporation in the resolution if it is going to be submitted to the Resolutions Committee. It was agreed that this provision should be included.

Other members who spoke on the resolution were in favour of it and maintained the previous position taken by Council when this matter was debated during the review of the Elections Act. Ald. Fredericks again stressed the importance of a continuity within the Council through the former ^{alternate}-year election procedures and pointed out that the situation with an urban municipality such as Dartmouth is different than rural municipalities and should be taken into consideration. When the vote was taken, the resolution carried.

2) Resolution #2:

That all private members and government bills introduced to the House of Assembly which affect municipalities, must be reported to the municipality effective two weeks before coming to the Law Amendments Committee.

In presenting this resolution, Ald. Fredericks referred to instances where the City has not had an opportunity to make representation on bills passed in the Provincial House, such as the recent Rent Control legislation. He said it is unfair for the municipalities not to be given an opportunity for input in these instances, an opinion also shared by other members of Council. The resolution was seconded by Ald. Brennan and it carried.

3) Resolution #3:

That no highway construction will take place in or through regional parks without the express and written permission of the municipality in which such regional park is situated.

After the resolution was introduced by Ald. Fredericks and seconded by Ald. Greenough, it was debated, with Ald. Crawford speaking in opposition to it and most other members of Council being in favour. Ald. Crawford said he could not support the resolution because it was intended to apply specifically to Dartmouth's situation with respect to the Shubie Park and the proposed route through it for the 107 By-pass. He felt that this type of local issue should not be reflected in resolutions going to the Union conference. Ald. Fredericks said that the same kind of situation could occur anywhere in the Province

and the protection sought through the resolution would be applicable in all other municipalities to their advantage. This opinion was shared by most of the other Aldermen speaking on the resolution and when the vote was taken, the resolution was adopted with Ald. Crawford voting against.

4) Resolution #4:

WHEREAS quarrying in Nova Scotia takes place in a number of municipalities;

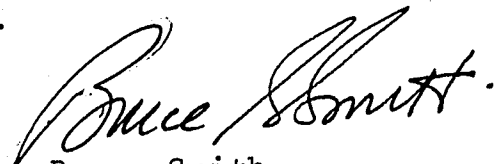
AND WHEREAS quarrying must be licensed and supervised by municipalities;

WHEREAS staff time is spent on inspections, recommendations, policing, environmental control, etc.;

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities ask the Provincial Government of Nova Scotia to permit the municipalities to charge quarrying operations in Nova Scotia a fee per ton of material removed from quarries.

Ald. Fredericks introduced the above resolution and it was seconded by Ald. Cunningham. Ald. Crawford considered the application of such a licensing fee to be discriminatory toward the Steed & Evans operation in Dartmouth, and questioned whether in fact it could be dealt with by Council when a decision was already made on a licensing fee in connection with the '20% or . . .' report. The Solicitor responded by pointing out that the resolution is sufficiently different from the previous motion dealt with by Council, referring as it does to quarrying operations throughout the entire Province rather than to Dartmouth only as the motion did. In other words, Provincial legislation is involved for all the municipalities and not just the question of a licensing fee within the City of Dartmouth only. Other members of Council indicated their willingness to support the resolution as presented and the resolution carried (Ald. Crawford voting against).

Ald. Crawford was also opposed to adjournment when the motion to adjourn carried.


Bruce Smith,
City Clerk-Treasurer.

TRIPPLICATE

PIPELINE LICENSE

Approved as
to Form:

[Signature]
Regional
Counsel

Approved:

Regional
Chief
Engineer

PERMISSION IS HEREBY GIVEN by the
CANADIAN NATIONAL RAILWAY COMPANY, as Manager and
Operator of Canadian Government Railways, herein-
after called the "Licensor", to the CITY OF
DARTMOUTH, of Dartmouth in the Province of Nova
Scotia, hereinafter called the "Licensee", to
construct, maintain, repair and/or reconstruct and
use twelve inch (12") water, twenty-four inch (24")
storm sewer and ten inch (10") sanitary sewer pipes,
hereinafter called the "facilities", under and
along the Licensor's right-of-way at Burnside,
Dartmouth in the Province of Nova Scotia, ^{Off} Mile 8.39

Dartmouth Subdivision Mile 0.54, Spur "A",
Canadian National Railways, in the location and as
shown outlined in red on the attached Plan No. 1A,
dated revised 2 May, 1979, from the 1st day of
August, 1979, until terminated as hereinafter
provided, on the following terms and conditions
which the Licensee accepts and agrees to observe,
perform and abide by:

1. The Licensee shall pay to the Licensor for the privileges herein granted the sum of THIRTY DOLLARS (\$30.00) per annum, payable in advance on the 1st day of August in each year during the continuance hereof, the first of such payments to become due and payable on the 1st day of August, 1979.

2. Notwithstanding any prepayment of rental and/or anything elsewhere herein contained, this License shall continue in effect from the 1st day of August, 1979, until terminated by either party hereto giving to the other party not less than thirty (30) days' notice in writing, subject to termination as hereinafter provided.

3. The Licensee shall, at its own cost, risk and expense, construct the said facilities as shown on the said Plan and shall thereafter at its own risk and expense maintain and repair same, all to the satisfaction of the Licensor, conforming throughout to all rules, regulations and/or specifications of the Canadian Transport Commission applicable thereto. Without in any way limiting the foregoing, the Licensee agrees that all work in

connection with the construction, maintenance, renewal, repair and reconstruction of the said facilities, and the continued supervision of same, shall be performed by and at the expense of the Licensee and that no work shall at any time be done in such manner as to obstruct, delay or in any way interfere with the operation of any of the trains or traffic of the Railway, or any other company using the said Railway, or with any other works or undertakings of the Railway now or hereafter upon the Licensor's right-of-way. The said facilities shall for the full length of their location upon the lands be below the frost line.

4. Before any work of laying, renewing or repairing the said facilities is begun, the Licensee shall give to the Resident Engineer of the Railway at least forty-eight (48) hours' prior notice thereof in writing, so as to enable the Railway to appoint an inspector to see that the work is performed in such a manner as shall, in all respects, comply with all regulations of the Canadian Transport Commission. The wages and expenses of such inspector shall be paid by the Licensee upon receipt from the Railway of a statement showing in reasonable detail the particulars

of such wages and expenses.

5. The Licensee shall, at its own cost, risk and expense, construct, and thereafter maintain, repair and/or reconstruct, all to the satisfaction of the Licensor, such other pipes, casings, culverts or other works as the Licensor shall in its sole discretion at any time deem necessary, whether due to the construction of other trackage, sidings or other railway works or otherwise. It is the intent that the existence of the said facilities shall not in any way limit the use by the Licensor of any of its lands, and that the Licensor shall not at any time incur any expense whatever which would not have been incurred but for the existence of the said facilities.

6. The Licensee shall obtain and keep in force at all times during the continuance hereof the necessary permission from any authority having jurisdiction to construct, maintain and use the said facilities. The Licensee shall, if the said facilities and/or any part of the lands shall at any time become contaminated, at its own risk and expense forthwith decontaminate the said facilities

and/or lands to the satisfaction of the Licensor.

7. The Licensee shall at all times indemnify and save harmless the Licensor from all loss, expense and/or liability howsoever incurred by the Licensor, and the Licensee hereby waives as against the Licensor all claims of whatsoever nature or kind, in any manner directly or indirectly arising out of or attributable to the exercise by the Licensee or others of the privileges herein granted, whether such loss, expense, liability or claims result from the negligence of the Licensor or otherwise.

Without in any way limiting or restricting the generality of the foregoing, the Licensee shall at all times wholly indemnify the company owning, operating or using the railway from and against all loss, damage, injury and expense to which the Licensor may be put by reason of any damage or injury to persons or property caused by the said Licensee's facilities, or by any oil, gas, water or any other substance being carried in the said facilities, or any works herein provided for by the terms and provisions hereof, as well as

against any damage or injury resulting from imprudence, neglect or want of skill of the employees or agents of the Licensee in connection with the laying, maintenance, renewal or repair of the said facilities or the use hereof.

8. Should the Licensee default in carrying out any of the terms and conditions of this License, the Licensor may cancel this License forthwith.

9. The Licensee shall pay any municipal, provincial, federal or other taxes, including local improvement or business taxes, assessed or chargeable against the Licensor and/or Licensee by reason of the existence of the said facilities and/or the occupation of the Licensor's lands as herein contemplated.

10. No transfer or assignment of these presents or any of the rights or privileges herein granted shall be made, or caused or permitted to be made, by the Licensee, without the consent in writing of the Licensor first having been obtained.

11. Upon the termination of this License in

any manner, the Licensee shall remove the said facilities and restore the Licensor's lands to their former condition. All such work shall be performed at the risk and expense of the Licensee.

12. The Licensee shall immediately repair and correct any leakage or spill from the said facilities and shall take all and every measure considered by the Licensor to be necessary or desirable as a result of such spill or leakage and all such work shall be performed by the Licensee at its sole cost, risk and expense, irrespective of whether or not such leakage or spill results from the negligence of the Licensor or otherwise. If the Licensee fails to perform any such work to the satisfaction of the Licensor, the Licensee, upon receiving written request from the Licensor, shall immediately remove the said facilities from the Licensor's right-of-way and restore the Licensor's right-of-way to the same condition as that which existed prior to the installation of the said facilities. In the event that the Licensee fails to perform any such work or to remove the facilities from the Licensor's property as provided herein, the Licensor may undertake any such work that it

considers necessary and all expenses incurred by the Licensor, either directly or indirectly, shall be payable by the Licensee upon demand.

13. The Licensee agrees that it will conform to and abide by the provisions of all federal, provincial or municipal legislation with respect to maintaining a clean environment, and any regulations made pursuant thereto, and should any such regulatory body require the installation of special equipment or apparatus to safeguard the environment the Licensee shall forthwith make such installation at its sole cost, risk and expense.

14. The word "Licensor" when used herein shall include Canadian National Railway Company, its successors and assigns; the word "Licensee" shall include, irrespective of gender or number, the Licensee named herein, their, and each of their executors, administrators, successors and assigns; the word "Agent" shall include officers, servants, agents and employees.

15. The Licensee shall not obstruct any existing water course or impair in any way the use-

fulness of any existing ditches, drainage works or culverts now or hereafter upon those lands of the Licensor adjacent to or in the vicinity of the pipe installation privileges herein granted.

DATED at _____ this
day of _____, 19 .

WITNESS

CANADIAN NATIONAL RAILWAY
COMPANY

C.H. Sparks
Manager of Real Estate
Atlantic Region
Canadian National Railways

CITY OF DARTMOUTH

Mayor

City Clerk



P. O. Box 817
Dartmouth, Nova Scotia
B2Y 3Z3

CITY OF DARTMOUTH

OFFICE OF
CITY CLERK AND TREASURER

M E M O R A N D U M

DATE: July 4, 1980

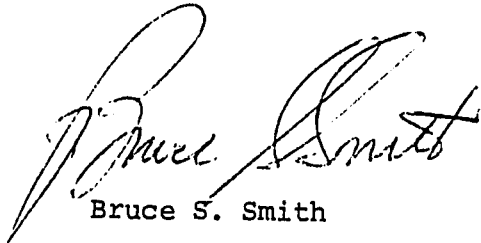
TO: His Worship the Mayor and Members of Dartmouth City Council

FROM: Bruce S. Smith, City Clerk-Treasurer

SUBJECT: Pipeline License - C.N.R. - Resolution #80-29

Attached hereto is a copy of Resolution #80-29 authorizing the City to sign a pipeline license with Canadian National Railways along their right-of-way at Burnside, Dartmouth, N.S.

It is respectfully requested that Council grant approval for the Mayor and the City Clerk to sign this document on behalf of the City of Dartmouth.


Bruce S. Smith

BSS/svm
Attachment

RESOLUTION NO. 80-29

WHEREAS the City of Dartmouth wishes to construct, maintain, repair and/or reconstruct and use twelve inch (12") water, twenty-four inch (24") storm sewer and ten inch (10") sanitary sewer pipes under and along the Canadian National Railways right-of-way at Burnside, Dartmouth, Nova Scotia in the Dartmouth Sub-division.

BE IT THEREFORE RESOLVED that the Mayor and City Clerk are hereby authorized and instructed to execute on behalf of the City a document in the form attached hereto as Schedule "A" to this resolution.





P. O. Box 617
Dartmouth, Nova Scotia
B2Y 3Z3

CITY OF DARTMOUTH

OFFICE OF
CITY CLERK AND TREASURER

M E M O R A N D U M

DATE: July 4, 1980

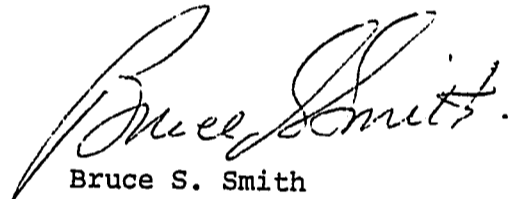
TO: His Worship the Mayor and Members of Dartmouth City Council

FROM: Bruce S. Smith, City Clerk-Treasurer

SUBJECT: Construction Agreement - City of Dartmouth and Minister of Transportation

Attached hereto please find a copy of Resolution #80-30 authorizing the City of Dartmouth to enter into an agreement with the Minister of Transportation for the intersectional improvements at Junction Windmill Road-Victoria and culvert near Lake Charles.

It is respectfully requested that Council approve the attached resolution authorizing the Mayor and the City Clerk to sign the agreement.


Bruce S. Smith

BSS/svm
Attachment

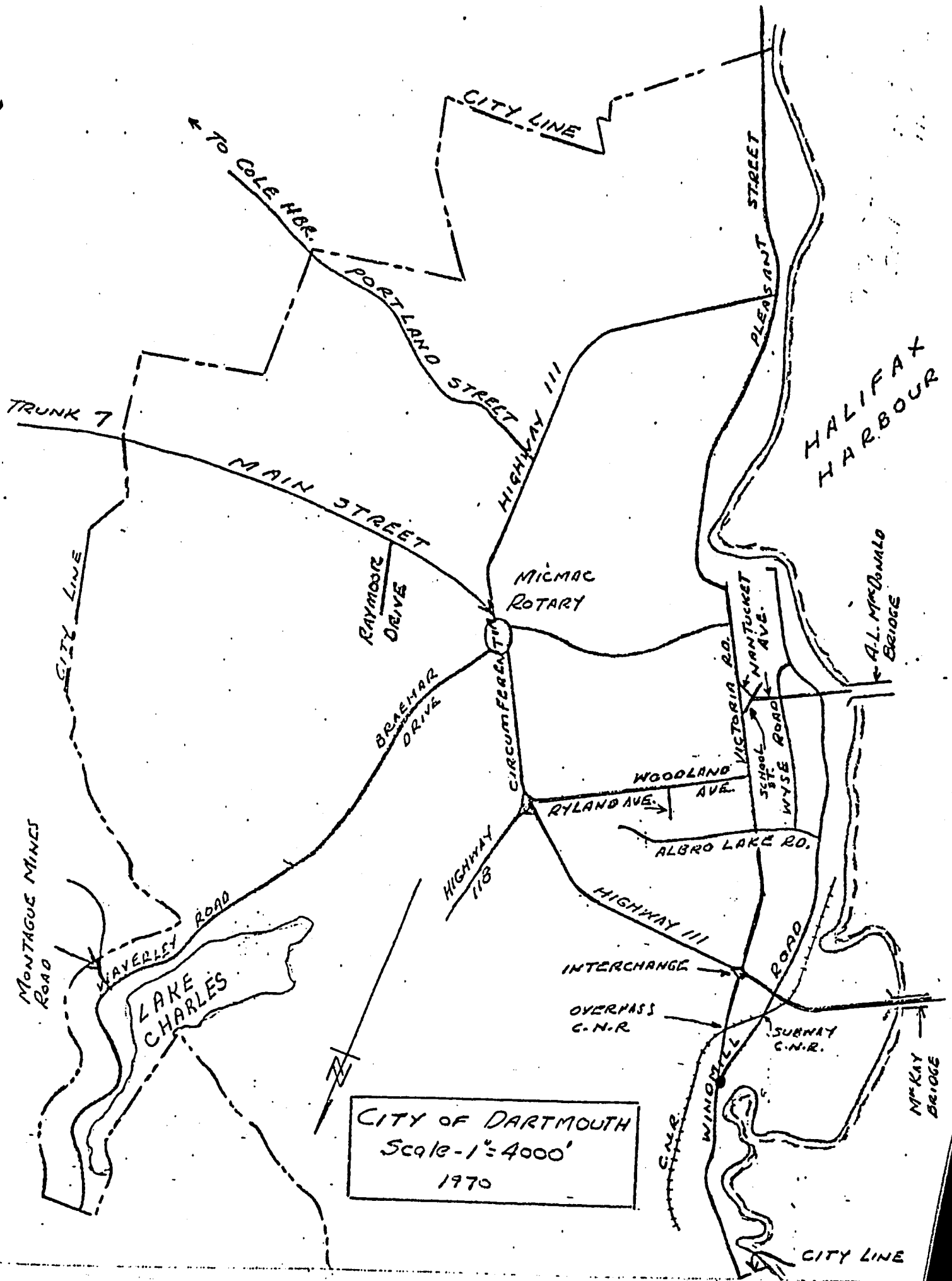
July, 1980

RESOLUTION No. 80-30

WHEREAS the City of Dartmouth wishes to enter into an Agreement with the Minister of Transportation for improvements to the intersection at the Junction of Windmill Road and Victoria Road and for replacement of the culvert on Waverley Road near Lake Charles;

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





PROVINCE OF NOVA SCOTIA
DEPARTMENT OF TRANSPORTATION

-1-

THIS AGREEMENT made this 20th., day of June
A.D. 1980.

BETWEEN:

THE HONOURABLE, Thomas J. McInnis
as Minister of Transportation for the Province
of Nova Scotia, hereinafter called the "Minister"

OF THE ONE PART

-and-

THE CITY OF DARTMOUTH,
a body corporate, hereinafter called the "City"

OF THE OTHER PART

WHEREAS the Minister is of the opinion that the streets within the City hereinafter more particularly described forms connecting links in the main trunk highways of the Province; are main highways leading into or through the City; or provide more direct and expeditious routes for traffic through the City.

AND WHEREAS by Order in Council dated the day of A.D. 19 The Minister was authorized pursuant to the provisions of Section 25 of Chapter 248 of the Revised Statutes, 1967, the Public Highways Act, to enter into and carry out an Agreement with the City as hereinafter provided for the construction of the said highway;

NOW THIS AGREEMENT WITNESSETH that in consideration of covenants, promises and agreements herein contained to be by them observed, performed and paid, the parties mutually agree as follows:

.....2

PROVINCE OF NOVA SCOTIA
DEPARTMENT OF TRANSPORTATION

-1-

THIS AGREEMENT made this 20th., day of June
A.D. 1980.

BETWEEN:

THE HONOURABLE, Thomas J. McInnis
as Minister of Transportation for the Province
of Nova Scotia, hereinafter called the "Minister"

OF THE ONE PART

-and-

THE CITY OF DARTMOUTH,
a body corporate, hereinafter called the "City"

OF THE OTHER PART

WHEREAS the Minister is of the opinion that the streets within the City hereinafter more particularly described forms connecting links in the main trunk highways of the Province; are main highways leading into or through the City; or provide more direct and expeditious routes for traffic through the City.

AND WHEREAS by Order in Council dated the day of A.D. 19 The Minister was authorized pursuant to the provisions of Section 25 of Chapter 248 of the Revised Statutes, 1967, the Public Highways Act, to enter into and carry out an Agreement with the City as hereinafter provided for the construction of the said highway;

NOW THIS AGREEMENT WITNESSETH that in consideration of covenants, promises and agreements herein contained to be by them observed, performed and paid, the parties mutually agree as follows:

.....2

1. INTERPRETATION: In this Agreement

(a) "Highway" means and includes the streets within the City shown outlined in red on the plan attached to this agreement and more particularly described as follows:

Intersection of Windmill Road and Victoria Road, approximately 600 feet. Replacement of culvert on Waverley Road near Lake Charles.

(b) "Construction" means the work of constructing the highways as hereinafter provided, including pre-engineering and/or design costs but shall not include feasibility costs and engineering supervision other than on site. The relocation, repairs or adjustments of sidewalks, water lines, fire hydrants, sanitary sewers, main storm sewers, manholes, street lighting or similar works will not be shareable unless reconstruction, relocation, repairs or adjustments are made necessary by the carrying out of shareable work covered under the terms of this agreement. Such shareability in relation to sidewalks will be limited depending on the condition and obsolescence of the existing sidewalk and then only to the extent as determined by the Regional Manager.

2. CONSTRUCTION

(a) The City agrees to carry out the following work:

Intersectional improvement at junction of Windmill Road and Victoria Road to consist of realignment, widening and repaving. Replacement of culvert near Lake Charles. Culvert to be replaced at the same location and size as the existing culvert. The replacement of the culvert was carried out as an emergency project in 1979. Some of the work connected with the intersectional improvement was carried out in 1979. Project to be completed in 1980.

The total estimated cost of shareable work is \$212,000.00. The cost to the City being approximately \$106,000.00.

(b) The Department shall be notified in writing by the City of any anticipated costs in excess of the above amount plus 10%. If the City does not receive a reply from the Department within 10 working days it will be assumed that the Department approves this additional expenditure and will pay its share of this additional expenditure as specified elsewhere within this Agreement.

(c) The City shall acquire at its own expense all land required for the construction of the highway, and shall bear the cost of any and all claims for damage or alterations to property or otherwise arising out of or connected with the construction of the highway.

(d) The Minister shall pay to the City within 60 days of submission of accounts, its share based upon the Foundation Education Scale determined from time to time but in no case less than fifty (50) percent of the cost of all shareable construction completed in accordance with the provisions of this agreement.

(e) The City will, at the request of the Minister permit any person or persons, designated by him to inspect or audit any books, records, agreements or any other documents relating to the construction undertaken by the City under this agreement.

The total estimated cost of shareable work is \$212,000.00. The cost to the City being approximately \$106,000.00.

(b) The Department shall be notified in writing by the City of any anticipated costs in excess of the above amount plus 10%. If the City does not receive a reply from the Department within 10 working days it will be assumed that the Department approves this additional expenditure and will pay its share of this additional expenditure as specified elsewhere within this Agreement.

(c) The City shall acquire at its own expense all land required for the construction of the highway, and shall bear the cost of any and all claims for damage or alterations to property or otherwise arising out of or connected with the construction of the highway.

(d) The Minister shall pay to the City within 60 days of submission of accounts, its share based upon the Foundation Education Scale determined from time to time but in no case less than fifty (50) percent of the cost of all shareable construction completed in accordance with the provisions of this agreement.

(e) The City will, at the request of the Minister permit any person or persons, designated by him to inspect or audit any books, records, agreements or any other documents relating to the construction undertaken by the City under this agreement.

3.

TERMINATION OF AGREEMENT

Unless the above work is completed by March 31st., A.D. 1981 this agreement will be null and void.

IN WITNESS WHEREOF the Minister has hereunto subscribed his hand and affixed his seal and the City has set and affixed its corporate seal authenticated by the signature of the Mayor and the City Clerk hereunto duly authorized.

SIGNED, SEALED AND DELIVERED
in the presence of

.....
Witness

.....
Minister

.....
Witness

.....
Mayor

.....
Witness

.....
City Clerk

Dartmouth, N. S.

July 22/80.

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

Present - Deputy Mayor Ibsen

Ald. Sarto	Williams
Brennan	Crawford
Withers	Valardo
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
City Solicitor, M. Moreash	
Acting City Administrator, D. Bayer	
City Clerk-Treasurer, B. Smith	

Council met to continue with the July 10th agenda and agreed to add three items to be dealt with at a later point in the meeting.

ALD. WITHERS:

ALD. WITHERS

Ald. Withers asked if the City Engineer has had an opportunity to look at his previous inquiry about a walkway being provided at MicMac Blvd. and Brookdale Cres. Mr. Purdy made a note of the inquiry.

Ald. Withers asked if the new four-way stop at Russell and Slayter Streets has been advertised; he was advised that it is advertised in today's paper.

Ald. Withers later brought to Council's attention that there will be a meeting of Dartmouth Recreation Ltd. on the morning of Friday, July 25th.

ALD. HART

Ald. Hart asked that the Building Inspection Dept. look at properties at 33 Albro Lake Road and the property annexing it, also the DND property at Albro Lake.

Her other inquiry concerned the status of the manager's position proposed in conjunction with the downtown Mainstreet program. Mr. Bayer said there has been an exchange of correspondence on this matter and that he would check on Ald. Hart's inquiry further.

ALD. BRENNAN

Ald. Brennan asked if the City has received any correspondence on the establishment of a new Nursing Home Committee, as proposed by the Minister of Social Services. He was advised that no correspondence has been received on the subject and then requested to be informed if a letter is received.

He requested that attention be given by staff to

the need for a 'Caution, Children at Play' sign in connection with the new park on Pine Street; he referred to this as being a dangerous situation at present without any sign to warn motorists.

ALD. VALARDO

Ald. Valardo inquired as to the status of the by-law to regulate rooming houses. The Solicitor said the by-law has been prepared in draft form and he would check with Mr. Rath on its present status.

Ald. Valardo's second inquiry concerned two cheques for the payment of taxes, forwarded to the City on May 27th and not cashed until June 5th. He questioned why these cheques, totalling almost \$13,000., would not have been cashed sooner and requested a report on the procedures followed in these situations.

ALD. GREENOUGH

Ald. Greenough asked about the public hearing to be scheduled in connection with the 107 by-pass issue. Mr. Bayer said it will probably be held around the middle or the end of August.

Ald. Greenough inquired as to whether a meeting has been arranged between the Premier and the committee formed to discuss the site selected for the A.W.F./trade and exhibition facility. Mr. Bayer said he understood that a tentative date has been arranged but not yet confirmed.

Ald. Greenough's final inquiry was about tenders for the paving program. Mr. Purdy reported on several projects for which tenders are to be called within the next two weeks; plans for the Mountain Ave. project are not yet complete, however.

ALD. CRAWFORD

The following inquiries were made by Ald. Crawford:

- 1) requested a further report from the Fire Dept. on companies in Dartmouth where radioactive isotopes are being used; he referred to 12 companies that he is already aware of that are using radioactive materials.
- 2) concerning a letter received on behalf of the Chamber of Commerce with regard to the restaurant facility in the ferry terminal building. The Deputy Mayor indicated that the letter would be dealt with later in camera in conjunction with the restaurant item.

- 3) asked that attention be given to a previous inquiry he made about 55 Rose Street; this problem was directed to the Social Services Dept. and to the Police Dept. Mr. Bayer to check on the inquiry further.
- 4) Ald. Crawford's next three inquiries had to do with expropriation proceedings involving the land owned by the Police Club, land owned by Dartmouth Salvage, and by the Shipyards Club. The Solicitor reported briefly on each of these situations and suggested that Ald. Crawford meet with him to discuss questions he has on the Dartmouth Salvage operation and the licensing question raised. Mr. Bayer also agreed to meet with Ald. Crawford to review each of the three expropriations, pointing out that each situation involved is different and requires an individual explanation.
- 5) Ald. Crawford's next inquiry concerned the recent meeting held by W.D.C. with developers to review lands available for development in the downtown area. Mr. Bayer said he would try to obtain a summary of what happened at that meeting.
- 6) inquired as to the status of the Forest Hills annexation request; Mr. Bayer advised that no decision has been rendered as yet by the Public Utilities Board.
- 7) asked if Council will have an opportunity to review by-laws that are coming before the School Board with respect to procedural regulations for Board meetings. It was noted that the School Board is an autonomous body set up under the Education Act, and as such, would not require Council's approval to adopt procedural by-laws. Mr. Smith indicated that any members of Council wishing to obtain copies of the by-laws could do so. Ald. Crawford asked that they be provided.
- 8) asked that staff look at a problem involving the small park on Nantucket Ave. where cars are being parked on the grass where they should not be; Mr. Bayer said this matter has been looked at by the T.M.G. and a report on the matter will be forwarded to Ald. Crawford.

NOTICES OF MOTION:

ALD. FREDERICKS

ALD. WITHERS

In addition to the two outstanding notices of motion given by Ald. Fredericks previously (as set out in the agenda), notice of motion was also given at this time by Ald. Withers, as follows:

THAT WHEREAS present signage on the outskirts of the City identifying Dartmouth, is inadequate or badly in need of upgrading, it is hereby moved that staff be instructed, in unison with the Tourist Commission, to investigate the possibility of purchasing and erecting signs at the entrance to the City, more becoming to the City of Lakes, and bring the results of same to this Council for appropriate action.

REPORTS

Reports recommended from Committee were approved as follows:

- 1) Building Inspection (June): adopted on motion of Ald. Fredericks and Hawley.
- 2) Minimum Standards (June): adopted on motion of Ald. Valardo and Greenough.
- 3) Ferry Supt. (June): adopted on motion of Ald. Ritchie and Valardo.
- 4) Fire Chief (June): adopted on motion of Ald. Greenough and Ritchie.
- 5) Transit Manager (June): adopted on motion of Ald. Greenough and Sarto.
- 6) Social Services (May): adopted on motion of Ald. Valardo and Ritchie.
Ald. Crawford asked when a further report will be coming from the Social Services Director on several items dealt with in a report he submitted some time ago. Mr. Bayer to discuss with the Director.
- 7) Development Officer (June): adopted on motion of Ald. Williams and Sarto.

WALKWAYS PROGRAM

On motion of Ald. Sarto and Valardo, Council adopted a recommendation from Committee that tender calls be authorized for walkway improvements as detailed by the Engineering Dept. for the 1980 program and as recommended in a report from Mr. Moir dated July 8/80.

HALIFAX/DARTMOUTH
REGIONAL PLAN
REVIEW

In accordance with the presentation given at the Committee meeting of July 15th, a letter has been received from the Minister of Municipal Affairs on the subject of the proposed review of the Halifax-Dartmouth Regional Development Plan, copies of which have been circulated to all members of Council. Ald. Greenough and Sarto moved the endorsement by Council of the review as presented.

Referring to the review proposal that accompanied the Minister's letter, Ald. Hart suggested that Council should specify when reports are to be received as the review proceeds. She moved in amendment, seconded by Ald. Greenough, that reports be submitted to Council every six months (ie. if there is information to be reported) during the course of the review. The amendment was adopted.

Ald. Hart also requested further information on two points contained in the last page of the submission with respect to public participation in the review process, namely: (a) to provide information to the general public regarding the progress of the regional plan review, and (b) to provide opportunity for members of the general public, or special interest groups, to provide direct input into the regional plan review process. Mr. Bayer made note of Ald. Hart's request.

Ald. Brennan expressed several concerns he has about more involvement on the part of the local Councils in the review process than took place when the Regional Development Plan was evolved. He asked if a committee of Council should not be formed to participate in the review as an on-going group representative of the interests of Council. Other members wanted to see a more active participation by Council in the planning process generally and in the regional review in particular. Ald. Fredericks referred to a motion introduced by him some time ago, calling for regular planning meetings with Council in committee on the last Tuesday of each month. He said he could not understand why these meetings have not been taking place already when they were approved by Council and are obviously needed to plan for the future development of the City. Ald. Valardo was in favour of planning meetings as such, but felt that Council should have a recommendation from the Planning Director as to the frequency of the meetings required for this purpose. After the motion on the floor had carried, Ald. Valardo moved, seconded by Ald. Fredericks, that the Planning Director come back with a recommendation on the number of meetings required for an on-going planning review process (both for the regional plan and for City planning in general), based on the discussions that have taken place during this debate.

Ald. Hawley felt that the meetings should include financial considerations as well and moved in amendment that financial aspects of the City be included as well and that Council meet in committee once a month for the purpose of discussing planning and/or finances at these sessions. The amendment was put and carried and the amended motion carried.

THIRD FLOOR:
TERMINAL BLDG.

On motion of Ald. Valardo and Ritchie, Council adopted a recommendation from Committee that tenders be called for completion of the third floor of the ferry terminal building, where the Planning and Engineering Departments are to be located. Renovations to City Hall are also included in the concept plan approved at Committee.

FIELD HOUSE:
MICMAC SPORTS FIELD

It has been recommended by Committee that tenders be called for a field house at the MicMac sports field, the plans for which were presented at the meeting of July 15th. Ald. Valardo and Greenough moved the adoption of the recommendation from Committee.

Mr. Bayer advised that the next phase of development for the field is the two soccer fields designated in the overall plan, and he asked if Council would be in favour of going directly to tender for this next project or if the members would wish to review the drawings and specs. prior to the tender call. With the exception of Ald. Fredericks, most other members responded by speaking in favour of going directly to a tender call, having looked at the general plan for the complex when it was before the Committee in connection with the field house item. Ald. Fredericks spoke against this procedure being followed and maintained that Council should take time to look at the plan again before deciding to go to tender. The motion on the floor was put and carried, after which Ald. Ritchie and Valardo moved that tenders be called for the two soccer fields as authorized at this time. Ald. Fredericks continued to speak against the motion and voted against when the vote was taken; the motion carried.

DRAINAGE PROBLEM:
CANTERBURY ST.

On motion of Ald. Williams and Withers, Council adopted a recommendation from Committee, authorizing the Engineering Dept. to prepare preliminary plans and a cost estimate to correct the drainage problem at the west end of Canterbury Street.

STREET IMPROVEMENTS:
WILDWOOD BLVD.

A motion introduced by Ald. Sarto at the July 15th Committee meeting has been recommended to Council as follows:

WHEREAS during the development of Phases 5 and 6 in the Forest Hills Land Assembly in the year 1979 and the current year 1980 by the Nova Scotia Housing Commission;

AND WHEREAS during that same period of time, the excessive use of Wildwood Blvd. by vehicular traffic, namely dump trucks, as an access and egress route to the development sites has caused serious deterioration to the boulevard to the extent that it now leaves the road to be of sub-standard condition for the residents;

THEREFORE BE IT RESOLVED that Dartmouth City Council request City staff to communicate immediately with the Commission, with the intent to make known the present condition of the road, the primary cause of that condition, and the Commission's moral responsibility toward repairment of same. Also, to enquire as to what extent the Commission is prepared to cost-share in the pavement of the boulevard.

The motion received Council's approval, on motion of Ald. Sarto, seconded by Ald. Hawley.

TRANSFER OF ASSETS.:
M.T.C. TRANSIT COMM.

As requested by Ald. Fredericks at the Committee meeting of July 15th, additional information has been provided on the transfer of assets from Dartmouth Transit to the M.T.C., based on the proposal set out in the letter from the Minister of Municipal Affairs, dated June 30/80, as recommended by the Mayor in his report to Council. Ald. Valardo and Williams moved the adoption of the recommendation from Committee that the proposal for the transfer of assets be accepted by the City of Dartmouth.

Mr. Smith responded to questions on the figures provided by way of explaining the financial implications of the transfer of assets for the City and reviewed the additional information contained in his report. Following his presentation, the vote was taken on the motion and it carried.

Ald. Valardo referred to the June 3rd minutes of the Metropolitan Authority meeting and indicated that he would like to have information on the salary of the General Manager of M.T.C. and on the fringe benefits he receives. Ald. Hart noted that this information is available from the Authority office, and she went on to advise that she has requested information on the salaries received by transit managers in other locations throughout Canada for comparison purposes. Members of Council requested copies of this information when it becomes available..

ITEMS DEFERRED:
UNION OF N.S.
MUNICIPALITIES

Council agreed to defer three items involving correspondence from the Union of N. S. Municipalities until the Council meeting of July 29th.

LETTER: CHAIRMAN
COMM. SERVICES
ADVISORY BOARD

On motion of Ald. Crawford and Valardo, Council received and filed a letter of introduction from Mrs. Joan Merrick, the newly-elected Chairman of the Dartmouth Community Services Advisory Board.

AWARD TENDER:
QUEEN STREET
PARKING LOT

Tenders have been received as follows for construction of the Queen Street parking lot:

Woodlawn Construction Ltd.	\$126,817.55
Municipal Spraying & Contracting	133,813.00
Dineen Construction (Atlantic) Ltd.	142,202.81
L. J. Casavechia Contracting Ltd.	149,887.50
Harbour Construction Co. Ltd.	153,100.00
Ocean Contractors Ltd.	163,080.88

Acceptance of the low bid, received from Woodlawn Construction Ltd., has been recommended and the tender was awarded on motion of Ald. Valardo and Brennan.

RESOLUTION #80-32:
CONSULTING SERVICE
QUEEN ST. PARKING LOT

Resolution #80-32, authorizing an agreement between the City and C.B.C.L. Ltd. for consulting services on the Queen Street parking lot, was before Council for approval, having been recommended by the Acting City Administrator and by Mr. Lukan of the Planning Dept. Ald. Ritchie and Valardo moved the adoption of the resolution, a copy of which is attached. Ald. Williams, Brennan and Valardo questioned the frequency with which consulting services are being engaged through one firm in particular, namely C.B.C.L. They felt that other firms

should have the opportunity to do work for the City as well and asked to have their concerns taken into consideration. The motion to adopt the resolution carried.

FARMERS MARKET

A staff report has been submitted on the feasibility of locating a farmers market in the downtown area of the City, and Council's endorsement of a proposal is recommended, involving an expenditure of \$6,800. for repairs to the former Liquid Carbonic building, to house the market, and for administrative costs involved. If the proposal receives approval at this time, the market could be in operation in August and would continue as a pilot project until the end of the year when its success would be given an assessment to determine whether or not it is to be continued.

Ald. Williams and Hawley moved the adoption of the recommendation to endorse the staff proposal, but Ald. Valardo felt that the twelve stalls proposed are inadequate and that the fee structure proposed is not realistic. Other members felt that the market should only start out in a small way until a response to it can be determined. Ald. Fredericks also wanted to have the fees increased by one dollar and to delete the installation of a hot water heater in the building as a means of saving some of the renovation cost involved. He moved this in amendment, seconded by Ald. Crawford. The amendment was not supported by Council and it was defeated. Another amendment put forward by the same two members, calling for a maximum expenditure of \$5,000. in total, was also defeated. The vote was then taken on the original motion and it carried.

HARBOUR WALK:
PHASE 2C

A further report was before Council on the proposal for the Harbour Walk, Phase 2C, involving the area immediately around the sides and back of City Hall, where landscaping has been proposed in the W.D.C. plan up to the building itself, without any access driveway being retained. A compromise design, that would retain a 12' asphalt strip as a service lane to the boiler room and electrical service areas, has been worked out by staff

should have the opportunity to do work for the City as well and asked to have their concerns taken into consideration. The motion to adopt the resolution carried.

FARMERS MARKET

A staff report has been submitted on the feasibility of locating a farmers market in the downtown area of the City, and Council's endorsement of a proposal is recommended, involving an expenditure of \$6,800. for repairs to the former Liquid Carbonic building, to house the market, and for administrative costs involved. If the proposal receives approval at this time, the market could be in operation in August and would continue as a pilot project until the end of the year when its success would be given an assessment to determine whether or not it is to be continued.

Ald. Williams and Hawley moved the adoption of the recommendation to endorse the staff proposal, but Ald. Valardo felt that the twelve stalls proposed are inadequate and that the fee structure proposed is not realistic. Other members felt that the market should only start out in a small way until a response to it can be determined. Ald. Fredericks also wanted to have the fees increased by one dollar and to delete the installation of a hot water heater in the building as a means of saving some of the renovation cost involved. He moved this in amendment, seconded by Ald. Crawford. The amendment was not supported by Council and it was defeated. Another amendment put forward by the same two members, calling for a maximum expenditure of \$5,000. in total, was also defeated. The vote was then taken on the original motion and it carried.

HARBOUR WALK:
PHASE 2C

A further report was before Council on the proposal for the Harbour Walk, Phase 2C, involving the area immediately around the sides and back of City Hall, where landscaping has been proposed in the W.D.C. plan up to the building itself, without any access driveway being retained. A compromise design, that would retain a 12' asphalt strip as a service lane to the boiler room and electrical service areas, has been worked out by staff

should have the opportunity to do work for the City as well and asked to have their concerns taken into consideration. The motion to adopt the resolution carried.

FARMERS MARKET

A staff report has been submitted on the feasibility of locating a farmers market in the downtown area of the City, and Council's endorsement of a proposal is recommended, involving an expenditure of \$6,800. for repairs to the former Liquid Carbonic building, to house the market, and for administrative costs involved. If the proposal receives approval at this time, the market could be in operation in August and would continue as a pilot project until the end of the year when its success would be given an assessment to determine whether or not it is to be continued.

Ald. Williams and Hawley moved the adoption of the recommendation to endorse the staff proposal, but Ald. Valardo felt that the twelve stalls proposed are inadequate and that the fee structure proposed is not realistic. Other members felt that the market should only start out in a small way until a response to it can be determined. Ald. Fredericks also wanted to have the fees increased by one dollar and to delete the installation of a hot water heater in the building as a means of saving some of the renovation cost involved. He moved this in amendment, seconded by Ald. Crawford. The amendment was not supported by Council and it was defeated. Another amendment put forward by the same two members, calling for a maximum expenditure of \$5,000. in total, was also defeated. The vote was then taken on the original motion and it carried.

HARBOUR WALK:
PHASE 2C

A further report was before Council on the proposal for the Harbour Walk, Phase 2C, involving the area immediately around the sides and back of City Hall, where landscaping has been proposed in the W.D.C. plan up to the building itself, without any access driveway being retained. A compromise design, that would retain a 12' asphalt strip as a service lane to the boiler room and electrical service areas, has been worked out by staff

in conjunction with the W.D.C. officials, and Council's endorsement of Phase 2C of the Harbour Walk, as amended, is recommended in a report to Council by the Acting City Administrator. Council approved the amended plan, as presented, on motion of Ald. Brennan, seconded by Ald. Sarto.

UNDERGROUND SERVICES:
DOWNTOWN DARTMOUTH

On motion of Ald. Hart and Greenough, Council received and filed for information, a letter from the W.D.C. on the awarding of a tender for Contract #D-1462-25 (underground services & surface improvements, downtown Dartmouth), with an indication of the construction schedule and timing details of the project.

CONTRACT #8004:
HIGH ST. PARK

An item added to the agenda was the awarding of a tender for Contract #8004 (High Street Park), a South Woodside NIP project. Tenders have been received as follows:

BIC Enterprises Ltd.	\$15,936.00
H.S. Walker Construction Ltd.	17,670.00
Edmond Bros. (1979) Ltd.	17,806.00
Terra Nova Landscaping Ltd.	17,895.00

The recommendation is that the tender be awarded to the low bidder, BIC Enterprises Ltd., in the amount of \$15,936.00. Council approved the recommendation for the awarding of this tender, on motion of Ald. Ritchie and Fredericks.

PURCHASE OF TRUCK:
WORKS DEPT.

The Acting City Administrator has submitted a report in conjunction with the City Engineer, recommending the purchase of a diesel-powered truck (45,000 GVW cab & chassis), based on the International quotation received, to replace the one gutted by a fire at the Operations Centre, which was scheduled to be traded on a new vehicle during 1980. The price quoted by International is \$46,177. (inc. trade) and \$40,000. was approved in the 1980 capital budget for the purchase of this truck. Also, insurance settlement for the truck which burned is expected to amount to approx. \$10,000., to be applied against the cost of the new vehicle. The recommendation in favour of the International quotation was adopted by Council, on motion of

Ald. Valardo and Greenough.

Ald. Valardo asked for a report on rented vehicles at the Operations Centre, on their use and what they are costing.

LIGHTING:
NORTHBROOK CENTRE

A third item added to the agenda was at the request of Ald. Valardo and pertained to the need for additional lighting around the Northbrook Community Centre. He moved that a new light pole and light be installed, as illustrated in a diagram presented, to be the same height as existing poles on Chapman Street, the light to be positioned to give the greatest coverage to travelled areas, the school play area, and corner areas of the Community Centre; the motion was seconded by Ald. Withers. Both Ald. Valardo and Ald. Withers stressed the need for this lighting to counteract problems with vandalism and provide better safety for people using the centre. Ald. Valardo advised that the NIP organization is prepared to assume this cost. The sketch prepared was passed to staff for their consideration and the motion on the floor carried.

SHUBENACADIE CANAL
COMMISSION

Council has been informed of the approval of By-law C-401 by the Minister of Municipal Affairs; this is the by-law to establish the proposed Shubenacadie Canal Commission. Appointments to the Commission can now be made, in accordance with the provisions of the by-law, and Ald. Hart moved, seconded by Ald. Greenough, that the groups identified for representation on the Commission be contacted and asked to forward their nominations for Council's approval; further, that the three Aldermanic appointments be recommended by the Mayor to Council, and that members of Council bring forward any names they may wish to place in nomination for the citizen-at-large appointments. The Mayor would also make the necessary contacts for appointments from the Government of Canada and the Province of Nova Scotia. All of these names would be submitted for consideration at one time at the next meeting of Council.

Ald. Fredericks asked if there will be representation

from the Museum and/or the Recreation Dept. It was noted that the Museum Board recommended some time ago that the Museum Director serve on the Commission. Ald. Greenough suggested that a representative of the Recreation Dept. could be involved in a liaison capacity and could serve as the Commission's secretary. The motion was put and carried.

RED. OVERHEAD
CROSSWALK LIGHTS

The Traffic Management Group has reviewed a request from the Notting Park, Austenville, and South Woodside NIP areas for the installation of overhead pedestrian crosswalk lights at various locations within their respective areas. The T.M.G. recommends approval of these installations and the Acting City Administrator concurs with the recommendation. On motion of Ald. Valardo and Sarto, Council adopted the recommendation as presented.

ONE-WAY TRAFFIC:
NEWCASTLE STREET

At the end of the six-month trial period approved by Council, the T.M.G. has reviewed the decision taken to make the portion of Newcastle Street from Parker to Pleasant Street, one-way south, and has now recommended that this one-way route be left in force on a permanent basis. Ald. Valardo and Greenough moved the adoption of the recommendation, and there was no opposition expressed to it, except for a problem raised by Ald. Williams with regard to large trucks trying to make the turn at Newcastle and Parker Streets, where parking is permitted on both sides of the street. Mr. Bayer agreed to have this problem looked at further and the motion on the floor carried.

PINE ST. STUDY

A preliminary report on the Pine Street traffic study has been circulated and was before Council for consideration; a second phase of this traffic study will be proceeding, at the end of which specific recommendations would be made to Council with an identification of associated costs. Ald. Brennan agreed with the conclusion reached in the report about making Pine Street one-way southbound between Ochterloney and Queen Streets, and he moved that this measure be proceeded with on a six-month trial basis, during which time it would be monitored; also, that minor

improvements be made to the Victoria Road intersection by the removal of one tree located there. Ald. Crawford seconded the motion and it was adopted by Council.

BUS SHELTERS

The Transit Advisory Board has discussed the condition of bus shelters throughout the City and has made a recommendation to have three heavily-damaged shelters removed from their present locations at Moirs in the Woodside Industrial Park, from the entrance to Lakefront Road, and from the present Tufts Cove location. Any parts that could be salvaged from these three damaged shelters would be used to repair the remaining nine bus shelters.

Both Ald. Hart and Ald. Fredericks were opposed to the removal of the shelters located in their wards, pointing out that people are still making use of them and do not want to see them taken away. They introduced amendments to a motion made by Ald. Greenough and Hawley, in favour of adopting the recommendation of the Transit Advisory Board. Their amendments, seconded by Ald. Sarto and Greenwood respectively, called for the bus shelters to remain in their present locations (in the case of Ald. Hart's amendment, the Tufts Cove location and in Ald. Fredericks', the Moirs location in Woodside). Both amendments were debated at some length, with Ald. Hawley, Greenough, and Valardo speaking against. Ald. Fredericks said the Police Dept. should step up their surveillance of the areas where the shelters are located so that vandals are not permitted to destroy these facilities that people want. When the votes were taken, both amendments carried. The amended motion was defeated and therefore, all three bus shelters will remain in their present locations and will not be removed as recommended.

PERMIT TO BUILD:
MICMAC MALL

Approval has been recommended for an application for permit to build an addition to the MicMac Shopping Centre by adding a second floor to the Simpsons' store and a third floor to the Mall. Approval would be subject to compliance with the conditions set out in the staff

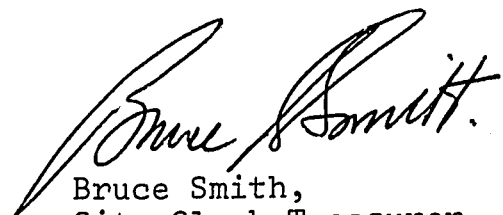
report to Council.

Ald. Crawford and Ritchie moved that the permit be granted as recommended, subject to compliance with the City requirements outlined. The developers were present with plans for the addition and Council had an opportunity to look at the plans and discuss them. Ald. Hart expressed concern about the expansion of the parking lot, necessitating the removal of more trees and ground cover in an area required for the filtration of run-off from the development. She asked if the Lakes Advisory Board will be looking at the plans and Mr. Bayer advised that they will.

The other concern expressed, by Ald. Withers and Valardo, had to do with traffic in the Crichton Park area and the possibility of an increase in traffic through this residential area as a result of the addition to the MicMac development. Mr. Bayer explained that the one main key to improving traffic in the total area is at the Woodland Ave/MicMac Blvd. intersection, but approval has not been given to date by the Provincial department to permit changes at that intersection. Ald. Valardo suggested that perhaps the T.M.G. should be making another approach to the department, in view of the further expansion planned for the Mall. Ald. Withers also suggested that a better education of the driving public, to use the existing access to the Circumferential Highway, would also help. The motion to grant the permit carried.

Ald. Hart and Valardo moved that Council meet again on Wed., July 23rd at 5:00 to complete the agenda, but the motion was defeated. Items not dealt with will therefore go on the agenda for the July 29th meeting.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

DATE: July 17, 1980
TO: Mr. Donald A. Bayer, Acting City Administrator
FROM: J. A. Lukan, Planner
SUBJECT: Consulting Service - Queen Street Parking Lots
COPY TO:

Attached is a copy of a draft Agreement between the City of Dartmouth and C.B.C.L. Limited for Consulting Services on the Queen Street Parking Lot. The Agreement is for Detailed Design, Evaluation of Tenders, Construction Supervision and As Built drawings. The amount of the Agreement is \$15,200.

The Solicitor's Department has approved the draft and I, therefore, recommend that Council be requested to approve the Agreement by resolution.


J. A. Lukan, Planner

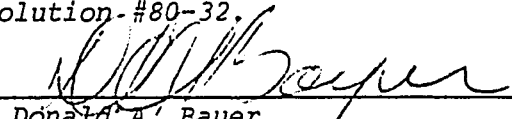
JAL/smo
Encl.

July 17, 1980

To: His Worship, Mayor Brownlow and Members of Dartmouth City Council

From: Donald A. Bayer, Acting City Administrator

Recommended for approval of Resolution #80-32.


Donald A. Bayer,
Acting City Administrator

DAB/smo

P.S. - Kindly return duplicate with your reply indicated thereon.

July 1980

RESOLUTION No. 80-32

WHEREAS Dartmouth City Council wishes to enter into a contract with CBCL Limited for design and construction supervision for the Queen Street parking lot.

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

MEMORANDUM OF AGREEMENT made as of the first day
of April, 1980.

BETWEEN:

THE CITY OF DARTMOUTH,
hereinafter called the "City".

OF THE FIRST PART

- and -

CBCL LIMITED, a body corporate,
hereinafter called the "Consultant".

OF THE SECOND PART

WITNESSETH that in consideration of the
covenants and agreements hereinafter contained, the parties
hereto agree as follows:

1. Subject to this Agreement and the Terms of Reference attached hereto as Schedule "A", the Consultant shall undertake the design and construction supervision of the Queen Street Parking Lot Improvements, hereinafter called the "Project".
2. The parties hereto agree that the financial limitation of this Agreement is Fifteen Thousand Two Hundred Dollars (\$15,200.00), said sum to cover all fees and expenses whatsoever incurred by the Consultant in the performance of the Project. No sum in excess of this limitation shall be incurred without the prior written approval of the City.

3. Subject to Section 2 hereof, the Consultant shall submit a detailed account for services performed in the previous month, such account to include without limitation, all fees and expenses together with detailed reports in a form and manner satisfactory to the City.

4. Subject to this Agreement, the City shall pay to the Consultant on presentation of the account referred to in Section 3 hereof, generally in accordance with approved costs.

5. The Consultant shall keep accurate records containing complete information on all aspects of the Project and such records shall be open at all times for audit purposes to the City or its duly authorized representatives.

6. The Consultant agrees that the City shall become and remain the sole owner of all materials and information produced from the services performed hereunder by the Consultant.

7. The Consultant agrees that he is engaged as an independent contractor and that neither the Consultant nor its agents or employees are or are deemed to be servants or employees of the City.

8. The Consultant shall at all times indemnify and save harmless the City from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained, brought or prosecuted to the extent that the foregoing are based upon, occasioned by or attributable to anything done or omitted by the Consultant or their servants or agents or employees in the fulfillment or purported fulfillment of any of its obligations under this Agreement.

9. The Consultant shall not assign or sublet this Agreement in whole or in part without the prior written consent of the City.

10. Time is of the essence of this Agreement and all provisions hereof.

11. The waiver or acquiescence of the City of any default by the Consultant under any provision of this Agreement or of the attached Schedule shall not be deemed to be a waiver of such provision or any subsequent or other default hereunder.

12. The City shall be entitled to cancel the present Agreement on ten (10) days notice to the Consultant always provided that within ten (10) days of receipt of such notice, the Consultant shall furnish the City with a progress report of the work done at that date together with all the material and information produced from the work done and provided that the work is accepted by the City, the City shall pay to the Consultant as herein provided, the fees and expenses accrued to that date and such payment shall be received by the Consultant in full satisfaction and discharge of all claims and demands against the City in respect of this Agreement.

13. The term of this Agreement shall extend from the 1st day of April, 1980 to the 29th day of November, 1981 unless otherwise terminated as herein provided.

14. This Agreement shall be construed in accordance with the laws of the Province of Nova Scotia and shall be treated in all respects as a contract of that Province.

15. Any notice pursuant to this Agreement shall be valid if given in writing by postage prepaid registered letter addressed to the Consultant:

CBCL Limited
6100 Young Street
P.O. Box 1269N
Halifax, N.S.
B3K 5H4

and to the City:

The City of Dartmouth
P.O. Box 817
Dartmouth, Nova Scotia
B2Y 3Z3
ATTN: Mr. John Lukan
Planning Department

and shall be deemed except through delays through interruption of postal services to have been given two (2) business days after the day such letter is posted. Nothing herein shall preclude the delivery of notices pursuant hereto by means other than mailing.

16. This Agreement and the Schedule attached hereto constitute the whole agreement between the parties hereto unless duly modified in writing by the parties.

17. This Agreement enures to the benefit of and is binding upon the parties hereto, their respective successors and assigns but may not be assigned by the Consultant without the prior written consent of the City.

15. Any notice pursuant to this Agreement shall be valid if given in writing by postage prepaid registered letter addressed to the Consultant:

CBCL Limited
6100 Young Street
P.O. Box 1269N
Halifax, N.S.
B3K 5H4

and to the City:

The City of Dartmouth
P.O. Box 817
Dartmouth, Nova Scotia
B2Y 3Z3
ATTN: Mr. John Lukan
Planning Department

and shall be deemed except through delays through interruption of postal services to have been given two (2) business days after the day such letter is posted. Nothing herein shall preclude the delivery of notices pursuant hereto by means other than mailing.

16. This Agreement and the Schedule attached hereto constitute the whole agreement between the parties hereto unless duly modified in writing by the parties.

17. This Agreement enures to the benefit of and is binding upon the parties hereto, their respective successors and assigns but may not be assigned by the Consultant without the prior written consent of the City.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed as of the day and year first above written.

SIGNED, SEALED AND DELIVERED)

in the presence of:) THE CITY OF DARTMOUTH

)
) per: _____

)
) per: _____

) CBCL LIMITED

) per: _____

) per: _____

APPROVED
as to Form
S.H.
CITY SOLICITOR

Schedule "A"

DESIGN AND CONSTRUCTION SUPERVISION OF QUEEN STREET PARKING
LOT IMPROVEMENTS - TERMS OF REFERENCE

1. A design is to be produced for the following improvements to the lot: lighting, landscaping both peripheral and interior, and beautification of the walkway to Portland Street.
2. Consultation will be necessary with the architect employed by the Business Improvement District Committee designing improvements to the exteriors of buildings backing on the lot to ensure compatibility with the landscaping.
3. Details of design elements including finishes, lighting fixtures, and landscaping are to be made available for review in the form of sketches and outline specifications before contract documents are completed.
4. Contract documents are to be completed by May 31, 1980.
5. Construction supervision is to be provided through to the end of the construction maintenance period in the Fall of 1981.

Dartmouth, N. S.

July 29/80.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Brennan	Crawford
Valardo	Hawley
Hart	Greenwood
Ritchie	Fredericks
City Solicitor, S. Hood	
Acting City Administrator, D. Bayer	
City Clerk-Treasurer, B. Smith	

Council met to complete the July 22nd agenda.

ON PROPOSAL:
FLICT OF INTEREST
SLATION

Council has been asked to comment on a proposal from the Union of Nova Scotia Municipalities and proposed draft legislation with respect to the subject of conflict of interest; copies of the proposal and the draft bill have been circulated. Ald. Hart and Ritchie moved the approval of these documents by Council.

Ald. Fredericks suggested that there should be a provision for City or Town Clerks to investigate any reports of a conflict of interest that may be received after an election takes place. He later moved in amendment, seconded by Ald. Hart, that a provision be included to the effect that when a City (Town) Clerk has been informed of a possible conflict of interest, the Clerk should be obliged to report any such conflict of interest brought to his attention about a member or members of the Council or any Boards or Commissions. The amendment was defeated.

The other concern expressed by Ald. Fredericks, and by several other members of Council as well, had to do with section four of the proposed legislation, which refers to the pecuniary interest of family members who reside in the same home as the elected representative, and possible areas for a conflict of interest interpretation when they have any dealings with the municipality. The members questioned the responsibility that an elected member can be expected to have in this kind of a situation. Ald. Crawford considered the section to be too strong and

Dartmouth, N. S.

July 29/80.

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

Present - Mayor Brownlow

Ald. Sarto	Ibsen
Williams	Cunningham
Brennan	Crawford
Valardo	Hawley
Hart	Greenwood
Ritchie	Fredericks
City Solicitor, S. Hood	
Acting City Administrator, D. Bayer	
City Clerk-Treasurer, B. Smith	

Council met to complete the July 22nd agenda.

ON PROPOSAL:
FLICT OF INTEREST
ISLATION

Council has been asked to comment on a proposal from the Union of Nova Scotia Municipalities and proposed draft legislation with respect to the subject of conflict of interest; copies of the proposal and the draft bill have been circulated. Ald. Hart and Ritchie moved the approval of these documents by Council.

Ald. Fredericks suggested that there should be a provision for City or Town Clerks to investigate any reports of a conflict of interest that may be received after an election takes place. He later moved in amendment, seconded by Ald. Hart, that a provision be included to the effect that when a City (Town) Clerk has been informed of a possible conflict of interest, the Clerk should be obliged to report any such conflict of interest brought to his attention about a member or members of the Council or any Boards or Commissions. The amendment was defeated.

The other concern expressed by Ald. Fredericks, and by several other members of Council as well, had to do with section four of the proposed legislation, which refers to the pecuniary interest of family members who reside in the same home as the elected representative, and possible areas for a conflict of interest interpretation when they have any dealings with the municipality. The members questioned the responsibility that an elected member can be expected to have in this kind of a situation. Ald. Crawford considered the section to be too strong and

and too broad in its application.

Ald. Fredericks questioned whether the section is compatible with the provisions of the School Boards Act where family members are concerned, and asked to have this point checked out by the Solicitor.

Ald. Ibsen considered the legislation proposed to be another erosion of the powers of local Councils, while Ald. Valardo felt that it will place restrictions on the calibre of candidates who will want to offer for public office or be in a position to do so. He also favoured an opportunity for input from the Chamber of Commerce and from other segments of the business community, and did not want to have Council endorse the legislation without further in-depth study. Ald. Crawford agreed that there should be a longer review process and that a response should not have been expected from the municipal councils in time for this year's conference.

Ald. Valardo and Crawford subsequently moved, as a recommendation from Council to the Union, that the proposal and legislation be tabled for one year to give local councils an opportunity for further review and discussion. The motion carried with Ald. Hart, Fredericks, Hawley, and Ritchie voting against.

On motion of Ald. Ibsen and Sarto, the legislation was also referred back to staff for a recommendation on the points raised in debate (particularly with respect to section four and its present wording). Ald. Valardo suggested that input should also be sought from the Chamber's Civic Affairs Committee and this should form part of the referral process.

Council has been provided with copies of a report from the Joint Task Force on Social Services, originating with the Union of Nova Scotia Municipalities; this report will come up for discussion at the annual conference in September.

Ald. Crawford thought that the report was worthwhile but has a number of ambiguities contained in it, such as

SK FORCE REPORT
SOCIAL SERVICES

section 57, which appears to be contrary to the recommendation in section 61. His other concern was about the type of building specifications that should be required for ambulatory and bed-ridden patients. At the suggestion of the Mayor, Ald. Crawford moved referral of the report to the Director of Social Services for an assessment and report back to Council; the motion was seconded by Ald. Ritchie.

Ald. Ibsen asked that Mr. McNeil give some attention to the fact that there does not seem to be any emphasis in the document on the importance of keeping people in their own homes and programs that are directed toward this objective, rather than providing public housing and homes for special care to house them. Ald. Brennan requested comments from Mr. McNeil on the following points:

- (a) providing incentives for people to stay in their own homes.
- (b) the matter of administration costs as a percentage of the total service, and in this connection, the merit of the negative income tax credit system as an option.
- (c) the apparent conflict between what is being said in the report about more autonomy for the municipality for delivery of the system, while in other sections, it is proposed that autonomy be taken away from the municipality.
- (d) with reference to section 30, is 5% intended as a limit?
- (e) what is the relationship between the scales recommended on pages 12 and 13 of the report and the existing ones.?
- (f) the fact that section 61 appears to be in conflict with section 35.
- (g) with reference to section 71, the use of tax credits as an incentive, both in the case of the senior citizen's home and that of his or her family.

Following the presentation of Ald. Brennan's inquiries, the vote was taken on the motion and it carried.

UNION PROPOSAL:
INCORPORATION

A proposal and draft legislation has also been received from the Union of N. S. Municipalities with respect to the Union's present constitution and an incorporation of the Union, to come before this year's

conference. Ald. Fredericks and Hart moved the approval of the documents circulated.

Ald. Crawford questioned whether the reference to the 'Union' in section 5 (d) is in fact to the Executive and the power it would have to borrow money and carry on the financial transactions referred to in the section. The Solicitor said that the reference is to the Union itself and that the Executive can only act on the basis of what the Union tells them to do. Ald. Crawford also asked for clarification as to the number of delegates permitted a municipality and the basis on which the number is determined, reference section 13 (3).

Ald. Valardo asked for clarification with regard to the position of Secretary-Treasurer as a member of the Executive and an officer of the Union. He felt that the legislation does not spell out clearly whether or not the Secretary-Treasurer is to be an elected representative, but this point was clarified by the Solicitor and by Ald. Hart, who explained her present function in an interim capacity as Secretary-Treasurer. In the proposed legislation, the position will be part of the Executive and this represents a change from the present situation.

Ald. Valardo's other point pertained to section 9 (2) of the legislation; he introduced an amendment to change section 9 (1) by adding the words 'nominated and elected' before the phrase 'at the annual conference', and to delete section 9 (2) altogether. The amendment was seconded by Ald. Ibsen and it carried with Ald. Hart voting against. The amended motion carried.

BUS SHELTERS

At the July 22nd Council meeting, a decision was taken to retain three bus shelters that had been recommended by the Transit Advisory Board for removal. Mr. Bayer requested a decision at this time on the repair of the shelters as required if they are to be kept in use. Ald. Fredericks and Ritchie moved that repairs be made to the shelters before next winter, that police

surveillance of them be increased, and that before any new shelters are installed, staff look at a more vandal-proof type of structure. Ald. Ibsen suggested that repairs to the existing shelters should not include the replacement of glass, because of the cost involved. Ald. Crawford asked that any further damage to the shelters at these locations be brought to Council's attention at once. The motion on the floor carried.

STUDENT PASSES &
SPECIAL STUDENT
FARES

Recommendations from the Transit Advisory Board were before Council on the subject of student passes and special student fares; Mr. Russell was present to explain the discussions on these items and to comment on the attempt that has been made to have M.T.C. approve reduced rates for students. M.T.C. has turned down Council's previous request for student fares and has indicated that if Dartmouth wishes to implement these, the cost involved will have to be borne by the City.

Ald. Fredericks and other members who spoke on this item, wanted to see the matter pursued further and were not satisfied with the recommendation of the Transit Advisory Board that the subject of special student fares be placed on the Continuing Agenda to be followed up again in a year's time. (The School Board has approved student passes for students attending special classes, by absorbing that part of the cost that is not covered under the Foundation sharing formula.) On motion of Ald. Fredericks and Valardo, the matter was referred back to the M.T.C. for further consideration and to Mr. Russell and the City Clerk to look at what the City of Halifax is doing to assist students.

APPOINTMENT:
NEW SOCIETY FOR
SPECIAL CARE HOMES

Council has been asked to make an appointment to the new society being established by the Minister of Social Services, to assume responsibility for the construction and operation of a home for special care in Dartmouth. On a nomination put forward by Ald. Valardo and Hart, Council chose Ald. Brennan as the City's appointment to the Society.

BILLBOARD APPLICATION:
JOSEPH ZATZMAN DR.

On motion of Ald. Ibsen and Sarto, Council approved a billboard application from Burnside Truck Centre Ltd., 141 Joseph Zatzman Drive. Approval of the permit has been recommended by the Acting City Administrator, by the T.M.G., and the Planning & Development Dept.

CONTRACT #80536:
NORTH WOODSIDE
STORM SEWER

Tenders have been received as follows for Contract #80536 (North Woodside storm sewer):

Harbour Construction Co. Ltd.	\$88,400.00
Stewiacke Construction Ltd.	93,598.50
L.J. Casavechia Contracting Ltd.	97,655.00
Seaport Contractors Ltd.	126,680.00
Woodlawn Construction Ltd.	128,778.00
Antigonish Construction Ltd.	148,575.00

Acceptance of the low tender submitted by Harbour Construction Co. Ltd., has been recommended to Council and the tender was awarded as recommended, on motion of Ald. Valardo and Sarto.

RESOLUTION #80-33

On motion of Ald. Valardo and Sarto, Council adopted the attached Resolution #80-33, authorizing remuneration for any member of Council who serves on the Metropolitan Authority or the Metropolitan Transit Commission.

RESOLUTION #80-34

On motion of Ald. Ibsen and Fredericks, Council also gave approval to Resolution #80-34, authorizing the City to enter into an agreement with the Minister of Transportation for the reconstruction of Windmill Road from Albro Lake Road to Fernhill Rd.; a copy of the resolution is attached.

Mr. Russell advised Council that the Canadian Canoe Championships will be held at Lake Banook in August and extended an invitation to any of the members to assist with the presentation of medals for the final events, which will be held during August 15th and 16th.

Council then adjourned to meet in camera, on motion of Ald. Williams and Sarto. The action taken in camera was later ratified (land: 76 Crichton Ave., Bancroft Dr., and ferry terminal restaurant) on motion of Ald. Hart and Brennan.

Meeting adjourned.