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

Present - Mayor Brownlow

Ald. Hart Greenwood
Williams Cunningham
Ibsen Crawford
Valardo Withers
Ritchie Fredericks
Hawley

City Solicitor, S. Hood

City Administrator, C. A. Moir City Clerk-Treasurer, B. Smith

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The minutes of three meetings held in August were before Council for approval, two being the Council meetings of August 18th and 24th, and the third, a Committee meeting of August 11th. Ald. Withers and Williams moved the adoption of all three sets of minutes.

Mr. Moir advised Council of the following amendment required in the August 18th minutes, from which an item has been omitted:

'On motion of Ald. Sarto and Valardo, Council set September 15th as the date for public hearing of a rezoning application for 383 Portland Street, as recommended from Committee.'

Ald. Valardo and Greenwood moved that the above amendment be made in the August 18th minutes and the amendment carried. The amended motion to approve the minutes carried.

ETTER: COMMISSION OF INQUIRY

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On motion of Ald. Crawford and Valardo, Council referred to Committee, a letter from the Deputy Minister of Municipal Affairs on the subject of terms of reference for the proposed Commission of Inquiry that would examine and make recommendations on the membership of the Metropolitan Authority and other regional municipal agencies.

MOTION: Moved by Ald. Crawford and Valardo that Council refer to Committee, a letter from the Deputy Minister of Municipal Affairs on the subject of terms of reference for the proposed Commission of Inquiry that would examine and make recommendations on the membership of the Metropolitan Authority and other regional municipal agencies.

LETTER: NOISE

A noise complaint has been received from Mr. & Mrs. J.M. Armstrong of 20 Ryland Ave., and Mr. Smith has recommended that he be directed to send Notices of Hearing accordingly under the provisions for a public hearing under By-laws C-211 and C-324. The recommendation was adopted on motion of Ald. Fredericks and Hart and Council set October 13th as the date for the hearing, on motion of Ald. Cunningham and Williams.

MOTION: Moved by Ald. Fredericks and Hart that Mr. Smith be directed to send Notices of Hearing in connection with the noise complaint from Mr. & Mrs. J. M. Armstrong of 20 Ryland Ave.

MOTION: Moved by Ald. Cunningham and Williams that October 13th be set as the date for the hearing of the noise complaint, under the provisions of By-laws C-211 and C-324.

981 OPERATING ESTIMATES

Information has been provided by Mr. Moir on the revenue items that have now been confirmed with respect to financing under the Walker Commission Study, grants in lieu of taxes from the Province, potential increased grants toward the cost of transit, and the finalization of the contract between the City and the Police Dept. The total of these revenue items comes to \$920,000., and it has been proposed that the \$500,000. shortfall required to produce the tax rates set at \$1.84 and \$3.49, be allocated from the additional revenue, leaving a potential surplus figure in the amount of \$420,000. The recommendation is that Council adopt the figures presented, as set out in Schedule B, accompanying Mr. Moir's report, which would produce a potential surplus for this year of \$420,000.

Ald. Crawford and Ritchie moved the adoption of the recommendation and the motion was debated. The main point of contention had to do with the action taken in Committee at budget time when a decision was taken to have the School Board and other department budgets cut to the total amount of \$500,000. in order to produce the tax rate that was later set by Council. The action taken in Committee with respect to budget cuts was not ratified subsequently by Council, however, although direction was given to have Council informed as to where such cuts would be made. Members

opposed to the motion maintained that the original intent was for staff to bring back the information on the budget cuts as directed in Committee, rather than presenting the information that has been prepared on additional revenues available which now make it unnecessary to cut the budgets further than they were originally reduced by \$1.6 million dollars (net). Ald. Crawford expressed concern that Council did not have an opportunity to deal with the Police budget in detail during the budget debates, pointing out that it might have been possible to reinstate items required by the Department if the revenue figures had been fully known and an item-by-item review given to the Police estimates. Mr. Moir and Mr. Smith explained the difficulty in securing final figures on Provincial grants and cost-sharing right up until recently, a fact that was referred to at budget time as one of the problems in projecting what the City could expect in the way of revenue for 1981.

Ald. Hawley objected to the lack of any budget cuts and felt that a major error was committed in not drawing Council's attention to the fact that a motion made in Committee did not receive the necessary ratification by Council. He favoured the budget cuts in the amount of \$500,000. and wanted to see the total \$920,000. retained as a revenue item. Ald. Ibsen and Hart also opposed the motion and thought that the direction given in Committee should have been followed and budget cuts brought back for consideration.

When the vote was taken, it resulted in a five to five tie (Ald. Greenwood being out of the Chamber for the vote), and the Mayor cast the deciding vote in favour and declared the motion carried. Members voting against were: Ald. Ibsen, Hart, Williams, Hawley and Crawford.

Proposed By-law C-440, which would introduce a new rate structure for taxicabs in Dartmouth, was presented for consideration, together with a report from Mr. Rath on the status of the work undertaken by the Taxi By-law Committee in reviewing and revising the existing Taxi By-law.

Y- ( C-440

The by-law, in its revised form, will be coming to Council in the near future, but in the meantime, the Committee feels that it is important for Council to consider the new taxi rates, since the last rate increases for taxi operators and drivers were approved in November of 1979.

It was moved by Ald. Crawford and Ritchie and carried that leave be given to introduce the said By-law C-440 and that it now be read a first time.

It was moved by Ald. Crawford and Cunningham that By-law C-440 be read a second time.

The general response of Council to the rate increases being recommended was positive, except that Ald. Withers felt that the report of the Taxi Committee should have been before Council with the rate revisions so that the total package could have been looked at together. Ald. Hawley first indicated that he could not support three readings of the by-law at this meeting, but after the debate on second reading, he said he would not be opposed to third reading in view of the obvious need for the rate increases to keep up with rising gasoline and insurance costs. The motion on second reading carried.

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

It was moved by Ald. Crawford and Ritchie and carried that By-law C-440 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.

MOTIONS: Three readings given to By-law C-440

A report from Mr. Smithwas considered on the tender awarded for the Ferry Canteen Concessions to Candy's Company (Mrs. E. Sutherland) for a term of 34 months at a total tender price of \$35,972.00; the agreement expires on March 31/83. In view of the elimination of the sale of ferry tokens and a resulting revenue decrease for the canteen operator, she has requested a revised monthly rental figure, and an agreement has been reached for

ONCESSIONS: ERRY TERMINAL

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recommendation to Council that the rental from March 1/81 be set at the rate of \$700. per month; also, that this rate continue for the unexpired term of the lease or such time as the reinstitution of ferry token sales.

The recommendation was adopted by Council, on motion of Ald. Crawford, seconded by Ald. Ritchie.

MOTION: Moved by Ald. Crawford and Ritchie that Council adopt Mr. Smith's recommendation on the agreement worked out with the operator of the Ferry Canteen Concessions, whereby the rate paid to the City will be set at \$700. per month for the unexpired term of the lease or until such time as the reinstitution of ferry token sales.

ESC, TION #81-33

On motion of Ald. Crawford and Hawley, Council approved the attached Resolution #81-33, amending the list of Social Services signing officers by deleting the name of Ms. Gail Jollimore and adding the name of Mr. Ronald Hann.

MOTION: Moved by Ald. Crawford and Hawley that attached Resolution #81-33 be adopted, amending the list of signing officers for the City's Social Services Dept.

PPOINTMENT: OINT COMMITTEE

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Council has been asked to make four appointments to the Joint Committee being formed to draft recommendations on the Walker Commission report, in conjunction with the School Board; four Commissioners have already been appointed by the Board to serve on this committee. Ald. Ibsen and Withers moved that the Mayor make the appointments from Council and that the members selected not be members who are presently representing Council on the School Board.

Ald. Fredericks and Cunningham, also Ald. Hart, considered the motion to be discriminatory against Council members who serve on the School Board. There was considerable debate about this point and further, about the intent of the original motion calling for the Joint Committee to be established. Ald. Ibsen felt that there should be some clarification as to the exact line of communication intended when the Joint Committee is ready to make recommendations and he moved referral to staff for clarification of the actual wording of the original motion. The motion was seconded by Ald. Crawford, but it was defeated. (Minutes of the July 14th Committee-of-the-Whole meeting subsequently

indicated that any proposed amendments and/or changes are intended to be referred back to the respective parent bodies from the Joint Committee, before being forwarded to the Minister of Education.) The vote was taken on the main motion and it was defeated.

Ald. Crawford proposed that it would be in order to have not more than one Alderman who is on the School Board, serve on the Joint Committee, appointments to be made as originally designated, by the Mayor. He introduced this as a motion, seconded by Ald. Ibsen. The motion carried.

Before the end of the meeting, the Mayor made the four Council appointments to the Joint Committee as follows:

Ald. Fredericks
Williams
Brennan
Greenwood.

MOTION: Moved by Ald. Crawford and Ibsen that not more than one Alderman who is on the School Board, serve on the Joint Committee, appointments to be made as designated, by the Mayor.

By-law C-437, which would rezone lands in the north end of the City from H Zone to TH, based on the application from the Baxter Group, was before Council for third reading, having received first and second readings at the public hearing on August 18th.

It was moved by Ald. Fredericks and Ritchie that By-law C-437 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.

The Mayor advised that Ald. Withers and Greenwood would be unable to vote or participate in the debate, since they were not present at the public hearing for this application.

Speaking on third reading, Ald. Hart said she had not changed her views on the rezoning, nor had the views of the residents changed. She presented a petition signed by 105 residents living on Leaman Drive, Ambercrest and Monique Ave., requesting R-1 development on the lands in

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EZONING REQUEST: AXTER GROUP

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question and also, a total plan for the entire Baxter land holding before any rezoning decision is taken by Council.

Ald. Hart again commented on the importance of an overall concept and land use plan for the total acreage involved and wanted to see third reading deferred until such a plan has been submitted to Council by the developers. She proceeded to move that the request for rezoning of the 6½ acres in north Dartmouth, as requested by the Baxter Group, be deferred pending:

- (1) the completion and assessment by City Council of a traffic study of the north Dartmouth area, which the Planning Dept. has indicated it is preparing to undertake; and
- (2) that a detailed development plan of the Baxter property be prepared and submitted to Council for review, in conjunction with the forgoing, to that residents of the area and members of Council can intelligently assess what is proposed by the Baxter group for this site.

A lengthy debate followed on the motion to defer, with a number of the members indicating their preference for contract zoning to permit the development under carefully controlled conditions, rather than delaying it for the two items stipulated in the motion to defer. Ald. Crawford's concern was for the points of egress and access to the entire development area, a point he discussed in detail with Mr. L'Esperance. Mr. L'Esperance pointed out that the Burnside Expressway interchange and the Victoria Road Extension are the only to main arterial points that could bear the kind of traffic that the total land holding might be expected to produce. Ald. Crawford said it is important to have the developer designate his access route via Victoria Road Extension before any development starts to take place, so that Council and the residents of the area know exactly what the traffic patterns will be well in advance.

Two area residents, Mr. John Cossor and Mr. John Woods, spoke during the debate, both expressing opposition to the town housing development proposal for the 6.5 acres under consideration, because of past experience with other developers who have put up inferior buildings all around

their neighborhood, and because of the fact that the Baxter Group has not come up with any overall plan that would give the residents some assurance of protection for their neighborhood. Mr. Woods quoted a number of statistics on the apartment buildings that are already located in the north end and some of the problems that uncontrolled multiple-unit development has produced for this section of the City.

Council also heard Mr. Peter Mettam on behalf of the developers, and he made the point again that the decision to proceed with only this small parcel of the total land holding was prompted by the opinion of the Planning Dept. that this would be the best approach to take in commencing a phased development of the complete site. He referred to the land use plan he presented and explained at the public hearing and went on to comment on the need for the infill development of existing lands within the City boundaries that are serviced if sprawl development is to be avoided in County areas bordering Dartmouth. He again gave assurance about the quality of the town housing units that are proposed and suggested that they are in fact, single-family residential units in a different form.

Mr. L'Esperance explained the difficulty in coming up with a total development plan for the whole acreage involved at this time, and maintained the position taken by his Department that development should proceed as discussed with Mr. Mettam and in accordance with the rezoning request that has been made for the initial 6.5 acre section of the land.

when the vote was taken on the motion to defer, it was defeated, with Ald. Ibsen, Hart, Crawford and Valardo voting in favour. (Ald. Withers and Greenwood abstaining from voting.) After further discussion about the preference of Council for a contract zoning application from the developer, which he can make at any time, the vote was taken on third reading and the motion was defeated with Ald. Fredericks and Ritchie voting in favour.

ECOND APPROVAL:

On motion of Ald. Hawley and Ibsen, Council gave second approval to an over-expenditure required in connection with Contract #81-11, the landscaping of Ira Settle Field. The additional amount required for this contract is \$4,997.19.

MOTION: Moved by Ald. Hawley and Ibsen that second approval be given to an over-expenditure in the amount of \$4,997.19, required in connection with Contract #81-11, the landscaping of Ira Settle Field.

On motion of Ald. Crawford and Greenwood, Council agreed to continue meeting beyond the hour of 11:00 p.m. to deal with other items on the agenda.

OTAN: LD. **G**ILLIAMS Ald. Williams next proceeded to introduce a motion, for which notice was given at a previous Council meeting. The notice of motion pertained to the holding of Natal Day for only a duration of one day in 1982, but the motion presented by Ald. Williams was altered in its wording and included reference as well to the Winter Carnival. It was therefore not considered to be in order by the Solicitor in its reference to subjects other than the one referred to in the notice of motion. The Mayor placed the decision before Council on acceptance of the motion and a necessary two-thirds majority vote was not obtained for the introduction of the motion. Council therefore proceeded to the next item on the agenda.

WARD TENDER: ONTRACT #81-07

Tenders have been received as follows for Contract #81-07, North End improvement area: surface improvements & landscaping:

Dineen Construction (Atlantic) Ltd. \$149,157.00
Steed & Evans Ltd. 153,360.00
Fred Smithers Concrete Con. Ltd. 163,230.00
Stewiacke Construction Ltd. 179,198.00
Tidewater Construction Co. Ltd. 216,898.00

Acceptance of the low bid, submitted by Dineen Construction Ltd., has been recommended by the City Engineer, and Ald. Hawley and Valardo moved that the tender be awarded as recommended.

Ald. Williams expressed reservations about the lack of adherence to tendering procedures and requirements, in

that the bid bond received from Dineen was only equal to 10% of the tender price, rather than in the amount of \$15,000. as specified in the tender call. A report on this error was before Council from the consultants for this project and it was noted that Dineen have subsequently placed a bid bond in the proper amount with the City; the opinion of the consultants is that an honest mistake was made on the part of Dineen in this instance. Further, it is the recommendation of the City Solicitor's Dept. that the tender be awarded to Dineen, on the basis that the City has the right to accept or reject any tender; also, it is in the City's best interest financially to accept the Dineen tender which represents the low bid received.

Ald. Williams remained opposed to acceptance of the Dineen bid because of the discrepancy in the bid bond figure, and Ald. Valardo also shared the opinion of Ald. Williams that Council should consider going to the next bidder under the circumstances. Ald. Crawford noted that there is a \$4,000. difference between the two bids and this represents a considerable disadvantage to the City. He was opposed to the position taken against the Dineen bid. Following further debate, the vote was taken and the motion to accept the low bid carried with Ald. Hart, Williams and Greenwood voting against.

MOTION: Moved by Ald. Hawley and Valardo that the tender for Contract \$81-07 be awarded to the low bidder, Dineen Construction Ltd.

Tenders have been received, as per the attached report from Mr. Fougere for equipment for the Works Dept., namely a 65 HP backhoe-loader, two hydraulic pavement breakers, a 45 HP loader with attachments, a sidewalk snowblower/plow, and two steel trench cages. Council awarded all of these tenders as recommended in the report, on motion of Ald. Valardo and Ritchie.

MOTION: Moved by Ald. Valardo and Ritchie that tenders be awarded as recommended by Mr. Fougere for equipment for the Works Dept., as per the attached report,

The meeting then adjourned.

Bruce Smith, City Clerk-Treasurer.

WARD TENDERS: ORKS DEPT. QUIPMENT

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MOTION: Moved by Ald. Hawley and Valardo that the tender for Contract \$81-07 be awarded to the low bidder, Dineen Construction Ltd.

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MOTION: Moved by Ald. Valardo and Ritchie that tenders be awarded as recommended by Mr. Fougere for equipment for the Works Dept., as per the attached report.

The meeting then adjourned.

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Bruce Smith, City Clerk-Treasurer.

WARD TENDERS: ORKS DEPT. QUIPMENT

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# City Council, Sept. 1/81

### ITEMS:

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- 1) Letter, Commission of Inquiry, page 1.
- 2) Noise complaint, 20 Ryland Ave., page 2.
- 3) 1981 Operating Estimates, page 2 & 3. 4) By-law C-440, Taxi Rates, page 3 & 4.
  5) Ferry Terminal concessions, page 4.
- 6) Resolution #81-33, page 5.
- 7) Appointment, Joint Committee, page 5.
- 8) Rezoning request, Baxter Group, page 6 to 8 incl.
- 9) Second approval, Contract #81-11, page 9.
- 10) Motion, Ald. Williams, page 9.
- 11) Award tender, Contract #81-07, page 9 & 10
- 12) Award tender, Works Dept. equipment, page 10.

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

Present - Mayor Brownlow

Ald. Ibsen Sarto
Williams Cunningham
Brennan Crawford
Hawley Valardo
Greenwood Fredericks
City Solicitor, M. Moreash
City Clerk-Treasurer, Bruce Smith

CE RENTAL FEES Council met to complete the September 1st agenda.

As requested by Council, a report has been provided by the Recreation Director on ice rental fees for the three City arenas, with two suggested options for increasing rental fees for the 1981-82 season. The second option proposed would be based on a breakdown of hours into prime time and non-prime time, as detailed in the report. Ald. Ibsen and Brennan moved the approval of option #2 as the basis for increasing ice rental fees for 1981-82.

Members of Council who spoke on the motion supported it. Ald. Fredericks asked what last year's losses were on the operation of the rinks and was advised by Mr. Stevenson of the Recreation Dept. that the total losses amounted to \$266,010. Ald. Fredericks suggested that it would be a good idea to have the ice rental scale reviewed automatically every year for recommendation to Council, without waiting for a Council request to do it. Then if rates have to be increased annually, the impact will not be as hard on organizations and groups who require ice time. Other members of Council agreed with this opinion. The motion carried.

PECIAL PLACES ROTECTION ACT

The members of Council have been provided with copies of the Special Places Protection Act, accompanied by a report from the Solicitor on the relevant sections applicable to the protection of the Shubenacadie Canal. Ald. Williams and Sarto first moved that the material circulated be received and filed, but Ald. Valardo and Fredericks moved referral back to the Canal Commission for a study session to be held at the end of October with members of the Commission and Council in attendance.

Ald. Crawford spoke against referral, but Ald. Brennan pointed out that the motion is in keeping with direction given by Council when this item was previously discussed and a decision taken, at the July 14th meeting. The minutes were read by the Mayor with reference to the item and verified that referral back to the Commission was intended at that time. The motion to refer to the special joint session of the Commission with Council, carried (Ald. Crawford voting against).

MOTION: Moved by Ald. Valardo and Fredericks that that the material circulated relevant to the Special Places Protection Act and the Shubenacadie Canal, be referred back to the Commission for a joint study session with Council at the end of October.

ADDITIONAL MEMBER: STEERING COMMITTEE

The Library/Cultural Site Selection Steering Committee has recommended the appointment of Dr. Norman Horrocks of Dartmouth to serve as an additional members of the Committee. Ald. Fredericks and Ibsen moved the adoption of the recommendation. At the request of Ald. Cunningham for information on the status of the Committee's progress, Ald. Fredericks gave a brief update on the work of the Committee, noting that a report was submitted to Council in July with more detailed information. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Fredericks and Ibsen that Council approve the appointment of Dr. Norman Horrocks to the Library/Cultural Site Selection Steering Committee, as recommended by the Committee.

RECOMMENDATION: 10 OCHTERLONEY ST.

On motion of Ald. Brennan and Sarto, Council referred a recommendation from the Downtown Revitalization Committee on a building permit application for 40 Ochterloney Street, to Planning staff for inclusion when their report on this item comes back, either to Council or Committee.

MOTION: Moved by Ald. Brennan and Sarto that a recommendation from the Downtown Revitalization Committee on a building permit application for 40 Ochterloney Street, be referred to Planning staff for inclusion when their report on this item comes to either Council or Committee for consideration.

Ald. Hart has requested deferral of her motion on development of lands in Upper Lawrencetown and Council concurred.

OTIONS:

LD. HART

ALD. BRENNAN

Ald. Brennan also asked to have his motion deferred until the October meeting for additional information he requires; Council concurred.

ALD. CRAWFORD

Ald. Crawford's notice of motion, given at a previous meeting, was presented by him as follows:

'That two additional persons be hired as police officers for the Dartmouth City Police Dept., in order that two trained police officers can be transferred to the Drug Section, thereby increasing the complement of that section to four, so that a major assault on an immediate and long-term basis can be instituted to combat the major trafficking in narcotics and drugs in this City.'

Ald. Crawford said he is in possession of information about narcotics and dangerous drugs and their availability in Dartmouth, as well as throughout the metropolitan area. He proposed that the entire drug problem issue be discussed at an in camera session with narcotic squad officers from both the Dartmouth police force and the RCMP, and moved deferral of his motion until after such a meeting can be held, in the near future; this would also provide time for consideration of Prof. Grant's study which has been referred to staff for report. The motion to defer was seconded by Ald. Greenwood and it carried. Ald. Fredericks suggested that it would be worthwhile to have someone from the Attorney-General's Department and a Drug Dependency representative present to participate in the discussion also.

MOTION: Moved by Ald. Crawford and Greenwood that the motion proposed on additional officers for the Drug Section of the City police force, be deferred, pending an in camera session of Council with narcotics squad officers from the City force and from the RCMP.

TICE OF MOTION: ALD. WILLIAMS

Notice of motion was given by Ald. Williams, as follows, for the next regular Council meeting:

'That staff be requested to prepare a cost benefit study into Natal Day and Winter Carnival, and provide Council with recommendations and sufficient time to be included in the 1982 budget.'

Ald. Ibsen asked when he will be able to have his motion on the size of the Police Commission brought back from the Continuing Agenda for consideration. The Mayor said that as soon as there has been an opportunity to review Judge Green's report and his recommendation on the

composition of local Commissions, it would be in order to have Ald. Ibsen's motion debated by Council.

NQUIRIES: LD. CUNNINGHAM Inquiries made by Ald. Cunningham were as follows:

- 1) asked why access is not being permitted to the new waterfront parking lot from the Ochterloney Street entrance. Mr. Smith explained that the barricade at this entrance is temporary and intended to control access to the parking lot until it can be metered.
- 2) questioned the issuing of parking tickets in the parking lot on the other side of Ochterloney Street, when there is no sign posted to this effect. Mr. Smith advised that the City will be posting signs in this area.
- 3) asked what has happened to the Dickie Dee vendor application to sell icecream in the park area. Mr. Moreash said that his department is working on recommendations that will be applicable to vendors in the future.
- 4) asked if the October 6th Council date will be changed. A motion was later introduced to deal with this item.
- 5) concern was expressed about parking on Summit Heights Road, where there are problems with traffic congestion and with speeding. Ald. Cunningham asked that the situation be referred to the T.M.G. for attention.

On motion of Ald. Crawford and Valardo, Council agreed to hear from an area resident, Diane Paul of 16 Summit Heights Road. She stated that four dump trucks, a van, and other vehicles are being parked on the street, and there is speeding by motorcycles, no regard to Stop signs, etc. She asked that action be taken by Council to give protection for children of the residents who are presently endangered by the traffic problems on the street.

Ald. Valardo made the following inquiries:

- 1) asked what the policy is in the case of a request to have a tree removed from City property by the owner of a commercial business, wishing to have a sign erected; the tree would block visibility of the sign without being removed or having some of the branches removed.
- 2) asked if it would be possible to have the City Works department clean up the property at the corner of Susan Place and Kingston Cres., about which inquiries have been made previously.
- 3) asked if it is necessary for a taxi stand to be occupying three parking spaces in the area next to City Hall; the Mayor said it was his understanding that these three spaces are being rented by the taxi company.
- 4) Ald. Valardo commended police officers for their concern and assistance at a recent accident scene involving a resident who has communicated her thanks to the department.

LD. VALARDO

LD. SARTO

Ald. Sarto referred to a problem area in back of Erin Drive, where there is brush and dense undergrowth on watershed lands. He asked to have this area included for grubbing and cleaning out the underbrush in the fall MEP program.

Ald. Sarto also requested that the T.M.G. look at the possibility of installing overhead crosswalk signs at the intersection of Portland Street & Jersey Drive and at Portland Street & Spring Ave.

LD. CRAWFORD

Ald. Crawford made the following inquiries:

1) he referred to a number of Federal funding programs and asked for information on their criteria application in the case of the City of Dartmouth and whether the appropriate City departments have attempted to take advantage of them. The list he referred to included a job creation program, capital funding assistance for trade centres, emergency preparedness, local harbour & wharf construction, port & other urban developments. Ald. Crawford asked that all members of Council be circulated with the information he has requested on these programs and their availability for the use of the City.

The Mayor noted that there is a Federal publication in which all such programs are outlined and he suggested it would be a good idea for all members of Council to have copies.

- 2) Ald. Crawford's second inquiry pertained to the approach made by the Solicitor-General to the FCM, to have co-ordinators put in place to work with regional people on policing matters. He inquired about the appointment of someone in this region and asked if any meetings have been held to date. The Mayor responded to Ald. Crawford's questions and discussed them further with him.
- 3) Ald. Crawford raised several questions that had to do with the question of budget cuts in the 1981 estimates, and whether the course of action followed was in keeping with the direction given by Council that reductions in the amount of \$500,000. were to be made in departmental budgets. He passed these questions to Mr. Smith for answers and the questions were also discussed at some length during the inquiry period, with the Solicitor, the Mayor, and Mr. Smith. It was requested that copies of both the questions and the answers to them, be provided in writing to all members of Council.
- 4) asked when the recommendation will be forthcoming on the appointment of a new Police Chief. The Mayor agreed to take this matter up with Mr. Moir, but it was noted that Prof. Grant's study is still pending and the concensus expressed was that it would be preferable to deal with the study prior to a recommendation coming forward on the Chief's appointment.
- 5) asked Mr. Turner to have someone from his department look at the property at 54/55 Fairbanks Street which is in a mess and should be inspected.

LD. GREENWOOD

Inquiries made by Ald. Greenwood:

- 1) asked for clarification of the status of the NIP request for \$20,000. for Farrell Hall, based on the two letters that were sent to the City in this connection.
- 2) asked to have bushes cut down at the corner of Albro Lake Road and Catherine Street.
- 3) asked that Mr. Turner's department take some action to deal with Al's scrap yard on Windmill Road where there are approx. 125 derelict cars.

LD. FREDERICKS

Inquiries made by Ald. Fredericks:

- 1) asked about the position of General Manager for the new recreation complex. The Mayor said that a recommendation will be coming to Council before too long on filling this position.
- 2) asked why right-hand turns are not being permitted at the Five Corners intersection after 4:30 p.m.; he suggested that all such intersections should be reviewed by the TMG, with the idea of improving traffic flow so that people are not required to wait for long periods of time at these intersections.
- requested a further report on the energy conservation measures being recommended for City buildings and facilities.
- 4) requested that members of Council be provided with copies of a report that went to the Industrial Commission, on the subject of lands adjacent to the Burnside Park Ethat were under consideration as possible locations for scrapyard operations.

ALD. HAWLEY

Inquiries made by Ald. Hawley:

- asked for additional police control on Caledonia Road, where there are problems with speeding, particularly on Friday evenings and on Saturdays.
- 2) asked to have the dog pound service contacted about a dog on Walker Street that has already bitten a number of people in the area. Ald. Hawley to provide the name and address for Mr. Smith's information.
- 3) asked about a presentation for the general public of the design concept for the Helene Ave/Lakecrest Drive portion of the Main St. improvements. Mr. Purdy said that a general meeting for the public is being planned.

ALD. WILLIAMS

Ald. Williams asked what is being done about a request he made previously to have Silver's Hill cleaned up between Sinclair Street and Prince Albert Road.

ALD RENNAN

Inquiries made by Ald. Brennan:

 asked if it would be possible to have staff secure copies of anti-whistle by-laws that may be in effect in other municipalities. He referred to noise problems caused by the indiscriminate blowing of train whistles in the downtown area, and requested further information on regulations from the Solicitor.

- 2) asked that the Planning staff working on the downtown parking study given consideration to the possible use of the old bus and garage lot on Canal Street as a potential site for longterm parking facilities for ferry users.
- 3) asked about the status of signalization approved some time ago for the intersection of Boland and Victoria Road. Mr. Purdy explained that this project is having to be re-tendered because the specs. had to be revised.
- 4) asked for a status report on the study of parking and vehicular traffic movement around Dartmouth High School and the streets adjacent to it.
- 5) Ald. Brennan expressed concern about the litter that is already evident around school buildings, and asked that staff look at the situation to see if sufficient garbage containers are being provided, and further, to have the School Board examine the educational aspect to see if an emphasis is being put on anti-litter programs within the schools themselves.

ALD. IBSEN

Ald. Ibsen requested that the Planning staff involved in the downtown parking study, look at possible use of the parking area that will be available in conjunction with the new recreation complex, for daytime parking use.

CTOBER MEETING: CHANGE DATE

On motion of Ald. Crawford and Cunningham, Council changed the date of the October 6th Council meeting to the following Tuesday, October 13th, in view of the fact that the Provincial election has been set for October 6th.

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

After reconvening in open Council, action taken <u>in</u> <u>camera</u> by Committee-of-the-Whole, was ratified, on motion of Ald. Crawford and Hawley

Meeting adjourned.

Bruce Smith, City Clerk-Treasurer.

## City Council, Sept. 8/81

#### ITEMS:

1) Ice rental fees, page 1.

2) Special Places Protection Act, pages 1 & 2.

3) Additional member, Steering Committee, page 2.

4) 40 Ochterloney St., page 2.

5) Motions: Ald. Hart (deferred)
Brennan (deferred)
Crawford, page 3.

6) Notice of motion, Ald. Williams, page 3.

7) Inquiries, page 4 to 7 incl. 8) Date of October meeting, page 7. Dartmouth, N. S.

September 15/81.

Regularly called meeting of City Council held this date at  $7:30~\mathrm{p.m.}$ 

Present - Mayor Brownlow

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

EZONING REQUEST:

This meeting of Council constituted a public hearing of a rezoning request for the property 383 Portland Street. The request from Irving Oil Ltd. is to rezone from the existing R-2 Zone to C-2, to accommodate proposed renovations to the service station located on the corner property immediately adjacent to it. Approval has been recommended by the Planning Dept. and By-law C-441 has been prepared to accomplish the zoning change.

It was moved by Ald. Ibsen and Hart and carried that leave be given to introduce the said By-law C-441 and that it now be read a first time.

It was moved by Ald. Ritchie and Ibsen that By-law C-441 be read a second time.

Mr. Gillis of the Irving Oil company made a presentation of the plans for upgrading the existing service station, involving the use of the property under consideration for rezoning. He indicated to Council that this is one of several Irving stations in the metropolitan area included in the company's overall plan for an upgrading of its outlets in this area. Questions about the plan presented had to do mainly with what appeared to be an encroachment on land that is not included in the rezoning request. It was pointed out by the Solicitor that only that portion of land defined and described in the Schedule "A" of the by-law is included in the rezoning; the plans presented are conceptual and do not reflect actual boundary measurements as established in a survey plan.

Ald. Crawford reported to Council as the Chairman of the voluntary public meeting held with area residents, ten of whom attended, along with the Aldermen for the ward. He said the residents are concerned about a commercial use eroding their residential neighborhood and would like some assurance that the property at 387 Portland Street will be maintained as a residential buffer zone between them and the commercial land use represented by the service station.

Mr. Tom Deakin of 391 Portland Street expressed these concerns in his presentation to Council, suggesting that there has already been an encroachment by the Irving company on property that was not zoned for a commercial use and in fact forms the driveway of the adjacent R-2 property. He said the residents are seeking some kind of protection guarantee that there will not be a further commercial intrusion into their neighborhood, with a resulting devaluation of their properties. For this reason, the residents want to see the property at 387 remain in its present residential zoning, although it was pointed out by the Solicitor that there is no way of guaranteeing protection through a covenant with the Irving company. They would, of course, have to come to Council with another rezoning application if they wished to change the | poning on 387 and there is some measure of protection afforded through this requirement. The kind of complete protection being sought by the residents could only be accomplished through contract zoning, taking into consideration, however, that in later years, application could still be made to have the contract zoning changed to permit a commercial use and the Council of the day would have to make a decision on such a request.

Several members of Council, including Ald. Williams and Cunningham, did not consider that the residents involved can be assured of adequate protection for their properties except through contract zoning provisions and they were therefore unwilling to support the motion for second reading, maintaining that the Irving people should come back with a request for contract zoning that would take in not only

383 Portland Street but 387 as well. Ald. Brennan said he did not feel that Council should jeopardize good housing stock that is required in the City for the expansion of a commercial enterprise.

Ald. Fredericks did not agree that residential property values in the area are likely to be devalued by the improvements planned to the service station.

He suggested that instead, with the proper landscaping and upgrading of the corner, this section of Portland St. would actually be enhanced and made more attractive than it presently is. By the end of the debate, however, several members who had earlier indicated a willingness to go along with the zoning change, had decided that it would be preferable to have the Irving interests come back with a contract zoning request rather than take a chance on further commercial encroachment if the building were to be removed from 387 and it became part of the service station development (ie. for parking use, etc.).

When the vote was taken on second reading, it was defeated with Ald. Fredericks voting in favour. Ald. Valardo was unable to vote, having arrived in the middle of the public hearing and Ald. Greenwood refrained from voting at his own request.

The minutes of the September 1st meeting were adopted by Council, on motion of Ald. Williams and Ibsen.

On motion of Ald. Williams and Ibsen, Council received and filed a letter received from the Animal Welfare Foundation of Canada, seeking a contribution from the City to their 'Small Animal Fertility Control Project'. It was pointed out by the Solicitor that the City Charter does not provide for such contributions to be made outside the Province and therefore the request cannot be met under our Charter provisions.

MOTION: Moved by Ald. Williams and Ibsen that a letter be received and filed from the Animal Welfare Foundation of Canada, seeking a contribution from the City to their 'Small Animal Fertility Control Project".

INUTES

ETTER: REQUEST OR CONTRIBUTION LETTER: MINOR HOCKEY ASSN.

Members of Council have been provided with copies of a letter from Mr. Donald Melanson, on behalf of the Dartmouth Minor Hockey Assn., and on motion of Ald. Valardo and Hawley, the letter was added to the agenda for consideration at this point in the meeting.

The letter from Mr. Melanson expresses concern about the new rates recently established by Council for ice rental time, and in his verbal presentation, Mr. Melanson explained in further detail the kind of negative impact the increased cost for ice time will have on the Dartmouth and other minor hockey organizations in the City.

Ald. Hawley supported the position of the Minor Hockey people and proposed that they be further assisted through additional subsidization from the City, thereby giving them the help they require without negating the action Council has taken in approving an increased rate schedule to offset some of the costs associated with the operation of the City arenas. He therefore moved that the grant to registered players in minor hockey be increased to \$20. per registered player; the motion was seconded by Ald. Ritchie.

Ald. Brennan did not want to see Council take any action on the minor hockey presentation until a report has come from staff on the subject of minor sports subsidization and the assistance that such groups require in order to remain solvent and carry out their programs while absorbing the impact of increased rates for ice time. As the debate proceeded, other members of Council tended to agree that a staff report is required before the situation can be properly assessed, and the outcome was that a motion to defer was presented by Ald. Hart and Ritchie, pending the receipt, as soon as possible, of a staff report on ice rental increases in relation to their impact on minor sports organizations and the subsidization required to over-come the problems stated in Mr. Melanson's letter and outlined in his verbal presentation to Council. This would involve consultation on the part of Recreation Dept. staff with the organizations

involved. The motion to defer carried with Ald. Ibsen voting against.

MOTION:

Moved by Ald. Hart and Ritchie that further consideration of the Dartmouth Minor Hockey letter and presentation, be deferred pending a report from the Recreation Dept. staff, on ice rental increases in relation to their impact on minor sports organizations and the subsidization required to overcome the impact that has been outlined in the letter from Dartmouth Minor Hockey. This report to involve consultation with the organizations concerned and to be made to Council as soon as possible.

ONTHLY REPORTS

**(1)** 

1)

Monthly reports recommended from Committee were approved as follows:

- 1) Development Officer (Aug.): approved on motion of Ald. Sarto and Greenwood.
  - Ald. Withers asked about the zoning violation at 6 Hester Street and when the registered letter was sent to the owner. Mr. Bayer to check on this information.
- 2) Fire Chief (Aug.): approved on motion of Ald. Ibsen and Greenough.
- 3) Minimum Standards (Aug.): approved on motion of Ald. Valardo and Brennan.
  - Ald. Crawford asked why the property at 83 Rose Street is not on this list, also about the catch basin located between 80 and 82 Rose Street.
- 4) Animal Control (June, July): approved on motion of Ald. Crawford and Greenough.
- 5) Social Services (Aug.): approved on motion of Ald. Crawford and Sarto.
- 6) Ferry Supt. (Aug.): approved on motion of Ald. Greenough and Ibsen.
- 7) Building Inspector (Aug.): approved on motion of Ald. Ibsen and Valardo.

MOTIONS: To approve the monthly reports as recommended by Committee and detailed above.

T DATE FOR BLIC HEARING

On motion of Ald. Brennan and Valardo, Council set October 20th as the date for public hearing of a rezoning application for properties in the North End Improvement Area, as recommended by Committee.

MOTION: Moved by Ald. Brennan and Valardo that October 20th be set as the date for public hearing of a rezoning application for properties in the North End Improvement Area, as recommended by Committee.

EFT TURN: LDERNEY DR.

A request from Dartmouth Fuels Ltd. for a left turn on Alderney Drive to be reinstated, has been considered in Committee and the recommendation to Council was that the request be referred to staff for a further report and for consultation with the W.D.C. This report to include the cost implications and safety factors involved, also an indication as to why staff recommended against the left turn and whether a lay-by would be required to permit the traffic pattern change. Ald. Fredericks and Brennan moved the adoption of the recommendation.

Mr. Jim Meredith, the owner of Dartmouth Fuels, was heard by Council on the subject of his request, explaining the difficulty that has been caused for his company by the removal of the left turn on Alderney Drive which permitted his trucks access to his parking lot. He referred to a verbal agreement that has existed for some time with respect to parking for his vehicles at the downtown location where he is situated, and requested Council's favourable consideration of his request for a reinstatement of the traffic pattern that existed before recent work was started on Alderney Drive.

Members of Council who spoke on the motion were sympathetic with Mr. Meredith's problem, but tended to feel that a staff report is required, with additional information on the cost and safety factors involved, before any action can be authorized to have the left turn replaced. Mr. Meredith did not feel that the motion before Council conveys support for this position, even though it may have been intended. Ald. Greenough suggested that an amendment could be introduced to signify Council's attitude toward the request, in conjunction with the referral to staff for a report. (Council agreed to continue meeting beyond the hour of 11:00 p.m. to complete this item, on motion of Ald. Crawford and Greenough.)

Ald. Hart and Greenough then moved in amendment that the recommendation from Committee be adopted with the following change, which would read: 'Council supports the

replacement of a left-hand turn on Alderney Drive, subject to referral of the matter to staff for a further report and etc.', as set out in the full recommendation on page 6. With this clarification, the amendment carried and the amended motion carried. It was agreed that Mr. Meredith is to be included in the discussions with W.D.C. representatives, if he so wishes.

Moved by Ald. Fredericks and Brennan that MOTION: a request from Dartmouth Fuels for a left turn on Alderney Drive, be referred to staff for a further report and for consultation with the W.D.C. This report to include the cost implications and safety factors involved, also an indication as to why staff recommended against the left turn and whether a lay-by would be required to permit the traffic pattern change.

AMENDMENT: Moved by Ald. Hart and Greenough in amendment that the above recommendation from Committee be adopted with the following change: 'Council supports the replacement of a lefthand turn on Alderney Drive, subject to referral of the matter to staff for a further report, as called for in the motion.

Meeting adjourned.

G. D. Brady, Deputy City Clerk.

## City Council, Sept. 15/81.

#### ITEMS:

- 1) Rezoning request: 383 Portland St., pages 1 to 3.
- 2) Letter, Animal Welfare Foundation, page 3.
- 3) Letter, Dartmouth Minor Hockey, page 4.
- 4) Monthly reports, page 5.
- 5) Date for public hearing, North End Improvement Area rezoning, page 5.
- 6) Left turn, Alderney Drive, page 6 & 7.

Dartmouth, N. S.

September 22/81.

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

Present - Mayor Brownlow

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

Council met to complete the September 15th agenda and to deal with other items added to the agenda.

EMPLOYEE MEDICAL INSURANCE PROGRAM

One of the items added was a report from Mr. Smith on the calling of tenders for the City employee major medical insurance program. The low bid received is from Sun Life Assurance Company of Canada and the recommendation to Council is that a one-year contract be awarded to the company, based on their figure of \$31,982.94 as the City's estimated annual cost @50%. Ald. Greenwood and Crawford moved the adoption of the recommendation, but Ald. Williams and some other members of Council questioned whether tenders should have been called in this instance and referred to a report from Mr. Wilson, the City's insurance consultant, in which he cautions that the calling of proposals for medical insurance each year could result in the City finding itself eventually with a short list of carriers willing to underwrite this type of risk. This point was discussed at some length with Mr. Smith and Mr. Moir prior to the vote being taken on the motion. The motion carried.

MOTION: Moved by Ald. Greenwood and Crawford that the tender for the City employee major medical insurance program, be awarded to the low bidder, Sun Life Assurance Company of Canada, as recommended in a report to Council from Mr. Smith.

As requested previously by Council, the proposed agreement between the City and the Downtown Dartmouth Corp. Ltd., has been submitted for consideration in connection with the Green Street parking lot proposal dealt with at the meeting of August 24th. Ald. Brennan and Cunningham moved that the agreement be approved by Council as presented.

GREEMENT: REEN STREET ARKING LOT

Dartmouth, N. S.

(A)

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

Present - Mayor Brownlow

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

Council met to complete the September 15th agenda and to deal with other items added to the agenda.

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MOTION: Moved by Ald. Greenwood and Crawford that the tender for the City employee major medical insurance program, be awarded to the low bidder, Sun Life Assurance Company of Canada, as recommended in a report to Council from Mr. Smith.

As requested previously by Council, the proposed agreement between the City and the Downtown Dartmouth Corp. Ltd., has been submitted for consideration in connection with the Green Street parking lot proposal dealt with at the meeting of August 24th. Ald. Brennan and Cunningham

moved that the agreement be approved by Council as presented.

GREEMENT: REEN STREET ARKING LOT There were a number of questions about specific details of the agreement and the City Solicitor was available to respond to these, along with Mr. Moir. The members were satisfied with the information they received about these details and the motion to approve the agreement carried.

Moved by Ald. Brennan and Cunningham that Council approve the agrement between the City and the Downtown Dartmouth Corp. Ltd., with respect to the operation of the Green Street parking lot, as discussed previously by Council at the meeting of Aug. 24.

WARD TENDER: ALE OF MOTORCYCLE

Tenders have been received for the sale of a used Police Dept. 1975 Harley Davidson motorcycle; the bids received ranged from a low of \$510. to a high of \$3,010. Acceptance of the high bid, received from Mr. Colin Murray of 30 Circle Drive, Lake Echo, has been recommended to Council and the tender was awarded as recommended, on motion of Ald. Crawford and Ritchie.

MOTION: Moved by Ald. Crawford and Ritchie that the high bid received, in the amount of \$3,010., for a used Police Dept. 1975
Harley Davidson motorcycle, be accepted from Mr. Colin Murray, 30 Circle Dr., Lake Echo.

ERMS OF REFERENCE: DMMISSION OF INQUIRY

On motion of Ald. Crawford and Ritchie, Council RY adopted a recommendation from Committee that a letter from the Deputy Minister of Municipal Affairs, on the terms of reference for a Commission of Inquiry (proposed to examine and make recommendations on the membership of the Metropolitan Authority and other regional municipal agencies) be referred to staff for comment on the ramifications and points of concern that should be taken into account.

MOTION: Moved by Ald. Crawford and Ritchie that Council adopt a recommendation from Committee on the terms of reference for a Commission of Inquiry, to refer this matter to staff for comment.

PORT:
VICTORIA RD.

On motion of Ald. Crawford and Greenwood, Council received and filed a report from the Development Officer on 84 Victoria Road, as recommended by Committee.

MOTION: Moved by Ald. Crawford and Greenwood that Council receive and file a report on 84 Victoria Road, as recommended by Committee.

BY-LAW C-438

Proposed By-law C-438, which would amend the Penalties By-law by increasing the minimum penalty from \$20. to \$50., was before Council for consideration.

It was moved by Ald. Crawford and Ibsen that leave be given to introduce the said By-law C-438 and that it now be read a first time. The motion carried.

It was moved by Ald. Crawford and Hawley that By-law C-438 be read a second time.

Ald. Brennan again raised points that he made at the recent Police Commission meeting with respect to a more effective enforcement of City by-laws through the imposition of higher maximum fines and elimination of minimum fines altogether. He suggested referral of the by-law back to the Solicitor for a further report, based on his point about an increase in maximum fines, and a motion to refer for consideration of a maximum penalty increase to \$500. was moved by Ald. Crawford and seconded by Ald. Ritchie. The Solicitor was asked by Ald. Brennan to also give an opinion on the possibility of recovering costs through judgements, a request he presented previously at the Police Commission meeting. The motion to refer carried.

MOTION: Moved by Ald. Crawford and Ritchie that By-law C-438 (amendment to Penalties By-law) be referred back to the Solicitor for a report on points raised by Ald. Brennan about the imposition of higher maximum fines and elimination of minimum fines; the motion proposes consideration of a maximum penalty increase to \$500.

On motion of Ald. Ibsen and Greenough, Council approved the attached Temporary Borrowing Resolution, in the amount of \$2,300,000., covering capital funding for the recreation complex. Ald. Williams requested information about the status of the fund-raising campaign and the amount of money collected to date.

MOTION: Moved by Ald. Ibsen and Greenough that the attached Temporary Borrowing Resolution, in the amount of \$2,300,000., be approved.

MIT TO BUILD:

On motion of Ald. Greenough and Ibsen, Council
L-22A THORNHILL DR.

approved a building permit application to be granted to

DO

MPORARY RROWING RES.

J. W. Lindsay for a multi-tenant warehouse to be constructed on Lot L-22A Thornhill Drive, subject to compliance with City department requirements as set out in the staff report to Council.

> Moved by Ald. Greenough and Ibsen that MOTION: a building permit application be approved for J. W. Lindsay, for a multi-tenant warehouse to be constructed on Lot L-22A Thornhill Drive, subject to compliance with City requirements.

On motion of Ald. Crawford and Williams, Council adjourned to meet in Committee to deal with an agenda that followed the regular Council meeting.

Having later reconvened in open Council, the action taken by Committee, both during the Committee meeting and while meeting in camera (land acquisition and salaries) was ratified, on motion of Ald. Ritchie and Hart.

Council then adjourned.

Bruce Smith, City Clerk-Treasurer.

### City Council, Sept. 22/81 ITEMS:

1) Employee Medical Insurance Program, page 1..

2) Agreement, Green St. parking lot, page 1.

3) Award tender, sale of motorcycle, page 2. 4) Terms of reference, Commission of Inquiry, page 2.

5) Report, 84 Victoria Rd., page 2. 6) By-law C-438, page 3.

7) Temporary Borrowing Res. (\$2,300,000.), page 3. 8) Permit to build, Lot L-22A Thornhill Dr., page 3.