

Dartmouth, N. S.

December 2/80.

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

Present - Mayor Brownlow

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

MINUTES

On motion of Ald. Williams and Ritchie, Council approved the minutes of meetings held on Nov. 1st, Nov. 4th, and Nov. 18th.

Ald. Ibsen asked about the deletion of several items from the Continuing Agenda, one being his motion on proposed tax reductions for business establishments in downtown Dartmouth (introduced in May of 1979). Mr. Moir said he would review the items with Mr. Brady, including Ald. Ibsen's motion. Ald. Williams also asked about the item on the proposal for locating a container for garbage at the old incinerator site. Mr. Moir noted that this matter has been communicated to the Metropolitan Authority; the Authority is now looking at the possibility of a transfer station for Dartmouth rather than a container service.

On motion of Ald. Greenough and Hart, Council received and filed a petition and letter from residents of the Lakecrest Drive/Mountain Ave. area, expressing their opposition to Lakecrest Drive being set up as part of a highway system associated with improvements to Main Street. Ald. Greenough asked that when final plans for Main Street are approaching completion, they be made available for a public meeting with these residents so they can be fully informed about them.

A letter has been received from Mr. Alex Barker regarding his proposal to build a replica of the 'Mount Edward Inn' on lands that form part of the City watershed beyond Lake Lamont. Mr. Barker was present for the meeting and provided information on the Inn, based on historical

PETITION:
LAKECREST DRIVE

PETITION: MOUNT
EDWARD INN

research he has carried out. He indicated to Council that he represents a group known as the Preston Road Historical Society , who plan to become incorporated and wish to take on the building of the Mount Edward Inn as their initial project.

Ald. Ibsen and Williams moved that the letter from Mr. Barker be received and filed, but Ald. Crawford suggested that perhaps it should be passed over to Mr. Gosley for verification of the historical documentation on the Inn and its significance as an historical building. Ald. Fredericks and some of the other members tended to feel that this is a subject for the Museum Society to consider, and further, they were not in favour of allowing such a building to be constructed on watershed lands. The motion to receive and file carried, but it was noted that Mr. Barker can take the matter up further with Mr. Gosley and/or the Museum Society if he wishes to do so.

RESOLUTION: CITY
KITCHENER

On motion of Ald. Cunningham and Valardo, Council received and filed a resolution from the City of Kitchener, Ont., re students and senior citizens from all municipalities in Canada being permitted to ride transit systems at a reduced fare, with the presentation of proper identification. Ald. Hart suggested that it would be in order to refer the resolution to the M.T.C. as well, but a motion of referral was not introduced. The motion carried, with Ald. Hart voting against.

RESOLUTION: TOWN
OF BEDFORD

On motion of Ald. Fredericks and Greenough, Council received and filed for information, a letter advising that application has been made by the Town of Bedford to the Public Utilities Board for membership on the Metropolitan Authority and MAPC. The hearing before the Board will come up later this month.

REPORT: DOG
CONTROL PROGRAM

Council has received a report from Harbour Cities Veterinary Hospital on the activities of the dog pound and dog control program for the period March 15/80 to Oct. 31/80. Ald. Sarto and Valardo moved the adoption of the report. Ald. Cunningham suggested that in future,

the report go to Committee with the reports from other City departments, and Ald. Sarto felt that the detailed breakdown provided in the Animal Control sheets is unnecessary since a tabulation of these statistics is provided elsewhere in the report. The motion carried.

GUILD FORD'S
DEVELOPMENT:
WRIGHT'S COVE

The next item was added to the agenda at the beginning of the meeting and pertained to a proposal from Guildford's Ltd. to construct a boat-building & launching complex on land owned by them in the Wright's Cove area of Burnside. The Director of Planning & Development, in his report to Council on the proposal, has outlined three options for the City with respect to the development being proposed and the strategic location of the Guildford property in terms of future plans for Wright's Cove if oil and gas-related development comes to Dartmouth in the future. Of the three options set out in the report, option #3 is being recommended to Council, that is, 'to permit the construction as proposed and attempt to protect our future interests via agreement on the key principles'. Mr. Bayer therefore recommends to Council that Guildford's be granted a permit, allowing them to proceed immediately, on the clear understanding that Guildford's and the City will consummate an agreement which will cover the nine points stated on page 3 of Mr. Bayer's report of Dec. 1/80. Ald. Ibsen and Valardo moved the adoption of the recommendation to Council.

Ald. Fredericks questioned the designation of a specific area for a twenty-year lease with the company (as required to facilitate entry and exit to the building) and felt there should be more flexibility in the agreement as to the area being designated. He also asked about the effect of the development on plans for the future infilling of Wright's Cove, and Mr. Bayer proceeded to explain the attempt that has been made to accommodate the company, while at the same time leaving open the options for the infilling of Wright's Cove and the possible development at some time of a harbour interface where a service base could be located

to meet the needs of the oil industry.

The main concerns expressed by Council had to do with this possible conflict between an industry situated on such a strategic site at the entrance to Wright's Cove and the future potential of this entire area if oil-related development occurs in conjunction with the Burnside Park and Navy Island. Mr. Bayer pointed out that there are no easy solutions to this question of the compatibility of the Guildford development and what may happen in the future in the total Wright's Cove area, but it is the opinion of staff that option #3 being recommended is the best compromise that can be worked out at this present time, given the unknown factors as to what will happen with oil-related development in several years time. Aside from these particular concerns, Council was generally supportive of a major move by a local industry into boat-building at a waterfront location that is suitable for the purpose. It was felt, however, that all the necessary protective conditions should be carefully spelled out in the agreement between the City and Guildford's to minimize future impact considerations. After questions from the members had been answered by Mr. Bayer and discussed with him, the vote was taken on the motion and it carried.

A report from Mr. Moir was considered on a plan for constructing a walkway between G. B. Murphy and Rideau Furs, from the Queen Street parking lot to Portland Street. The Downtown Dartmouth Corp. Ltd. is wishing to proceed with this project and a price for the work has been obtained from L. J. Casavechia Contracting Ltd. in the amount of \$24,900. The design and supervision of construction fee to CBCL would be \$2,200., for a total cost of \$27,100. The recommendation to Council is that a contract be authorized for this project, subject to it being accepted as a part of the Mainstreet Program and the Dept. of Development cost-sharing in the project to the extent of 60%. The cost to the City, on this basis, would be \$10,840. Mr. Moir's recommendation was adopted by Council, on motion of Ald. Cunningham, seconded by Ald. Ritchie.

WALKWAY ← QUEEN
ST. PARKING LOT

ACQUISITION:
WENTWORTH ST.

Mr. Moir has reported to Council on negotiations for the purchase of 47 Wentworth Street, located immediately adjacent to the old City Works Centre and directly opposite Christ Church. A negotiated price of \$68,000. is being recommended for the acquisition of this property and Council approved the acquiring of the property as recommended, on motion of Ald. Williams and Ritchie.

APPOINTMENT:
MEDICAL HEALTH
OFFICER

On motion of Ald. Ibsen and Greenough, Council approved the appointment of Dr. Butt as Medical Health Officer for the City of Dartmouth, replacing Dr. Sullivan. A recommendation to this effect has come to Council from the Secretary of the Board of Health, Mr. Brady.

APPOINTMENT MEMBER:
LAKES ADVISORY
BOARD

On motion of Ald. Sarto and Greenough, Council approved the appointment of Ms. Ann Muecke to the Lakes Advisory Board, representing the Community Planning Assn. of Canada, as recommended by the Deputy City Clerk.

REAPPOINTMENT:
TOURIST COMMISSION
MEMBER

On motion of Ald. Ibsen and Valardo, Council confirmed the reappointment of Mr. W. G. Clarke to the Tourist Commission, representing the Beverage Room Assn. of Nova Scotia for a two-year term, as recommended by the Deputy City Clerk.

FINANCING:
CAPITAL PROJECTS

The City Clerk-Treasurer was present for the next item, dealing with arrangements that have been concluded for capital program financing through (a) the Municipal Finance Corporation, and (b) alternative interim financing through a financial institution, in this case, the Royal Bank, Dartmouth Main Branch. Details of the arrangements that have been made are set out in a report prepared by Mr. Smith, and in addition to the twenty-year debenture issue agreed to through the Municipal Finance Corp., for \$9,250,000., it is recommended that Council authorize staff to enter into an arrangement with the Royal Bank of Canada for the offsetting of interim Capital financing with any part of or all surplus cash and reserve funds, with no interest rate spread between same. Council approved the recommendation as presented, on motion of Ald. Sarto, seconded by Ald. Hart.

OLUTION #80-46

On motion of Ald. Williams and Sarto, Council approved the attached Resolution #80-46, indicating concern about the termination of the Community Services Contribution Program, as recently announced by the Federal Government. A copy of the resolution will be forwarded to all Nova Scotia representatives in the Federal Cabinet and to the MP's representing Dartmouth and area.

ORT: DEADBOLT
LOCKS

On motion of Ald. Cunningham and Valardo, Council adopted a report from the Chief Building Inspector, prepared in response to a motion introduced by Ald. Fredericks on the subject of the use of deadbolt locks. Mr. Turner's report recommends that the security of individual units and dwellings be left up to the owners or occupants, and that the City not get involved in legislating regulations governing the security under the Building By-law.

UDENT FARES

The Transit Advisory Board has considered the subject of student transit fares and has made the following recommendation to Council

'That a proposal be made to the M.T.C. (through Dartmouth's representatives on the Commission) to have a 50% fare instituted for students over the age of fifteen years attending City/County schools and vocational schools. Fare to be applicable between 7:30 a.m. and 4:30 p.m., Monday to Friday inclusive, on presentation of a student identification card'.

Ald. Sarto and Greenough moved the adoption of the recommendation from the Board. Ald. Withers felt that the student pass should only be applicable during the school term, and moved in amendment that the words 'during the school year' be inserted in the recommendation after the word 'inclusive'; the amendment was seconded by Ald. Crawford. It was opposed by Ald. Fredericks, but other members who spoke considered the amendment to be in order since the main intent was to assist students while they are travelling back and forth to classes. Ald. Fredericks' point was that some students continue with classes and summer school after the regular term is over and should be permitted the use of a pass in these circumstances as well. The amendment carried and the amended motion carried.

NCERNS: TRANSIT
EMPLOYEES

The Transit Advisory Board has met with representatives of the Transit employee group to hear concerns they have relating to the introduction of Metro Transit. They are concerned that the Halifax and Dartmouth drivers will be combined into one seniority list, resulting in:

- 1) current Halifax operators who reside in Dartmouth "bumping" Dartmouth operators from the Dartmouth routes, and
- 2) some Dartmouth operators who now are guaranteed 40 hours of work weekly, being relegated to "spare board" and guaranteed only 12 hours of work weekly.

Having discussed these concerns, the Board recommends to Council that we support the concept of "protected work", similar to that in place in the Vancouver/New Westminster system, for transit operators on staff as of the takeover date by the M.T.C. Ald. Hart and Greenough moved the adoption of the recommendation from the Board and members who spoke in support of the motion felt that the position recommended should be strongly communicated to the M.T.C., in order to insure that Dartmouth employees are protected and receive fair treatment when Metro Transit comes into operation. The Mayor said that our position on this matter will be presented in the strongest possible terms, in accordance with Council's wishes. The motion carried.

LAND DEVELOPMENT
PROGRAM: BURNSIDE

The members of Council have been provided with copies of a proposed development program for Phases 5 and 6 of the Burnside Industrial Park, as prepared by CBCL, with the following recommendations from the Industrial Commission:

- a) that the development of Phase 5B and 6 be carried out as a comprehensive program.
- b) that an expenditure of not more than \$65,000. be approved for the preparation of detailed engineering plans and specifications for the servicing & development of Phases 5B, 5C, and Phase 6.
- c) that the City approach the Provincial Government to seek cost-sharing to carry out this land development program in total.

Ald. Ibsen and Valardo moved the adoption of the recommendations from the Commission, after which Mr. Mac Williams of CBCL proceeded to present details of the

development and servicing program, estimated to cost \$10,527,000. in total. Mr. Rath commented on the need to continue with the development of additional industrial sites for future use, based on the current projection that we will be out of available industrial land within the next three years, also taking into account the considerable industrial impetus that will occur if oil-related development increases the demands for serviced land.

Ald. Fredericks raised a number of points pertaining to the program for Phases 5 & 6, including a question as to whether it would be feasible to reduce the street widths from sixty to fifty feet, thereby freeing more land for sale. Mr. Williams explained the problems this creates for the large tractor-trailer trucks that use the roads in the Park and said he would recommend against making this kind of change because of the problems it would cause for truckers. Another question Ald. Fredericks had related to the possible jeopardy we will place funding for Wright's Cove in if we seek DREE funds for the Phase 5 & 6 program. The Mayor pointed out that we will require funds for both and it is not an either/or situation; the possibility of private interests participating in the Wright's Cove development would also be explored. Ald. Fredericks moved in amendment that in conjunction with approving the recommendations before Council, the Departments of Development and Transportation be contacted about the extension of Burnside Drive through to Bedford; Ald. Valardo seconded the amendment. Some concern was voiced that the amendment might jeopardize our chances for DREE funding for the Phases 5 & 6 development, and the Mayor said the amendment could be introduced as a separate motion, involving only the Dept. of Transportation in the reference to Burnside Drive.

Ald. Crawford wanted to see the item referred to Committee for a fuller discussion and he moved referral for this purpose, seconded by Ald. Ibsen. The motion to refer to Committee carried with Ald. Greenough voting against.

TIONS:

D. H. C. T

On motion of Ald. Crawford and Ibsen, Council agreed to move Ald. Hart's motion forward for consideration at this point in the meeting, since a number of senior citizens were present for the item. Based on a notice of motion previously given, Ald. Hart moved:

- 1) that Council support City recognition of the Co-ordinator's position for the Senior Citizens Service Centre.
- 2) that Council instruct staff to consult with the Board of the Senior Citizens Centre to identify an appropriate salary scale and benefit package, based on the job description proposed by the Board, and to make application to the Provincial Government for cost-sharing of this position at the earliest possible time.

Her motion was seconded by Ald. Ibsen and she then reviewed for Council the background of the establishment of the Senior Citizen's Centre through the New Horizons program, and outlined some of the services that are being provided at the Centre, as detailed in a letter from the Chairman of the Dartmouth Community Services Advisory Board. The Board strongly recommends permanent financial support from the City for the Service Centre.

Ald. Crawford supported the motion, particularly on the basis of its application to the present Co-ordinator of the Centre, Mrs. Connie Wenaus, whom he commended for her work and for her service to senior citizens. Other members of Council shared this opinion about Mrs. Wenaus and her capabilities as a Co-ordinator of the Centre.

Ald. Williams asked if there may not be some overlapping in the services that are being provided for senior citizens, and if we may not be overlooking some senior citizens who are not associated with the Service Centre or any of the organized groups that presently exist. Mr. Paul Greene was asked to comment on the services being provided by his department, and noted that only one worker, Mr. Huck, is presently involved with senior citizen services. It was his recommendation that the matter be referred to the Grants Committee for their consideration and to look at the cost-sharing possibilities. He questioned how the position of Co-ordinator could be recognized except through

a grant for funding or by the hiring of a staff person. There was considerable debate as to the interpretation placed upon a recognition by Council of the Co-ordinator's position, and the financial implications for the City if it is done. Ald. Hart said it is first necessary for the City to acknowledge the position and its importance for the Centre before the Province can be approached for cost-sharing, similar to the procedure that is followed in seeking funds for the Boys & Girls Club with its Executive Director.

Ald. Fredericks favoured an assessment of the Co-ordinator's position in relation to other needs that senior citizens have such as the meal-on-wheels program, etc. In other words, there may be more pressing needs that require funding and the Grants Committee should have the opportunity to make such an assessment and make a recommendation to Council accordingly. Ald. Ritchie tended to agree with the position taken by Ald. Williams that there are many senior citizens who are not involved in group activities and probably require assistance in different ways that warrant attention also. No motion of referral to the Grants Committee was introduced at this time and the motion on the floor carried with Ald. Williams and Ritchie voting against.

D. WILLIAMS

The second motion introduced was by Ald. Williams, in keeping with his previous notice of motion. The Mayor suggested a division of the motion into two parts for clarification. The first motion therefore consisted of the following paragraphs:

'That the City of Dartmouth establish a five-year plan providing for the installation and repair, on a continuing basis, of all streets and sidewalks in the City;

That staff recommend and bring forward the criteria which shall determine the priority in which streets and sidewalks shall be completed and/or repaired;

That the Council acknowledges and agrees that the repair and maintenance of existing streets and sidewalks is of an equal or similar importance to the installation of new streets & sidewalks;

That after receipt of the report, Council shall establish a five-year plan of implementation which shall be reviewed annually, in order that the citizens, staff and Council will be aware of the program by which the streets and sidewalks of the City shall be installed, maintained and repaired.'

The motion was seconded by Ald. Cunningham. Ald. Ibsen said he agreed with the intent of the motion, but felt that the word 'shall' in the above paragraph should be changed to read 'may'. He made an amendment to this effect, seconded by Ald. Greenough. Ald. Hawley questioned how the motion can combine a reference to capital projects and expenditures for repairs out of revenue. This point appeared to present some problem as members tried to proceed further with the debate, and the Mayor suggested that perhaps the best idea would be to refer the motion to the Solicitor for a proper separation of the paragraphs so that the reference to capital costs can be dealt with in a different context than costs associated with repairs and maintenance. A motion of referral to the Solicitor for clarification as suggested by the Mayor, was moved by Ald. Valardo and Greenough; the motion carried.

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



G. D. Brady,
Deputy City Clerk.

RESOLUTION NO. 80-46

WHEREAS in view of the announcement by The Honourable Paul Cosgrove, P.C., M.P., Minister responsible for Canada Mortgage and Housing Corporation, announcing the termination of the Community Services Contribution Program;

AND WHEREAS the discontinuance of this Program will cause financial hardship on municipalities throughout the Dominion of Canada, and more specifically, the City of Dartmouth;

THEREFORE BE IT RESOLVED that Dartmouth City Council records its concern about the termination of this Program for the provision of capital assistance in providing basic municipal services, i.e., water services, sewer services, storm drainage, etc.;

AND BE IT FURTHER RESOLVED that the City of Dartmouth advises the Minister that the discontinuance of this Program, which has only been in effect for a two-year period and was a Program developed in substitution for previous programs offered by Canada Mortgage and Housing Corporation, will cause the City of Dartmouth financial loss and will force the City to reestablish its priorities in providing what are considered essential services to its citizens; and that the abrupt cancellation of this Program will severely affect the City's development program;

AND BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Nova Scotia representatives in the Federal Cabinet, as well as Members of Parliament representing Dartmouth and area.

ON
to



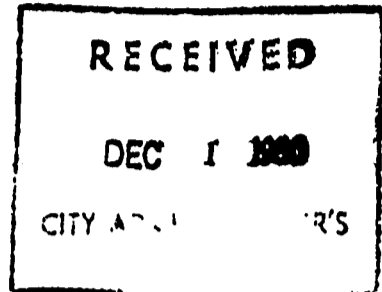
Province of Nova Scotia
Department of Municipal Affairs

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

*Dec 1/80
 Ask to Bruce and ask
 that he circulate this to Council
 with a resolution as suggested
 in last paragraph.
 [Signature]*

OFFICE OF THE MINISTER

MEMORANDUM



TO: All Mayors and Wardens
 FROM: Honourable Jack MacIsaac
 DATE: 27 November 1980

As you are aware from news reports, the Federal Government has terminated the Community Services Contribution Program at the end of this year. This decision is a severe financial blow to the Province and to all Municipalities. I am attaching a copy of the telex I received from the Honourable Paul Cosgrove advising us of the Federal decision as well as a copy of my reply to him.

Mr. Cosgrove's telex and news reports at the time of the announcement mention that "all commitments under the present agreement will continue to be met until March 31, 1982." This has led to some misunderstanding; it has been interpreted to mean that funds will continue to be provided until March 31, 1982. This is simply not the case. All it means is that the Federal payments for projects in 1980 will be remitted by the Federal Government up to March 31, 1982. There are no funds for 1981 or future years.

I have protested in very strong terms this unilateral Federal decision to abruptly end this program, which is so essential to assist municipalities in Nova Scotia to provide essential services, such as water and sewer to their citizens. We will continue to exert every effort to persuade the Federal Government to reconsider its decision and reinstate the Community Services Contribution Program or some other program that will provide financial assistance for Municipalities. I would encourage all Municipal Councils to make their views known to the Federal Minister responsible, Honourable Paul Cosgrove, and to Nova Scotia representatives in the Federal Cabinet, Honourable Allan J. MacEachen and Honourable Gerald Regan, as well as the Member of Parliament representing your Municipality.

[Handwritten Signature]
 Jack MacIsaac

JM/bd
 Attachments
 c.c. All Clerk-Treasurers



Province of Nova Scotia
Department of Municipal Affairs

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

OFFICE OF THE MINISTER

24 November 1980

TELEX

TO: Honourable Paul Cosgrove, PC, MP
Minister Responsible for Canada Mortgage and Housing Corporation
House of Commons
Ottawa, Ontario

COPY: Honourable Allan J. MacEachen, PC, MP
Minister of Finance
Honourable Gerald Regan, PC, MP
Minister of Labour
Hon. Elmer MacKay, PC, MP

The Government of Nova Scotia and our Municipalities cannot accept the unilateral decision of your Government to abruptly terminate the Community Services Contribution Program. This Program was negotiated in 1978, at which time a two-year interim agreement was reluctantly accepted by the Provinces on the understanding by the Federal Minister that a long-term agreement would be concluded before the end of this year. The decision to terminate the Program and to preclude a new agreement is a serious breach of faith by the Government of Canada.

On the basis of the earlier undertaking by your predecessor and the provision in the current agreement that a new long-term agreement would be negotiated, Nova Scotia approved several long-term commitments for water and sewer projects. These projects were also accepted and approved by you. Construction was begun on these earlier this year, and some will take two to four years to complete. There is absolutely no way that the Province or the municipal units can finance the cost of completing these projects. Federal assistance is imperative. Both the Province and the Municipalities are left in an intolerable position.

All of the funds allocated to Nova Scotia for 1980 and expected during further years of a new agreement will be used to assist Municipalities with the provision of water and sewer services. These utility services are urgently required in many communities and unless installed the people could face serious health and environmental difficulties. It is of the most extreme

TELEX

Honourable Paul Cosgrove, PC, MP

24 November 1980

Page 2

urgency and importance to the Province, our Municipalities, and the people that the Community Services Contribution Program be continued to at least provide assistance for those utility services of fresh water supply and sewage collection and treatment.

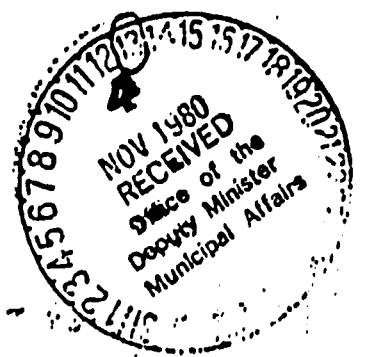
On behalf of the Government of the Province, our Municipalities, and Citizens, I earnestly request that you and your colleagues reconsider your decision and respond positively to this request.

Jack MacIsaac
Minister of Municipal Affairs
Province of Nova Scotia

JM/bd

Reçu directement de l'expéditeur par Télex

TELTEX A HFX
CMHC A OTT
OTT-37



11 591 031

CM OTTAWA ONT NOV 12/80

THE HONOURABLE JOHN (JACK) MACISAAC
MINISTER OF MUNICIPAL AFFAIRS
THE MARITIME CENTRE, 9TH FLOOR
1505 BARRINGTON STREET
HALIFAX, N.S.

ONOP Télécommunications

RE: CUMMUNITY SERVICES CONTRIBUTION PROGRAM

Received direct from Sender by Telex

AS YOU KNOW, THE COMMUNITY SERVICES CONTRIBUTION PROGRAM'S FUTURE HAS BEEN UNDER CONSIDERATION FOR A NUMBER OF MONTHS. I MUST NOW INFORM YOU THAT A DECISION HAS BEEN TAKEN TO NOT CONTINUE THE PROGRAM BEYOND ITS PRESENT TERMINATION DATE. ALL COMMITMENTS UNDER THE PRESENT AGREEMENT WILL CONTINUE TO BE MET UNTIL MARCH 31, 1982.

THE DECISION TO TERMINATE THE PROGRAM WAS DIFFICULT. HOWEVER, IN LIGHT OF COMPETING DEMANDS AND THE FEDERAL GOVERNMENT'S FISCAL SITUATION, IT WAS FELT THAT NO OTHER OPTION WAS AVAILABLE.

ONOP Télécommunications

DURING ITS LIFE, CSCP HAS HELPED MANY COMMUNITIES IN IMPROVING SERVICES TO THEIR RESIDENTS. I WOULD LIKE TO THANK YOU FOR YOUR SUPPORT OF THE PROGRAM IN THE PAST FEW MONTHS, AND FOR THE CO-OPERATION GIVEN TO MY STAFF AND MYSELF IN ADMINISTERING CSCP. I HOPE I CAN COUNT ON YOUR CONTINUED SUPPORT IN THE MONTHS AHEAD.

Reçu directement de l'expéditeur par Télex

AS YOU ALSO KNOW, I HAD HOPED TO HAVE A MEETING OF THE HOUSING MINISTERS THIS FALL TO DISCUSS MATTERS OF MUTUAL INTEREST FOLLOWING THE NATIONAL HOUSING CONFERENCE, PREVIOUSLY SCHEDULED FOR LATE NOVEMBER. NOW THAT THIS CONFERENCE HAS BEEN DELAYED I WOULD LIKE TO SUGGEST THAT A MEETING OF THE HOUSING MINISTERS BE HELD SOMETIME EARLY IN THE NEW YEAR.

ONOP Télécommunications

PAUL COSGROVE
MINISTER RESPONSIBLE FOR
CANADA MORTGAGE AND HOUSING CORPORATION
OTTAWA TELEX 053-3674
CMHC OTT

J.M.
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575P
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Dartmouth, N. S.

December 8/80.

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

Present - Mayor Brownlow

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

Council met to deal with a number of items from the December 2nd agenda, pertaining to the City Pension Plan and the Pension Committee's terms of reference.

TERMS OF REFERENCE:
PENSION COMMITTEE

Proposed terms of reference for the Pension Committee have been submitted for Council's consideration. They were presented at this time by the Chairman of the Committee, Ald. Williams, and he moved their adoption, seconded by Ald. Withers. During the debate which followed, several amendments were introduced and approved as follows:

- 1) Ald. Hart and Greenough moved in amendment that section 9 be amended by deleting all of the present wording after the opening phrase, 'The Committee shall reach decisions by majority vote'. The amendment carried, with Ald. Crawford and Fredericks voting against.
- 2) Ald. Greenough and Hawley moved in amendment that section 3 be amended with the addition of the words 'and each of them shall have one vote'. The Solicitor was asked to draft another sentence to cover situations where a tie vote occurs on an item before the Committee. The amendment carried.
- 3) Ald. Valardo and Greenough moved in amendment that section 10 be amended by adding a new sentence to read: 'All notices and minutes of meetings shall be forwarded to all members of Council'. The amendment carried.
- 4) Ald. Greenough and Hawley moved in amendment that Section 7 be amended by adding the words . . . 'or by the request of any three members'. This amendment was also adopted and the amended motion carried.

The Pension Committee has recommended to Council that people receiving pensions from the start of the Pension Plan in 1970 to Dec. 31/79, have their pensions indexed at the rate of 3%. Approx. 70 people are involved and the cost to the Pension Plan would be approx. \$90,000.

PENSIONS PRIOR
16 DE 31/79

Each of the retired employees concerned would receive a one-time back payment covering the year 1980, and from Jan. 1/81, an additional one-twelfth of the new adjustment (3% per year compounded for each of their retirement years up to 1980) per month, added to the amount they would be regularly receiving. There appeared to be considerable confusion about the indexing formula being recommended by the Committee, but once it was understood, the members of Council were generally in support of it. Ald. Valardo felt that the recommendation was presented without sufficient background information on the pensioners involved and the pensions they are presently receiving. He asked that future recommendations from the Committee be accompanied by more detail than in the case of this particular item. The recommendation of the Committee was adopted, on motion of Ald. Williams and Ibsen.

RECIPROCAL AGREEMENTS:
PENSION PLANS

The Pension Committee has considered a request from the City of Halifax concerning Reciprocal Agreements with respect to the portability of pension plans. Mr. Burnell of the Wyatt Company explained the principle of portability and the implications of allowing transfers from one pension plan to another. The trend toward the portability of pension benefits was recognized by several members of Council who spoke on the subject, and a general opinion was expressed that the Committee should continue to explore the matter of Reciprocal Pension agreements further and come back to Council with a comprehensive report for consideration. A motion to this effect, moved by Ald. Williams and Crawford, was adopted.

PENSION PLAN
IMPROVEMENTS

Mr. Burnell was also available to comment on his company's actuarial review of the City Pension Plan and on several improvements that could be made in the Plan, as detailed on the sheet which accompanied a report from the Pension Committee on this item. The improvement receiving particular attention had to do with a provision for female employees, whereby widowers would receive benefits that are now only available to the widows of

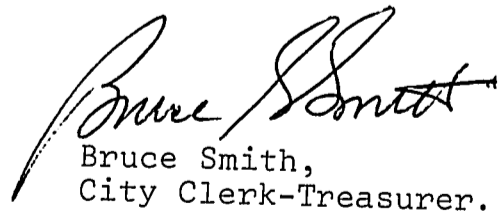
male employees. While Council did not wish to deal with any of the other improvement proposals at this time, there was general support for the inclusion of widowers to receive benefit coverage, at the present level indicated, the expenditure involved being .02% to cover the cost of this additional coverage. A motion to this effect, moved by Ald. Fredericks and Valardo, was adopted.

On motion of Ald. Valardo and Greenough, the remainder of the proposals were referred back to the Pension Committee for recommendation.

On motion of Ald. Hart and Fredericks, Council appointed Ald. Williams to serve as Chairman of the Pension Committee for the coming year.

Resolution #80-47 was presented as recommended by the City Clerk-Treasurer; the resolution would set the rate of interest on past due taxes at the rate of 18.5% per annum, as of December 15th, in keeping with Council's policy of maintaining a minimum spread of 2.5% over bank prime rate (currently at 15.50%). Ald. Sarto and Greenough moved the adoption of the resolution, a copy of which is attached. Ald. Crawford and Hawley were opposed to the motion and maintained that the higher interest rate for overdue taxes represents a hardship for individual owners of residential properties and puts them in an unfair situation. It was explained by the Mayor and the Solicitor why a distinction cannot be made between residential and commercial property owners in the application of an interest rate. When the vote was taken, the motion carried.

Meeting adjourned.


Bruce Smith,
City Clerk-Treasurer.

CHAIRMAN: PENSION
COMMITTEE

RESOLUTION #80-47



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

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Dec 8
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CITY OF DARTMOUTH

OFFICE OF
CITY CLERK AND TREASURER

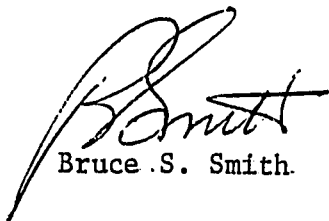
DATE: December 8, 1980
TO: His Worship the Mayor and Members of Dartmouth City Council
FROM: Bruce S. Smith - City Clerk-Treasurer
SUBJECT: Resolution 80-47 - Interest on Past Due Taxes

Interest due on past due taxes as set by Council is currently 15% per annum.

Commercial banking institutions have over the last several weeks increased their prime lending rates to the current rate of 15.50%.

Staff anticipate a further increase in the Bank of Canada rate and bank prime rates again this week, and keeping in line with Councils' policy to maintain a minimum spread of 2.5% over bank prime.

It is therefore recommended that as of December 15th interest on past due taxes be set at the rate of 18.5% per annum and approve Resolution 80-47.


Bruce S. Smith

BSS:lo'1

December 1980

RESOLUTION NO. 80-47

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

AND WHEREAS Dartmouth City Council deems it advisable to increase the rate of interest charged on overdue taxes which was established by Resolution 80-35;

THEREFORE BE IT RESOLVED that all taxes which are due and payable on the 1st day of March in each year and all taxes which are due and payable on the 31st day of May in each year, shall be subject to the payment of interest at the rate of 18.5 percent per annum from the 1st day of March or the 31st day of May, respectively as the case may be, to and including the date of payment with respect to such amount of taxes as may from time to time remain unpaid, effective the 15th day of December, 1980.

December 1980

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SCHEDULE OF INTEREST RATES

June 1979 - Dec. 3, 1980

	<u>Prime Bank Rate</u>	<u>Tax Interest Rate</u>	<u>Spread</u>
June '79	12.00		
July '79	12.50	15.00	3.00
Aug. '79	12.50	15.00	2.50
Sept. '79	13.00	15.00	2.50
Oct. '79	14.75	15.00	2.00
Nov. '79	15.00	15.00	.25
Dec. '79	15.00	15.00	0
Jan. '80	15.00	15.00	0
Feb. '80	15.00	15.00	0
Mar. '80	16.50	15.00	0
Apr. '80	17.50	17.00	.50
May '80	16.50	17.00	(.50)
June '80	13.75	19.00	2.50
July '80	13.25	16.00	2.25
Aug. '80	12.50	16.00	2.75
Sept. '80	12.25	15.00	2.50
Oct. '80	13.00	15.00	2.75
Nov. '80	13.25	15.00	2.00
Dec. '80	14.50	15.00	1.75
Dec. '80	15.50	15.00	.50
		15.00	(.50)

Dartmouth, N. S.

December 9/80.

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

Present - Mayor Brownlow

Ald. Ibsen	Sarto.
Williams	Cunningham
Brennan	Crawford
Valardo	Withers
Hart	Greenwood
Hawley	Greenough
Ritchie	Fredericks
City Solicitor, S. Hood	
Acting City Administrator, D. Bayer	
Deputy City Clerk, G. Brady	

Council met to complete the December 2nd agenda
and to deal with additional items of business.

The following motions were presented, for which
notice was previously given:

1) Ald. Greenough introduced his motion as follows,
seconded by Ald. Sarto:

WHEREAS major highways through the City of Dartmouth
have accompanying sidewalks to provide for the safe
movement of pedestrians;

AND WHEREAS Braemar Drive and the Waverley Road is
a secondary Provincial Highway (Route 18);

AND WHEREAS this highway has a high volume of
vehicular traffic, including heavy truck traffic;

AND WHEREAS certain sections of this highway
represents a hazard to the safe movement of
pedestrians and in particular to school children,
because the road is narrow and there is no sidewalk;

THEREFORE, I move that Council authorize the
Engineering Dept. to determine the cost of
providing for a sidewalk on Braemar Drive and
the Waverley Road, together with a recommended
phasing for this construction, with the intention
that some of the sidewalk will be installed in the
coming year.

Ald. Greenough explained that the two sections
without sidewalk at present and where it is required, are
between the Rotary and Red Bridge Pond and between Breeze
Drive and the Montague Road. Both he and Ald. Hawley
commented on the present danger that exists for pedestrians
and particularly school children walking along these
sections of Braemar Drive and Waverley Road. The situation
becomes especially bad in the wintertime with snow piled
along the sides of the road and nowhere for pedestrians to
go to get out of the way of cars and trucks on the highway.

MOTION?
D. GREENOUGH

Members of Council who spoke on the motion did not object to a cost estimate being prepared by the Engineering Dept., but several were opposed to the phrase at the end of the motion, proposing that some of the work be carried out in the coming year. Ald. Valardo and Cunningham moved that the additional phrase be deleted from the context of the motion, as an amendment to it. Ald. Greenough did not consider it unreasonable to expect that a phased program for the sidewalk could be commenced in 1981, but other Aldermen wanted to see the project included with all of the other City priorities that have to be given equal consideration at budget time. The vote on the amendment resulted in a tie and was declared to be defeated with the Mayor voting against. The original motion carried with Ald. Cunningham, Valardo, Crawford, and Williams voting against.

ALD. FREDERICKS

2) Ald. Fredericks moved, seconded by Ald. Crawford, that City Council hold a seminar/conference on Sat., Jan. 24th at 9:30 a.m., with all interested (local) developers, to promote interest in the redevelopment of downtown Dartmouth; to hear from developers their problems, proposals, if any, and suggestions. Planning Staff to arrange this seminar and to advertise and notify all interested persons. The motion received the support of Council and it carried.

3) Ald. Fredericks moved, seconded by Ald. Cunningham, that staff (particularly the Fire Dept. and the Solicitor's Dept.) be asked to proceed with a study on the transportation of dangerous goods in Dartmouth, cataloguing of each item, class, etc., and make recommendations to Council in this regard; and to seek funding from the Province and Federal authorities in this connection. Further, to develop a set of regulations and by-laws for gas transmission, which is expected to be coming to Dartmouth in the future.

Ald. Ibsen asked what has been done along these lines to date, if anything. The Deputy Fire Chief

outlined what has been done by the Fire Dept. in the way of a survey of the Industrial Park and a cataloguing of hazardous materials being stored in connection with the various industries located there. Ald. Hart asked for clarification as to just what staff is being asked to make recommendations on, and subsequently moved in amendment that the words contained in the motion '. . . and make recommendations to Council in this regard', be placed at the end to clarify the full intent of the reference to funding and all aspects of the study requested. The amendment was seconded by Ald. Ibsen and it carried.

Ald. Crawford made particular reference to the transportation of dangerous materials and chemicals through the downtown section of the City by rail, and the fact that no one is aware of the contents of tank cars that are moving through the area at all hours of the day and night. Ald. Ritchie asked if the City has an overall emergency plan and Mr. Fougere advised that a plan exists in draft form and can be presented to Council for approval early in the new year. Ald. Ibsen suggested that there should be a greater degree of cooperation with the City on the part of the two oil refineries in south Dartmouth, in the event of any type of emergency involving these plants. Ald. Withers noted that the City should also be working with the EMO people who have expertise for us to draw on in preparing our own plan. The amended motion carried.

4) Ald. Fredericks moved, seconded by Ald. Ritchie, that Engineering staff bring in an estimate for piping of the balance of the brook between Belmont Ave. and Carleton Street, for possible inclusion in the 1981 drainage budget. The motion was put and carried.

5) Ald. Fredericks' final motion, seconded by Ald. Sarto was as follows:

WHEREAS it has been twenty years since Dartmouth amalgamated with its suburbs;

WHEREAS the City has never held an open house for all citizens to acquaint the citizens with the large scope of activities which take place on their behalf;

WHEREAS the 1981 Celebrations Committee agrees that this type of exposition would be good public relations for the City and will inform our citizens and others from outside our boundaries, something of our past twenty years of operations and something of what is in store in the future;

WE THEREFORE ask Council to authorize the Committee to proceed with an Open House in cooperation with the various departments of the City, on the 3rd, 4th and 5th of July, 1981, and further, that an amount of \$8,000. be authorized in the 1981 budget for this activity.

Ald. Fredericks said he has been in touch with City department heads about the proposed open house events and they are enthusiastic about a program of this kind. He commented on the promotional value of letting citizens see at first-hand where their tax dollars are being spent, an opinion also shared by Ald. Hart, who felt the program would be a worthwhile learning experience not only for the citizens but for members of Council too. She suggested that perhaps the departments of the City could host the open house events from their own budgets without putting an additional \$8,000. amount in the 1981 budget for the program. Other members of Council, particularly Ald. Valardo and Crawford, objected strongly to the expenditure of funds for this kind of an activity and considered that there is already an adequate promotion of City departments through the various displays during Fire Prevention Week and other nationally-proclaimed weeks such as this.

Ald. Hawley said he would like to have staff look at the total costs that would be involved to hold these open house events in terms of man-hour that would be required, and he moved referral to staff for a report on the feasibility of such a program and a realistic projection of the associated costs involved. The motion was seconded by Ald. Greenough and following further debate, it was defeated. The main motion was also defeated, with Ald. Hart, Greenough, Sarto, Withers and Greenwood voting in favour.

6) Ald. Brennan moved, seconded by Ald. Ibsen, that an amendment to By-law C-359 be drafted as follows: St. Peter's Park be closed between the hours of 10:00 p.m. and 7:00 a.m. Ald. Crawford and other speakers felt that

a precedent would be set with St. Peter's Park if a by-law is enacted for this one specific park. They preferred to have the matter referred to the Police and Recreation Departments for their opinions as to how the situation can best be handled through alternate means rather than by legislating with a by-law. Ald. Crawford and Brennan therefore moved referral to the Police and Recreation Dept. staff for their further consideration, as suggested. Several members referred to comparable problems in their own wards. The motion to refer carried.

7) Ald. Brennan moved, seconded by Ald. Crawford, that staff provide a report to Council for a by-law amendment to provide for that portion of individual sewer laterals, exceeding 50% of the street right-of-way, but excluding that portion on private property, to be funded through the City's General Tax Revenue rather than as a charge or lien against the individual abutting property owner.

After Ald. Brennan had explained the intent of his motion, it was debated, and Mr. Fougere commented on some of the problems that would have to be considered if Council were to adopt such a policy on the installation of sewer laterals. Ald. Hawley noted that there are other inequalities that would have to be looked at besides the distance from the property to the sewer line, including the depth that the lateral has to be located, as in cases of several connections that were made in the Waverley Rd. area. Mr. Bayer agreed that the impact of such a policy and the full implications of it should be looked at first. The motion was put and carried.

INQUIRIES:

ALD. CUNNINGHAM

Ald. Cunningham inquired about a recent advertisement for a Chief Security Officer for the Metropolitan Authority; the Mayor said this is not a new position, but to fill a vacancy.

ALD. GREENOUGH

Ald. Greenough asked if there is any further word on possible additional funds from the Province for the recreation complex. The Mayor said he has not yet been able to meet with the Premier on this matter.

D. SARTO

Ald. Sarto asked about a request made some time ago for a police constable to be placed on duty at the Portland Street lights; Mr. Bayer to check on the request.

Ald. Sarto's second inquiry concerned the traffic lights at the intersection of Portland Street/Caldwell Road and Dorothea Drive. He asked if a signal change could be looked at to provide an advance green for cars proceeding in an easterly direction.

AD. CRAWFORD

Inquiries made by Ald. Crawford were as follows:

- 1) what is the situation concerning security provisions at Alderney Manor? The Mayor explained the discussions that have taken place on this subject at the Dartmouth Housing Authority. The estimated cost is about \$100,000. and the Housing Commission is now looking at some possible means of providing funds to cover such a cost.
- 2) what is the status of the Slayter Street traffic study? Mr. Bayer said this is one of the streets on which a traffic count has been carried out, but the results of the traffic count have not yet been analyzed.
- 3) asked about the amendment to the procedural by-law, which resulted in a change in the Council agenda format; the Mayor explained that this change came about as a result of a motion introduced by Ald. Williams to have reports dealt with by Council before motions so that items requiring attention are not delayed from one meeting to another.
- 4) asked if the City now has authority to conduct polls and surveys; the Solicitor advised that we now have this authority.
- 5) asked about a letter forwarded to Dr. MacKinnon regarding tax relief to assist senior citizens; Mr. Brady advised that the senior citizens have been meeting with Dr. MacKinnon and with the Minister of Social Services in this connection. Ald. Crawford asked to be kept informed.

AD. FREDERICKS

Inquiries made by Ald. Fredericks were as follows:

- 1) asked that the crosswalk guard be replaced at Southdale School (Fenwick St. & Prince Arthur).
- 2) asked when the paving of Harvey St. will be completed; Mr. Fougere said it will have to be by the end of next week because the asphalt plants will be closing.
- 3) what is the status of the Province taking over the cost of the Correction Centre; the Mayor advised that a report being prepared by the Task Force on this subject is just about finalized.
- 4) asked for an update on the relocation of the scrap yards to the Industrial Park; Mr. Bayer said that staff will be in a position to make a report to Council very soon on this item.

- 5) asked if a Union (N. S. Municipalities) Task Force is looking at the loss of revenue to municipalities, resulting from rent controls; Ald. Hart said she did not think the Union has dealt with this subject yet.
- 6) concerning the City's submission on the closing of rail lines in the Musquodoboit area; discussed further with Mr. Bayer.

D. HAWLEY

Ald. Hawley inquired about the property, 233 Waverley Road, and was informed by Mr. Meisner that a trial date for the case is set for January 27th at 2:00 p.m.

Ald. Hawley's second inquiry pertained to the subdivision of a duplex and the procedural details involved. Since he had a specific situation in mind he wished to discuss with Mr. Bayer, he agreed to take the matter up with him in his office.

Ald. WITHERS

Inquiries made by Ald. Withers were as follows:

- 1) what is the status of the new Dog By-law? The Solicitor advised that it is being reviewed by the Dept. of Municipal Affairs at the present time. It is hoped that at least the license fee section will have been approved by January.
- 2) asked about two dangerous situations involving pedestrians crossing to the MicMac Mall, first, from the Brookdale area, and secondly, from Kings Arms Apts., across MicMac Blvd. Mr. Fougere said there will be improvements provided in these areas when work can be carried out in the spring.
- 3) inquired about the street sign program for this year; the Mayor noted that an item in the amount of \$20,000. was approved for street signs and Mr. Fougere said they have been purchased but are not installed yet.
- 4) asked about a possible lowering of Little Albro Lake to clean up the shoreline, as discussed at a public meeting held in the area by the Lakes Advisory Board; Mr. Bayer to look into this inquiry further and report to the Alderman.
- 5) has there been any commitment to a solid waste transfer station for Dartmouth? The Mayor said a report on the transfer station has not been finalized.

Ald. BRENNAN

Inquiries made by Ald. Brennan:

- 1) expressed concern at the position being taken by the City of Halifax and their lack of cooperation on the matter of off-shore oil development strategy for the metropolitan region. The Mayor said he has spoken to Mayor Wallace and he has indicated a willingness to cooperate, including a sharing of information with Dartmouth for the mutual benefit of both cities.
- 2) asked if a schedule of meetings could be set for the rest of this month; the Mayor said it is hoped that the Council meeting of the 16th would be the final meeting until January, unless some emergency arises.

- 5) asked if a Union (N. S. Municipalities) Task Force is looking at the loss of revenue to municipalities, resulting from rent controls; Ald. Hart said she did not think the Union has dealt with this subject yet.
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- 2) asked if a schedule of meetings could be set for the rest of this month; the Mayor said it is hoped that the Council meeting of the 16th would be the final meeting until January, unless some emergency arises.

- 3) asked if Council could have some indication of capital budget commitments early in the new year; the Mayor said it is planned to have the Capital Budget before Council early in the new year.
- 4) asked when an advertising agency was engaged to do work for the City and the date of the meeting when it was approved by Council.
- 5) asked about the opening of Portland Street; the Mayor advised that plans are being made for an opening of December 12th.
- 6) asked to have the sidewalk area looked at on the north side of Queen Square (Ochterloney Street), where trucks and other vehicles are being parked.

D. IBSEN

Inquiries made by Ald. Ibsen:

- 1) Ald. Ibsen said there has been nothing received from staff on a pumping station in the Clifford Drive/Daye Ave. area; he discussed this matter further with Mr. Fougere.
- 2) asked that attention be given to the repainting of the crosswalk on Woodlawn Road; noted by Mr. Bayer.
- 3) asked that staff look into the possibility of securing a shredding machine that could be used in the recycling of leaves and Christmas trees to create compost material.
- 4) asked if the Lakes Advisory Board were consulted about plans for the new parking area sections at MicMac Mall, which left large exposed areas with no trees or vegetation; he was advised that the Board had access to the plans and reviewed them before the parking lots proceeded.
- 5) asked if the downtown parking lot is to be the site of a hotel development; if so, some contingency plans should be considered for another major parking area. Mr. Bayer said that several sites have been identified in the downtown area for hotels, but that is not one of them. There was further discussion with the Mayor and Mr. Bayer, neither of whom was aware of the hotel proposal for the parking lot.

NOTICES OF MOTION:

Ald. CUNNINGHAM

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

- 1) Ald. Cunningham :

WHEREAS it is the expressed intention of this Council to raise funds by means other than by property taxation, I will move that the monthly parking rates on City-owned parking lots be increased from \$15.00 to \$20.00.

Ald. CRAWFORD

- 2) Ald. Crawford: That application be made to the Legislature to amend the Dartmouth City Charter, to give Dartmouth City Council the authority of discretion in issuing building permits, with said permits to be issued only on a majority vote of Council.

D. WITHERS

- 3) Ald. Withers: That the T.M.G. be instructed to monitor the traffic flow at Woodland Ave. and Pinehill Road, and report to this Council the feasibility of installation of traffic lights.

SOLUTION #80-19

On motion of Ald. Sarto and Ibsen, Council approved Resolution #80-19, authorizing the sale of a portion of Lot 4 at 4 High Street to the abutting land owner, Mr. Russell Misener for the price of \$3,400, as explained in Mr. Moir's report to Council of Dec. 3/80. A copy of the resolution is attached.

GN APPLICATION:
DR, QUEEN SQUARE

On motion of Ald. Valardo and Crawford, Council granted a sign application permit for CFDR to erect a sign on the top of the Queen Square building where they are located. Plans for the sign were available for the members of Council to look at; the application meets all the necessary City by-laws.

SALE: ST. PAUL'S
SCHOOL PROPERTY

On motion of Ald. Valardo and Sarto, Council set January 6th as the date for public hearing in connection with the sale of the St. Paul's School property to the N. S. Housing Commission, as required pursuant to Section 139 of the City Charter.

BY-LAW C415

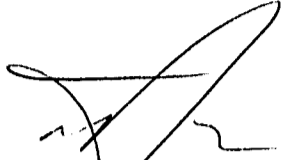
By-law C-415 (reptiles & anachnids) was again before Council in a redrafted form, as requested at the November 4th meeting. Ald. Crawford and Brennan moved that By-law C-415 be read a second time.

Ald. Cunningham and Valardo moved in amendment that Section 2. of the by-law be amended to include tarantulas (large venomous spiders); the amendment carried. Ald. Brennan said he would like to have seen some consultation with a specialist in the field of reptiles and anachnids before these sections of the by-law were finalized. The motion for second reading, as amended, carried.

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

It was moved by Ald. Williams and Crawford and carried that By-law C-415 be read a third time and that the Mayor and the City Clerk be authorized to sign and seal the said by-law on behalf of the City.

Council adjourned to meet in Committee to deal with the regular agenda, on motion of Ald. Greenough and Ibsen.



G. D. Brady,
Deputy City Clerk.

C.A. MOIR
CITY ADMINISTRATOR



City of Dartmouth

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

Date: December 3, 1980
To: His Worship the Mayor and
Members of City Council
From: C. A. Moir, City Administrator
Re: Sale of 4 High Street - Res. #80-19

In August, 1979, City Council agreed to purchase four parcels of land on behalf of the North and South NIP areas. One of these parcels of land was located at 4 High Street.

At the time of purchase, the abutting land owner, Mr. Russell Misener, expressed an interest in purchasing that portion of Lot 4 measuring 45' x 65' immediately adjacent to his own property at 40 Everett Street.

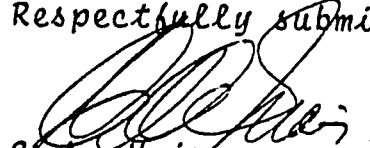
The NIP staff and NIP groups negotiated with Mr. Misener and agreed, subject to Council's approval, that the property be sold for a price of \$3,400. In addition, Mr. Misener has agreed to provide the survey plan required for subdivision of the property.

Mr. Misener has been using a portion of the lands for some time as access to the garage on his own property and has probably acquired some possessory rights to these lands.

The City Solicitor's Department has explained the situation to the Solicitor at the Department of Municipal Affairs and, under the circumstances, subject to Council's approval, tentative agreement has been reached for the sale of the lands to Mr. Misener.

Attached is copy of Resolution #80-19 together with a copy of the conveyance referred to in the Resolution and would respectfully recommend adoption of Resolution #80-19.

Respectfully submitted,



C. A. Moir,
City Administrator

cam;mgm?
enc.

RESOLUTION No. 80-19

WHEREAS by Section 139 of the Dartmouth City Charter it is enacted that the City may convey land in any manner that the Council deems advisable or expedient as long as it is conveyed for not less than its fair actual value;

AND WHEREAS it is deemed expedient to sell the property described as follows:

A 45 foot by 65 foot portion of Lot 4 of the Thomas H. Cooper Subdivision, known as Civic 4 High Street; the portion to be conveyed to be the rear portion of 4 High Street which abuts lands of R. J. Misener;

AND WHEREAS R. J. Misener has acquired by usage certain possessory rights to a portion of the 45 foot by 65 foot parcel to be conveyed;

AND WHEREAS the price hereinafter mentioned is considered by Dartmouth City Council to be fair and reasonable and is the same price per square foot for which the City acquired the said lands in November 1979.

BE IT THEREBY RESOLVED that the City of Dartmouth do sell and convey the property above described to Russell J. Misener for the price of Three Thousand Four Hundred Dollars (\$3,400.00).

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

Mayor

City Clerk

This Indenture made this

day of

A. D. 19

Between

CITY OF DARTMOUTH,
a body corporate

hereinafter called the "GRANTOR "

of the One Part

— and —

RUSSELL J. MISENER,
of Dartmouth, County of Halifax,
Province of Nova Scotia.

hereinafter called the "GRANTEE "

of the Other Part

Witnesseth that in consideration of the sum of One Dollar of lawful money of Canada and other good and valuable consideration

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

SCHEDULE "A"

ALL that certain parcel of land situate, lying and being Parcel "RM-1" off the southwestern side of High Street as shown on a plan entitled "Subdivision of lands of Russell Misener and the City of Dartmouth...", dated May 13, 1980, signed by K. W. Robb, N.S.L.S., approved by the Development Officer for the City of Dartmouth August 1, 1980, being in the City of Dartmouth, County of Halifax, Province of Nova Scotia, the said Parcel being more particularly described as follows:

BEGINNING on the southeastern boundary of Lot 2, lands of Charles and Ruth Rix at the western corner of Lot "RM-2";

THENCE S 50° 38' 54" E, 45.0 feet along the southwestern boundary of Lot "RM-2" to a point on the northwestern boundary of Lot 5, the said point being the western corner of lands of Sheila LeBlanc;

THENCE S39° 21' 06" W, 65.0 feet along a portion of the northwestern boundary of Lot 5, lands of Russell Misener, to the western corner thereof;

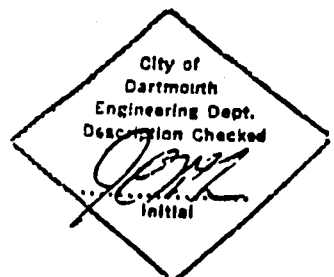
THENCE N 50° 38' 54" W, 45.0 feet along a portion of the northeastern boundary of lands of Russell Misener to the southern corner of Lot 3, lands of Charles and Ruth Rix;

THENCE N 39° 21' 06" E, 65.0 feet along the southeastern boundary of Lot 3, and a portion of the southeastern boundary of Lot 2, lands of Charles and Ruth Rix to the point of beginning.

CONTAINING an area of 2,925 square feet.

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

THE above described Parcel "RM-1" being a portion of the lands conveyed to the City of Dartmouth and recorded at the Registry of Deeds, Halifax, in Book 3375, Page 534.



THE GRANTOR

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

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

SIGNED, SEALED AND DELIVERED
in the presence of

CITY OF DARTMOUTH

Mayor

City Clerk

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX, SS

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

A Commissioner of the Supreme
Court of Nova Scotia

Dartmouth, N. S.

December 9/80.

Having waived notice of meeting, on motion of Ald. Hart and Ritchie, Council met to approve an item from the Committee meeting of this date.

LAND DEVELOPMENT
PROGRAM: BURNSIDE
INDUSTRIAL PARK

A motion was adopted in Committee to approve:

(a) the land development concept for Phases 5 & 6 of the Burnside Park; (b) an expenditure of \$65,000. for plans and specifications for the servicing and development of Phases 5 & 6; and (c) authority to seek cost-sharing from the Provincial Government for the project. Ald. Ibsen and Fredericks moved the adoption of the recommendations from Committee. Ald. Fredericks said he would like to see the extension of Burnside Drive included in the representation to the Province. The Mayor agreed to forward a letter to the Minister of Transportation about the priority we would like to have given to that highway extension. The motion on the floor carried.

Meeting adjourned.



G. D. Brady,
Deputy City Clerk.

City of Dartmouth
Temporary Borrowing Resolution

\$110,000

77-9 School - 70,000
78-8 School - 40,000

WHEREAS Section 5 of the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of erecting, acquiring, purchasing, altering, adding to, improving, furnishing or equipping buildings for public schools, garages, and other buildings for school purposes;

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

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

BE IT THEREFORE RESOLVED

THAT under the authority of Section 5 of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding One Hundred Ten Thousand Dollars (\$110,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

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

THAT the issue of debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding One Hundred Ten Thousand Dollars (\$110,000) in total from any chartered bank or trust company doing business in Nova Scotia;

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

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

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

APPROVED
AS TO FORM

[Signature]
Solicitor

APPROVED
AS TO AMOUNT

[Signature]
Clerk

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 17th day of December, 1980.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 17th day of Dec. , 1980.

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for approval of the Minister	
<i>[Signature]</i> Deputy Minister	
APPROVED this	18th day
of	December 1980
<i>[Signature]</i> Minister of Municipal Affairs	

[Signature]
MAYOR

[Signature]
CLERK

City of Dartmouth
Temporary Borrowing Resolution

\$40,508.00

Water - 78-2

WHEREAS Section 5 of the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, altering, extending or improving waterworks or water system for the city, and acquiring or purchasing materials, machinery, implements and plant deemed requisite or advisable therefor or for maintaining such waterworks or water system;

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

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

BE IT THEREFORE RESOLVED

THAT under the authority of Section 5 of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Forty Thousand Five Hundred and Eight Dollars (\$40,508) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

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

THAT the issue of debentures be postponed pursuant to the Municipal Affairs Act and that the City of Dartmouth borrow from time to time a sum or sums not exceeding Forty Thousand Five Hundred and Eight Dollars (\$40,508) in total from any chartered bank or trust company doing business in Nova Scotia;

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

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

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

APPROVED
AS TO FORM

JR
Solicitor

APPROVED
AS TO AMOUNT

AB

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 17th day of December, 1980.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 17th day of Dec, 1980.

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
<i>[Signature]</i> Deputy Minister
APPROVED this 18th of December 1980
<i>[Signature]</i> Minister of Municipal Affairs

[Signature]
MAYOR

[Signature]
CLERK

City of Dartmouth
Temporary Borrowing Resolution

\$411,000

Sewers - 79-5 - \$210,000
Sewers - 78-6 - \$201,000

WHEREAS Section 5 of the Municipal Affairs Act provides that the City of Dartmouth may, subject to the approval of the Minister of Municipal Affairs, borrow for the purpose of constructing, acquiring, altering, extending and improving public sewers or drains for the city, and acquiring or purchasing materials, machinery, implements or plant deemed requisite or advisable therefor or for maintaining such public sewers or drains;

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

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

BE IT THEREFORE RESOLVED

THAT under the authority of Section 5 of the Municipal Affairs Act the City of Dartmouth borrow a sum or sums not exceeding Four Hundred Eleven Thousand Dollars (\$411,000) in total for the purpose set out above, subject to the approval of the Minister of Municipal Affairs;

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

THAT the issue of debentures be postponed pursuant to the Municipal Affairs Act and that the City borrow from time to time a sum or sums not exceeding Four Hundred Eleven Thousand Dollars (\$411,000) in total from any chartered bank or trust company doing business in Nova Scotia;

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

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

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

APPROVED
AS TO FORM

APPROVED
AS TO AMOUNT

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a duly called meeting of the Council of the City of Dartmouth held on the 17th day of December, 1980.

GIVEN under the hands of the Mayor and Clerk and under the seal of the City this 17th day of Dec., 1980.

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for
approval of the Minister

John Mullally
Deputy Minister

Approved this 18th day
December 1980.

John Mullally
Minister of Municipal Affairs

MAYOR

CLERK

Dartmouth, Nova Scotia

December 17, 1980

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

Present - Mayor Brownlow
Alderman Cunningham
Alderman Valardo
Alderman Fredericks
Alderman Williams
Alderman Hawley
Alderman Brennan
Alderman Sarto
Alderman Withers
Alderman Crawford
Alderman Hart
Alderman Ritchie
Alderman Ibsen

City Solicitor - M. Moreash
Acting City Administrator - D. Bayer
City Clerk-Treasurer - B. Smith

Two items were added to the agenda for this meeting: (1) Sign
Application - Windmill Road and (2) Appointment - Tourist Commission.

Two names that were put forward for the five citizens-at-large
appointments were withdrawn - Lynn Maybe and George Carrick. Alderman
Sarto explained that Mr. George Spencer should read Mr. Larry Spencer.

The three citizen-at large that were approved on a motion of
Alderman Fredericks and Valardo were:

Mr. Pat Connolly
Mr. Reg Beazley
Mr. Larry Spencer

Motion carried unanimously.

This item is to be brought back to the next regular meeting of
City Council for the appointment of the two remaining citizens-at-large.

REPORTS

Reports recommended Brom Committee were approved as follows:

- 1) V.O.N. (October): Adopted on a motion of Alderman Sarto and Valardo.
- 2) Fire Chief (November): Adopted on a motion of Alderman Cunningham and Williams.
- 3) Building Inspection (November): Adopted on a motion of Ibsen and Withers.
- 4) Minimum Standards of Use and Maintenance (November): Adopted on a motion of Hart and Brennan.
- 5) Transit Manager (November): Adopted on a motion of Alderman Sarto and Crawford.
- 6) Ferry Superintendent (November): Adopted on a motion of Alderman Williams and Withers.

Alderman Brennan requested the Transit Advisory Board to examine the morning ferry schedule for the possibility of running the ferry on a fifteen minute schedule all morning.

Alderman Brennan also asked about a fare structure report that he has been waiting for. He was advised that this report would be made available to him soon.

- 7) Social Services (November): Adopted on a motion of Alderman Hart and Crawford.
- 8) Development Officer's (November): Adopted on a motion of Alderman Withers and Valardo.

Alderman Brennan requested that a report be provided to him outlining under what residential zones day care and nursery schools are permitted to operate. Don Bayer stated that he would provide Alderman Brennan with the information requested.

RENOVATIONS - CITY HALL

The next item on the agenda was a report from Don Bayer, Director of Planning Development respectfully requesting Council to approve an amount of \$497,000 in the 1981 Capital Budget for renovations to City Hall.

Alderman Crawford moved that Council adopt this recommendation to approve an amount of \$497,000 in the 1981 Capital Budget, seconded by Alderman Federicks.

Mr. Doug Campbell, Architect was then asked to show the plans of the City Hall Renovations to the Aldermen and to answer any questions pertaining to the plans.

Mr. McFetridge was then asked to speak on the heating and ventilation systems. He went on to explain how the system operates and how he felt that the system was needed. He estimated that this system would save the City approximately 2/3 of the current heating costs. Mr. McFetridge also explained that the City's insurance costs on City Hall would also drop because of the sprinkler system; also that a sprinkler system is the most effective way of saving lives and property.

Alderman Federicks has requested staff to contact the Federal Government, Department of Mines and Energy to see if they are working on a plan of financial help for municipalities upgrading their buildings with regards to energy saving.

City Council
December 17, 1980

Page 3

Numerous Aldermen expressed concern over the fees being paid for professional fees and carrying charges. Don Bayer explained that these fees are only an estimate and that the percentage estimated is quite normal.

Many of the Alderman wished to have a report come back to Committee-of-the-Whole showing more detail on each expenditure listed on page 3 of the report.

Mr. Campbell explained to Council that many of the repairs must be done, such as the roof and windows, and this could be done much cheaper when all the renovations are done.

A general discussion took place concerning this report, such as the need for more furniture when the renovations are done, whether or not the staff complement justifies the extra space, etc.

Alderman Hart made a motion that this item be referred to the next Committee-of-the-Whole meeting at which time staff could do a more detailed report on the expenditures. Alderman Brennan seconded the motion. Motion carried with Alderman Withers, Fredericks and Valardo voting against.

TENDERS - FIRE HOSE

On a motion of Alderman Valardo and Withers Council awarded the tenders as recommended by the Chief Buyer, in conjunction with Mr. Moir. The tenders for the supply of fire hoses were awarded as per the report.

ISSUING RESOLUTIONS

Alderman Hart and Sarto made a motion to move the report on Issuing Resolutions up to before the report on Pleasant Street Improvements.

On a motion of Alderman Crawford and Cunningham Council approved the Issuing Resolution and agreements for the issuance of \$9,250,000. Motion carried unanimously

City Council
December 17, 1980

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PLEASANT STREET
IMPROVEMENTS

Mr. Purdy, the Assistant City Engineer, gave an oral report on Pleasant Street Improvements. A map showing the improvements to be done was shown to the Aldermen. The report was given in two sections; the first being that section of Pleasant Street from the Beartrap to the Overpass. The improvements to be done on this portion would include street widening (four lanes), sidewalk on the east side and partial sidewalk on the west side, and also curb and gutter on both sides. The improvements would also provide for bus bays on both sides of Pleasant Street, a retaining wall at certain points, some landscaping and sodding, and complete repaving. It was also proposed that a water transmission line be installed which would solve a problem of a weakness the line providing Eastern Passage.

Mr. Purdy explained that 50% of the shareable costs would be provided by the Department of Highways which would tie in with the large amount of improvements they are doing on the County part of Pleasant Street.

The improvements would provide for the expropriation for three or four houses along this section of Pleasant Street. Some of the Aldermen expressed concern over these expropriations, but Council generally felt that to do such a large section of a street, this is a small amount of expropriation considering some of the other projects that have been done.

Alderman Fredericks and Valardo moved that Council give approval in concept of the proposed plans so that staff may proceed with the details. Motion carried unanimously.

The second section of the oral report dealt with that section of Pleasant Street from Acadia Street to the Beartrap. The Province has agreed to pay up to \$600,000 for improvements along this section of Pleasant Street. The improvements on this portion of the street include: street widening (four lanes), reconstruction of the curbs and sidewalks, improvement of the site distance near Acadia Street, and the provision for two sets of traffic signals.

Alderman Hart wished to express her concern with the noise and safety factor. She feels that the four lane is very close to the two Dartmouth hospitals and the Special Homes for the Aged soon to be built.

Alderman Crawford and Valardo moved that Council give approval to proceed for tender call and to commence negotiations for the purchase of land on the concept as presented.

Alderman Hart introduced an amendment for staff to study pedestrian movement and to look at which type of crossing would be best; overpass, underpass or at-grade crossing and to report back to Council. Alderman Valardo seconded the motion. Motion carried unanimously.

Alderman Withers and Crawford moved deferral of this item to the next Committee-of-the-Whole, which is to be after the meeting called to deal with St. Paul's School Property. Motion carried unanimously.

Alderman Cunningham and Valardo moved that Council approve the names of Mr. Peter Tapper and Mr. Glen Squires to serve on the Dartmouth Tourist Commission for a term of two (2) years. Motion carried unanimously.

Alderman Valardo and Fredericks moved that Council approve a report from Mr. Bruce S. Smith, City Clerk-Treasurer dealing with Temporary Borrowing Resolutions. Motion carried unanimously. The Temporary Borrowing Resolutions approved are:

78-2 - Water - \$40,508.00
79-5 - Sewers - \$210,000.00
78-6 - Sewers - \$201,000.00
77-9 - School - \$70,000.00
78-8 - School - \$40,000.00

Alderman Williams and Fredericks moved that Council approve Resolution 80-48 setting August 3, 1981 as Dartmouth Natal Day. Motion carried unanimously.

APPOINTMENT -
WINDMILL ROAD

APPOINTMENT -
TOURIST COMMISSION

TEMPORARY BORROWING

NATAL DAY - RESOLUTION
80-48

City Council
December 17, 1980

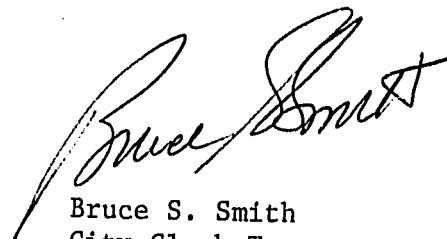
Page 6

NON-PROFIT HOUSING
RESOLUTION 80-45

On a motion of Alderman Hart and Crawford Council approved Resolution 80-45 with regards to establishing a Non Profit Housing Society to be registered under the Societies Act of Nova Scotia. Motion carried unanimously.

Alderman Hart requests that Council bring back names as provided in Section 6(b), for the first meeting of the month in Janaury 1981.

The meeting adjourned on a motion of Alderman Crawford and Valardo.



Bruce S. Smith
City Clerk-Treasurer.



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

CITY OF DARTMOUTH

OFFICE OF
CITY CLERK AND TREASURER

DATE: December 11, 1980
TO: His Worship the Mayor and Members of Dartmouth City Council
FROM: G. D. Brady - Deputy City Clerk
SUBJECT: Dartmouth Natal Day - Resolution 80 - 48

The Dartmouth Natal Day Committee at its meeting of October 1, 1980 recommend to City Council adoption of the enclosed Resolution declaring Monday August 3, 1981 as a civic holiday for Dartmouth Natal Day.

G. D. Brady

GDB:lo'1

December 11, 1980

RESOLUTION NO. 80-48

RESOLVED that the City Council of the City of Dartmouth declare a civic holiday on Monday, August 3, 1981 for Dartmouth Natal Day and a civic half holiday on Halifax Natal Day.

DATE: October 2, 1980

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

FROM: Housing Advisory Board

RE: NON-PROFIT HOUSING..

In May, 1978 the Dartmouth Housing Advisory Board presented a report to City Council dealing with many issues related to housing and housing programs. Since that time, the Housing Advisory Board has been actively meeting and discussing many issues within the realm of housing. In more concrete terms the board has been working with the N.S.H.C. in the development of 15 public housing units within Dartmouth. A final report on this matter will be before Council shortly. Secondly, the board has been investigating gathering data and preparing a proposal for City Council on the establishment of a Non-Profit Housing Corporation. This report contains that proposal.

The report has three sections:

- (a) Introduction, (b) The Program, and (c) Summary and Recommendations

A. INTRODUCTION

The City of Dartmouth, not unlike a lot of municipalities in the past, has only been marginally involved in the housing market. To date, Dartmouth's major role has been in the provision of serviced land through systemic and planned extensions of trunk sewer and water services.

Again, like most municipalities, Dartmouth has found itself in the situation where there is a real void in the market in the provision of adequate housing for the low and moderate income earners. At present, the Dartmouth Housing Authority has in excess of 100 active applications for families in the low to moderate income range seeking decent and adequate housing.

In the past many housing programs have been initiated by C.M.H.C., N.S.H.C., and by municipalities themselves. A concerted effort to develop an ongoing housing program at the municipal level has inherently had attached to it heavy capital or operating expenses that had to be absorbed by the municipality. Therefore, many municipalities were reluctant to get too heavily involved if at all. Since 1964 the National Housing Act has made provision for a form of Housing program known generally as non-profit housing. Non-profit has evolved to date into a program which many municipalities across the country feel is the answer to a lot of our housing needs and are actively developing non-profit housing units to assist in overcoming the very obvious shortage. For example, in the Ottawa area alone, there are approximately 4000 non-profit units. The City of Halifax has some 25 units in various stages of completion since the start of their program in June of 1978.

THE PROGRAMS

Non-profit Housing Programs are designed to provide loans to non-profit housing organizations which will provide appropriate and economical rental accommodation for families and individuals of low and moderate income persons.

There are basically three types of Non-profits presently provided for in the National Housing Act:

(a) Non-Profit Continuing Cooperatives

Continuing coops are organized for eventual collective ownership and management of various forms of housing. The housing can be constructed or purchased and is owned and operated by the co-op. At the time of occupancy each member enters into occupancy agreements with the co-op. The result is a unique form of tenure being a combination of ownership and rental. The element of profit is removed and if the co-op is discontinued, it must turn over its assets to another non-profit organization.

(b) Private Non-Profit Housing Corporation

Private non-profits are similar to continuing co-ops in their objective of providing housing to low and moderate income earners without the motive of profit. Private non-profits are normally initiated by service clubs, churches, or some form of charitable organization. At no time can income be paid to the members, shareholders, or proprietors of the corporation. The housing form can be varied and may be constructed or renovated existing stock.

(c) Public Non-Profit Housing Corporation

A public non-profit housing corporation is identical to private non-profits except the corporation is a branch of a level of government (municipal or provincial) and is normally intended to provide rental housing for low and medium income earners. Public non-profits can also be utilized to provide special care facilities as well or in conjunction with some form of housing.

Generally speaking, the guidelines for the above three are similar and they attempt to achieve the same ends. At present there are two continuing co-ops in Dartmouth, no private non-profits, and no public non-profits. The experience in other areas of the country is to encourage all three forms of non-profits to become active and provide three mechanisms to fill the housing gap. The thrust of this report is for the establishment of a public non-profit corporation and, in fact, a municipal non-profit corporation established by the City.

The Federal government under Section 56(1) of the National Housing Act will assist non-profit housing corporations and continuing co-ops to obtain housing. The assistance is in the form of a mortgage - interest grant. The effect of the grant is to reduce the mortgage interest from the market rate (14-16%) to as low as 2% on 100% of the cost of the project. (See example Table 1). In addition the program provides start up funds for private non-profits to assist in the incorporation charges and initial phases of the program. Housing Units can take the form of renovated existing stock or the construction of new stock. Since the program provides for 100% financing, the financial impact upon the municipality is minimal. What would be required are start up funds or interim financing to initiate a project. Public non-profits are not eligible for the \$75,000. start funds that private non-profits may be eligible for. This interim financing could take the form of a loan to be repaid by the Corporation when its long term financing is arranged. Additional costs to the municipality would be indirect costs associated with the use of the accounting facilities, purchasing arrangements, basically functions that are already in place and wouldn't make economic sense to duplicate them. These costs may or may not be charged to the program.

The question that arises is: How does the Program actually work for the families that will move in? If you assume the program is in place and there are units that are ready to be occupied, the actual monthly costs of each family can be determined and compared to similar accommodation outside the program.

OPERATING COST PER UNIT PER MONTH

	<u>Without Program</u>	<u>Under Non-Profit</u>	<u>CMHC Subsidy</u>
Mortgage and Interest	13 1/2% 381	2% 116	\$265.
Taxes to City	50	50	
Insurance	8	8	
Heat	50	50	
Electricity	30	30	
Water	10	10	
Appliances	10	10	
Interference	15	15	
Management	10	10	
	<u>564</u>	<u>299</u>	

Therefore \$299.00 would be the monthly costs on expenses necessary to operate that unit under the non-profit program and \$564.00 would be the requirement outside the program. The next step in the process is to determine what the actual rent would be for someone moving into this unit. The first item to be determined is what that same or similar unit would rent for if it were part of the open market. For example, if the equivalent unit is renting in the same area for between \$360. - \$400. per month, then the low end of the market would be \$360. per month. Under the guidelines of the program, the maximum monthly payment in the project would be \$360. per month the low end of market.

The actual rent paid by each family is dependent upon income. The C.M.H.C. guidelines state that a maximum of 25% of the total family income can be spent on accommodation. In the example above, if the income of a family is \$1,000. per month their rent would be 25% or \$250. per month. If 25% of the family income is above the low end of market, the maximum rent would be \$360. Those families paying the low end of market, \$300., are in fact paying \$61. a month over the minimum cost to operate the unit after the grant is applied. This would permit the coordinator of the program to rent an equivalent unit to a family whose family income is below the \$1,000. per month level. In simplistic terms, the \$61. difference is a form of subsidy for those who cannot afford to pay the minimum monthly payment of \$299. per month.

The policy is that every dollar over the amount required to operate the unit after the full interest reduction grant was applied (up to the low end of market) could be used to assist other tenants to reduce their rent below the amount required. The key is that no one would be paying more than they would have to pay in the private market and would probably pay less and have better security.

C. SUMMARY AND RECOMMENDATIONS

It is respectfully requested that as a result of the need for adequate family housing for the low to moderate income earners within the City of Dartmouth that:

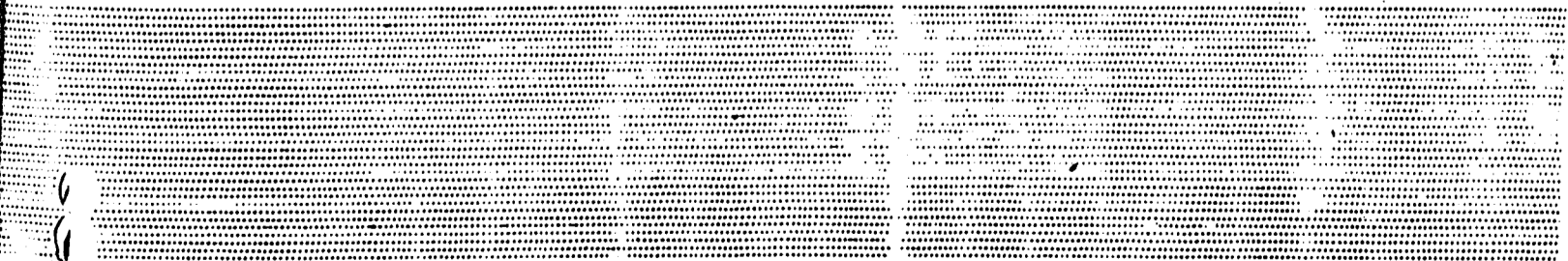
- (a) Dartmouth City Council approves Resolution No. 80 - 45 establishing a municipal non-profit housing corporation within the City of Dartmouth,
- (b) City Council approve the attached Memorandum of Association outlining the objects of the corporation,
- (c) City Council approve the attached bylaws of the Non-Profit Housing Corporation.

November 1980

RESOLUTION 80-45

WHEREAS Dartmouth City Council wishes to establish a Non Profit Housing Society to be registered under the Societies Act of Nova Scotia;

BE IT THEREFORE RESOLVED that the City of Dartmouth Non-Profit Housing Society be established with the Memorandum of Association in Schedule "A" attached and By-laws in Schedule "B" attached.



MEMORANDUM OF ASSOCIATION

1. The name of the Society is City of Dartmouth Non Profit Housing Society.
2. The object of the Society is to provide and operate housing accommodation within the City of Dartmouth primarily for persons of low or moderate income at rentals below the current rental market value for comparable accommodation in the area in which the accommodation is located.
3. The Society is constituted for exclusively charitable purposes.
4. The activities of the Society shall be carried on without the purpose of gain for its members and any profits or other accretions to the Society shall be used in promoting its object.
5. No part of the income of the Society may be payable to or otherwise available for the personal benefit of any member thereof.
6. The directors shall serve as directors and officers without remuneration and no director shall directly or indirectly receive any profit from his position as director or officer; provided that a director may be paid reasonable expenses incurred by him in the performance of his duties.
7. Upon the dissolution of the Society and after the payment of all debts and liabilities, its remaining property shall be distributed or disposed of to charitable organizations which carry on their work solely in Canada.
8. The activities of the Society are to be carried on in the City of Dartmouth and such other places within the immediate vicinity as the members consider conducive to the attainment of its object.
9. The registered office of the Society is

City of Dartmouth,
P. O. Box 817,
Dartmouth, N. S. B2Y 3Z3

We, the several persons whose names, addresses and occupations are subscribed, desire to be formed into a Society in pursuance of this Memorandum of Association.

WITNESS	NAME	ADDRESS	OCCUPATION
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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LIST OF FIRST DIRECTORS OF CITY OF DARTMOUTH NON PROFIT HOUSING CORPORATION

The following are to serve as first directors from the date of incorporation until

[Blank lined area for listing directors]

Dated at Dartmouth, this _____ day of _____ A.D. 1980.

[Blank lined area for signatures and notes]

BY LAWS OF CITY OF DARTMOUTH NON PROFIT HOUSING SOCIETY

1. In these by-laws unless there be something in the subject or context inconsistent therewith

(a) "Society" means City of Dartmouth Non-Profit Housing Society;

(b) "Registrar" means the Registrar of Joint Stock Companies appointed under the Nova Scotia Companies Act;

(c) "Special Resolution" means a resolution passed by not less than three-fourths of such members entitled to vote as are present in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to propose the resolution as a special resolution has been duly given.

(d) "City Council" means the Mayor and Aldermen of the City of Dartmouth.

MEMBERSHIP

2. The subscribers to the Memorandum of Association and such other persons as shall be admitted to membership in accordance with these by-laws, and none others, shall be members of the Society and their names shall be entered in the Register of Members accordingly.

3. For the purposes of registration the number of members of the Society is limited to seven (7).

4. Every member of the Society shall be entitled to attend any meeting of the Society and to vote at any meeting of the Society and to hold any office, but there shall be no proxy voting.

5. Membership in the Society shall not be transferrable.

6. (a) Membership in the Society shall consist of seven (7) members appointed by the Council of the City of Dartmouth.

(b) Four of seven members so appointed shall be members of the Council of the City of Dartmouth and the remaining three members shall be residents of the City not serving on Council

7. The entry in the Register of Members by the Secretary of the name and address of an individual shall constitute an admission to membership in the Society.

8. (a) Each member of the Society shall hold office for a term of one year, from November 1st in the year of his appointment and all members shall be eligible for reappointment from year to year. The subscribers to the Memorandum of the Society shall hold office from the date of incorporation until October 31st of the year succeeding such incorporation.

(b) Any member, being also a member of Dartmouth City Council, shall cease to hold office as a member upon ceasing to be a member of Council.

(c) In the event of a casual vacancy in membership occurring other than by reason of the expiration of the term of a member thereof, the Council of the City of Dartmouth shall appoint a person to fill the vacancy and the person so appointed shall hold office for the remainder of the term of the member to whose place he was appointed.

9. (a) The fiscal year of the Society shall be the period from November 1 in any year to October 31 in the year next following.

MEETINGS

10. (a) The ordinary or annual general meeting of the Society shall be held within three months after the end of each fiscal year of the Society.

(b) An extraordinary general meeting of the Society may be called by the Chairman or by the directors at any time, and shall be called by the directors if requisitioned in writing by at least three members of the Society.

11. At least five days notice of a meeting, specifying the place, day and hour of the meeting and, in the case of special business, the nature of such business, shall be given to the members. Notice shall be given in writing, addressed to each member at his last known address. Any notice shall be deemed to have been given at the time when the letter containing the same would be delivered in the ordinary course of post, or delivery, and in proving such service it shall be sufficient

to prove that the envelope containing the notice was properly addressed and placed in the post office. The non-receipt of any notice by any member shall not invalidate the proceedings at any general meeting.

12. (a) At each ordinary or annual general meeting of the Society, the following items of business shall be dealt with and shall be deemed to be ordinary business:-

Minutes of proceeding general meeting;

Consideration of the annual report of the directors;

Consideration of the financial statements, including balance sheet and operating statement and the report of the auditors thereon;

All other business transacted at an ordinary or annual general meeting shall be deemed to be special business and all business shall be deemed special that is transacted at an extraordinary general meeting of the Society.

(b) Any resolutions pertaining to ordinary or special business shall be passed by vote of a simple majority of those present, except the following business which may only be passed by a special resolution;

(i) resolutions which would change the name of the Society or alter its objects so as to add to or restrict or abandon any of its objects or the locality in which its activities are chiefly carried on;

(ii) resolutions which would authorize the Society to subscribe to or become a member of any other society or association whether incorporated or not whose object are in whole or in part similar to its own objects;

(iii) resolutions which would make, amend or repeal by-laws not inconsistent with the Societies Act, R.S.N.S. 1967, C. 286, or with its memorandum, for the conduct and management of its activities and affairs;

(iv) a resolution dissolving the Society pursuant to Section 24 of the Societies Act.

13. No business shall be transacted at any meeting of the Society unless a quorum of members is present at the commencement of such business and such quorum shall consist of four members.

14. If, within one-half hour from the time appointed for the meeting, a quorum of members is not present, the meeting, if convened upon the requisition of the members, shall be dissolved. In any other case, it shall stand adjourned to such time and place as a majority of the members then present shall direct and if at such adjourned meeting a quorum of members is not present, it shall be adjourned sine die.

15. (a) The Chairman of the Society shall preside as Chairman at every general meeting of the Society;

(b) If there is no Chairman or if at any meeting he is not present at the time of holding the same, the Vice-Chairman shall preside as Chairman;

(c) If there is no Chairman or Vice-Chairman or if at any meeting neither the Chairman nor the Vice-Chairman is present at the holding of the same, the members present shall choose some one of their number to be Chairman of the meeting.

16. The Chairman shall have no vote, except in the case of an equality of votes. In the case of an equality of votes, he shall have a casting vote.

17. The Chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting, other than the business left unfinished at the meeting from which the adjournment took place, unless notice of such new business is given to the members.

18. At any general meeting, unless a poll is demanded by at least three members, a declaration by the Chairman that a resolution has been carried and an entry to that effect in the book of the proceedings of the Society shall be sufficient evidence of the fact, without proof of the number or proportion of the members recorded in favour of or against such resolution.

19. If a poll is demanded in manner aforesaid, the same shall be taken in such manner as the Chairman may prescribe and the result of such poll shall be deemed to be the resolution of the Society in general meeting.

VOTES OF MEMBERS

20. Every member shall have one vote and no more.

DIRECTORS

21. The number of directors shall be seven. The subscribers to the Memorandum of Association of the Society shall be the first directors of the Society.

22. Each member of the Society shall be a director of the Society.

23. Meetings of the Board of Directors shall be held as often as the business of the Society may require and shall be called by the Secretary. A meeting of directors may be held at the close of every ordinary or annual general meeting of the Society without notice. Notice of all other meetings, specifying the time and place thereof, shall be given either orally or in writing to each director within a reasonable time before the meeting is to take place, but non-receipt of such notice by a director shall not invalidate the proceedings at any meeting of the Board of Directors.

24. No business shall be transacted at any meeting of the Board of Directors, unless at least four (4) of the directors are present at the commencement of such business.

25. The Chairman or - in his absence - the Vice-Chairman or - in the absence of both of them - any Director appointed from among those Directors present shall preside as Chairman at meetings of the Board.

26. The Chairman shall not be entitled to vote as a director, except in the case of an equality of votes, where he shall have a casting vote.

27. The management of the activities of the Society shall be vested in the directors who, in addition to the powers and authorities by these by-laws or otherwise expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the Society and are not hereby or by statute expressly directed or required to be exercised or done by the Society in general meeting. In particular, the directors shall have power to engage staff and to determine their duties, responsibilities and remuneration. The directors may appoint committees consisting of such officers and other persons as the directors decide, and having such duties and responsibilities as the directors may determine.

OFFICERS

28. The officers of the Society shall be a chairman, a vice-chairman, a treasurer and a secretary. The offices of treasurer and secretary may be combined.

29. The directors shall elect one of their number to be the chairman of the Society. The chairman shall have general supervision of the activities of the Society and shall perform such duties as may be assigned to him by the Board of Directors.

30. The directors may also elect from their number a vice-chairman. The vice-chairman shall, at the request of the Board and subject to its directions, perform the duties of the chairman during the absence, illness or incapacity of the chairman, or during such period as the chairman may request him so to do.

31.(a) There shall be a secretary of the Society who shall keep the minutes of the meetings of members and directors and shall perform such other duties as may be assigned to him by the Board. The Board shall appoint the secretary and may also appoint a treasurer of the Society to carry out such duties as the Board may assign. If the directors think fit, the same person may hold both offices of secretary and treasurer;

(b) the directors may appoint a temporary substitute for the secretary who shall, for the purpose of these by-laws, be deemed to be the secretary.

AUDIT OF ACCOUNTS

32. The Auditor of the Society shall be the Internal Auditor of the City of Dartmouth.

33. The Society shall make a written report to the members, a copy of which will be sent to City Council, as to the financial position of the Society and the report shall contain a balance sheet and operating account. The auditor shall make a written report to the members upon the balance sheet and operating account and, in every such report, he shall state whether, in his opinion, the balance sheet is a full and fair balance sheet containing the particulars required by the Society and property drawn up so as to exhibit a true and correct view of the Society's affairs, and such report shall be read at the annual meeting. A copy of the balance sheet, showing the general particulars of its liabilities and assets and a statement of its income and expenditure in the preceding year, audited by the auditor, shall be filed with the Registrar within fourteen (14) days after the annual meeting in each year, as required by law.

REPEAL AND AMENDMENT OF BY-LAWS

34. The Society has power to repeal or amend any of these by-laws by special resolution.

MISCELLANEOUS

35. The Society shall file with the Registrar its Annual Statement, a list of its directors with their addresses, occupations and dates of appointment or election, and within fourteen (14) days of a change of directors, notify the Registrar of the change.

36. The Society shall file with the Registrar a copy in duplicate of every special resolution within fourteen (14) days after the resolution is passed.

37. The seal of the Society shall be in the custody of the Secretary and may be affixed to any document upon resolution of the Board of Directors and shall be in the form impressed herec

38. Preparation of minutes, custody of the books and records, and custody of the minutes of all the meetings of the Society and of the Board of Directors shall be the responsibility of the Secretary.

39. The books and records of the Society may be inspected by any member of the Society, or City Council, at any reasonable time at the registered office of the Society.

40. Contracts, deeds, bills of exchange and other instruments and documents may be executed on behalf of the Society by the Chairman or the Vice-Chairman and the Secretary or otherwise as prescribed by resolution of the Board of Directors.

41. The borrowing powers of the Society may be exercised by special resolution of the members.

42. The Secretary shall promptly report to City Council any major transaction or decision and shall also make regular quarterly reports to Council on its activities.