

Dartmouth, N. S.

October 5/82.

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

Present - Mayor Brownlow

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

UTES

On motion of Ald. Ritchie and Williams, Council  
approved the minutes of meetings held on September 1st,  
7th, 14th and 21st.

PETITION:  
GREEN GABLES  
VICTORIA RD.

A petition was before Council from residents living  
in the area of the Green Gables store on Victoria Road,  
requesting the closure of this store between the hours of  
12:00 midnight and 6:00 a.m., as a resolution of noise  
and other problems associated with the operation of the  
store. Citizens present for this item were represented  
by Mr. H. E. Naugler, who asked that the petition be given  
every consideration by Council. He felt that it is a  
fundamental right of all citizens to expect peace and quiet  
during night-time hours and this applies to area residents  
who have been subjected to harassment and problems with the  
Green Gables store for a considerable period of time.

Ald. Fredericks and Williams moved that staff be  
directed to contact the store owners and ask them to close  
their store between the hours of 12:00 midnight and 6:00 a.m.,  
as requested by the residents. Based on the advice of the  
Solicitor that the proper procedure to follow would be to  
take action under the Nuisance By-law, Ald. Valardo and  
Withers moved referral to staff for the purpose of  
commencing action through a public hearing under the  
Nuisance By-law. Ald. Fredericks and Greenwood moved in  
amendment that staff also be directed to carry on a dialogue  
with Green Gables representatives, to determine if the  
situation can be voluntarily resolved without having to  
resort to action under the Nuisance By-law; if it cannot,

the hearing would proceed. The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Valardo & Withers that the petition from residents in the area of the Green Gables store on Victoria Road, be referred to staff for the purpose of commencing action through a public hearing under the Nuisance By-law.

AMENDMENT: Moved in amendment by Ald. Fredericks & Greenwood that staff also be directed to carry on a dialogue with Green Gables representatives, to determine if the situation can be voluntarily resolved without having to resort to action under the Nuisance By-law; if it cannot, the hearing would proceed.

On motion of Ald. Greenough and Valardo, Council set November 16th as the date for public hearing under the Nuisance By-law, if the matter cannot be voluntarily settled.

MOTION: Moved by Ald. Greenough & Valardo that November 16th be set by Council as the date for public hearing under the Nuisance By-law, if the matter cannot be settled voluntarily.

BY-LAW C-466:  
AIR GUNS AND  
RIFLES

By-law C-466, to restrict the use of air guns and air rifles or any instrument or device for projecting objects, has been prepared as directed by Council, and was presented for approval.

It was moved by Ald. Valardo and Hart and carried that leave be given to introduce the said By-law C-466 and that it now be read a first time.

It was moved by Ald. Williams and Ritchie that By-law C-466 be read a second time.

There was some discussion during second reading, but no amendments to the by-law were introduced. The motion for second reading carried.

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

It was moved by Ald. Greenwood and Williams and carried that By-law C-466 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-466.

ARD TENDER:  
HWAY SALT

Tenders have been advertised and opened for the supply of highway salt for the 1982/83 winter season. A bid has been received from the Canadian Salt Co. Ltd., quoting \$26.17 per imperial ton for delivery until Oct.31/82 and \$26.63 per imperial ton from Nov. 1/82 until Apr. 30/83. Acceptance of the bid from the Canadian Salt Co. has been recommended by the Purchasing Agent, in concurrence with Mr. Bayer, as Acting City Administrator, and Council approved the awarding of this tender, as recommended, on motion of Ald. Williams and Crawford.

MOTION: Moved by Ald. Williams & Crawford that the bid received from the Canadian Salt Co. Ltd. for highway salt for the 1982/83 winter season, be awarded as recommended and detailed above.

ALE: THREE  
ORTABLE CLASSROOMS

Tenders have been received for the sale of three portable classrooms located at Dartmouth Senior High School:

- |                                 |                      |
|---------------------------------|----------------------|
| 1) Calfax Offshore Service Ltd. | \$2,250. (one unit)  |
| 2) Dr. David Andrews, Cole Hbr. | 950. " "             |
| 3) Delmar Upham, Truro          | 2,510. (all three)   |
|                                 | or 836.66 (one unit) |

The recommendation to Council is that one portable classroom be awarded to Calfax Offshore Service Ltd., a second, to Dr. Andrews, and the third, to Delmar Upham. Further, that the choice of classrooms be made by the successful bidders on the basis of price, which means that Calfax would have first choice, Dr. Andrews, second choice and Delmar Upham, the final choice. Council approved the sale of the three classrooms on the basis of the above recommendation from the Purchasing Agent, in conjunction with the Acting City Administrator, on motion of Ald. Greenough and Ritchie.

MOTION: Moved by Ald. Greenough & Ritchie that Council approve the sale of three portable classrooms, on the basis of the recommendation detailed above - one to Calfax Offshore Service Ltd., one to Dr. David Andrews, and the third to Delmar Upham.

FT-HAND TURN:  
LDERNEY DRIVE

A further report from Mr. Moir was before Council on the request from Dartmouth Fuels for a left-hand turn on Alderney Drive in the area of their offices. This item was referred to staff for additional information as to cost, safety factors, and the possibility of W.D.C. particip-

ation. Mr. Moir's report was accompanied by alternative plans for such a turning point, the cost estimate for the second alternative being \$5,000. As in past reports on this subject, the T.M.G. has not recommended a left-turning movement of traffic at the location requested.

Ald. Fredericks questioned the implications of the condominium development that will be proceeding on the former Police Club property on Alderney Drive. He moved referral to staff for consideration of the new development and its affect on the request before Council. Mr. Meredith, the owner of Dartmouth Fuels, addressed Council, seeking a decision at this time on his request, and explaining again the problems involved for his operation in being unable to have a left turn into his property from Alderney Drive.

Members of Council tended to favour an accommodation of Mr. Meredith's request, in view of his many years of business in the City and the fact that a major expenditure is not required to permit the creating of a left-turn traffic pattern. Mr. Moir advised that W.D.C. is not willing to bear the cost of this project. Ald. Brennan felt that the proposed modification to alternative plan #2 would be the most satisfactory one to proceed with, and after the motion to refer was defeated, he moved that Council authorize the expenditure of \$5,000. to carry out modified alternative plan #2 for a left turn on Alderney Drive at the location so designated. The motion was seconded by Ald. Withers and it carried.

MOTION: Moved by Ald. Brennan & Withers that Council authorize an expenditure of \$5,000. to carry out modified alternative plan #2 for a left turn on Alderney Drive at the location designated.

WARD TENDER:  
ENOVATIONS  
POLICE STATION

A report from Mr. Moir was considered on tenders received for the Police Station renovations. He has recommended that the tender submitted by Sun Construction Co. Ltd., in the amount of \$79,000., be accepted; (b) that the projects included be funded from the 1982 Capital Budget and (c) that the 1981 allocation (for study & plans) be amended to provide the required \$24,000. to complete both

the renovations to existing facilities and facilities to accommodate the polygraph unit, as per the report to Council, dated October 4/82. The recommendations for the awarding of the tender and allocation of 1981 and 1982 funds, were adopted on motion of Ald. Fredericks and Greenough.

MOTION: Moved by Ald. Fredericks & Greenough that recommendations from Mr. Moir's report of Oct.4/82, on the awarding of the tender for renovations to the Police Station, be adopted.

V BINGO  
BOOTH

Mr. Moir has reported to Council on a request from the East Dartmouth Lions Club for permission to locate sales booths for their TV Bingo cards in each of the ferry terminal buildings. The recommendation is in favour of granting the request, the locations for the sales booths to be selected by the City Engineer. Council adopted the recommendation, on motion of Ald. Cunningham and Greenwood.

MOTION: Moved by Ald. Cunningham & Greenwood that Council adopt the recommendation from Mr. Moir with respect to the location of sales booths for TV bingo cards, as per the request from the East Dartmouth Lions Club; booths would set up in each of the ferry terminals at locations to be selected by the City Engineer.

CONTRACT #82-09:  
WHITE ST. SEWERS

The following tenders have been received for Contract #82-09, construction of sewer services on White Street:

1) Stewiacke Const. Ltd.	\$45,793.00
2) Harbour Const. Ltd.	48,400.00
3) Woodlawn Const. Ltd.	53,399.50
4) B. & L. Const. Ltd.	68,736.25
5) W. Eric Whebby Ltd.	68,444.00
6) Seaport Const. Ltd.	74,610.00
7) Armdale Const. Ltd.	74,786.50
8) L. J. Casavechia Const. Ltd.	79,895.00

Acceptance of the low bid, received from Stewiacke Construction Ltd., has been recommended in Mr. Purdy's report, with Mr. Moir's concurrence, and Council awarded the tender, as recommended, on motion of Ald. Greenough and Hawley.

MOTION: Moved by Ald. Greenough and Hawley that the tender for Contract #82-09 (sewer services on White St.) be awarded to the low bidder, Stewiacke Construction Ltd.

APPLICATION:  
PURCELL SUBDIVISION

Mr. L'Esperance has submitted a report, with related material, on an application for approval of Lots P-1 to P-15 incl., the Purcell Subdivision on Portland Street.

The same subdivision plan received tentative approval in 1976, but that approval has since lapsed. The Lakes Advisory Board has recommended against approval of the subdivision application for the reasons set out in their report to the Planning Dept. The Engineering Dept. has offered comments on the points raised in the Board's submission, as compared with opinions presented by the consulting engineers for the project, D.S. Jenkins & Associates, and while not opposing the development, has suggested that if it does proceed, strict controls be put in place in order to minimize discoloration to adjacent water courses. Ald. Valardo and Fredericks moved approval of the subdivision application for Lots P-1 to P-15 incl. in the Purcell Subdivision.

Ald. Hawley took exception to statements contained in the letter of May 8/82 from D. S. Jenkins & Associates, about the Lakes Advisory Board, and other members also considered such remarks to be unwarranted and unprofessional. Ald. Cunningham supported the motion and felt that the proposed development would improve the appearance of the area in question, which is now unsightly and in need of attention. Ald. Fredericks felt that some provision should be included in the agreement with the developer to insure his responsibility for any future flooding problems that may result with the fifteen new housing units, for the protection of these homeowners. He discussed this point further with the Solicitor. The vote was then taken on the motion and it carried.

MOTION: Moved by Ald. Valardo & Fredericks that the subdivision application for Lots P-1 to P-15 incl., Purcell Subdivision, be approved.

NO LEFT TURNS:  
NOR PARK

On motion of Ald. Greenough and Williams, Council received and filed a report from the Chairman of the T.M.G. on traffic control signs that will prevent left turns during 4:00 to 6:00 p.m. (Monday to Friday) from Manor Drive onto Portland Street. Following a decision reached at a recent Residents Association meeting in Manor Park, the No Left Turn signs will be installed immediately.

MOTION: Moved by Ald. Greenough & Williams that Council receive and file a report from the Chairman of the T.M.G. on traffic control signs (No Left Turn) to prevent left turns from Manor Drive onto Portland Street during the hours of 4:00 to 6:00 p.m., Monday to Friday.

PUBLIC HEARING:  
HERITAGE PROPERTY

Council was requested to add Grace United Church at 52 Ochterloney Street to the properties being recommended for registration, public hearing date having been set for November 16/82. On motion of Ald. Greenough and Crawford, Council set November 16th as the date for hearing of the registration, along with the other properties recommended at the September 21st Council meeting.

MOTION: Moved by Ald. Greenough & Crawford that November 16th be set as the date for public hearing of the registration of Grace United Church at 52 Ochterloney Street, along with other properties recommended for that same date.

FUNDING:  
LIBRARY/CULTURAL  
CENTER

Members of Council have received copies of the brochure developed for the proposed Dartmouth Library/Cultural Centre. The Steering Committee has recommended that Council authorize staff to make application to the various Provincial and Federal Departments for funds to construct the Center, and Resolution #82-41A has been prepared in this connection. The Resolution was adopted on motion of Ald. Fredericks and Greenough:

Resolution #82-41A

WHEREAS Dartmouth City Council endorses the concept of a Library/Cultural Centre in the City of Dartmouth, provided that financial assistance can be made available from other sources than the City of Dartmouth;

BE IT THEREFORE RESOLVED that Dartmouth City Council authorizes City staff to make application to the various Provincial & Federal Government Departments for funds to assist in the construction of the Library/Cultural Centre.

MOTION: Moved by Ald. Fredericks & Greenough that Resolution #82-41A be adopted; text of the resolution is above.

Ald. Fredericks was commended for the work he has done in bringing this project to its present point, and Ald. Greenough advised Council that it is the wish of the Steering Committee to have Ald. Fredericks continue to serve on the Committee as a citizen-at-large representative. On his motion, seconded by Ald. Hawley, it was agreed that Ald. Fredericks should be invited to continue his particip-

ation on the Steering Committee as a citizen-at-large representative. The motion carried.

MOTION: Moved by Ald. Greenough & Hawley that Ald. Fredericks be invited to continue his participation on the Library/Cultural Steering Committee as a citizen-ar-large representative.

CONTRACT #82-17:  
WINDMILL RD. PARK

Council has deferred a decision on the awarding of the tender for Contract #82-17, Windmill Road Park, pending the resolution of a question from Ald. Greenwood concerning the petition submitted some time ago in opposition to the park. Mr. Bayer has provided all the background informational material relative to the petition, and Council proceeded with the awarding of the tender at this time.

Tenders for the project have been received as follows:

- |                                       |             |
|---------------------------------------|-------------|
| 1) Elmsdale Landscaping Ltd.          | \$15,680.80 |
| 2) Rob Excavating Ltd.                | 15,955.40   |
| 3) Edmonds Bros. Landscaping Services | 17,800.00   |
| 4) Terra Nova Landscaping Ltd.        | 18,829.50   |
| 5) Seaport Contractors Ltd.           | 46,597.00   |

Acceptance of the low bid from Elmsdale Landscaping Ltd. has been recommended by Mr. Purdy, in conjunction with the City Administrator, and Council awarded the tender as recommended, on motion of Ald. Greenwood and Crawford.

MOTION: Moved by Ald. Greenwood & Crawford that the tender for Contract #82-17, Windmill Road Park, be awarded to the low bidder, Elmsdale Landscaping Ltd., as recommended by Mr. Moir and Mr. Purdy.

SWALK REQUEST:  
ELLIOT STREET

Mr. Earl Cooke, President of the Senior Citizens' Club, presented a request for a crosswalk at Elliot Street for the protection of senior citizens getting to and from the Club and having to cross the street in this area. Council approved the crosswalk, as requested, on motion of Ald. Valardo and Crawford.

MOTION: Moved by Ald. Valardo & Crawford that a crosswalk be approved on Elliot Street for the protection of senior citizens going to and from their Club at this location.

QUIRIES:  
ALD. FREDERICKS

Ald. Fredericks noted that this is the final Council meeting for members who are not reoffering in the new Aldermanic term, and he expressed his appreciation for having an opportunity to serve on Council and thanks to his fellow Council members and members of staff for their assistance and support. Other members of Council made



similar statements about their participation in this current administration and satisfactions they have found in serving as Aldermen during their terms of office.

ALD. WILLIAMS

Ald. Williams asked to have staff look at the Globe & Mail box that has been attached to a post in the area of the Lutheran Church. He also inquired further about the status of the crosswalk signs requested for locations in Ward 2.

ALD. WITHERS

Ald. Withers noted that vehicles have again managed to gain access to the Albro Lake lands, and he asked Mr. Fougere to give this matter his attention.

Ald. Withers also asked about screens for the lights in the Northbrook NIP park; this inquiry was discussed with Mr. Atkinson.

ALD. HAWLEY

Ald. Hawley advised that a section of fence is broken at the Rotary park in the Caledonia Road area. Mr. Atkinson said that replacement sections are being ordered.

ALD. FREDERICKS

Ald. Fredericks inquired about the drainage project on MacKenzie Street, and was advised by Mr. Fougere that nothing has been settled on this problem as yet.

ALD. GREENWOOD

Ald. Greenwood asked that attention be given to a street light that remains on all the time in the Jackson/Pinehill Road area. He also requested additional street lights in the Leaman Drive area.

ALD. CRAWFORD

Ald. Crawford referred to the median strip in front of Queen Square and suggested that some landscaping is needed to improve it. Discussed with Mr. Moir.

Ald. Crawford asked if any interventions can be made before the Rental Review Board on behalf of residents facing large rental increases. The Solicitor said she did not think that any parties other than the landlords and tenants directly involved, are able to be heard, but she would research the inquiry further and give an opinion.

Ald. Crawford's third inquiry concerned the disturbance caused to residents by the sounding of CNR train whistles in the downtown area. He discussed this

problem with Mr. Moir and asked that attention also be given to the other problem of excessive shunting during night-time hours.

ALD. VALARDO

Inquiries made by Ald. Valardo were as follows:

- 1) asked to have a pole removed in the area of Garden Court, where underground services were installed, but the pole was not taken down. There is also a broken sidewalk in this same area and the bank is in poor condition and needs to be sodded.
- 2) lighting is required in the area of the path used by residents between Garden Court and the new apartment buildings; also, there is a telephone pole at this location with a broken guide wire.
- 3) asked that the Planning Dept. find out about the new parking lot being developed across from the Siriquois apartment building.
- 4) asked about the fact that Hallowe'en falls on Sunday this year and possible problems this will create for residents. Mr. Moir noted that it is not possible for the City to do anything about this situation.

ALD. CUNNINGHAM

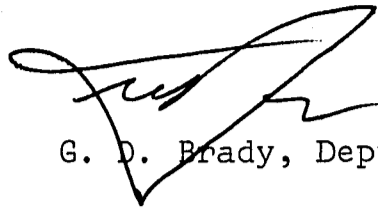
Ald. Cunningham asked if the regulations put into effect for the City marina are being enforced. Mr. Moir said they are being enforced to the best of our ability to do so.

NOTICES OF MOTION:  
ALD. HAWLEY

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

- 1) BE IT RESOLVED that the City of Dartmouth approach the Provincial Dept. of the Environment, requesting that our Planning Dept. and the Lakes Advisory Board be informed of any planned events taking place which may have eventual effect on the City of Dartmouth. In addition, that our Planning Dept. and the Lakes Advisory Board be consulted in such a manner that opportunity exists for constructive suggestions pertaining to any such plans before those plans are effected.
- 2) BE IT RESOLVED that the City of Dartmouth set aside four parking spaces, in a convenient location, in or near the Aldermanic parking area. These areas to be designated as 'free parking spaces' during regular business hours, for a fifteen-minute period, and designated for the use of citizens who have need to do business at City Hall.
- 3) BE IT RESOLVED that the City of Dartmouth request the Nova Scotia Housing Commission submit plans for any future low-cost housing to be located in Dartmouth, to the Planning Dept. In addition, the Planning Dept. be requested to offer expertise in adjudging the appropriateness of such low-cost housing for any particular location.

Meeting adjourned.



G. D. Brady, Deputy City Clerk.

City Council, Oct. 5/82

ITEMS:

- 1) Petition: Green Gables, Victoria Rd., page 1.
- 2) By-law C-466: Air guns & rifles, page 2.
- 3) Award tender: Highway salt, page 3.
- 4) Sale: Three portable classrooms, page 3.
- 5) Left-hand turn: Alderney Drive, page 3 & 4.
- 6) Award tender: Police station renovations, page 4.
- 7) TV Bingo booths, page 5.
- 8) Contract #82-09: White St. Sewers, page 5.
- 9) Application: Purcell Subdivision, page 5.
- 10) No left turns: Manor Park, page 6.
- 11) Date for hearing: Grace United, page 7.
- 12) Funding: Library/Cultural Centre, page 7.
- 13) Contract #82-17: Windmill Rd. Park, Page 8.
- 14) Crosswalk request: Elliot St., page 8.
- 15) Inquiries, page 8 to 10.
- 16) Notices of motion: Ald. Hawley, page 10.

Dartmouth, N. S.

October 27/82.

Special meeting of City Council held this date  
at 7:00 p.m.

WEARING-IN  
CEREMONY

This meeting of Council constituted the official  
swearing-in ceremony for the Mayor and new members of  
Council, with the exception of Ward 5, where there is  
to be a recount.

The City Clerk-Treasurer, Mr. Smith, declared  
the following persons to be duly elected for a period  
of three years, pursuant to the Municipal Elections Act,  
and they were then sworn into office by Justice R. M.  
Rogers:

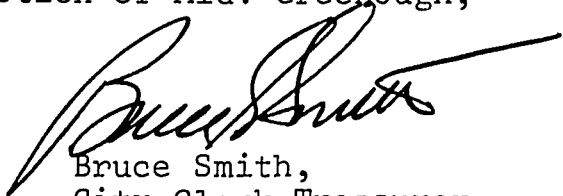
- 1) Mayor Daniel P. Brownlow
- 2) Ald. Eric Romkey, Ward 1.
- 3) Ald. Condo Sarto, Ward 1.
- 4) Ald. Norman Crawford, Ward 3.
- 5) Ald. Phillip Levandier, Ward 3.
- 6) Ald. Calvin DeMont, Ward 4.
- 7) Ald. William Withers, Ward 4.
- 8) Ald. Jack Greenough, Ward 6 (Acclamation)
- 9) Ald. Ralph Hawley, Ward 6 (Acclamation)
- 10) Ald. John Bregante, Ward 7.
- 11) Ald. Bruce Hetherington, Ward 7.
- 12) Ald. Allan Peters, Ward 2.
- 13) Ald. Jean Beeler, Ward 2

Ald. Beeler was sworn into office by Judge  
L. Moir, her father.

Following completion of the swearing-in ceremony,  
Justice Rogers addressed Council and congratulated all  
of the new members on their election to office.

Mayor Brownlow thanked Justice Rogers for his  
participation in the ceremony and also offered his  
congratulations to the new Council members. He welcomed  
them to office and invited Council and members of the  
public to a reception held immediately following.

The meeting adjourned on motion of Ald. Greenough,  
seconded by Ald. Crawford.

  
Bruce Smith,  
City Clerk-Treasurer.