

Dartmouth, N. S.

July 19/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Peters	Beeler
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	Hetherington
City Solicitor, S. Hood	
Acting City Administrator, Bruce Smith.	

PUBLIC HEARING:
ADJOURNED

This meeting of Council constituted a public hearing for the application to contract zone, submitted by the Nova Scotia Housing Commission, for senior citizen units proposed for the site at the corner of Ochterloney Street and King Street. At this time, the members of Council received copies of a letter from the Acting Executive Director for the Housing Commission, requesting a two-week deferral of the hearing to provide time for an investigation of the request from the Dartmouth Senior Citizens Service Advisory Committee that space be provided for their use in the bottom floor of the complex.

On motion of Ald. Crawford and Hetherington, Council approved a two-week adjournment of the public hearing, to August 2nd, as requested by the Housing Commission.

MOTION: Moved by Ald. Crawford & Hetherington that the public hearing for contract zoning for the property at the corner of Ochterloney Street and King Street, be adjourned for two weeks, to August 2nd, as requested by the N. S. Housing Commission.

Deputy Mayor Crawford welcomed Mayor Brownlow back to Council following his recent operation.

Council agreed to add one item to the agenda, pertaining to a commemorative plaque being proposed in honour of the United Empire Loyalists Bicentennial year.

MINUTES

Minutes of the June 14th, 21st and 28th meetings were approved as circulated, on motion of Ald. Bregante and Greenough.

GREEN GABLES
STORE:
VICTORIA RD.

A letter has been received from several residents living in the area of the Green Gables store on Victoria Road, requesting a hearing of the noise problem associated

with this store operation. The matter was dealt with by Council at the June 28th meeting, when the original letter from Mr. Naugler in this connection, was received and filed.

Ald. Hawley and Greenough moved that this subsequent letter, dated June 30/83, be received and filed. Ald. Stubbs did not agree with the motion, pointing out that the residents are very upset that the public hearing which was to have been held, did not take place as scheduled. She referred to the numerous problems caused in the community by stores such as the Green Gables chain, that remain open all night, resulting in many calls to the Police Dept. She asked what action can be taken by the City to have stores closed down during night-time hours. The Solicitor said she is at a loss to know what the solution would be, since the City's early closing by-law was struck down in the courts and the noise about which complaints have been registered, is not emanating from the Green Gables property itself, but from cars turning in driveways and parking on adjacent streets. When the vote was taken on the motion, it carried with Ald. Stubbs voting against.

MOTION: Moved by Ald. Hawley & Greenough that the letter from area residents re the Green Gables store on Victoria Road, dated June 30/83, be received and filed.

DOWNTOWN
DART. DAYS

Mr. Smith has reported to Council on several requests from the Downtown Dartmouth Corp. Ltd., relating to the Downtown Dartmouth Days program planned for the period August 8th to 13th. Costs associated with City services required amount to \$2,200. in total; this would constitute an over-expenditure on the part of the City if Council were to underwrite this amount.

Mr. Greg Morrissey addressed Council on behalf of the Downtown Corp., explaining the amount of work and preparation that has gone into this year's program for the Downtown Days, and requesting favourable consideration of the requests that involve (a) the location of the Indian Village in the Ferry Terminal Park; (b) the temporary closure of two streets; and (c) additional policing that will be required. Ald. Levandier and Romkey moved approval of the

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requests from the Downtown Corp., as submitted by them.

Mr. Morrissey indicated to Council that the Corp. is willing to assume responsibility for the costs involved, and he stated that the Park area used for the Indian Village will be completely reinstated once the program is over. Members of Council were supportive of the motion, provided the City does not have to bear the cost of any over-expenditure for services, and on the understanding that the Park is to be reinstated as outlined by Mr. Morrissey. Ald. Stubbs said that Council should be giving every encouragement to the downtown business people who are working to bring back the core area of the City and give it the importance again that it once had. The vote was taken on the motion and it carried.

MOTION: Moved by Ald. Levandier & Romkey that the requests of the Downtown Corp., associated with the Downtown Dartmouth Days program, as outlined on page 2 of these minutes, be approved as submitted by the Corporation.

LOYALIST PLAQUE

Council has been asked to give permission for the proposed mounting of a United Empire Loyalist Bicentennial plaque, and to approve a location for it. The location suggested is in the compass rose plaza by City Hall, opposite another plaque that is already located there. Ald. Crawford and Hawley moved that approval be given for the mounting of this plaque.

Mr. Trider, representing the Dartmouth Museum Society, clarified the involvement of the Society and the Museum Director, in conjunction with the Empire Loyalist Society, on this project. Ald. Levandier and Hetherington then moved in amendment that the plaque be placed directly opposite the existing plaque in the compass rose plaza, as has been suggested. The amendment carried and the amended motion carried. Ald. Stubbs requested that a representative of the United Empire Loyalist Society, be invited to attend the plaque unveiling.

MOTION: Moved by Ald. Crawford and Hawley that approval be given for the mounting of the United Empire Loyalist Bicentennial plaque that is being proposed for Dartmouth.

AMENDMENT: Moved in amendment by Ald. Levandier and Hetherington that the plaque be placed directly opposite the existing plaque in the compass rose plaza, as suggested.

AWARD TENDER:
SALE OF USED
MOTORCYCLE

The following tenders have been received for the sale of one used 1977 Harley-Davidson motorcycle, Police Unit #47:

- | | | |
|----------------------|----|----------|
| 1) Alex Debay | \$ | 10.00 |
| 2) Daniel N. Kennedy | | 3,000.00 |
| 3) Richard Godwin | | 3,700.00 |
| 4) Sean Wallace | | 4,375.00 |

Acceptance of the high bid, received from Sean Wallace of Custom Cycle Supply, Weymouth, has been recommended to Council, and the tender was awarded as per the recommendation, on motion of Ald. Hetherington and Withers.

MOTION: Award tender for sale of motorcycle.

BORROWING
RESOLUTION #83-34

Council was asked to approve Borrowing Resolution #83-34, prepared in accordance with Section 265 (1) of the City Charter, as amended. The Resolution was approved, on motion of Ald. Greenough and Crawford.

MOTION: Moved by Ald. Greenough and Crawford that Council approve Borrowing Resolution #83-34, as presented by Mr. Smith.

BY-LAW C-485:
LAKE SAFETY

Proposed By-law C-485 was before Council for consideration, having been prepared and recommended by the City Solicitor. It is a revised by-law dealing with safety on and the use of lakes in the City, replacing By-law C-150, passed in 1969. An accompanying report from the Solicitor has outlined the changes that are encompassed in the new by-law.

It was moved by Ald. Sarto and Withers and carried that leave be given to introduce the said By-law C-485 and that it now be read a first time.

It was moved by Ald. Greenough and Greenwood that By-law C-485 be read a second time.

Ald. Levandier questioned the jurisdiction that the City has over waterways within its boundaries and whether the new by-law may infringe unduly on the enjoyment of the general public with respect to the use of City lakes. Other members had similar concerns about the need for

public input from interested segments of the population, such as the boat clubs, wind-surfing organizations, residents living on the lakes, etc. It was felt that as wide a diversity of opinion as possible should be encouraged on this subject before the by-law is enacted, and that submissions should be received by the Solicitor from any interested parties prior to the holding of a public meeting when the matter would be fully discussed. In this way, the Solicitor would have an opportunity to comment on and give advice on points brought out in the submissions received. A motion to this effect, moved by Ald. Levandier and Crawford, was adopted, deferring the by-law in second reading for the receiving of submissions and a subsequent public meeting when the subject will be discussed in open forum.

MOTION: Moved by Ald. Levandier & Crawford that By-law C-485 be deferred in second reading, to permit the receipt of submissions from any interested groups or individuals in the community, and a subsequent public meeting when the entire subject of the by-law will be discussed in open forum.

EXPROPRIATION:
PARCEL SMC-1
RESOLUTION #83-32

The City Solicitor has recommended approval of Resolution #83-32, authorizing the expropriation of Parcel SMC-1 from Owner Unknown. The land in question is located between City-owned lands fronting on Alderney Drive and the lands expropriated from the Industrial Union of Marine and Shipbuilding Workers, and is to be conveyed, along with other authorized land holdings, to the W.D.C. Council approved the resolution, as recommended, on motion of Ald. Withers and Greenough.

MOTION: Moved by Ald. Withers and Greenough that Council approve Resolution #83-32, authorizing the expropriation of a land holding described as Parcel SMC-1 from Owner Unknown.

BILL 103:
AMENDMENTS
TO CHARTER

Members of Council have been provided with copies of Bill 103, covering amendments to the City Charter requested during the recent Legislature sitting; an accompanying report from the City Solicitor has also been included. This information was received and filed by Council, on motion of Ald. Greenough and Bregante.

MOTION: Moved by Ald. Greenough & Bregante that Council receive and file information provided on amendments to the City Charter approved at the recent sitting of the Legislature.

STUDY: EXTENSION
OF M.D.P. BOUNDARY

On motion of Ald. Sarto and Romkey, Council also received and filed a further report from the Planning Dept. on the study that is proceeding into extending the M.D.P. boundary in North Dartmouth to Highway 118. This latest report from Kim Stewart on Phase 2 of the study, is dated July 13/83.

MOTION: Moved by Ald. Sarto and Romkey that Council receive and file a report from the Planning Dept., dated July 13/83, on the study that is proceeding to extending the Municipal Development boundary in north Dartmouth to Highway 118.

IND. PARKS:
HEIGHT
RESTRICTION

As requested, the Planning Dept. has given consideration to the feasibility of an amendment to the Municipal Development Plan, that would remove the height restriction on buildings in the City's industrial parks. The recommendation is that Council continue to support Policy C-6, limiting the height restriction to three storeys, and therefore, not support the removal of this restriction on buildings in industrial parks.

Ald. Hetherington and Sarto moved the adoption of the recommendation, but other members felt the Planning Dept. report should go to the Industrial Commission for further consideration, since the request originated with the Commission in the first place when they were asked to approve a four-storey office building in the Burnside Park. Mr. Rath explained the reasons why the Commission has taken their position on the removal of the height restriction, after which it was moved by Ald. Crawford and Hetherington that the report be referred to the Industrial Commission for consideration and comment. Ald. Hawley said it is important that every opportunity be given for the City to grow and expand, whether it is in the downtown area or in some other section. He was not in favour of restricting development with an undue number of regulations. The motion to refer carried.

MOTION: Moved by Ald. Crawford and Hetherington that the Planning Dept. report on height restrictions for buildings in the industrial parks, be referred to the Industrial Commission for consideration and comment.

DEVELOPMENT:
DELL HOLDINGS LTD.

A development proposal has been received from Dell Holdings Ltd. for their lands bordered by Park Ave., Edward Street and King Street, presently zoned R2/TH. It has been recommended to Council that September 20th be set as the date for public hearing to consider:

- a) Municipal Planning Strategy amendments involved.
- b) a development agreement to permit the application.

On motion of Ald. Hetherington and Withers, Council set September 20th for public hearing, as recommended.

A model of the proposed development was available at this Council meeting for viewing by the members.

MOTION: Moved by Ald. Hetherington & Withers that Sept. 20th be set as the date for public hearing of a development proposal submitted by Dell Holdings Ltd. for their lands in the downtown area of the City.

AWARD TENDER:
CONTRACT #83-03

Tenders have been received as follows for Contract #83-03, which includes the construction of storm drains, curbs and pavement on Andover Street, Lethbridge Ave., First Street, Second Street and Valleyford Ave.:

Municipal Contracting Ltd.	\$471,605.00
Ocean Contracting Ltd.	475,430.50
Steed & Evans Ltd.	565,889.00

Acceptance of the low bid, received from Municipal Contracting Ltd., has been recommended, and it was moved by Ald. Sarto and Hetherington that the tender be awarded to the low bidder. Ald. Hawley noted that the completion date given by Ocean Contracting is for 8 weeks, as compared with 16 for Municipal. He therefore favoured the Ocean tender for this reason and felt that for the slight difference in cost involved, it would be preferable to accept the Ocean bid. The vote was taken on the motion and it was defeated, after which Ald. Hawley and Crawford moved acceptance of the tender submitted by Ocean Contracting Ltd., in the amount of \$475,430.50, with an earlier completion date of 8 weeks. This motion carried.

MOTION: Moved by Ald. Hawley and Crawford that the tender for Contract #83-03 be awarded to the second lowest bidder, Ocean Contracting Ltd., in the amount of \$475,430.50, with an earlier completion date of 8 weeks.

MICMAC DRIVE
PROJECT

Ald. Greenough noted that the tenders for this contract came in considerably under budget, leaving capital funds in the amount of \$228,000. unexpended. He proposed that these funds be used to complete the paving of MicMac Drive, which still has one third of the street unpaved from when work was carried out on the street five years ago. He therefore moved that the unexpended funds in the amount of \$228,000. be allocated for the completion of MicMac Drive and that the work be included in this tender. The motion was seconded by Ald. Sarto and debated.

Ald. Crawford, Stubbs and Beeler were not willing to support the motion, since they felt that other street priorities in the City should be first taken into consideration before any decision is made on how the additional funds are to be spent. Ald. Crawford and Stubbs were particularly concerned about the main arterial streets that require work and the fact that the Provincial government is not willing to share in any of the costs associated with projects such as Pleasant Street and Braemar Drive. The motion was supported by Ald. Sarto, Hawley and Greenwood.

Ald. Levandier said he would go along with the work on MicMac Drive only if the project were to go to public tender, an opinion also expressed by Ald. Hetherington. Ald. Hetherington and Levandier moved in amendment that tenders be called separately for the MicMac Drive project. When the vote was taken, the amendment carried by a vote of 9 to 5 and the amended motion carried by the same vote.

RECONSIDERATION

Ald. Stubbs and Peters then gave notice of reconsideration.

MOTION: Moved by Ald. Greenough & Sarto that the unexpended funds in the amount of \$228,000. be allocated for the completion of paving on MicMac Drive, and that the project be included in this tender for Contract #83-03.

AMENDMENT: Moved in amendment by Ald. Hetherington and Levandier that tenders be called separately for the MicMac Drive project.

RECONSIDERATION : Notice of reconsideration given by Ald. Stubbs and Peters.

Ald. Sarto asked the City Engineer about possible revisions to the five-year street construction program that is in progress, expressing concern about the lack of projects scheduled for Ward 1 in 1984 and 1985. The Mayor suggested that Ald. Sarto could give a notice of motion on this item if he wishes to have it pursued further.

SEWER FRONTAGE
BY-LAW UPDATE

The Finance & Program Review Committee has considered the Sewer Frontage By-law cost update item, referred back to them by Council, and has recommended Council's approval of the charges proposed in a motion introduced by Ald. Peters at the Council meeting of May 18th. Ald. Stubbs and Peters moved the adoption of the recommendation from the Committee.

Ald. Greenough, Hawley, and Hetherington said they could not support the motion, on the basis that it is discriminatory in the case of long-time residents who are still waiting for sewer services and will have to pay greatly increased frontage charges, while over the years they have been helping to subsidize other sewer installations throughout the City through their taxes. Ald. Greenough favoured some type of cost-sharing provision for these residents to the effect that where sewers are installed on a given street, the installation costs would be cost-shared on a 50/50 basis by the existing abutters and the City, except where there are new lots created as a result of the sewer installation; in the latter case, these lots would be subject to full cost recovery. He moved referral to the Solicitor for a report on the means by which this provision could be accomplished, as he has outlined it. The motion to refer was seconded by Ald. Romkey and it carried.

MOTION: Moved by Ald. Greenough and Romkey that the proposed exemption for long-time residents (ie. 50/50 cost-sharing with the City), as outlined above, be referred to the Solicitor for a report on the means by which the provision could be accomplished.

ADMIN. POLICY:
LOT APPROVALS

The Finance & Program Review Committee has reviewed the action taken by Council at the June 14th meeting in approving an administrative policy change with respect to pre-amalgamation lot approvals, and has recommended referral of the policy to the Legal Dept. for drafting into a by-law. Ald. Bregante and Stubbs moved the adoption of the recommendation from Committee. Ald. Romkey questioned why this item was before the Committee when it was not referred from the June Council meeting. Ald. Stubbs explained why the Committee considered it important to deal with the item, and she went on to compare what she called the loosely-worded phraseology of the new policy conditions with the previous documentation covering such lot approvals. She maintained that a by-law is required to take care of the present deficiencies in the wording.

The Solicitor pointed out that the Charter sets out specific jurisdictional areas to be covered through the enactment of City by-laws. Other policy decisions are established through motions of Council and do not require by-laws for their implementation. She said she would want to indicate to Council whether a by-law would be applicable in this particular instance or whether the wording of the policy should simply be tightened up to accomplish the controls to which Ald. Stubbs has referred. On this basis, the item was referred to the Solicitor as proposed in the motion. The motion carried with Ald. Romkey and Withers voting against; Ald. Greenough abstaining from the vote.

MOTION: Moved by Ald. Bregante and Stubbs that Council adopt the recommendation of the Finance & Program Review Committee, to refer the matter of the administrative policy change re pre-amalgamation lot approvals, to the Solicitor for consideration and drafting of a by-law if it is in order to do so.

ORGANIZATIONAL
& PERFORMANCE
STUDIES

The Finance & Program Review Committee has again looked at the feasibility of staff organizational and performance studies, and has recommended to Council that proposals be called, based on the objectives of Study #1 and #2 of the staff report on this subject, and based on

the proposals received in the evaluation process to be followed in the study. Ald. Levandier said he could not support the recommendation and he moved that the report from the Committee be received and filed. The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Levandier & Greenough that the report from the Finance & Program Review Committee, dated June 30/83, on the subject of staff organizational and performance studies, be received and filed.

TERMS OF REFERENCE:
TRANSPORTATION STUDY

Terms of reference have been prepared and submitted to Council for the City transportation study approved in the 1983 Capital Budget. Mr. Smith has recommended that Council approve the terms of reference and call for proposals for a consultant. Ald. Hetherington and Withers moved the adoption of the recommendation, but Ald. Levandier felt that there are specific areas of the City that have been overlooked and should be included; he referred to one area in his own ward, the Maple/Thistle Street intersection. Mr. Bayer encouraged members of Council to indicate any other areas to him within the next few days, so they can be included as well. He noted the request from Ald. Levandier with respect to the Maple/Thistle Street location.

Rather than delay the call for proposals, members of Council were willing to contact Mr. Bayer with their specific requests, as suggested, and the motion carried.

MOTION: Moved by Ald. Hetherington and Withers that Council approve the terms of reference proposed for the City Transportation Study and proceed with the calling for proposals for a consultant.

GASTON ROAD
CONNECTOR

As requested by Council, the T.M.G. has reviewed a proposal prepared by the Dept. of Transportation, to provide a connection between Gaston Road and Highway 111, and based on their understanding of the proposal, as it has been outlined by Dept. officials, has recommended that Council approve the Gaston Road one-way slip-on lane. Ald. Hetherington and Bregante moved the adoption of the recommendation.

Ms. Terry Roane of 19 Marilyn Drive, addressed Council on behalf of Marilyn Drive residents who oppose

this connection with Highway 111. She expressed concern in particular for the safety of children who use Gaston Road to walk to Southdale School, and maintained that an item of this importance to area residents should have been discussed with them in detail at a public meeting. She felt that traffic on Gaston Road will increase as a result of a connection being made through to Highway 111, and suggested that the convenience factor is a minor consideration in comparison with the safety of the lives of children living in this area.

Ald. Beeler agreed with the concerns voiced by Ms. Roane and questioned the right of the Province to dictate such a traffic pattern change with no regard for the wishes of City Council. She considered the T.M.G. report to be lacking in sufficient information about the connector, but it was pointed out by Mr. Bayer that the information presented is all that his department has been able to secure from the Dept. of Transportation to date.

(Council agreed to continue meeting beyond the hour of 11:00 p.m., on motion of Ald. Hetherington and Ald. Levandier.)

Ald. Peters also indicated his opposition to the motion on behalf of Ward 2 residents he represents. Members of Council speaking in favour did not feel that the traffic situation on Gaston Road will be greatly affected as it has been stated. They felt that the benefits of the connector lane will outweigh any problems that may result from short-cutting traffic through the area. When the vote was taken on the motion, it carried with Ald. Beeler, Hawley and Peters voting against.

MOTION: Moved by Ald. Hetherington & Bregante that Council adopt the recommendation of the T.M.G. in favour of the connector proposal from the Dept. of Transportation, between Gaston Road and Highway 111.

The Committee appointed to select a name for the Dartmouth Park, has made the following recommendations:

- 1) That the park be called the Dartmouth Scenic Gardens.

N.A. 3: DART.
PARK

- 2) That \$2,000. be allocated in the 1984 budget to erect a cairn and plaque which will pay tribute to Mr. Dillman and others who have helped to bring the gardens to their present state.
- 3) That the green storage shed at the entrance to the gardens be removed.
- 4) That funds be allocated in next year's budget for an upgrading of the walkways, additional benches and the planting of special trees.

Ald. Greenough and Romkey moved the adoption of the recommendations from the Committee. There was some discussion as to the matter of removing the storage shed without providing some other building or facility for storing tools for gardening and the other purposes required. Members felt that the present storage shed should not be removed without first providing some other storage area, and it was moved in amendment by Ald. Greenough and Withers that recommendation #3 be referred to staff--(Recreation) for a report back on the relocation or replacement of the present storage shed, including the costs involved if the building has to be replaced. Mr. Smith pointed out that staff would also have to look at budget projections to cover the other recommendations that involve expenditures. The amendment carried and the amended motion carried.

MOTION: Moved by Ald. Greenough and Romkey that the recommendations of the Park Naming Committee, be adopted as listed above.

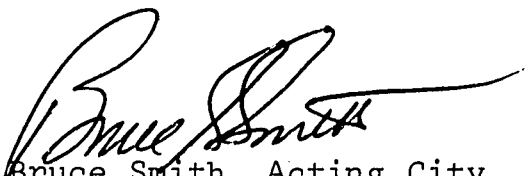
AMENDMENT: Moved in amendment by Ald. Greenough and Withers that recommendation #3 be referred to Recreation Dept. staff for a report back on the relocation or replacement of the present storage shed, including the costs involved if the building has to be replaced.

On motion of Ald. Hawley and Bregante, Council adjourned to meet in camera. After reconvening in open Council, the action taken in camera was ratified, on motion of Ald. Withers and Hawley.

RECONSIDERATION
36 GASTON ROAD

Ald. Crawford and Levandier gave notice of reconsideration on the item involving the sale of land at 36 Gaston Road, and the approval of Resolution #83-36 in this connection.

Meeting adjourned.


Bruce Smith, Acting City
Administrator.

City Council, July 19/83

ITEMS:

- 1) Public hearing, Sr. Citizen complex: adjourned, page 1.
 - 2) Green Gables store: Victoria Road, page 1 & 2.
 - 3) Downtown Dartmouth Days, pages 2 & 3.
 - 4) Loyalist plaque, page 3.
 - 5) Award tender: sale of motorcycle, page 4.
 - 6) Borrowing Resolution #83-34, page 4.
 - 7) By-law C-485: Lake safety & use, page 4.
 - 8) Expropriation: Parcel SMC-1 and Res. #83-32, page 5.
 - 9) Bill 103: Amendments to Charter, page 5.
 - 10) Study: Extension of M.D.P. boundary, page 6.
 - 11) Industrial parks: Height restriction, page 6.
 - 12) Development: Dell Holdings Ltd., page 7.
 - 13) Award tender: Contract #83-03, page 7.
 - 14) MicMac Dirve project, page 8
Reconsideration, page 8.
 - 15) Sewer Frontage By-law update, page 9.
 - 16) Admin. policy: Lot approvals, page 10.
 - 17) Terms of reference: Transportation study, page 11.
 - 18) Gaston Road connector, page 11 & 12.
 - 19) Name: Dartmouth Park, page 12 & 13.
 - 20) Reconsideration: 36 Gaston Road, page 13.
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Dartmouth, N. S.

July 26/83.

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

Present - Mayor Brownlow

Ald. Sarto	Romkey
Beeler	Peters
Crawford	Levandier
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Bregante	
City Solicitor, M. Moreash	
Acting City Administrator, B. Smith.	

Council met to complete the July 19th agenda and to deal with additional items of business. Two items were added at this time, one being a letter from Municipal Contracting Ltd. with regard to Contract #83-03 for street construction, and the second, with a request that Council nominate a representative to serve on the Port Development Commission.

Ald. Withers commented on the fact that the City of Dartmouth float received the Mayor's award in the Halifax Natal Day parade. Mr. Atkinson and members of his department were congratulated for their work in preparing this float. Mr. Atkinson was present and advised that the float has also won second prize today in the South Shore Exhibition parade.

CHANGE IN DATE
FOR PUBLIC HEARING

Ald. Crawford advised Council that efforts are being undertaken to seek the additional funding that will be required to proceed with the senior citizens service centre being proposed for the new complex that is to be built at the corner of Ochterloney and King Streets. To permit more time for this purpose before the public hearing is held at Council, Ald. Crawford moved adjournment of the public hearing from the August 2nd date set to September 20th. The motion was seconded by Ald. Greenough and it carried.

MOTION: Moved by Ald. Crawford & Greenough that an extension be approved for the adjournment of the public hearing on the contract zoning for a senior citizen complex at Ochterloney and King Streets, from the Aug. 2nd date that was set, to September 20th.

MOTIONS

Notice of motion having been previously given, the following motions were introduced for the consideration of Council:

ALD. GREENOUGH

1) Ald. Greenough moved, seconded by Ald. Hawley:

That Council authorize the Engineering Dept. to prepare a feasibility study and a cost estimate for improvements, etc. to the water retention area bounded by Main St., Booth St., Kuhn Road, etc., and that these improvements would be similar to those made to the water retention area near the Woodlawn United Church. Pending this study and cost estimate, phasing for these improvements would be proposed, beginning in 1984.

Ald. Greenough referred to the success of the Guysborough Ave. retention pond and the drainage and aesthetic improvements it has made in what was formerly a major problem area. He felt that a retention pond could be equally beneficial in the boggy area included in his motion. Ald. Crawford spoke in support of the motion and it carried.

MOTION: Moved by Ald. Greenough & Hawley: proposed retention pond for the Kuhn Road area. Text of the motion above.

ALD. WITHERS

2) Ald. Withers moved, seconded by Ald. Crawford:

That whereas, under By-law C-70, the City does not have sufficient authority to enforce payment of penalties, it is hereby moved that the City Solicitor be instructed to draft necessary amendments to such by-laws, these to be available for Council deliberations at its regular September, 1983 meeting.

Ald. Withers explained how the effectiveness of By-law C-70 would be improved if penalties could be imposed over and above the issuing of tickets, which is now permitted under the by-law. He felt this is the only meaningful way to deal with chronic offenders who continually violate City regulations. Council did not oppose the motion and it carried.

MOTION: Moved by Ald. Withers and Crawford: amendments to By-law C-70 to require the payment of penalties. Text of the motion above.

ALD. LEVANDIER

3) Ald. Levandier moved, seconded by Ald. Stubbs:

In the best interest of all concerned, that being "City employees" of all levels and the Dartmouth taxpayers, I move that a committee be established, to consist of a minimum of three people, one of whom would be the Mayor; said committee members are to be appointed by Council.

The purpose of this committee would be to investigate any or all conflicts of interest between the City and City employees. The establishment and sitting of this committee would be as the need arises, with the guidelines for the committee to be laid out by the City Solicitor. With a City of this size, staff - no matter at what level - should not be investigat-

ing staff (in conflicts such as we have just dealt with). Therefore, the Committee would act as the need arises and would better serve respect to both the taxpayer and the City employee.

Speaking in support of his motion, Ald. Levandier referred to a section of the City Charter under which such a committee could be established for the purpose he has outlined. He said he would see the committee as being in place and ready to deal with any specific conflict of interest situations that should arise. Ald. Stubbs supported the motion and felt that such matters as it covers should be dealt with by elected representatives and not by other staff members. Ald. Peters also considered a committee of this type to be necessary with a staff of 1500 employees where there are always ongoing problems which require investigation. He referred to instances where fraud charges had to be investigated when he was Comptroller for the City.

The motion was opposed by other members of Council who spoke on it. They did not wish to have a standing committee with investigative powers, but recognized that the authority to appoint such a committee is contained in the Charter, as the motion has drawn to their attention. Ald. Crawford questioned the judicial implications of having members of Council make decisions on matters of a quasi-legal or legal nature; he felt that members are not equipped to make such judgements without a proper legal background. Ald. Levandier expressed concern that staff are presently running the City and not the elected representatives. He said that at present, the power is in the wrong place and he is attempting to put it back into the hands of the elected people where it should be.

At the conclusion of the debate, the vote was taken and the motion was defeated, with Ald. Stubbs, Peters, and Levandier voting in favour.

Council agreed to defer Ald. Hetherington's motion until the next meeting, in his absence.

DEFERRAL

ALD. STUBBS

4) Ald. Stubbs presented a submission, prepared in

connection with a notice of motion given by her which reads:

At the July meeting of Dartmouth City Council, I shall present documented evidence concerning a development within the City which received approvals by City Planning staff and which included irregularities under the Subdivision Regulations, the Planning Act, and the City Charter.

Having presented the documentation prepared by her, dated July 19/83, with related copies of Lakes Advisory Board minutes from meetings of March 30th and April 27th, 1983, Ald. Stubbs proceeded to move, seconded by Ald. Peters:

RESOLVED that this matter be referred to the Finance & Program Review Committee for a detailed study of the infractions outlined in this report and the financial implications to the taxpayers of Dartmouth.

The issue concerned in the motion involves land subdivision and development, approved housing building permits on lots which do not abut a public road, and other legal irregularities. The lands in question are in the Sunset Drive area of Port Wallis, as described in the report submitted by Ald. Stubbs.

Ald. Hawley felt that the detailed information provided in the report is difficult for Council to follow without an accompanying map showing the properties in question. He also suggested that answers should be provided to the questions raised in the report before Council can make any valid assessment of it. He therefore moved referral to the City Solicitor to research the documentation that has been provided and provide the kind of data and supporting information that Council needs, including maps of the area concerned, in order to be able to discuss the item with some degree of understanding. The motion to refer was seconded by Ald. Crawford and it carried, with Ald. Stubbs, Peters and Levandier voting against.

MOTION: Moved by Ald. Hawley & Crawford that the report presented by Ald. Stubbs in connection with her motion, as stated above, be referred to the City Solicitor for research and report back to Council with the data and supporting information that Council needs, including maps of the area concerned, in order to be able to discuss the item.

5) Ald. Stubbs then presented a second report, submitted in connection with the following notice of motion given by her previously:

At the regular meeting of City Council during the the month of July, I shall move that a moratorium be placed by the Dartmouth Water Utility on any further water service extension beyond the City boundaries until such time as the City has been developed to its capacity as under the original concept of amalgamation in 1961.

After having presented her report, Ald. Stubbs proceeded to move, seconded by Ald. Romkey:

That City Council appoint seven Aldermen to the Planning, Development & Operations Committee, under Section 65 of Procedural By-law 247, with terms of reference as set out in submission to Council dated July 26/83; and further, that the report submitted concerning the Dartmouth Water Utility be referred to this committee.

The presentation made by Ald. Stubbs proposes that serious consideration should be given by Council to any further water extensions by the City to new development in the County areas until the City has developed all of the available lands within its own boundaries. The report goes on to recommend the re-establishment of the former Planning, Development & Operations Committee as the body that would consider this proposal and other planning matters relevant to development in the City.

The Mayor explained why a decision was taken by the previous Council to revert to the Committee-of-the-Whole system and to give up the two-committee system previously followed. Ald. Greenough said he was one of the Council members to support the change to a full Committee system, although he would go along with the idea of Council meeting as a Planning Committee on the last Tuesday of each month, as proposed originally by former Ald. Fredericks. He felt that Council should have more time to review the points made by Ald. Stubbs in her submission, and he moved deferral to the September meeting of Council. Ald. Crawford seconded the motion to defer.

Ald. Levandier and Peters were opposed to deferral. Ald. Peters referred to the significance of the statement made on the second page of the report, attributing a fifteen-million-dollar loss in tax revenue to 'poor

recommendations by senior staff' and agreed that it is this kind of incompetence on the part of the Planning staff that has caused this major revenue loss to the City. Other members of Council did not agree with this assessment and felt that other contributing factors have to be taken into account, such as the land assembly and AHOP programs offered as incentives to people wishing to provide themselves with homes at reduced costs in the Sackville and Cole Harbour areas of the County. Ald. Peters said he has calculations prepared to substantiate the statements made about lost revenue, and Ald. Greenough suggested that these be circulated with the agenda in September so that members of Council have this information available before the item is discussed again. Ald. Peters agreed to make the calculations available for this purpose.

Members of Council such as Ald. Hawley and Sarto were concerned about the implications of cutting off further water extensions to the County, and the lack of cooperation between municipalities if this kind of decision were to be taken. When the vote was taken on the motion to defer, it carried by a vote of 8 to 5.

MOTION: Moved by Ald. Greenough and Crawford that the motion presented by Ald. Stubbs with regard to the Water Utility, be deferred until the September meeting of Council to give members further time to study the report presented in conjunction with the motion.

ALD. SARTO

6) Ald. Sarto moved, seconded by Ald. Crawford:

BE IT RESOLVED that Council request the Engineering Dept. to investigate and to recommend solution to the drainage problem caused by water run off from City-owned property to the backyards of home owners living on the east side of Windward Ave., beginning at Civic #23.

NOTICES OF MOTION

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

AM LEVANDIER
& ALD. HETHERINGTON

1) Joint Notice of Motion given by Ald. Levandier & Ald. Hetherington:

WHEREAS the Dartmouth Police Dept. headquarters has seriously outgrown its present facilities;
AND WHEREAS Prof. Grant recommended a new police station;

THEREFORE BE IT RESOLVED that the process start immediately for the site selection, planning design, and construction of a new new Police Headquarters, to be completed not later than January, 1986.

ALD. HAWLEY

2) Ald. Hawley:

That the City Solicitor and the Planning Dept. prepare revisions to the Municipal Development Plan, that would eliminate the possibility of undesirable commercial businesses being established within residential zones of the City.

ALD. PETERS

3) Ald. Peters:

That City Council amend the required by-laws to give the City the necessary authority to require owners of water lots from keeping their properties in an unsightly state, such as derelict vessels and any other debris.

ALD. BREGANTE

4) Ald. Bregante:

WHEREAS the residents of Belmont and Carlton Streets in South Woodside are so isolated from the rest of the City of Dartmouth

THEREFORE BE IT RESOLVED that the Parks and Recreation Dept. be instructed to install a portable backstop in that area so the residents of the area will have the same chance at recreation as the rest of the City.

ALD. ROMKEY

5) Ald. Romkey:

That a study and cost estimate for improvements be undertaken in the Landrace area, to improve the drainage and to beautify the area, similar to the retention pond at Guysborough Ave. and Woodlawn Road.

ALD. SARTO

6) Ald. Sarto:

WHEREAS the five-year residential street construction program of paving, curb and gutter and sidewalks, for 1982 to 1986 incl., was approved in principle by the Council of the day, in 1981;

AND WHEREAS the composition of the present Council is comprised of nine new elected members;

THEREFORE BE IT RESOLVED that Council request staff:

- (a) to invite members of Council to submit their priorities for the remaining three years of the program.
- (b) that staff revise the program in accordance with the submission to Council.
- (c) the revised program be brought back to Council for approval.

INQUIRIES:

ALD. PETERS

Ald. Peters had circulated, a submission he has prepared in relation to questions raised by him about the status of the City's 1973 Municipal Development Plan and whether in fact, it has been officially approved by the Provincial Dept. of Municipal Affairs. He read the submission at this time and requested that Mr. Smith and

himself, along with any other member of Council, go to the Municipal Affairs files in City Hall, and see what correspondence is in these files that relates to such approvals, and bring back copies of all related correspondence to the submission of the 1973 M.D.P. to the Dept. of Municipal Affairs.

Mr. Smith explained that files this far back would be in the storage areas kept for this purpose and would probably take some time to go through at this time during the Council meeting. Mr. Bayer indicated to Council that all such relevant information and documentation is contained in files in his office and he would be willing to make any of it available at any time. Ald. Peters suggested that an emergency meeting of Council is warranted to deal with this matter immediately because of the seriousness of it. He said he did not want answers to such important questions dealt with in someone's office, but in a public forum.

He questioned Mr. Bayer as to the status of the 1973 Municipal Development Plan and Mr. Bayer said it was approved as an extension of the 1971 draft and of the 1966 Plan. He explained that in this respect, it is not a single document as such but represents an on-going process of planning for the City. Ald. Peters referred to minutes of the Council meeting of June 19/73, when By-law C-240 was given three readings by Council, and he maintained that even though Council approved the by-law, City staff did not follow up on the necessary legalities to have the Plan approved by the Municipal Affairs Dept. Mr. Bayer stated again that he would be happy to substantiate the information provided by him with correspondence and other documentation from his files, but said he could not comment at this time on statements attributed to him from the Hammerling property hearing in 1977, without having the records of that hearing before him. (The statements referred to have appeared in an article recently published in the local newspaper, on July 21/83, and formed part of the submission made by Ald. Peters in connection with his inquiry.)

Ald. LEVANDIER

Ald. Levandier asked if the crane working on the Silverman property on Portland Street could be secured more thoroughly on the site, in response to concerns expressed by people in the area.

He asked that attention be given to the dip in the roadway on the traffic lane turning up Thistle Street, also, to the areas around Sullivan's Pond that are in need of work and repairs to them.

Ald. Levandier asked if a report will be coming from staff on the Mount Hermon Cemetery item, discussed at a previous Council meeting.

Ald. STUBBS

Ald. Stubbs asked if a building permit was obtained for the building on Braemar Drive that is being used for garage purposes. She asked for a report on this property.

Ald. Stubbs asked if the Dept. of Transportation plans to do anything about the boulevard where Prince Albert Road and the Circumferential Highway come together. Mr. Bayer agreed to follow up further on this item.

ALD. HAWLEY

Ald. Hawley's first inquiry concerned complaints about the basketball standards that are located on the Admiral Westphal school grounds. They are unsightly and residents are also concerned about safety factors as well. The Mayor suggested that Mr. Smith forward a letter to the School Administration office in this connection.

Ald. Hawley said he understood the gates to the school grounds at this location were to be locked in the evening; they are presently being left open and cars are able to get in.

ALD. BREGANTE

Ald. Bregante asked about the status of the report on the requested Gaston Road bus route. Ald. Crawford advised that Mr. Mielke is presently on leave, but there will be an update on this item when he gets back from holidays.

Ald. Bregante requested that the T.M.G. look at the possibility of placing No Parking signs on one side of Chadwick and Renfrew Streets near the crest of the hill, presently a dangerous location.

Ald. Bregante asked about a property at 26 Lilac Street, that is in violation of the Minimum Standards By-law. He said there are additional cars in the yard now and a refrigerator, which poses a danger to children.

Ald. Bregante asked if a report could be obtained from the CNR on the cause of the train derailment which occurred on March 18th of this year.

ALD. GREENOUGH

Ald. Greenough referred to the memo sent to members of Council, indicating there is no Provincial cost-sharing available for work on arterial streets in the City. He made particular reference to Braemar Drive as a street in need of work, and asked whether a committee should be formed to make representation to the Province on this matter. The Mayor suggested that the matter be left with him for a further follow-up on it.

ALD. WITHERS

Ald. Withers asked about the controversy over sidewalk billings in the Mitchell/Rosedale area. Mr. Fougere said there is a meeting on July 27th, arranged by Mr. Smith, to discuss this problem further.

Ald. Withers asked Mr. Smith to provide additional information on the awarding of tenders for the roof of Crichton Park School and whether this work can be completed in time for the fall opening of school.

ALD. ROMKEY

Ald. Romkey asked that attention be given to the sidewalks that are being undermined on Mount Edward Road at Wildwood Blvd., by the ditching work and installation of new culverts in this section of street.

ALD. CRAWFORD

Ald. Crawford asked if a voluntary public meeting is planned in connection with the Dell Holdings development proposal. Mr. Bayer advised that a meeting will be held by the developers prior to the public hearing that is scheduled at Council.

ALD. GREENWOOD

Ald. Greenwood asked the T.M.G. to look at a possible Stop sign at the corner of Thornhill and MacDonald Aves in the Burnside Park. He also asked that the T.M.G. consider a children's crossing sign on Pinecrest Drive, near Crystal Drive, plus police surveillance of speeding in that area.

Ald. SARTO

Ald. Sarto asked about recreational land in Phase 5 of the Forest Hills development. Mr. Atkinson is putting a report together on this subject, based on information he has been provided by the Province.

RECONSIDERATION:
PAVING MICMAC DR.

Notice of reconsideration having been given by Ald. Stubbs in connection with action taken by Council in approving an expenditure of available capital funds for the paving of MicMac Drive, she made a presentation in support of her position, recommending that the over-estimated amount in Contract #83-03 be considered for two alternatives, as outlined in a submission circulated by her at this time. She then moved that Council reconsider the action taken at the meeting of July 19th in approving the allocation of capital funds for the MicMac Drive project. The motion to reconsider was seconded by Ald. Peters, but when the vote was taken, it was defeated with Ald. Stubbs, Beeler and Peters voting in favour.

RECONSIDERATION:
36 GASTON ROAD

Based on a notice of reconsideration given at the July 19th meeting in connection with Council's decision to sell land at 36 Gaston Road to the Church of the Holy Spirit, for the price of \$18,200., Ald. Crawford now proceeded to give his reasons for reconsideration, the principal one being that the City needs the two housing units that would be built on this property if it were sold instead to the N. S. Housing Commission. He moved that Council reconsider the decision taken in this connection, the motion seconded by Ald. Greenwood. The motion to reconsider carried by a vote of 7 to 6.

Ald. Greenough suggested that the Housing Commission could find another site for these units, but in the case of the church, this property is immediately adjacent to them and is the only one they can annex to their existing property. Ald. Withers asked about other possible sites the Housing Commission could make use of, but was advised by Mr. Smith that if they do not obtain this property, it will result in two less units for Dartmouth. Ald. Bregante spoke in favour of the request from the church for permission to purchase the land, but other members were

concerned about the possibility of losing two housing units when they are badly needed and therefore, considered it more worthwhile to sell the land to the Housing Commission. When the vote was taken on the original motion, it was defeated.

RESOLUTION #83-35:
SALE OF 36 GASTON
RD. TO HOUSING
COMMISSION

Ald. Crawford and Greenwood then moved that the City-owned property at 36 Gaston Road be sold instead to the N. S. Housing Commission, thereby adopting Resolution #83-35, as attached. The vote was taken and the motion carried.

MOTION: Moved by Ald. Crawford & Greenwood that the City-owned property at 36 Gaston Road be sold to the N. S. Housing Commission for \$18,200. and the adoption of attached Resolution #83-35 in this connection.

NOMINATION:
PORT DEVELOPMENT
COMMISSION

Council has been asked to make a nomination to the Port Development Commission to represent the City of Dartmouth on that body. Names placed in nomination were: Mr. John Kavanaugh, Mr. Guy Williams and Mr. Bill Crook. These nominations were made by Ald. Crawford, Hawley and Stubbs respectively. Following a vote by secret ballot, Mr. Kavanaugh was named as the City's nomination to serve on the Commission.

MONTHLY REPORTS

Monthly reports before Council were adopted as follows:

- 1) Social Services (June): adopted on motion of Ald. Sarto and Bregante.
- 2) Development Officer (June): adopted on motion of Ald. Greenough and Hawley.
- 3) Building Inspection (June): adopted on motion of Ald. Bregante and Sarto.
- 4) Minimum Standards (June): adopted on motion of Ald. Bregante and Greenough.
- 5) Fire Chief (June): adopted on motion of Ald. Bregante and Romkey.

Ald. Levandier requested an inspection of the properties at 76 Fairbanks St. and 47 Fairbanks.

Ald. Bregante had an inquiry about the fires indicated in the report at the N. S. Hospital. He felt the report should give more information on fires which occur in institutions such as hospitals, nursing homes, etc.

6) Tourist Director (Bureau registrations): adopted on motion of Ald. Sarto and Romkey.

MOTIONS: To adopt regular monthly reports, as detailed above and on page 12 of minutes.

BY-LAW C-489:
SCHOOL GROUND
VANDALISM

Proposed By-law C-489, with respect to the protection of school grounds, was before Council, together with a report based on a study into the reduction of school vandalism through the development of a special neighbourhood watch program; this study was authored by Dr. Van Houten and Dr. Nau, in consultation with Deputy Chief Keith Cole of the City Police Dept.

It was moved by Ald. Greenwood and Withers and carried that leave be given to introduce the said By-law C-489 and that it now be read a first time.

It was moved by Ald. Bregante and Greenwood that By-law C-489 be read a second time.

Ald. Sarto raised a question about the by-law which provides for the hours of closing of school grounds, as discussed by the previous Council, and there appeared to be some confusion as to just which by-law is now in effect and applicable to school grounds. On his motion, seconded by Ald. Greenough, Council deferred By-law C-489 in second reading for a review by the City Solicitor of the by-law that now exists, if in fact one is in effect, and what the provisions of it are in relation to the new by-law that is being proposed.

MOTION: Moved by Ald. Sarto and Greenough that By-law C-489 be deferred in second reading for a review by the City Solicitor of the by-law that now exists, if in fact one is in effect, and what the provisions of it are in relation to the new one that is being proposed.

MOBILE CANTEENS:
CITY PROPERTY

A report from Mr. Smith was considered on the subject of mobile canteens being operated on City property, and the action taken by Council in this connection at the May 24/83 meeting with respect to mobile canteen tenders for City properties. The recommendation to Council is that the action taken at that meeting be rescinded for the reasons set out in Mr. Smith's report of July 22/83, and on motion of Ald. Sarto and Bregante, the action taken

was duly rescinded, as recommended.

MOTION: Moved by Ald. Sarto & Bregante that the action taken by Council at the May 24/83 meeting of Council, with respect to the operation of mobile canteens on City property,, be rescinded as recommended by Mr. Smith in his report of July 22/83, for the reasons outlined in the report.

SUMMARY OF REV.
& EXPENDITURES

On motion of Ald. Stubbs and Greenwood, Council received and filed for information, a summary of Revenue & Expenditure statement to July 5/83, as circulated. Questions from Ald. Stubbs about the Borrowing Resolution recently approved by Council, were discussed with Mr. Smith prior to the vote being taken on the motion. The motion carried.

MOTION: Moved by Ald. Stubbs & Greenwood that the summary of Revenue & Expenditures to July 5/83, be received and filed for information.

REPORT ON
STORM DRAINS

The Engineering Dept. report on storm drains in the City, in which there are open ends that would permit a person to fall or climb into the sewer system, has been submitted to Council. The report makes two main recommendations:

- 1) that a bar screen of suitable dimensions and shape be installed at the inlet end of each pipe system identified in sub-list #1 of the report, and on all future construction of pipe system inlets larger than 12" diameter.
- 2) that bar screens be installed at the storm sewer pipe inlets identified in Sub-list #1, and that an amount of \$35,000. be allocated from the 1983 capital budget for small drainage projects.

Ald. Bregante and Sarto moved the adoption of the recommendations from the Engineering Dept. Ald. Bregante said his preference would be for the 4" bar spacing rather than 6", as referred to on page 2 of the report. Ald. Sarto asked whether the culvert at Patterson St. should have been included in the list presented. Mr. Fougere felt that a screen is not required because of the short distance involved with that particular culvert. The motion carried.

MOTION: Moved by Ald. Bregante and Sarto that the recommendations in the Engineering Dept. report on storm drains, as detailed above, be adopted.

PLANNING ACT

Members of Council have received copies of the Act proclaimed with respect to Provincial and Municipal Planning, with an accompanying letter from the Minister of Municipal Affairs, and a Planning Dept. report indicating administrative changes that are involved in dealing with day-to-day development matters. Ald. Sarto said he would like to have Planning staff give an overview of the Act for Council at a meeting when there is more time to do so. On his motion, seconded by Ald. Greenough, Council deferred the item to a future meeting for an overview by staff and a report on the new Act.

MOTION: Moved by Ald. Sarto and Greenough that the Planning Act item be deferred to a future meeting for an overview by staff and a report on the new Act.

MUNICIPAL PLANNING STRATEGY REVIEW

A report has been submitted by Mr. Lukan on the review to be undertaken of the 1978 Municipal Planning Strategy, formerly the Municipal Development Plan. This review process will involve a public participation program and the establishment of a Planning Strategy Advisory Committee with the composition and functions outlined on page 2 of the report. Members were asked to think about the names of people they may wish to nominate to serve on the Committee, and on motion of Ald. Greenough and Romkey, the item was referred to Committee for recommendations on the appointment of P.S.A.C. members.

MOTION: Moved by Ald. Greenough and Romkey that the Planning Strategy Review item be referred to Committee for recommendations on the appointment of members to serve on the Planning Strategy Advisory Committee.

INFORMATION REPORTS: PORTLAND ESTATES, RUSSELL LAKE AREA

Information reports have been submitted to Council on three aspects of the proposed Portland Estates development and development in the Russell Lake area generally. Ald. Greenough and Withers moved that the reports be received and filed. Mr. Bayer then made a presentation, giving a brief overview of each report and its implications in terms of development expansion in this section of the City and decisions that Council will have to make with respect to trunk sewer services and whether these are to be installed by the City or by private developers.

(During the presentation, Council agreed to continue meeting beyond the hour of 11:00 p.m., on motion of Ald. Greenwood and Romkey.)

Mr. Stockall, who was present for this item, indicated to Council that he would be willing to proceed immediately with the installation of trunk sewer services to accommodate the Portland Estates development.

The motion to receive and file carried.

MOTION: Moved by Ald. Greenough and Withers that the information reports submitted by Mr. Bayer on the Portland Estates, Russell Lake area, be received and filed.

REQUEST: YOUTH
ALTERNATIVE SOCIETY

The Grants Committee has considered a request from the Youth Alternative Society for a grant, in order for the Society to be able to qualify for a grant from the Laidlaw Foundation, in the amount of \$15,000. The Society is eligible to receive the \$15,000. once they are able to raise \$45,000. themselves. The Grants Committee recommends a one-occasion grant in the amount of \$8,000. to the Society on the understanding that this is not an annual commitment on the part of the City. Ald. Withers and Bregante moved the adoption of the recommendation from the Committee.

Ald. Levandier felt that there are local organizations more deserving of this funding if it^{is} available from the City; on this basis, he was opposed to the motion. The motion carried with Ald. Levandier and Stubbs voting against.

MOTION: Moved by Ald. Withers and Bregante that Council adopt the recommendation of the Grants Committee on the allocation of a one-occasion grant in the amount of \$8,000. to the Youth Alternative Society.

PUBLIC MEETING:
LAKE REHABILITATION

Documentation has been received from the Lakes Advisory Board on rehabilitation measures associated with sediment problems in Cranberry and Little Albro Lake. The reports prepared have been in response to a request from Council, and it has been proposed that public informational meetings be scheduled with the area residents as the next step in the process that is being undertaken in order to be able to submit a further report to Council with recommendations for lake rehabilitation in both instances - ie. Cranberry and Little Albro.

Ald. Sarto circulated copies of a revised feasibility study proposal (the last four pages of the documentation received by Council), and moved that these revised pages be substituted for the existing ones; further, that a public meeting with area residents be scheduled for August 8th in the Council Chamber. The motion was seconded by Ald. Hawley and it carried.

MOTION: Moved by Ald. Sarto and Hawley that a revised feasibility study proposal be substituted for the last four pages of the documentation received from the Lakes Advisory Board, and that a public meeting with area residents be scheduled for August 8th in the Council Chamber.

REQUEST:
AMENDMENT
TO BY-LAW C-313

A letter was before Council from Mr. Robert Underwood of 5 Farquharson Drive, requesting an amendment to By-law C-313, which requires persons operating a carnival in the City to pay a \$100. per day fee. He has proposed instead that the fee charged be based on the number of rides a particular operation has, so that small operators such as himself are not penalized by the \$100. daily fee charged to large operators with a number of rides. Ald. Hawley felt that this is a reasonable request and was in favour of trying to assist Mr. Underwood in time for this year's Natal Day program. He was advised that the by-law could not be amended that quickly, and therefore moved that Council request an amendment to By-law C-313 to accommodate the request in the future. The motion was seconded by Ald. Romkey and it carried.

MOTION: Moved by Ald. Sarto and Romkey that Council request an amendment to By-law C-313, in keeping with the letter received from Mr. Underwood in this regard.

REQUEST:
COUNTRY VIEW LTD.

A request was before Council from D. S. Jenkins & Associates, on behalf of Country View Ltd., in conjunction with a proposal submitted for a North Dartmouth Industrial Park that would be located on Country View lands. It has been requested (1) that the development boundary in North Dartmouth be moved to encompass the lands of Country View Ltd. (as per map 1b); and (2) that Phase II be rezoned from H (Holding) Zone to I-2(General Industrial) to accommodate industrial development.

On motion of Ald. Sarto and Withers, Council set September 20th as the date for public hearing of an amendment to the Municipal Planning Strategy development boundary and a land use designation change, to permit the development proposal from Country View to proceed.

MOTION: Moved by Ald. Sarto and Withers that September 20th be set as the date for public hearing of a requested amendment to the Municipal Planning Strategy development boundary and a land use designation change, from H Zone to I-2 Zone, to permit the development proposal received from Country View Ltd., to proceed.

LETTER RE
CONTRACT #83-03

A letter has been received from Municipal Contracting Ltd., objecting to the awarding of Contract #83-03 for street construction to the second lowest bidder, based on a shorter completion time quoted in the bid. This contract was awarded by Council at the July 19th meeting and Municipal Contracting submitted the low bid, which was not accepted by Council. The letter from the company was received and filed, on motion of Ald. Hawley and Romkey.

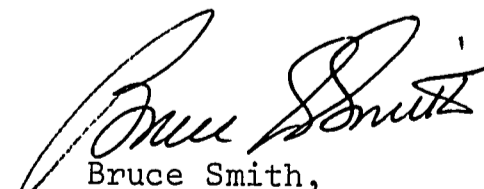
MOTION: Moved by Ald. Hawley and Romkey that the letter from Municipal Contracting Ltd., dated July 22nd, regarding the awarding of Contract #83-03, be received and filed.

AUGUST MEETINGS

On motion of Ald. Greenough and Greenwood, Council cancelled the first two meetings in August, which would have been held on the 2nd and the 9th, for a vacation period. The next regular meeting is now scheduled for August 16th. (Ald. Levandier voting against.)

MOTION: Moved by Ald. Greenough & Greenwood that the first two Council meetings in August (2nd and 9th) be cancelled for a vacation period. The next regular meeting is now scheduled for August 16th.

Meeting adjourned.


Bruce Smith,
Acting City Administrator.

City Council, July 26/83

ITEMS:

- 1) Change in date for public hearing, page 1.
- 2) Motions: Ald. Greenough, page 2.
Withers, page 2.
Levandier, page 2 & 3.
Stubbs, page 3 to 6 incl.
- 3) Notices of motion, page 6 & 7.
- 4) Inquiries, page 7 to 11 incl.
- 5) Reconsideration: paving, MicMac Drive, page 11.
- 6) " : 36 Gaston Road, page 11 & 12.
- 7) Res. #83-35: sale of 36 Gaston Rd., page 12.
- 8) Nomination: Port Development Commission, page 12.
- 9) Monthly reports: page 12 & 13.
- 10) By-law C-489: School ground vandalism, page 13.
- 11) Mobile canteens: City property, page 13.
- 12) Summary of Rev. & Expenditures, page 14.
- 13) Report on storm drains, page 14.
- 14) Planning Act, page 15.
- 15) Municipal Planning Strategy Review, page 15.
- 16) Information reports: Portland Estates, page 15.
- 17) Request: Youth Alternative Society, page 16.
- 18) Public meeting: Lake rehabilitation, page 16.
- 19) Request: Amendment to By-law C-313, page 17.
- 20) Request: Country View Ltd., page 17.
- 21) Letter re Contract #83-03, page 18.
- 22) August meetings, page 18.

Dartmouth, N. S.

July 28/83.

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

Present - Deputy Mayor Crawford

Ald. Sarto	Romkey
Beeler	Bregante
DeMont	Withers
Stubbs	Greenwood
Hawley	Greenough
Levandier	

Police Chief D. Trider
Deputy Chief, K. Cole
Acting City Administrator, B. Smith
Asst. to City Administrator, T. Rath.

RATIFY SALARY
INCREASE:
PANS LOCAL 101

This special meeting of Council was called to deal with a recommendation that a 6% increase in salary be approved for PANS, Local 101, as negotiated with the PANS representatives and in compliance with the Provincial Act respecting compensation in the public sector, effective as of Jan 1/83. Other contract items, of a non-monetary nature will continue to be negotiated with the Association and these remaining items will be presented in a separate package for Council's consideration at a later date.

Ald. Greenwood and Withers moved the adoption of the recommendation from the Acting City Administrator, on the granting of a 6% salary increase for PANS, Local 101, effective as of Jan. 1/83. Mr. Rath was present to respond to questions and concerns that some of the members had about approving a salary increase while non-monetary contract items remain outstanding. Ald. Hawley questioned whether the City's bargaining position will be jeopardized by this procedure, but the general concensus of Council was that the 6% increase recommended is in line with Provincial legislation and should not be withheld while the other non-monetary issues are under negotiation. When the vote was taken on the motion, it carried.

MOTION: Moved by Ald. Greenwood and Withers that Council approve a recommendation from Mr. Smith on the granting of a 6% wage increase for PANS, Local 101, effective as of Jan.1/83, as provided for in the Provincial legislation.

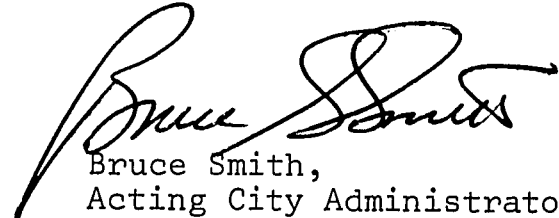
CANCELLATION:
AUG. 16 MEETING

On motion of Ald. Withers and Sarto, Council agreed to cancel the August 16th meeting, in addition to

those that have already been cancelled for Aug. 2nd & 9th.
The next regular Council meeting is now scheduled for
August 23rd.

MOTION: Moved by Ald. Withers and Sarto that
the Council meeting of August 16th be
cancelled, extending the August vacation
period for Council by one additional week.

Meeting adjourned.


Bruce Smith,
Acting City Administrator.

City Council, July 28/83

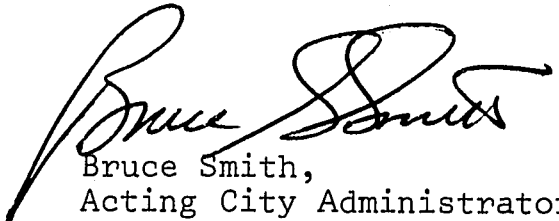
ITEMS:

- 1) Ratify salary increase: PANS Local 101, page 1.
- 2) Cancellation: August 16th meeting, page 1.

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Bruce Smith,
Acting City Administrator.

City Council, July 28/83

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- 1) Ratify salary increase: PANS Local 101, page 1.
- 2) Cancellation: August 16th meeting, page 1.