

Dartmouth, N. S.

May 4/82.

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

Present - Deputy Mayor Hart

Ald. Sarto	Fredericks
Williams	Cunningham
Brennan	Crawford
Withers	Valardo
Hawley	Greenwood
City Solicitor, S. Hood	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

Rising on a point of privilege, Ald. Crawford asked to have the motion to be introduced by Ald. Cunningham under the item Motions, moved up in the agenda; he said that some members have to leave the meeting early and it would be advisable to have this item debated with as many members as possible present for it. He moved that Ald. Cunningham's motion be moved up on the agenda, as requested. The motion was seconded by Ald. Valardo but it was defeated.

MINUTES

On motion of Ald. Williams and Valardo, Council approved the minutes of the meetings held on April 6th, 13th and 20th, as circulated.

COMMUNICATIONS:
SOUTH WOODSIDE
COMM. CENTRE

Ald. Valardo presented several pieces of correspondence he has received on the subject of a noise problem originating with the South Woodside Community Centre. He moved that Council deal with this noise complaint problem, as brought to his attention by area residents. The motion was seconded by Ald. Fredericks and it carried with Ald. Williams voting against.

Ald. Valardo said he would like to see this problem addressed by the Aldermen for the ward, in conjunction with the residents involved, to see what can be done to resolve the situation; otherwise, if action is not taken to have the noise abated, the citizens could take further action under the City's noise complaint by-law. Ald. Fredericks said he understood that this problem had already been resolved to the satisfaction of the residents. He favoured a referral of the matter to Mr. Moir for a review of the situation with Police and other staff, so that a report can be made to the next meeting of Council. He presented

a motion to refer for the purpose suggested, seconded by Ald. Hawley. The motion to refer was supported by Council and it carried.

MOTION: Moved by Ald. Fredericks & Hawley that the matter of the noise complaint problem associated with the South Woodside Community Centre, be referred to Mr. Moir for a review with the Police Dept. and other staff, with a report to come back to the next meeting of Council.

MONTHLY REPORTS

Monthly reports recommended from Committee were approved by Council as follows:

- 1) Social Services (March): approved on motion of Ald. Crawford & Valardo.
- 2) Development Officer (March): adopted on motion of Ald. Valardo & Crawford.
- 3) Building Inspection (March): adopted on motion of Ald. Valardo & Withers.
- 4) Minimum Standards (March): adopted on motion of Ald. Withers and Valardo.

Ald. Fredericks asked for information on the status of 8 A. Provost Street, listed under the Ward 7 properties. Mr. Bayer agreed to check on the inquiry.

- 5) Fire Chief (March): adopted on motion of Ald. Valardo and Greenwood.
- 6) Ferry Supt. (March) : adopted on motion of Ald. Crawford and Greenwood.

Ald. Williams asked for information on the police protection provided for the ferry service on the night of a recent rock concert at the Metro Centre in Halifax. Mr. Moir advised that there were extra police officers on the boats and in the Terminal building to control the situation. Ald. Williams felt that discussions should be held with the Metro Centre and Halifax representatives, to discuss the impact that such concerts have on this side of the harbour and the costs that are involved for us to provide additional police protection for the ferry boats and the terminal. The Deputy Mayor suggested that Ald. Williams might wish to have this matter looked at further by the Transit Advisory Board. The vote was taken on the motion to approve the report of the Ferry Supt., after which Ald. Williams moved referral of his concerns about the impact of rock concerts in Halifax on our ferry service, to the Transit Advisory Board for their review and report back to Council. The motion was seconded by Ald. Crawford and it carried.

MOTION: Moved by Ald. Williams & Crawford that concerns expressed about the impact of rock concerts in Halifax at the Metro Centre on our ferry service, be referred to the Transit Advisory Board for review and report back to Council.

- 7) Dog Control (Feb.): adopted on motion of Ald. Valardo and Greenwood.
- 8) Tourist Director (report of Apr. 8/82) : adopted on motion of Ald. Valardo and Cunningham.

MOTIONS: To adopt monthly reports, as reported on page 2 of the minutes.

PUBLIC HOUSING:
RESOLUTION #82-16

A report from Mr. Moir was before Council on the fifteen public housing units available for the City of Dartmouth under the Nova Scotia Housing Commission's 1981/82 public housing program, and the phasing proposed for these units. Council has been asked to approve Resolution #82-16 in this connection, and adoption of the resolution was moved by Ald. Withers, seconded by Ald. Greenwood.

Ald. Brennan commented on the 35 additional units that the City is eligible for, and asked that the Planning Dept. treat this public housing availability as a priority because of the serious housing crisis that exists in the City at the present time. Ald. Brennan also felt that approval of such resolutions from the Housing Commission should be subject to the City's ratification of location and design decisions; he asked to have this conditional request communicated to the Housing Commission when future resolutions are to come to Council for the 35 additional units. Ald. Hawley asked if the Commission is aware of Council's position on ghetto housing and Mr. Moir said these concerns have been indicated to the Commission representatives. He also gave assurance to Ald. Brennan that the housing units available for Dartmouth, over and above the fifteen currently being approved, are a priority item with Planning Dept. staff. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Withers & Greenwood that Council adopt Resolution #82-16, as required by the N. S. Housing Commission in connection with the fifteen public housing units approved for development in the City of Dartmouth.

WARD TENDER:
MOTORCYCLE

The following tenders have been received for one 1982 motorcycle equipped for Police use:

MicMac Cycle Ltd.	1982 Kawasaki	\$7,765.00
Calvin. Snyder Ltd.	1982 Harley-Davidson	\$8,600.00

Acceptance of the low bid, submitted by MicMac

Cycle Ltd., in the amount of \$7,765. has been jointly recommended by the Chief Buyer for the Purchasing Dept. and Mr. Moir. Council awarded the tender, as recommended, on motion of Ald. Valardo and Sarto.

MOTION: Moved by Ald. Valardo & Sarto that Council award the tender for one 1982 motorcycle for Police use, to the low bidder, MicMac Cycle Ltd., in the amount of \$7,765. as recommended by the Purchasing Dept., in conjunction with Mr. Moir

USKING: DOWN-
OWN DARTMOUTH

A letter has been received from the Executive Director of the Downtown Dartmouth Corp. Ltd., requesting permission for busking during the fine weather months, from approx. mid-May to mid-September. The request has been discussed by staff, with a recommendation to Council that permission be granted to the Downtown Corp. to promote busking in the downtown area, under the following conditions:

- 1) There be no interference with City of Dartmouth Recreation programs taking place in the Waterfront Development Park.
- 2) Busking only be permitted during daylight hours.
- 3) Applicants must be approved by D.D.C. Ltd. and the City of Dartmouth Police Dept.

Ald. Cunningham and Sarto moved the adoption of the recommendation, as outlined in Mr. Moir's report. Ald. Crawford asked if a licensing fee would be charged to the applicants, but Mr. Moir suggested that one season would probably be necessary first to assess the interest shown in the idea and the number of applicants we may have. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Cunningham and Sarto that the request to permit busking in the downtown area during the summer months, be approved subject to the conditions outlined in Mr. Moir's recommendation to Council.

STUDY: LAKES
WATER COURSES

On motion of Ald. Fredericks and Valardo, Council referred to Committee, a report from the study group that has undertaken a review of lakes and water courses in the City, with the idea of a five-year plan being evolved for acquisition and development of recreational use of water frontage. This study originated with a motion adopted by Council in December of 1981.

MOTION: Moved by Ald. Fredericks and Valardo that a report be referred to Committee from the study group undertaking a review of lakes and water courses, at the direction of Council.

PROPOSALS
FOR STUDY

A request for proposals for a study into the position, classification, and pay scales of non-unionized City employees, has been issued and the following quotes received:

H.B. Vincent & Associates	\$24,950.
Peat, Marwick & Partners	29,500.
Craig, O'Neil & Associates	30,960.
Currie, Coopers & Lybrand Ltd.	39,700.
Thorne, Stevenson & Kellogg	47,229.
Touche, Ross & Partners	68,400.

Members of staff have evaluated the proposals and have agreed that the lowest bid represents the greatest value for the money and should be favoured. It is therefore recommended by Mr. Moir that the proposal submitted by H. B. Vincent & Associates, for the price of \$24,950., be accepted for the study. Ald. Crawford and Valardo moved the adoption of the recommendation, but Ald. Brennan felt that Council should receive an interim report on the organizational structure on which the classifications and pay scales are to be based, before an attempt is made to define positions and classifications. He asked about the terms of reference for the proposal and generally, wanted to see Council have more information before any decision is made on the acceptance of a specific proposal. He therefore moved referral to Committee for additional information on the terms of reference for the proposal. The motion was seconded by Ald. Valardo and it carried.

MOTION: Moved by Ald. Brennan and Valardo that the item on proposals for a study of position, classification and pay scales of non-unionized City employees, be referred to Committee for additional information on the terms of reference for the proposal.

POINT SALARIES
COMMITTEE

Council has been asked to appoint the Salaries Committee for 1982, taking into account the fact that Ald. Withers was previously named by Council as last year's representative to remain on the Committee. A number of nominations were made, but two members withdrew their names, leaving the nominations for Ald. Sarto, Hawley

and Withers still on the floor. Council therefore appointed the Committee to consist of Ald. Withers, Sarto and Hawley, on motion of Ald. Cunningham and Greenwood.

MOTION: Moved by Ald. Cunningham and Greenwood that the 1982 Salaries Committee consist of Ald. Withers, Sarto and Hawley, who were duly nominated to serve on the Committee (Ald. Withers having been previously named to remain on the Committee as well).

WARD TENDER:
CONTRACT #82-05

Tenders have been called for the construction of sidewalk on the east side of Waverley Road, from Breeze Drive to Garden Court. Bidders were given the choice of two proposals, Proposal "A" for the construction of sidewalk and curb, and Proposal "B", sidewalk only. The low bid in each case has been received from Municipal Spraying & Contracting, and Mr. Purdy has recommended to Council that the tender be awarded to this company for Proposal "A" (construction of sidewalk & curb) for the bid price of \$176,416.20, and that the Nova Scotia Dept. of Transportation be requested to cost-share in the construction of the concrete curb and related works. Mr. Moir has concurred in this recommendation.

Ald. Fredericks and Greenwood moved that the tender for Contract #82-05 (Proposal "A") be awarded to Municipal Spraying & Contracting, as recommended. Ald. Valardo expressed concern about the position that the City could be in with respect to capital spending if the Province does not cost-share in further development of Burnside Park this year. He said that in this event, it will be necessary for Council to reassess capital items in their order of priority, and he questioned whether some reductions in other capital expenditures could not be accomplished (such as doing the sidewalk only in this contract) to effect economies that Council may have to seek. Ald. Fredericks disagreed with this line of thinking and Ald. Hawley said that Council should take full advantage of the price that has been received, under budget, for the total sidewalk and curb project. When the vote was taken, the motion on the floor carried.

MOTION: Moved by Ald. Fredericks and Greenwood that the tender for Contract #82-05 (Proposal "A") be awarded to Municipal Spraying & Contracting, as recommended, in the amount of \$176,416.20, and that the N. S. Dept. of Transportation be requested to cost-share in the construction of the concrete curb & related works.

COLE HARBOUR
HERITAGE FARM
MARSH STUDY

The Cole Harbour Heritage Farm Marsh study has been dealt with in Committee and the recommendation made to Council that in the case of any development in the area, there should be a minimum of 100' buffer zone between such development and the watercourse, Settle Lake, and the marsh, for complete protection of the area. In addition, the four recommendations from Cathy Hayes' report were also included for adoption and recommended to Council. Ald. Sarto and Valardo moved the adoption of the recommendations from Committee, but Ald. Fredericks was not in favour of imposing the 100' buffer requirement when Council is not able to have any indication at this point of the cost implications for the City. He felt that staff should have some leeway for negotiation with the Dept. of the Environment, the Housing Commission and the developer, so that the City will not run the risk of being faced with heavy land acquisition costs in attempting to establish a 100' protective zone about the watercourses and marsh areas under consideration. A number of other members shared this opinion, even though Council was generally in support of a protection policy being established for the Settle Lake and environs area.

Ald. Sarto maintained the position he took in Committee in favour of the 100' buffer requirement, stressing that there are some sections on the south side of the area where a reduction to 50' will be completely inadequate for protective purposes. Similar arguments to those presented during the debate in Committee, were again put forth, with a majority of Council tending to agree with Mr. Bayer's recommendation that a flexibility be retained in the protection zone stipulation, to permit negotiations with the developer at both the 50' and 100' distances, once an interest is indicated in proceeding with a development

plan for the remaining lands around Settle Lake. He repeated the opinion of the Planning Dept. that it is important to leave room for negotiation at both the 50' and 100' points, and he responded to questions from members of Council a number of times during the debate on the motion.

Ald. Hawley and Cunningham moved in amendment that there be a minimum of 50' and working toward a 100' maximum buffer zone, between development and Settle Lake, the watercourse and the marsh area. The amendment was opposed by Ald. Sarto and Valardo, but several other members spoke in favour of it and the amendment carried. The amended motion carried with Ald. Sarto, Valardo, Crawford and Withers voting against.

MOTION: Moved by Ald. Sarto and Valardo that Council adopt the recommendations from Committee with respect to the Cole Harbour Heritage Farm Marsh study (ie. the establishment of a minimum 100' buffer zone) and adoption of the four recommendations contained in Cathy Hayes' report.

AMENDMENT: Moved in amendment by Ald. Hawley & Cunningham that there be a minimum of 50' and working toward a 100' maximum buffer zone, between development and Settle Lake, the watercourse and the marsh area.

REQUEST: USE
OF CITY CREST

A request has been received from Tri-Mar Promotions Ltd. for use of the City crest on souvenir items they wish to market. The approval of Council is required for this use, in accordance with the recently-adopted By-law C-453. Ald. Hawley and Valardo moved, for discussion purposes, that the request be approved. Ald. Hawley said that if a use of the crest is to be permitted, it should be reproduced authentically and not in any altered form. Ald. Valardo was opposed to the use of the crest in any way for commercial promotional purposes. The motion presented was defeated.

Ald. Valardo and Sarto then moved that the request for the use of the City crest for promotional purposes by Tri-Mar Promotions Ltd., be denied.

MOTION: Moved by Ald. Valardo and Sarto that the request from Tri-Mar Promotions Ltd. for the use of the City crest for promotional purposes, be denied.

ENERGY BRIEF

Members of Council have received copies of the Energy Conservation brief submitted to the Federal Government by the Canadian Institute of Planners, and it was received and filed for information, on motion of Ald. Fredericks and Valardo.

MOTION: Moved by Ald. Fredericks and Valardo that Council receive & file for information, the Energy Conservation brief from the Canadian Institute of Planners, copies of which have been circulated to Council.

CHANGE IN HEARING DATE

Council has been requested to change the date of the public hearing for the proposed development agreement between Cascade Developments Ltd. and the City with respect to a twelve-acre site on Mount Edward Road. The date now being recommended for the hearing is June 15th, and Council agreed to make this change, on motion of Ald. Sarto and Valardo.

MOTION: Moved by Ald. Sarto and Valardo that the date for the Cascade Developments Ltd. public hearing for a proposed development agreement between Cascade Developments Ltd. and the City (Mount Edward Rd. site), be changed to June 15th.

EVALUATION:
HERITAGE PROPERTIES

The Heritage Advisory Committee has submitted a report, outlining the method of evaluating heritage properties that has been developed for the Committee's use when considering whether a property should be registered. The Committee recommends that Council endorse this system by their acceptance of the report. The recommendation was adopted by Council, on motion of Ald. Valardo and Withers.

MOTION: Moved by Ald. Valardo and Withers that the report from the Heritage Advisory Committee, on the method of evaluating heritage properties in Dartmouth, be accepted, thereby endorsing the evaluation system that the Committee is using.

PETITION:
BROOKSIDE AVE.

The T.M.G. has considered a petition received from residents of Brookside Ave., requesting the removal of parking from the north side of the street, and has recommended approval of this request to Council. Ald. Fredericks and Withers moved that the recommendation of the T.M.G. be adopted. Ald. Valardo questioned the jurisdiction of staff in making statements to a resident, as referred to in the letter of April 21st from Mrs. Sharon McPhee, but

Ald. Withers considered that staff have acted properly in this instance and that a statement of reassurance to the resident was in order. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Fredericks and Withers that the request of Brookside Ave. residents for the removal of parking from the north side of the street, be approved, as recommended by the Traffic Management Group.

PERMIT TO BUILD:
LOT L-21A
THORNHILL DR.

On motion of Ald. Brennan and Williams, Council approved a permit to build a multi-tenant building on Lot L-21A Thornhill Drive, submitted by J. W. Lindsay, subject to compliance with City requirements, as detailed in the staff report to Council of Apr. 29/82.

MOTION: Moved by Ald. Brennan and Williams that Council approve a building permit application for a multi-tenant building on Lot L-21A Thornhill Drive, subject to compliance with City requirements, as set out in the staff report of Apr. 29/82.

MOTIONS:
ALD. CUNNINGHAM

Notice of motion having been duly given, the following motions were presented for Council's consideration:

1) Introduction of a motion by Ald. Cunningham with respect to the 107 by-pass was predicated on whether or not Council would agree to rescind a position previously taken on the route through Port Wallis. Ald. Cunningham therefore moved first that Council rescind its motion of Aug. 19/80, to the effect that the construction of any by-pass through Shubie Park is completely unacceptable; the motion was seconded by Ald. Valardo.

Ald. Cunningham said it is important to resume a dialogue with the Province on the 107 by-pass issue, and as a first step toward a break in the present impasse on this subject, he considered it necessary for Council to reverse its decision on the Port Wallis routing of the by-pass so that discussions with the Province can be resumed. The opinion of the Solicitor was that a two-thirds majority vote of Council would be required to rescind, but after the minutes were checked, it was confirmed that this matter has not been before Council

within a year (ie. the Port Wallis decision) and Council was therefore advised that only a simple majority vote would be necessary.

Debate continued on the motion, with Ald. Valardo commenting on the position that the Province has taken on the by-pass question and questioning the possibility of what he called a deal having been made by the Provincial Government and the Mayor on the construction of Main Street and the Rotary, when in fact, Council is on record as not agreeing to such improvements without a by-pass first. Ald. Withers took the position that there has been ample opportunity for dialogue with the Province and in fact, a committee of Council did have an opportunity to discuss the Port Wallis by-pass routing. He said the City has lost the opportunity for a by-pass in the foreseeable -future and the fault rests on our own doorstep. Members of Council opposed to the motion to rescind were Ald. Fredericks, Hawley, and Greenwood who remained opposed to a by-pass route that would take traffic through this residential and park area. When the vote was taken, the motion on the floor was defeated, with Ald. Cunningham, Valardo, Sarto and Crawford voting in favour (Ald. Brennan abstaining from the vote).

Since the motion to rescind did not carry, Ald. Cunningham was unable to introduce his motion that would have requested the Provincial Government to commence construction of a 107 by-pass during the coming construction season, along a route to be determined by the Province.

A-D. SARTO

2) Ald. Sarto moved, seconded by Ald. Valardo, that:

WHEREAS the section of the Ellenvale brook located between Pauline Crescent and Spring Ave., under some circumstances, lacks the carrying capacity of the brook;

AND WHEREAS this situation causes periodic flooding hazard to the backyards of homeowners abutting the brook's watercourse;

THEREFORE BE IT RESOLVED that Council request staff to carry out a study of the problem and to recommend to Council an acceptable solution.

Ald. Sarto explained the intent of his motion and it received the support of Council and was adopted.

NOTICES OF MOTION:

ALD. CRAWFORD

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

1) WHEREAS the Halifax-Dartmouth metro area is being considered for a CFL franchise;
AND WHEREAS a group of metro businessmen have formed a consortium to obtain said franchise and will be looking for a suitable location in the metro area;
THEREFORE BE IT RESOLVED that a committee of this Council be struck to meet with the business group involved for discussion, as to site location for the stadium in Dartmouth, and all other factors pertaining thereto, with recommendations back to Council.

2) WHEREAS the Dartmouth Senior Citizens Service Centre located at 13 Windmill Road, in the City of Dartmouth, and which was formed in August, 1976, has grown to such an extent that there are 1500 seniors a month participating in activities initiated by the Centre;

AND WHEREAS there are approx. 600 seniors enjoying hot lunches twice a week at the Centre;

AND WHEREAS the Centre is now taxed to the limit as to space, etc.;

BE IT THEREFORE RESOLVED that a committee, comprised of three Aldermen, three members of the Dartmouth Senior Citizens Services Advisory Committee, a member of the Social Services Dept., and a resource person from the Centre, be established to ascertain the needs of the Centre and to actively seek out sources of funding for the physical expansion of the Centre in order to meet the needs of the elderly throughout the City of Dartmouth.

INQUIRIES:

ALD. CUNNINGHAM

Ald. Cunningham asked the City Engineer about the status of two problems, one having to do with drainage on Tremont Street and the second, with curbing on Lorne Ave. Mr. Fougere said he would get back to Ald. Cunningham with this information.

ALD. VALARDO

Ald. Valardo asked if the Police Dept. are investigating the destruction of new trees on Windmill Rd. He and other Aldermen expressed concern about the vandalism to the trees, including Ald. Greenwood who made a similar inquiry. Mr. Moir advised that none of the trees can be saved.

ALD. CRAWFORD

Ald. Crawford asked about the boats that have been tied up for some time at the wharf next to the ferry terminal, and Mr. Moir said that staff will be coming to Council with a plan for the operation of the wharf and a fee structure for boats to be tied up to it.

Ald. Crawford requested a full report for the next Police Commission meeting, on the incident on Albyn Ave., where police had to be called to break up a disturbance.

Ald. Crawford referred to proposed changes in the County's Municipal Development Plan and the impact they could have on the use of City water in development areas outside the City's eastern boundaries. He asked if the City will be represented when the Planning Review Board deals with these proposed changes, in view of their relevance for Dartmouth.

Ald. Crawford asked where the responsibility would lie for injuries to an elderly person on Portland Street who was struck by a ten-speed bicycle on the sidewalk. The Solicitor said the City would not be responsible since the person operating the ten-speed should not have been on the sidewalk in the first place.

Ald. Crawford asked when the Mayor will be returning to the City and indicated he has questions he wishes to raise with him at that time. Deputy Mayor Hart advised that the Mayor will be returning on the evening of May 7th.

Ald. GREENWOOD

Ald. Greenwood asked that a letter be forwarded to M.T.C. about the problem with buses causing traffic tie-ups on Albro Lake Road.

He also asked that the Capitol store people at the corner of Albro Lake and Victoria Road be contacted about the entrance to their property and traffic line-ups being caused by customers waiting to get into the Capital parking lot.

Ald. Greenwood asked that a letter be forwarded to the N. S. Power Corp., seeking information on the recommendations from consultants engaged to look into the stack emissions at the plant.

Ald. FREDERICKS

Ald. Fredericks asked the Engineering Dept. to check on the work done on Pleasant Street, in relation to sods and signs that have still to be replaced, also a piece of curb that is still out near the Dartmouth General Hsp.

Ald. Fredericks asked about large trucks that

are driven up on boulevards and break down directional signs located there; he asked if the drivers would be charged by the police. Mr. Moir said they would if the police know about the incident.

D. WITHERS

Ald. Withers' inquiry concerned problems with the Albro Lake property and the fact that the barriers are down again, allowing traffic to drive through the small ball-field, also, garbage is being thrown into the area. He asked that attention be given to this matter.

Ald. Withers asked for an update on the traffic problem at the intersection of Woodland Road and Slayter Street. Ald. Brennan later asked what has happened to the Slayter Street traffic study; Mr. Moir said he would check into this inquiry.

D. WILLIAMS

Ald. Williams asked about the rights of pedestrians on crosswalks and why the police are not enforcing crosswalk regulations more stringently.

D. BRENNAN

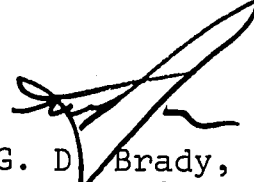
Ald. Brennan asked about the traffic lights for Boland and Victoria Road; Mr. Moir advised that the tenders have been awarded.

Ald. Brennan asked about the feasibility of recycling asphalt and whether there might be some cost savings that could be realized if a study were to be made in conjunction with the City and County of Halifax. Discussed with the City Engineer. Ald. Brennan also asked about the capital costs involved to operate our own asphalt plant and what volume we would have to have in order to break even.

On motion of Ald. Crawford and Valardo, Council went in camera to deal with additional items on the agenda.

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

Meeting adjourned.


G. D. Brady,
Deputy City Clerk.

City Council, May 4/82

ITEMS:

- 1) South Woodside Comm. Centre, page 1.
- 2) Monthly reports, page 2 .
- 3) Public housing: Resolution #82-16, page 3.
- 4) Award tender: motorcycle, page 3.
- 5) Busking: Downtown Dartmouth, page 4.
- 6) Study: Lakes & watercourses, page 4.
- 7) Proposals for study: non-union staff, page 5.
- 8) Appoint Salaries Committee, page 5.
- 9) Award tender: Contract #82-05, page 6.
- 10) Cole Harbour Heritage Farm Marsh study, page 7.
- 11) Request: use of City crest, page 8.
- 12) Change in hearing date: Cascade Developments, page 9.
- 13) Evaluation: Heritage properties, page 9.
- 14) Petition: Brookside Ave. residents, page 9.
- 15) Permit to build: Lot L-21A Thornhill Dr., page 10.
- 16) Motions: Ald. Cunningham, page 10.
Sarto, page 11.
- 17) Notices of Motion, Ald. Crawford, page 12.
- 18) Inquiries, pages 12 to 14 incl.

Dartmouth, N. S.

May 18/82.

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

Present - Mayor Brownlow

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

At the request of Ald. Valardo, Council agreed to move the Taxi By-law item up on the agenda to be dealt with as the second item of business.

CONTRACT ZONING:
MANOR PARK
BLOCK B

This meeting of Council constituted a public hearing for the Contract Zoning application from Humford International Investments Ltd., for Parcel B of the Manor Park Subdivision. This zoning request would permit a condominium development of seven low-rise multiple-family buildings on the site, ranging in size from eight to twenty-two units, for a total development of 104 units. The Planning Dept. has recommended in favour of the contract zoning for this parcel of land and a detailed report from the Department deals with all such related issues as:(a) compliance with the Municipal Development Plan, (b) traffic, (c) schools, (d) park & open space, (e) water & sewer services, etc. Resolution #82-22 has been prepared and was before Council for approval of the development proposal, if it is considered to be acceptable by Council.

Mr. L'Esperance has submitted a report on the voluntary public meeting held with area residents, and Ald. Hart, who chaired the meeting, outlined for Council the main concerns expressed by residents who attended. The residents did not feel that they received sufficient notice of the meeting to begin with, they are concerned about the impact of the proposed development on traffic problems that already exist in Manor Park, and another major concern is that their properties will be devalued

as a result of the development in what is predominantly an R-1 area at the present time.

Mr. Terry Burns of 2 Bow Street addressed Council and presented in further detail the points reviewed by Ald. Hart in her assessment of the public meeting. He maintained, as did other residents who spoke later, that people who have invested in homes in an R-1 area should expect to receive protection for their investment by having only R-1 development permitted on lands around them. One of the other main concerns he commented on was that of additional traffic generated by the proposed development and the adverse affect this will have on what is already a bad traffic situation, both within the subdivision and at exit points from it.

The development proposal was then presented by Mr. Hugh Joudrey, the developer, and Mr. Don Lohnes, the architect. Following their presentation of the plans, they were available to answer questions from members of Council about the terms of purchase under the provisions of a condominium agreement, the responsibilities of the corporation formed to administer the development, etc. It was noted that 60% of the units have to be sold before a corporation status can be attained, and some members were concerned about the length of time that may be required to reach this percentage point. Since a 10% deposit would be required initially on the part of the persons or persons purchasing a unit, the developer suggested that a fairly serious committment is being made to the purchase of a unit from the start, thereby providing a degree of stability that apartment units rented in the regular way would not have. Throughout the course of the hearing, some of the residents in attendance and some Council members, were not convinced that the terms of a condominium agreement would provide for the kind of individual-ownership responsibilities and stability generally associated with R-1 residential development. One of the residents heard by Council, Mrs. Sandra Steeves,

felt that the contract with the developer should provide for a pre-selling of 60% of the condominium units before the development is allowed to proceed. The developer said that every effort is being made to pre-sell units, but in the present economic climate, it would be unrealistic to expect that a certain percentage could be achieved before any start is made on the development.

Ald. Ibsen raised questions about the traffic situation at the intersection of Manor Drive at Portland Street, which is particularly congested at rush hours. Mr. Connors of the T.M.G. said it would be possible to improve the situation somewhat by restricting left-hand turns between the hours of 4:00 and 6:00 p.m. when traffic is heaviest. Signals are not planned for this intersection, since they have already been installed at the Gaston Road intersection. The other point raised by Ald. Ibsen, with respect to a recreational area to serve Manor Park, was discussed with Mr. L'Esperance. Land acquired by the City for this purpose will be developed with funds included in this year's capital budget.

Ald. Brennan considered the development proposed to be of good quality and compatible with existing development in the area. He noted that the City already has a housing crisis and suggested that this is one of the contributing factors in our declining population. He noted that drainage from the Manor Park area is to Banook and Oathill Lakes, and said he would like to see the development proposal referred to the Lakes Advisory Board for their review.

From this point onward in the hearing, the Solicitor advised that Ald. Brennan, Ritchie and Hawley, who arrived late for the meeting, would be unable to enter the debate or to vote on motions. Ald. Ibsen was later absent from the Council Chamber for a brief time and was also disqualified from discussion and from voting. Since Ald. Williams was unable to be present for the meeting, due to a previous commitment, this meant that five Council members in all

were not participating in the hearing and would be unable to participate if the hearing were to be continued to another meeting of Council.

Ald. Cunningham did not speak against the zoning request, but in support of the residents, pointing out that they have purchased their homes in good faith in an R-1 area and are now looking for protection from Council for the major investments that they have put into their homes. He agreed with their concerns about the additional traffic problems that new development could create for Manor Park, and asked Council to take into consideration the points that the residents are making on their own behalf.

Ald. Fredericks and Greenwood were not opposed to the new development. Ald. Withers inquired about section 7 of the contract between the City and the developer, suggesting that it should be broadened to include provision for the types of units within the development and requirements of the developer in this regard. Mr. L'Esperance agreed that the section can be expanded to cover these requirements.

As the hearing continued, Mr. Burns presented a letter from Mr. K. J. Cleversey of 35 Peddars Way, who was not able to attend the meeting and who resides directly across the street from the area planned for development. The position taken by Mr. Cleversey is that the development proposal for this site is not in compliance with the Municipal Development Plan; specific policy statements from the Plan have been quoted to substantiate the argument put forth. The letter also maintains that property values in Manor Park will be adversely affected by the development, traffic problems will worsen, and generally, Manor Park will no longer be a desirable place to live as a result of the increased density in population and associated impact on the community.

Several other residents spoke after the letter was read, including Mrs. MacNutt and Mrs. Sandra Steeves.

A gentleman from the area and Mrs. MacNutt made several references to a commitment on the part of the developer that no further multi-unit development would take place in Manor Park, other than the town houses that are already there. Mrs. Steeves said there has been a breach of faith with the residents and she commented on drainage and other problems that the developer has not attended to as he should have, in the case of property owners already living in Manor Park. All of the residents heard by Council were opposed to the zoning request and to the development proposal.

Ald. Valardo said he would have to support the development because of the acute need for housing in the City. Ald. Greenough questioned the ruling of the Solicitor on the disqualification of Council members from their participation in the hearing. Mr. Moreash noted that during a public hearing, Council functions in a quasi-judicial capacity, and as such, all members who participate must be present for all of the presentations and opinions expressed, in order to be able to render a fair judgement with all of the facts known at the time. The Mayor indicated to Council the course of action that will follow if the hearing is either deferred or adjourned. If Resolution #82-22 were to be placed on the floor and then deferred, Council could resume the debate at a later meeting, but the hearing itself would be at an end. In the case of adjournment, however, the hearing can resume, with further public input, provided adjournment is to a specific time and date. Some members expressed concern that if adjournment were to take place, it would be difficult to secure a quorum, with five members already disqualified and the possibility of other members not being in attendance on any given night set for continuation of the hearing.

Ald. Greenough and Sarto were not willing to support the development proposal because of the opposition of the single-family homeowners who already live in Manor Park and thought they would have protection for their R-1 properties that they bought there.

Ald. Hart felt it is important to have the Lakes Advisory Board assess the impact of the development on the lake system, also, to have the T.M.G. meet with area residents to address their traffic concerns and look at ways of resolving these problems.

At the conclusion of the presentations, Ald. Hart and Valardo moved the adoption of Resolution #82-22, a copy of which is attached. Ald. Hart then moved deferral of the item until June 15th for input from the Lakes Advisory Board and for the T.M.G. to be in consultation with the Residents Assn. of Manor Park, with a view to resolving the traffic problems that presently exist. Ald. Cunningham seconded the motion to defer. The Solicitor commented on a question from Ald. Cunningham as to whether he would be able to present the position of the residents at the June 15th meeting, taking into account the fact that deferral will not permit further public participation. Mr. Moreash said that any meeting with the residents to discuss their position further, should also include the developer, so that there is equal opportunity for both sides in the issue to have a forum for their views to be heard in an unbiased way. He suggested that Ald. Cunningham meet with him to discuss the conditions for such a meeting, if one is to be held. When the vote was taken on the motion to defer, it was defeated (Ald. Hawley, Ibsen, Brennan and Ritchie abstaining from the vote).

Ald. Cunningham and Sarto then moved adjournment of the public hearing until June 15th at 7:30 p.m. in this Council Chamber. This motion was also defeated with the same members abstaining from voting.

The main motion was put and it carried, with Ald. Cunningham, Greenough and Sarto voting against. Ald. Hawley, Brennan, Ibsen and Ritchie abstaining from voting.

MOTION: Moved by Ald. Hart and Valardo that the attached Resolution #82-22, approving the development proposal and the associated contract zoning agreement, be adopted by Council.

TAXI BY-LAW:
C-451

As agreed at the opening of the meeting, Council next proceeded to the new Taxi By-law, C-451, which has been amended since it was discussed some time ago in Committee. A report from the City Solicitor accompanied the by-law, setting out the major changes that have been incorporated in the proposed draft before Council.

It was moved by Ald. Valardo and Brennan and carried that leave be given to introduce the said By-law C-451 and that it now be read a first time.

It was moved by Ald. Crawford and Valardo that By-law C-451 be read a second time.

Ald. Valardo reviewed for Council, the action taken by the Taxi Committee in hearing representation from the taxi industry and incorporating some of the changes that have been requested. He went through the list of items included in Mr. Moreash's report and explained each of them in further detail for Council's information. Ald. Withers said the taxi operators feel they have not had sufficient time to peruse the new by-law in its redrafted form, and he would not give his approval for third reading at this meeting, to give them additional time they need to discuss the by-law among themselves. A number of taxi drivers and operators were present for this meeting, and on motion of Ald. Ritchie and Withers, Council agreed to hear from any of them wishing to speak on the by-law during second reading.

Mr. Hirtle of Bob's Taxi addressed Council, also, Mr. Harry Dowell of the Board of Directors of the Taxi Association. Other representatives of the industry who spoke were Ron Craig and Shirley Bezanson, plus another driver for Bob's Taxi. The main points of issue were as follows:

- 1) passengers and taxi operators do not want records of trips kept; considered to be an infringement on human rights and an invasion of privacy. Members of the industry looked on this requirement as a time-consuming responsibility they cannot manage when they are busy and go from one call to another in the course of their work.

- 2) concern that the permit fee for taxi stand owners will be passed on to their drivers and add an extra cost over and above the driver's license fee.
- 3) provision should be included for drivers to smoke while engaged by a passenger, with the permission of the passenger. Ald. Valardo said this provision should have been included as the Committee intended, and moved in amendment that Section 6. (7) (f) be changed to include the words ". . . except with the consent of the passenger (s)" at the end of the sentence. The amendment was seconded by Ald. Brennan and it carried.
- 4) provision should be included for the operation of the interior dome light by the switch and not just by the opening of the car doors as presently stipulated. Ald. Valardo and Brennan moved in amendment that Section 12. (13) (k) be changed to provide for this alternative by adding the words ". . . or operated by the light switch" to the existing wording. The amendment carried.
- 5) some provision should be made for a transition in existing licenses, so that new ones do not have to be secured in less than a twelve-month period (ie. they should run from May 1st to May 1st for a full twelve-month period). The Solicitor said there is no problem in changing this date requirement.
- 6) restriction to the use of one meter for fares, without allowing for any deviation from this means of calculating the fare to be charged a passenger. Ald. Greenwood noted that this regulation was intended to place control on taxi companies operating from points outside the City limits, and the operation of dual meters that is presently taking place. No amendment was made to the relevant section of the by-law.
- 7) requirement that three days notice be given the Police Dept. if a driver makes a change from one taxi stand to another; considered to be discriminatory on the basis that people in other lines of work are not required to give such notification.

Representatives of the taxi industry sought additional time to review the new by-law and have some opportunity to be heard again on it before it is given final reading by Council.

During the debate on second reading, Ald. Crawford rose on a point of privilege and indicated his wish to give a notice of motion, under Section 30 of the Procedural By-law, in order to have the notice given in time for the regular June meeting of Council. Since this would have involved a change in the existing agenda for this meeting, the Solicitor advised that a two-thirds majority vote of Council would be required to permit a notice of motion during the present meeting. Ald. Crawford did not proceed

further with the notice of motion on the basis of the opinion given by the Solicitor.

(On motion of Ald. Hart and Valardo, Council agreed to continue meeting beyond the hour of 11:00 p.m. - until 11:15 p.m., in order to continue with the Taxi By-law and to deal with the lake patrol tender.)

When the vote was taken on second reading, as amended, it carried with Ald. Withers against.

Unanimous consent was not given by Council for third reading of the by-law.

MOTIONS: First & second reading given to the Taxi By-law C-451.

TENDER:
LAKE SAFETY PATROL

As directed by Council, Mr. Moir has gone back to the two lowest bidders for lake safety patrol services, Evidence Research Associates Ltd. and Dartmouth Ambulance Ltd., and has discussed with them, the possible modifications in their tender price if they used the boat and motor owned by the City of Dartmouth. The tenders would be modified as follows:

Evidence Research Associates Ltd.	\$32,601.60	per annum
Dartmouth Ambulance Ltd.	30,048.00	" "

It is recommended that the revised tender submitted by Dartmouth Ambulance Ltd., in the amount of \$30,048 be accepted and that for the year 1982, the service commence on the weekend of May 22nd, thereby reducing the 1982 payment by an additional \$187.80, which will bring the amount within the figure projected in the 1982 budget for this operation. The tender was awarded as recommended, on motion of Ald. Crawford and Hawley.

MOTION: Moved by Ald. Crawford and Hawley that the tender for lake safety patrol services for 1982 (commencing on the weekend of May 22nd) be awarded to the low bidder, Dartmouth Ambulance Ltd., as per the recommendation of the City Administrator.

After dealing with this item, the meeting adjourned.

Bruce Smith,
City Clerk-Treasurer.

City Council, May 18/82

ITEMS

- 1) Public hearing: Manor Park, Block B, pages 1 to 6.
- 2) Taxi By-law, C-451, pages 7 & 8.
- 3) Tender: Lake safety patrol, page 9.

Dartmouth, N. S.

May 25/82.

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, M. Moreash	
City Administrator, C. A. Moir	
Deputy City Clerk, G. D. Brady	

Council met to continue with the May 18th agenda
and to deal with other items of business.

Proposed By-law C-451, the new Taxi By-law, was
before Council for third reading, having received first
and second readings at the May 18th meeting.

It was moved by Ald. Crawford and Valardo that
By-law C-451 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 of Dartmouth.

Council agreed to hear from Mr. Pat Casey, Solicitor
representing the taxi operators. Mr. Casey said that in
spite of revisions that have been made in the by-law in
response to requests from the industry, there are still
a number of contentious points about which the drivers
and operators have concern. He asked that these be
addressed by Council while the by-law is in third reading.
The major points presented by Mr. Casey were:

- (1) With respect to the licensing fee schedule
proposed in the by-law for drivers, operators
and stands: Mr. Casey recommended only one
fee of \$40. per vehicle.

He suggested that the fee schedule in the by-law
contravenes the provisions of the Motor Vehicle
Act, and that costs associated with the adminis-
tration of the by-law could be substantially
reduced so that the new fee schedule would not
have to be implemented in the first place.

- (2) With respect to Section 7 of the by-law,
covering the keeping of records: Mr. Casey
recommended:

- a) that these be kept by the despatcher.
- b) that the following items be maintained
by the despatcher:
 1. the time of the call.
 2. call number.
 3. address of the caller.

BY-LAW C-451:
THIRD READING

- c) that these records ought not to be accessible to the police without the consent of the customer, except in cases where a subpoena or search warrant has been issued.

Mr. Casey's position on this section was that the dispatcher has more time to keep accurate records than the driver does. He also considered the record-keeping requirement to be an infringement on the privacy of customers and on the time of the drivers.

- (3) With respect to Section 12, pertaining to inspections: Mr. Casey recommended that such inspections of taxi vehicles ought to be allowed only by the taxi inspector or a person designated as a Deputy Inspector, pursuant to this by-law.
- (4) Reference to Section 11 and the calibration certificate requirements: Mr. Casey recommended alternatively either that some price ought to be designated for obtaining these certificates or (b) that this section be deleted altogether.

Members of Council who spoke during third reading, commented on the recommendations made by Mr. Casey, particularly the one having to do with the keeping of records by drivers and whether in fact, this responsibility might not be assigned to the dispatcher as suggested. There was some sympathy for the position of the drivers on this item and also, for concerns about the new fee schedule and its impact on drivers if stand owners pass their additional costs on to them. Ald. Withers asked if the fee schedule does contravene provisions of the Motor Vehicle Act, as suggested in Mr. Casey's presentation. Mr. Moreash said his advice to the Taxi Committee was that the fees set out in the by-law are permissible under the Act and may be imposed accordingly, once the by-law has received approval from the Dept. of Municipal Affairs.

Ald. Fredericks felt that all of the administration costs related to the Taxi By-law should be borne by the industry itself and not by other taxpayers, and therefore, the new fee schedule is required to meet these costs. Ald. Valardo and Mr. Rath explained why the record-keeping requirements have been requested by the Police Dept. as one of their prime areas of concern in the drafting of the new by-law. It was pointed out by Ald. Greenough that the Taxi Commission to be formed will have representation from

the industry and these representatives can bring forward any future amendments that may have to be made in the by-law after it is in operation. Ald. Valardo agreed that this is an adequate safeguard for the protection of the interests of both the drivers and owners.

No amendments were introduced during third reading and the motion for third reading carried.

MOTION: Third reading given to By-law C-451.

This date was set by Council for a continuation of the noise complaint hearing against the Ice House Lounge, which originated at the meeting of April 27th when Council directed that the owners of the lounge and the area residents work together in the interim to resolve the problems that led to the hearing under the Noise Complaint By-law.

Deputy Mayor Hart took the chair for this item, since Mayor Brownlow was not able to be present for the April 27th meeting; Ald. Ritchie was also required to abstain from participating in the debate and from voting.

Council first heard from two area residents, Mr. Ed MacLeod of 7 Lakeview Point Road, and Mr. Frank Smith, 5A Lakeview Point Road. Mr. MacLeod said that the sound levels from the lounge have been somewhat erratic during the month since the hearing was first held, and he felt that the owners are trying to do something about the noise situation, although it is not yet rectified to the satisfaction of the residents. Mr. Smith did not find that there has been any improvement in the situation and said he is still being kept awake at night by the loud music from the lounge.

Mr. Young, the Solicitor representing the owners, made note of the fact that at the April 27th meeting, both Ald. Valardo and Greenwood were out of the Council Chamber for brief periods of time during the course of the hearing. Also, Ald. Fredericks expressed his conclusions on the issue before Mr. Young's representation was heard. Mr. Young's comments were duly noted, but it was pointed out by Ald. Brennan that they were not brought to Council's attention at the time and therefore no ruling was made by the Solicitor.

CONTINUATION:
ICE HOUSE
LOUNGE HEARING

Mr. Young outlined the efforts that have been made since the April 27th meeting to deal with the problems raised, both with respect to garbage outside the building, better use of the on-site parking spaces available, and containment of noise from the lounge within the building. A sound engineer has been retained to work on the noise problem and additional insulation has already been installed over the ceiling of the lounge. The wall and ceiling area around the bandstand will be further improved with gyprock and a sound audit will be carried out to determine where the bass vibration is coming from the building. All of the recommendations made by the sound engineer have been accepted to date and Mr. Young said the lounge owners are making every reasonable effort possible to correct the problems that are concerning residents of the area.

Ald. Williams felt that a fair approach has been taken by Council in allowing the owners a month to comply with the requirements discussed on April 27th, and he moved that until such time as the noise problem has been cleared up in the vicinity of the Ice House Lounge, the band be closed down at 11:00 p.m. The motion was seconded by Ald. Cunningham who spoke in favour of it. Ald. Greenough said that perhaps it is premature to impose such a restriction when the owners are in the process of trying to make the necessary improvements, and he moved adjournment of the hearing until June 22nd at 7:30 p.m. in the Council Chamber. His motion was seconded by Ald. Brennan and debated by Council.

Most members who spoke on the motion considered it to be in order, on the basis that a sound engineer has been engaged to make recommendations and these take a certain amount of time to act upon once they are made. Ald. Valardo wanted to have a commitment from the owners that they will have the noise levels kept down during the extension being given to complete the renovations. Mr. Young said he clients will undertake to keep the sound down and specifically, they will undertake to keep it down after the hour of midnight.

With respect to a point that has come up several times in the hearing about the plans for a piano bar instead of the type of lounge that features bands, Mr. Young stated that the initial proposal for the building included a number of different facilities, one of which was a piano bar. That proposal was later withdrawn and the application submitted for the existing restaurant and lounge did not make any reference to a piano bar, either in the application to the City or to the Liquor Licensing Board.

Ald. Fredericks did not support the motion to adjourn the hearing and it was also opposed by Ald. Williams. Council agreed to hear from the residents again and Mr. Frank Smith spoke for a second time, expressing his objection to an extension in the time allowed for the owners to comply. Mr. Stanley Dupuis of 12 Lakeview Point Road said he could not understand why sound levels that are disturbing to the residents do not carry into the restaurant located on the same floor as the lounge in the building. Mr. Young responded to a question raised earlier about managerial control in the lounge until the hour of closing. He advised that Ann Walton is in the lounge in a managerial capacity every evening until closing time and this requirement is therefore satisfied in the opinion of the owners.

When the vote was taken on the motion of adjournment, it carried with Ald. Cunningham, Fredericks and Williams voting against.

MOTION: Moved by Ald. Greenough and Brennan that the noise complaint hearing against the Ice House Lounge be adjourned to June 22nd at the hour of 7:30 p.m. in the Council Chamber.

PRESENTATION:
LIBRARY/CULTURAL
CENTRE

As previously agreed by Council, the next item moved up on the agenda was the presentation by Mr. Bill Lydon of the preliminary concept proposal for a library/cultural centre for the City, details of which have been documented in a report from Mr. Lukan, Secretary to the Library/Cultural Steering Committee with whom the proposal originated. Mr. Lydon began his presentation by reviewing the process the Committee has gone through in arriving at

the present stage in the concept plan, from the point of identifying the need for library space to accommodate the existing service to the selection of a site and the development of a preliminary design that can be used in the production of a brochure for promotional purposes, to determine what sources of financial assistance may be available to proceed further with the project.

The need for a theatre could not be identified in the same way as the library component, but there is interest and support within the community for such a facility, and the indication is that in communities where theatre facilities have been provided, there is an increasing demand for them and they form an incentive for the growth of performing arts within the community, in addition to providing a facility for the use of touring groups that would otherwise not perform there. Mr. Lydon reviewed the sites considered for the centre and explained why the Committee has chosen the boardwalk site north of the Ferry Terminal building as the location for it, considering it to be a prime location for such a civic development in the City of Dartmouth.

In presenting the concept design plans, Mr. Lydon explained the use that has been made of the site potential, retaining glassed open corners of the library building to take full advantage of the harbour-front view available. The development could be phased if necessary, with the library component being undertaken first, the theatre second, and finally, the fly tower could be added as demand for it develops through the use of the theatre. The total capital cost for the project would be approx. 8.5 million dollars, as broken down and detailed on the final page of the submission from Lydon Lynch Associates Ltd., attached to Mr. Lukan's report.

Since the next step proposed by the Library/Cultural Steering Committee is one of promotion, Ald. Greenough and Crawford moved that the preparation of a brochure/report be proceeded with for promotional purposes at the various levels of government and in the private sector. Ald. Crawford

requested that the Committee report back to Council on the response to these promotional efforts before proceeding any further with the project. The motion on the floor carried with Ald. Williams voting against.

MOTION: Moved by Ald. Greenough and Crawford that the preparation of a brochure/report be proceeded with for promotional purposes at the various levels of government and in the private sector.

MONTHLY REPORTS

The monthly reports recommended from Committee were approved as follows:

- 1) Social Services (April): adopted on motion of Ald. Valardo and Fredericks.
- 2) Development Officer (April): adopted on motion of Ald. Valardo and Hawley.
- 3) Building Inspection (April): adopted on motion of Ald. Greenough and Hart.
- 4) Minimum Standards (April): adopted on motion of Ald. Valardo and Greenwood.
- 5) Fire Chief (April): adopted on motion of Ald. Hart and Ibsen.
- 6) Ferry Supt. (April): adopted on motion of Ald. Valardo and Ibsen.
- 7) Dog Control - March, April & Annual: adopted on motion of Ald. Ibsen and Valardo.
- 7) Tourist Director (Rendez Vous Canada): adopted on motion of Ald. Withers and Greenwood.

MOTIONS: Approval of regular monthly reports as detailed above.

PROPOSALS:
CLASSIFICATION,
POSITION & PAY
SCALES

On motion of Ald. Hart and Hawley, Council approved a recommendation from Committee to accept the proposal received from H. B. Vincent & Associates for a study of the position, classification and pay scales of non-unionized City employees, in the amount of the bid received, \$24,950.00.

MOTION: Moved by Ald. Hart and Hawley that Council approve a recommendation from Committee to accept the proposal received from H. B. Vincent & Associates for a study of the position, classification and pay scales of non-unionized City employees, in the amount of the bid received, \$24,950.00.

911 FEASIBILITY
STUDY

Following a presentation of the 911 feasibility study at the Committee meeting of May 11th, the Committee has recommended approval of the 911 system in principle, and that Council request Maritime Tel & Tel to do a study in consultation with staff, for the City of Dartmouth, the study results to come back to Council for further consider-

ation. A further recommendation of the Committee is that Council's representatives on the Metropolitan Authority indicate to the Authority that Dartmouth City Council is on record as not favouring a regional 911 system at this point in time. The recommendations from Committee were adopted by Council, on motion of Ald. Greenough and Crawford.

MOTION: Moved by Ald. Greenough and Crawford that the recommendations from Committee in connection with a 911 emergency phone system, be adopted, as set out above and in the last paragraph of page 7 of the minutes.

BY-LAW C-461:
AMENDMENT TO
MIN. STDS. BY-LAW

The Committee has recommended approval of proposed By-law C-461, which would amend the Minimum Standards By-law so that an Order can be made to a property owner to remedy violations before a conviction is obtained.

By-law C-461 was before Council for approval at this time. It was moved by Ald. Crawford and Greenough and carried that leave be given to introduce the said By-law C-461 and that it now be read a first time.

It was moved by Ald. Valardo and Brennan and carried that By-law C-461 be read a second time.

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

It was moved by Ald. Valardo and Hawley and carried that By-law C-461 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-461.

On motion of Ald. Crawford and Greenwood, Council approved a recommendation from Committee on the reinstatement of two-way traffic on Lahey Road and Clarence Street, as requested by area residents and agreed to by the T.M.G.

PETITION:
LAHEY ROAD
RESIDENTS

MOTION: Moved by Ald. Crawford and Greenwood that Council adopt a recommendation from Committee on the reinstatement of two-way traffic on Lahey Road and Clarence Street, as requested by area residents and agreed to by the T.M.G.

STUDY: LAKES
& WATER COURSES

On motion of Ald. Hawley and Greenwood, Council adopted a recommendation from Committee that the staff study on lakes and water courses, be referred to the Lakes

Advisory Board, the Shubenacadie Canal Commission, and the Recreation Department, for comment and recommendation back to Committee.

MOTION: Moved by Ald. Hawley and Greenwood that Council adopt a recommendation from Committee to the effect that the staff study on lakes and water courses, be referred to the Lakes Advisory Board, the Shubenacadie Canal Commission, and the Recreation Dept., for comment and recommendation back to Committee.

USE OF LANDS:
DEL HOLDINGS
BLOCK

On motion of Ald. Crawford and Withers, Council approved a recommendation from Committee on the adoption of a report from the Downtown Revitalization Committee, recommending that Council be requested to ask the Nova Scotia Housing Commission to immediately look into the Del Holdings Block as a site specifically for a Continuing Cooperative Housing Program.

MOTION: Moved by Ald. Crawford and Withers that Council approve a recommendation from Committee on the adoption of a report from the Downtown Revitalization Committee in connection with the use of lands in the Del Holdings Block, as detailed above.

REQUEST FOR
INFORMATION:
CHAMBER OF
COMMERCE

A report from Mr. Moir was before Council in connection with a request from the Chamber of Commerce for information relating to staff payroll totals and other data relative to union contracts. Copies of correspondence between Mr. Moir and the Chamber and of letters forwarded to union representatives by the Chamber, have also been circulated. Ald. Brennan and Valardo moved that the report from Mr. Moir, with attachments, be received and filed.

Ald. Crawford took strong exception to what he called the 'disruptive and inflammatory statements' made in the letters from the Chamber to the union representatives, considering that the action of the Chamber in this regard could break down a good rapport that has taken years to establish with the unions which represent the various groups of civic workers. He said the letters contain phrases that are inappropriate and he went on to quote some of these, suggesting that the Chamber has exceeded its jurisdiction in this instance and defending the responsible action that Council has taken in dealing with union negotiations and

with the City budget. He said that members of the Chamber were free to come in at any time during the budget discussions to offer suggestions and assistance if they so wished, but in fact, this did not happen. Ald. Valardo said the Chamber has a right to criticize Council and to seek information, but he questioned whether letters should have been forwarded to the unions and felt this action on the part of the Chamber was out of place.

Ald. Hart felt that there are ways in which the Chamber could be included in budget discussions and she maintained that citizens do have a right to seek information. Sometimes it is necessary, however, for Council to meet in private session and this is particularly true in strike situations such as we have experienced in recent years.

(Council agreed to meet beyond the 11:00 p.m. deadline, on motion of Ald. Valardo and Crawford.)

Ald. Williams questioned the action of the Chamber and Ald. Fredericks maintained that they should be taking a more constructive and positive attitude in the community rather than trying to detract from what Council has accomplished in the way of industrial development, improvements to the downtown area and so on, over the years.

Mr. Mettam was present for this item and indicated his wish to be heard by Council. A vote was taken to hear from Mr. Mettam and it was defeated by a vote of 7 to 6.

The vote was then taken on the motion to receive and file and it carried with Ald. Hart, Sarto, Greenough and Valardo voting against.

MOTION: Moved by Ald. Brennan and Valardo that the report from Mr. Moir, with attachments, on a request from the Chamber of Commerce for information, be received and filed.

Projects for inclusion in the 1982 Mainstreet Program have been recommended to Council for approval and authorization for staff to proceed with the project designs and to make appropriate application to the Dept. of Development. Mr. Moir has concurred in the recommendation from Mr. Lukan and based on the request received from the Downtown Dartmouth Corp. Ltd. Council approved the

MAINSTREET
PROJECTS

Mainstreet projects, as recommended, on motion of Ald. Brennan and Greenough.

MOTION: Moved by Ald. Brennan and Greenough that Council approve the projects recommended for inclusion in the 1982 Mainstreet Program, as per reports from Mr. Lukan and Mr. Moir.

AWARD TENDER:
STREET LINE
PAINTING

Tenders have been received as follows for street line painting for the year 1982:

C. & A. Paint-a-Line	\$24,511.20
Parker Bros. (1972) Ltd.	48,959.00
Sea Side Line Marking Ltd.	57,500.00

Acceptance of the second-low bid, from Parker Bros. Ltd. has been recommended by the Purchasing Agent, in conjunction with Mr. Moir, for the reasons outlined in their reports, and Council approved the awarding of the tender to Park Bros., as recommended, on motion of Ald. Greenough and Ibsen.

MOTION: Moved by Ald. Greenough and Ibsen that the second-low bid for street line painting for 1982, from Parker Bros. Ltd., be accepted, as recommended by Mr. Moir in conjunction with the Purchasing Agent.

AWARD TENDER:
ROOF REPAIRS
POLICE STATION

The following tenders have been received for roof renovations to the Police Station building:

Semple-Gooder Roofing	\$34,568.
Northern Industries Ltd.	35,495.
Scotia Roofing	38,880.
Bradshaw/Woodworth	42,426.
Citadal Roofing	42,462.
J. W. Lindsay Enterprises Ltd.	47,900.

Acceptance of the low bid, submitted by Semple-Gooder Roofing, has been recommended to Council, involving an over-expenditure in the amount of \$24,568., since the budget estimate for this work was only \$10,000. On motion of Ald. Valardo and Greenough, Council awarded the tender, as recommended, and gave first approval for authorization of the over-expenditure.

OVER-EXPENDITURE:
FIRST APPROVAL

MOTION: Moved by Ald. Valardo & Greenough that Council award the tender for roof renovations to the Police Station building to Semple-Gooder Roofing, the low bidder, and give first approval to the over-expenditure required, in the amount of \$24,568.

TABLE FINANCIAL
STATEMENT: 1981

On motion of Ald. Valardo and Crawford, Council tabled the audited financial statement for the City for 1981, to be dealt with at a special meeting of Council with the auditors present.

MOTION: Moved by Ald. Valardo and Crawford that Council table the audited financial statement for the City for 1981, to be dealt with at a special meeting of Council with the auditors.

NOTICE OF MOTION:
ALD. CRAWFORD

The following notice of motion was given by Ald. Crawford for the next regular Council meeting:

Ald. Crawford

WHEREAS the Dartmouth Industrial Commission serves a vital need for the development of industry in this City;

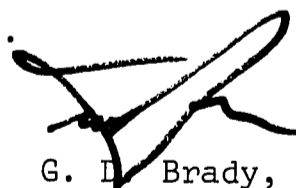
AND WHEREAS the members thereof are placed in a position of trust while so serving; it is therefore expected that no said member should pursue his own interests in matters being dealt with or to be dealt with by the said Commission;

AND WHEREAS, the minutes of 11th, February, A.D.1982 of the said Commission clearly indicate that Comm. Peter Mettam, as the representative of the Dartmouth Chamber of Commerce on the said Commission, did violate his position on the Commission by pursuing his own interests concerning property in the Burnside Industrial Park, thereby placing himself in a conflict-of-interest position;

THEREFORE BE IT RESOLVED and I so move, that Comm. Peter Mettam be requested by this Council to submit his resignation from the Dartmouth Industrial Commission and permit the Dartmouth Chamber of Commerce to name a substitute;

AND FURTHER, that a full and comprehensive investigation be conducted by the Dartmouth Police Dept. Detective Division concerning any other conflict-of-interest situations within the Industrial Commission or if there has been any indication of influence-peddling in violation of the pertinent sections of the Criminal Code of Canada.

The meeting then adjourned.



G. D. Brady,
Deputy City Clerk.

City Council, May 25/82

ITEMS:

- 1) By-law C-451: Third reading, page 1 to 3.
- 2) Continuation: Ice House Lounge hearing, page 3 to 5.
- 3) Presentation: Library/Cultural Centre, page 5 to 7.
- 4) Monthly reports, page 7.
- 5) Proposals: Non-union employees, page 7.
- 6) 911 feasibility study, page 7.
- 7) By-law C-461: amendment, Min. Stds. By-law, page 8.
- 8) Petition: Lahey Rd. residents, page 8.
- 9) Study: Lakes & water courses, page 8.
- 10) Use of lands: Del Holdings Block, page 9.
- 11) Request for information: Chamber of Commerce, page 9.
- 12) Mainstreet projects: 1982 program, page 10.
- 13) Award tender: street line painting, page 11.
- 14) " " : roof repairs, Police Station, page 11.
- 15) Table Financial Statement: 1981, page 12.
- 16) Notice of Motion: Ald. Crawford, page 12.